



Village of Lincolnwood Plan Commission

Meeting
Wednesday, November 4, 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**
October 14, 2015 Minutes
4. **Case #PC-14-15: Public Hearing: 7005 Central Park Avenue - Planned Unit Development Amendment: Begyle Brewing**
Request: Consideration of an Amendment to the Town Center PUD to permit a 24,000 square foot brewery and tap room with outdoor seating at 7005 Central Parking Avenue.
5. **Case #PC-15-15: Public Hearing: 7175 Lincoln Avenue – Special Use and Sign Variations: Binny’s Beverage Depot**
Request: Consideration of a Special Use to permit a packaged liquor store and Sign Variations at 7175 Lincoln Avenue.
6. **Case #PC-11-15: Public Hearing: Proposed Text Amendment – Short-Term Rental Property (Continued from September 2, 2015)**
Request: Consideration and review of a Text Amendment to consider definitions and regulations for short-term rental properties.
7. **Case #PC-13-15: Public Hearing: Zoning Code Text Amendment – Prohibition of Front Yard Parking (Continued from October 14, 2015)**
Request: Consideration of a Text Amendment of Current Prohibition of off-street parking in front and corner side yards.
8. **Approval of 2016 Plan Commission Schedule**
9. **Other Business**
10. **Next Meeting**
11. **Public Comment**
12. **Adjournment**



**DRAFT MEETING MINUTES
OF THE
PLAN COMMISSION
OCTOBER 14, 2015 – 7:00 P.M.**

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

MEMBERS PRESENT:

Chairman Paul Eisterhold
Mark Yohanna
Irving Fishman
Patricia Goldfein
Don Sampen

MEMBERS ABSENT:

Anthony Pauletto
Steven Jakubowski

STAFF PRESENT:

Timothy M. Clarke, AICP, Community Development Director
Aaron N. Cook, AICP, Community Development Manager
Hart N. Passman, Village Attorney

I. CALL TO ORDER

Chairman Eisterhold noted a quorum of four members and called the meeting to order at 7:05 p.m.

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES

Motion to approve the June 3, 2015 Meeting Minutes was made by Commissioner Fishman, and seconded by Commissioner Sampen.

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

Nay: None

Motion Approved: 5-0

Motion to approve the September 2, 2015 Meeting Minutes as amended was made by Commissioner Fishman, and seconded by Commissioner Goldfein.

Aye: Sampen, Fishman, Goldfein, and Yohanna

Nay: None

Abstention: Eisterhold
Motion Approved: 4-0

IV. Case #PC-13-15: Public Hearing: Zoning Code Text Amendment – Prohibition of Front Yard Parking

This matter is a consideration of a proposed zoning code text amendment of prohibition of front yard parking which was referred to the Plan Commission from the Village Board. They received a case from the property at 7370 N. Cicero Avenue that requested a variation to expand an existing parking lot into the front of the building. The property had met the minimum parking requirements but the owner/tenant wanted additional parking on the property. That was recommended by the ZBA for denial based on no finding of hardship. However, the Village Board thought this was a matter that should be entertained for potentially amending the code. Currently, the code prohibits off-street parking between the building and adjoining streets, front yard, and front/corner yard. Many commercial properties in Lincolnwood are developed in a manner that would not be allowed by our current zoning code. In January 2013, the Plan Commission reviewed the standards with focus on residential properties. The Plan Commission in that case, recommended no change to the code but did indicate that in unique circumstances a property owner can pursue a variation and the Village Board concurred with that recommendation. Staff researched neighboring communities and found that Glenview and Niles permit front yard parking, Skokie, Des Plaines, and Wilmette allow front yard parking in certain zoning districts. Morton Grove, Evanston, and Park Ridge prohibit front yard parking. Additionally, Winnetka required Special Use for all off-street parking.

Staff reviewed recent variation requests:

- 3400 W. Pratt New Construction – Pending
- 6733 N. Lincoln New Construction – PC recommended approval 5 – 0; pending Village Board
- 7370 N. Cicero – Parking Lot Expansion – ZBA recommended denial 7 – 0; Village Board referred for text amendment
- 4007 W. Touhy – New Construction – ZBA recommended approval 6 – 0; Village Board concurred
- 7350 N. Keeler – Single-family Residential – ZBA recommended denial 6 – 0; Village Board concurred
- 6540 N. Lincoln - Existing Condition/Expansion – ZBA recommended approval 6 – 0; Village Board concurred
- 3837 Sherwin – Single-family Residential – ZBA recommended denial 5 – 0; Village Board concurred

Additionally, staff advised that the Village has made improvements in creating and designating on-street parking on major roads such as Lincoln Avenue and there has been no evidence that this regulation has been an impediment to development. Also, the Lincoln Avenue Task Force recommended standards to address what was considered a “visual detriment”.

Commissioner Fishman advised that the Village Board meeting report provided from staff did not appear to coincide with the meeting content he witnessed and further discussed that the decision for hardship denial was coupled, in the same motion, with the referral from the Plan Commission. He further advised that Mayor Turry stated in the Village Board meeting, that he would like the Plan Commission to try and do something at this time and feels there was no sense of urgency on the topic

and reiterated staff's proposal to not make any changes based on community aesthetics as opposed to public safety and business needs. Furthermore, Commissioner Fishman stated that practically all commercial properties do not comply with the on-site parking requirements of the ordinance. Further discussion ensued regarding the compliance of parking requirements on various sites as well as numerous streets. Commissioner Fishman prepared and distributed a proposed amendment and reviewed it with the members of the Plan Commission outlining situations which would allow for front/side yard parking. He also proposed that his amendment be adopted and sent as a recommendation to the Village Board. After additional discussion ensued, Commissioner Goldfein interjected and proposed to postpone the discussion so that the other Commissioners may review the Village Board meeting as suggested.

Motion to continue to the November 4, 2015 Plan Commission meeting was made by Commissioner Yohanna, and seconded by Commissioner Goldfein.

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

Nay: None

Motion Approved: 5-0

V. Case #PC-12-15: Public Hearing: 3400 West Pratt Avenue – Special Use and Variation for Construction of Senior Housing Facility and Off-Street Parking

Chairman Eisterhold swore in the Petitioners, Mr. Chuck Hammond, Mr. Adam Arnold, Mr. Charles Hall, Mr. David Dastur, Mrs. Wendy Schulenburg, Mr. Kevin Hejtmaulk, Mr. Kevin Matray. Mr. Cook reviewed the special use request to approve assisted living, memory care and independent living facility and the variation request to approve off-street parking between the building and adjoining street. The proposed property would be composed of 251 independent living units, 88 assisted living units, and 44 memory care units.

Petitioner Mr. Adam Arnold of South Bay Partners, the developer of the project, discussed the particulars of the building plan including living units, dining options, indoor pool, patios and courtyards, exercise facilities and social programming. The property for consideration, 3400 W. Pratt Avenue, consists of 13.5 acres between Northeast Parkway and Pratt Avenue, 1 block west of McCormick Boulevard (former Bell & Howell site).

As part of this proposal, a Special Use is being requested to allow for independent and assisted living in an MB zoning district.

The Petitioner is also requesting a variation to allow off-street parking between the building and the street.

The Petitioner explained that the main building entrances would face north towards Northeast Parkway in order to avoid as much traffic as possible along Pratt Avenue to the south. Additionally, there would be a single curb cut onto Pratt Avenue to minimize traffic. The property would provide 304 onsite parking spaces per Village requirements with 85 of those spaces in an enclosed garage and on-street parking would not pose as a practical complication.

It was suggested by the Village to incorporate an on-site EMT garage and facility within the proposed development in which the developer would incur the cost but it would be staffed and equipped under the Village's current EMT provider contractor.

It was discussed that currently, there is water detention along Pratt Avenue, it is relayed that the developer will be joining the two existing storm water basins into one and treat the water on-site to allow for a greener area for patios, walking paths, etc.

The Petitioner explained they conducted a private study through KLOA to determine the impact the facility would have on the traffic flow in the area. The study demonstrated that a senior living project would have minimal impact on traffic in the surrounding neighborhoods.

Discussion continued to detail the financial impact to the Village and it was discussed that this housing development would increase residency which expands the tax base as well as adding 82 – 100 jobs in the Village. Additionally, senior populations do not add any additional burden to the school system in the Village and the ambulance service is already outsourced to a private company so no additional costs to the Village would be incurred in that respect.

Mr. Dave Dastur of Halsted and Jensen, the architect, explained the foot print of the project; there are 251 independent living units, 88 assisted living units and 44 memory care units. The memory care units would be located on the first floor along with common areas and dining areas. The independent living side has dining options as well as the assisted living side. The second floor has dining areas, some common areas and living units. On the third floor there will be a chapel, theater, wellness areas and community rooms for both the third and fourth floors.

The Petitioner explained there is a single drive that lines up with Kimball Avenue which is designed not to be an easy pass through straight to Northeast Parkway as required by the Village so that traffic is not bypassing though the site.

Chairman Eisterhold stated that one of the suggestions from the earlier workshop was to enter the parking garage from the west side. The Petitioner explained that at that point in time, the plan was to have 1 major parking garage that took up the whole floor with roof gardens on top of that. In order to pick up an extra 60 parking spaces, the cost would be astronomical so they now have made 3 separate entrances to the parking garage on the south side and the green space is now located on the ground level

Mrs. Wendy Scholenburg of Daniel Weinbach & Partners, Ltd., the landscape architects, discussed the green areas of the development. Beginning with Pratt Avenue, the proposed drive is no longer there allowing for the extension of the existing berm and the retention area behind that would also be combined. The existing trees along Pratt would be preserved to allow for substantial, existing green space. The side yards will also be newly planted and along Northeast Parkway, they have provided screening for parking that is along the street with shrub hedges and trees to green up that edge of the site which is the major entrance to the property. As you proceed through the site, the major entrances would also be highlighted with landscaping with covered entry ways. In addition, the dining areas that have been mentioned have outdoor seating areas will also have landscaping features. There are also additional courtyard areas that will have additional green area and landscaping. There will be approximately 200 new trees added to the property.

Mr. Kevin Matray of Macke Consultants, the civil engineers, discussed the civil aspects of the site. They are proposing that the main entrance be off of Northeast Parkway to the north, there are 3, with an additional entrance to the south off of Pratt Avenue. One of the ways to prevent the site from becoming a pass through is when entry is made off of Pratt Avenue, traffic is directed around the property as opposed to cutting straight through it. There has also been a grasscrete drive for emergency vehicle access between the first bend off of Pratt Avenue. It was also relayed that the building itself has proposed setbacks that exceed the zoning ordinance. Currently, the building is showing a 55' setback from the north property line, a 90' minimum setback from the sides and 150' setback from the south property line. Along the south property line is the storm water detention where they are utilizing the existing basins by connecting them and maintaining the berm. The storm water management will meet both the MWRID Ordinance and the Village's ordinance. There is currently an existing water main utility easement that cuts through the site from the north to south which contains hydrants. The Petitioner proposed they would like to vacate that easement and relocate the water main with the services provided on the site.

Commissioner Fishman inquired when an emergency vehicle enters the property off of Pratt Avenue how it would get to the building site. It was discussed that it would come in off of an extension of Kimball Avenue and then you can continue to the left or right at that point providing circulation around the building and access to all sides. Additionally, to deter from vehicles using this as a pass through it will be grasscrete which allows grass to grow through the concrete to make it appear that it is part of the parkway.

Commissioner Fishman also inquired as to the location of the proposed EMT bay location. The Petitioner relayed it would be located in the southwest corner of the independent living building with a separate drive for the bay floor. The construction and occupancy will not be billed back to the Village.

Commissioner Fishman further stated that during their workshop of this project, it was suggested that there was, in fact, too much parking and that a warehouse was to be established and inquired if the Petitioners had been considering that option. The Petitioner explained that the calculations worked out well and that the parking coincides with Village ordinance. Further it was explained that on the northeast corner of the property, there is space available to place more parking if they find they are under-parked over time.

Commissioner Fishman also inquired to the Petitioners as to how the site would be managed and if they, as the developers, would receive information or reports on how the property was functioning. The Petitioner explained that they are not only the developer but also the owner's representative and the operator would be a third party contract, who they already have, which is LCS. Construction of the property and beginning occupancy is anticipated for 2018.

Chairman Eisterhold addressed some concerns from Staff beginning with the property's refuse area; would it be held in exterior or interior areas. The Petitioner explained the refuse area would be incorporated by the loading dock area on the exterior of the building. Additionally, Chairman Eisterhold discussed the main entrance at Northeast Parkway was thought to be one way. It was explained that the entrance coming into the building under the canopy is a one way and as for the other entrances, they would be two ways.

Chairman Eisterhold addressed the sign package for the property and Mr. Cook advised that the sign proposals would need to be submitted and if code compliant, permits would be issued. However, if relief was needed, it would go before the Zoning Board of Appeals.

Commissioner Goldfein inquired as to the materials of the exterior makeup of the site and it was demonstrated that the skin of the building would be comprised of face brick as well as a full set stone; a full masonry building. The changes to the aesthetics were made to soften the exterior and limit the large overhangs giving it a more modern and open look. It was also discussed that the dining area in the assisted living facility was moved to the location that was slated for a parking garage to gain access to the courtyard. The pool of the building was also relocated to the front of the building and there was a wellness center added to that space as well.

Commissioner Yohanna inquired to Mr. Cook as to whether Staff comments from the June 17th Summary had been resolved. Mr. Cook confirmed that the comments had been addressed in either the packet of information that was distributed or has been agreed upon to be submitted in the future as part of the permit application.

It was also discussed that the EMT garage is currently at 31' but Staff will discuss with the Fire Department the needed dimensions and the Petitioners agreed that arrangements would be made if more space was necessary.

Discussion ensued regarding vacating the easements and relocating the 10" water main. Mr. Cook explained that no work has begun to vacate the easements, it had been identified but when the project is approved, at that time the easement would be vacated. The Petitioner further explained they had been in contact with the Village Engineer with regards to vacating the easements.

Commissioner Fishman verified with the Petitioners that the balconies were only located in the independent living units and not the assisted or memory care units which was confirmed.

The Petitioner inquired for verification to the Commission as to when the Ordinance would be drafted, and they are looking to include specific language with regard to number of feet deep and wide, is the ordinance to be reviewed by the Petitioners prior to being voted on. Chairman Eisterhold stated that they would make a recommendation to the Village Board based on the Plan Commission meeting and Staff will present it to the Village Board. The Village Board will do a 2 meeting review. If it's approved at the first meeting, the Village Attorney would draw up the documentation needed and the Petitioners would need to be involved with the review of that process before it goes to the second Village Board meeting for the final review.

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 approve the requested Special Use and Variations at 3400 West Pratt Avenue to authorize Special Use and Variation for Construction of Senior Housing Facility and Off-Street Parking was made by Commissioner Yohanna and seconded by Commissioner Sampen.

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

Nay: None

Motion Approved: 5-0

Motion to adjourn by was made by Commissioner Goldfein, and seconded by Commissioner Fishman. Meeting adjourned at 9:11 p.m.

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

Nay: None

Motion Approved: 5-0

Respectfully Submitted,

Karen Kutcher
Fire Department Coordinator



Plan Commission Staff Report

Case #PC-14-15

November 4, 2015

Subject Property:

7005 Central Park Avenue (formerly
7001 Central Park Avenue)

Zoning District: Planned Unit
Development

Petitioner: Begyle Brewing, Tenant
Daniel Kohanchi, Property Owner

Nature of Request: The petitioner
seeks amendments to PUD Ordinances
to permit a 24,000 square foot brewery
and tap room with outdoor seating.



Requested Action:

An amendment to the Town Center PUD to permit the existing tenant space to be occupied by a brewery and tap room. The petitioner proposes an outdoor seating area as part of the tap room as well as other outdoor improvements. The petitioner seeks approval of several exterior signs as part of the PUD Amendment.

Notification: Consistent with Village requirements, notice of the November 4, 2015 Public Hearing was published in the Lincolnwood Review dated October 16, 2015, a Public Hearing Sign was installed at 7005 Central Park Avenue, and notice of the public hearing, dated October 16, 2015, was mailed to property owners within 250 Feet.

Summary of Request

Begyle Brewing Company proposes to occupy approximately 24,111 square feet of an existing warehouse building located in the Town Center Planned Unit Development (PUD). In this space, Begyle Brewing plans to produce beer as well as operate a Tap Room where Begyle produced beer will be served. The Tap Room is proposed to have a mezzanine and an outdoor seating area is also proposed. Proposed hours of operation for brewing are 6AM-6PM with the Tap Room open: Monday-Thursday Noon-11PM; Friday Noon- Midnight; Saturday 11AM-Noon; and Sunday 11AM-10PM. Begyle has proposed 107 indoor seats and 64 outdoor seats as part of the Tap Room.

To begin, Begyle anticipates a total of eight employees with 3-4 employees in the brewery and 3-4 employees in the taproom. As part of their lease, a minimum of 22 spots are dedicated for

their business. Begyle indicates that overflow parking is parking available to the south of the Warehouse Building. Included in the proposal is the extension of the existing row of parking along the north lot line. This expansion includes three new parking spaces. Begyle proposes to remove the chain link fence that is along the front of the subject property.

In addition to the proposed 64-seat outdoor area which will be screened by a trellis, other exterior improvements include the installation of two 35 foot tall metal silos located to the back of their leased space as well as an exterior sign package. Begyle proposes to install a six foot tall monument sign located within an existing landscape area at the entrance to the property from Central Park Avenue. A pin mounted wall signs is proposed on the north building elevation and is approximately 45 square feet in area. Finally, a painted sign is proposed on the metal silo. The top of the painted sign is approximately 29 feet 3 inches above grade (silo height - 35 feet). The existing building is approximately 22 feet 4 inches.

Staff held an interdepartmental review meeting on September 23, 2015 in order to review the submitted plans and provide feedback to the petitioner. The Petitioner then resubmitted for Plan Commission consideration. Please find attached the Interdepartmental Team Review Report which outlines staff comments on the project as well as suggested conditions if the Plan Commission recommends approval. As part of their PUD application, Begyle has included a "Response to Review Comments" which directly addresses comments made as part of the Development Review Team.

Included in the report is a letter from Nadia Senuita, General Manager of the Lincolnwood Town Center indicating that they would not support any use of the Town Center ring-road for the purposes of ingress and egress of service vehicles to and from Begyle Brewery.

Conclusion

The petitioner is seeking a PUD Amendment for the purposes of opening a brewery and tap room within the existing warehouse building. If approved, Begyle Brewing Company would also require a liquor license. If the Plan Commission sees fit to recommend approval of PUD Amendment, staff recommends the following conditions:

1. Prior to issuance of Certificate of Occupancy, a Security Plan for the building and property shall be submitted & approved by the Police Chief.
2. All alcoholic beverage servers shall obtain certified Beverage Alcohol Sellers/Servers Education & Training as stipulated by the Illinois Liquor Control Commission.
3. Prior to occupancy, install a Fire Department Knox Box at the Central Park Avenue.
4. Prior to occupancy, dead or diseased trees must be removed from the property. See Public Works Development Review for report on condition of trees.

Documents Attached

1. Interdepartmental Staff Review Team Report from September 23, 2015 Meeting
2. Letter of Concern dated October 26, 2015
3. Special Use & PUD Application
4. Response to Review Comments & Begyle's Narrative
5. Project Plans dated October 10, 2015



Summary Review
Development Review Team

Proposed Brewery & Tap Room

7005 Central Park Avenue

(Formerly 7001 Central Park Avenue)

Review Date: September 23, 2015

Nature of Request

Begyle Brewing Company proposes to occupy approximately 24,111 square feet of an existing warehouse building located in the Town Center Planned Unit Development (PUD). In this space, Begyle Brewing plans to produce beer as well as operate a Tap Room where beer will be served. The Tap Room is proposed to have a mezzanine and an outdoor seating area is also proposed. Proposed hours of operation for brewing are 6AM-6PM with the Tap Room open with the following hours: Monday –Thursday Noon-11PM; Friday Noon –Midnight; Saturday 11AM-Noon; and Sunday 11AM-10PM

Village Actions Required

- Approval of an Amendment of the existing Town Center Planned Unit Development (PUD) to allow for a Brewery and Tap Room
- Approval of a PUD amendment for proposed exterior signs
- Issuance of a Village Liquor license (for further information contact Executive Secretary Carrie Dick at 847-745-4717 or CDick@lwd.org)

Other Actions Required

- Compliance with MWRD WMO for change in use to food production

Summary of Staff Review Comments

- To eliminate the possibility of tenants using the same address, , the proposed Begyle Brewery and Tap Room will receive an address of 7005 North Central Park Avenue
- Signs painted directly onto a building are prohibited by the Zoning Code

- A maximum of one wall sign is permitted by the Zoning Code
- Location and size of water and sewer connections must be approved
- A bicycle/pedestrian connection from the parking lot to the public sidewalk along Central Park Avenue should be considered
- Install a stop sign and stop bar at the Central Park Avenue driveway
- Parks and Recreation Department is 1) open to discussing possible lease for signage along future bike path directing riders to business, 2) noting the future bike path will not be illuminated and will not be open at night, and 3) recommending consideration of interior bike storage

Attached are specific department comments on the proposed development

Additional Documents Required/Requested

- Provide a more detailed written narrative describing proposed use and operation including but not limited to maximum number of seats, maximum occupancy, number of full-time employees, location and number of off-street parking spaces dedicated to the use, and future expansion plans.
- Provide a Photometric Lighting Plan for the property (see Village’s Outdoor Lighting Standards section in Zoning Code for illumination levels and other restrictions).
- Provide additional details concerning proposed site furniture, landscape features, and items identified in the attached Landscape Review (in lieu of a full Landscape Plan)
- Provide detail on refuse management and any exterior trash enclosure.
- In the event of reconfiguration, prior to building permit issuance, submit fire sprinkler and fire alarm plans for review and approval.
- Prior to occupancy, provide a security plan for approval by the Police Chief.
- Provide dimensions of sign proposed on proposed silo including height above ground.
- Provide height of proposed silos
- Clarify the size of delivery vehicles that will service the facility and provide turning exhibit for the various types of vehicles accessing the north loading door

Recommended Development Approval Conditions

Below are staff’s recommended development conditions

1) Security Plan

Prior to issuance of Certificate of Occupancy, a Security Plan for the building and property shall be submitted & approved by the Police Chief

2) BASSET Training

All alcoholic beverage servers shall obtain certified Beverage Alcohol Sellers/Servers Education & Training as stipulated by the Illinois Liquor Control Commission

3) Knox Box installation

Prior to occupancy, install a Fire Department Knox Box at the Central Park Avenue

4) Tree Removal

Prior to occupancy, dead or diseased trees must be removed from the property. See Public Works Development Review for report on condition of trees



Community Development

Development Review

Project Information

Petitioner or Project Name Begyle Brewing
Subject Property Address 7005 North Central Park Avenue (Formerly 7001 N Central Park Ave)
List and Date of Plans Reviewed <ul style="list-style-type: none">• Site Plan (AA-00); Landscape Plan (A0-01); Floor Plan (A1-01); Floor Plan Mezzanine Level (A1-02); Building Elevations and Signage Exhibit (A2-01); Enlarged Floor Plans (A5-01), all undated and prepared by Valerio Dewalt Train Associates, Inc., Chicago Il• Alta land Survey by Certified Survey, Inc. Revised February 28, 2013
Nature of Proposal <p>Begyle Brewing Company proposes to occupy approximately 24,111 square feet of an existing warehouse building located in the Town Center Planned Unit Development (PUD). In this space, Begyle Brewing plans to produce beer as well as operate a Tap Room where beer will be served. The Tap Room is proposed to have a mezzanine and an outdoor seating area is also proposed. Proposed hours of operation for brewing are 6AM-6PM with the Tap Room open with the following hours: Monday –Thursday Noon-11PM; Friday Noon –Midnight; Saturday 11am-Noon; and Sunday 11am-10PM</p>

Review Information

Name of Reviewer: Tim Clarke/Aaron Cook
Reviewer Contact Information tclarke@lwd.org (847-745-4710) acook@lwd.org (847-745-4796)
Date of Plan Review: September 23, 2015

Action(s)/Approval(s) Required

The following Village Zoning Approvals:

1. Amendment to the Town Center Planned Unit Development (PUD) for
 - a. New Use: Brewery and Tap Room
 - b. Proposed Signage

Note: Additional PUD amendments may be identified upon review of additional documents.

2. Village of Lincolnwood Liquor License(s)
 - Contact Executive Secretary Carrie Dick (Cdick@lwd.org or 847-745-4717) for additional information

Applicable Regulations/Requirements

- Town Center PUD Ordinance and Amendments

Additional Documents or Information Required/Requested

- Provide detailed written narrative describing proposed use and operation
 - Provide proposed maximum number of total seats for
 - Tap Room, Patio Area, other proposed area(s)
 - Provide proposed maximum total number of occupants
 - Provide proposed initial and maximum total number of full-time employees
 - Provide information regarding the number and location of off-street parking available for this proposed use. Identify any parking spaces which may be dedicated exclusively to Begyle, if any, and additional parking rights on the property
 - Provide detail on expected site deliveries (number of daily deliveries, anticipated hours, and type of delivery vehicles)
 - Describe brewery and tap room operation including any future expansion plans (food service, expanded operation, etc.)

Plan Review Comments

- Proposed Signs
 - Signs painted directly onto a building are prohibited by the Zoning Code
 - Zoning Code limits number of wall signs for a business to a maximum of one
 - Provide dimension of sign proposed for silo and proposed maximum sign height from ground
- Provide additional information on proposed outdoor lighting
- Provide detail regarding proposed outdoor patio enclosure
- Provide height of proposed silos
- Provide additional information on proposed bike repair station
- Off-street parking calculation is incomplete, awaiting information on number of full-time employees
- Remove foundation of existing former light standard if not proposed for re-use

- Provide information on the use of existing parking located on the south side of building. If parking for proposed use is envisioned in this area, consideration should be given to how to direct pedestrians safely through loading zone and to proposed business

Recommended Development Approval Conditions

- None at this time



LINCOLNWOOD POLICE DEPARTMENT

6900 N. Lincoln Avenue, Lincolnwood, IL 60712

(847) 673-2167

Development Review

Project Information

Petitioner or Project Name:	Begyle Brewing
Subject Property Address:	7001 North Central Park Avenue Lincolnwood, Illinois 60712
List and Date of Plans Reviewed:	<ul style="list-style-type: none">• Site Plan (AA-00); Landscape Plan (A0-01); Floor Plan Mezzanine Level (A1-02); Building Elevations and Signage Exhibit (A2-01); Enlarged Floor Plans (A5-01), all undated and prepared by Valerio Dewalt Train Associates, Inc., Chicago, Illinois• Alta land Survey by Certified Survey, Inc. Revised February 28, 2013
Nature of Proposal:	Begyle Brewing Company proposes to occupy approximately 24,111 square feet of an existing warehouse building located in the Town Center Planned Unit Development (PUD). In this space, Begyle Brewing plans to produce beer as well as operate a Tap Room open with the following hours: Monday-Thursday Noon-11PM; Friday Noon-Midnight; Saturday 11am-12am; and Sunday 11am-10PM

Review Information

Name of Reviewer:	Lieutenant Randall Rathmell			
Reviewer Contact Information:	Work:	(847) 745-4751	Cell:	847 980-7894
	Email	rrathmell@lwd.org		
Date of Plan Review:	September 17, 2015			

Action(s)/Approval(s) Required

- None

Applicable Regulations/Requirements

- None

Additional Documents or Information Required/Requested

- Photometric Lighting Plan

[Type text]

- Security Plan

Plan Review Comments

- Submit a Security Plan for the property with approval by the Police Chief prior to issuance of the Certificate of Occupancy to include alarms, sensor lights, video surveillance cameras and intrusion detectors made visible to potential offenders and to assist in any criminal investigation
- Install a stop sign and stop bar at the Central Park Avenue driveway
- Ensure that all alcoholic beverage servers obtain certified Beverage Alcohol Sellers/Servers Education & Training (BASSET) as stipulated by the Illinois Liquor Control Commission

Recommended Development Approval Conditions

- Submit a Photometric Lighting Plan
- Submit a Security Plan for the property with approval by the Police Chief prior to issuance of the Certificate of Occupancy to include alarms, sensor lights, video surveillance cameras and intrusion detectors made visible to potential offenders and to assist in any criminal investigation
- Install a stop sign and stop bar at the Central Park Avenue driveway
- Ensure that all alcoholic beverage servers obtain certified Beverage Alcohol Sellers/Servers Education & Training (BASSET) as stipulated by the Illinois Liquor Control Commission



LINCOLNWOOD FIRE DEPARTMENT

6900 N. LINCOLN AVENUE – LINCOLNWOOD, ILLINOIS - 60712

PHONE: 847-673-1545 FAX: 847-673-7456

Development Review

Project Information

Petitioner or Project Name: Begyle Brewing & Tap Room
Subject Property Address: 7001 North Central Park Avenue
List and Date of Plans Reviewed: Site Plan (AA-00); Landscape Plan (A0-01); Floor Plan (A1-01); Floor Plan Mezzanine Level (A1-02); Building Elevations and Signage Exhibit (A2-01); Enlarged Floor Plans (A5-01), all undated and prepared by Valerio Dewalt Train Associates, Inc., Chicago Il Alta land Survey by Certified Survey, Inc. Revised February 28, 2013
Nature of Proposal: Change of occupancy from the existing Industrial and Storage use to be a place of Assembly with a separated Manufacturing area for brewing beer and subsequently serving beer in an associated Tap Room which will include a mezzanine (for storage only) and an outdoor seating area.

Review Information

Name of Reviewer: Battalion Chief Clyde Heineman
Reviewer Contact Information: Lincolnwood Fire Department – 847-673-1545 – cheineman@lwd.org
Date of Plan Review: 9-16-2015

Action(s)/Approval(s) Required

- Fire sprinkler plans for any necessary reconfiguration to be submitted, reviewed, and approved prior to construction of the system.
- Fire alarm plans for any necessary reconfiguration to be submitted, reviewed, and approved prior to construction of the system.

Applicable Regulations/Requirements

- All plans will be reviewed to the currently adopted versions of the NFPA code set including, *but not limited to* NFPA 1 Fire Code 2009 Edition, NFPA 13 Standard for the Installation of Sprinkler Systems 2010 Edition, NFPA 70 National Electrical Code® 2011 Edition, NFPA 72 National Fire

Alarm and Signaling Code 2010 Edition, NFPA 80 Standard for Fire Doors and Other Opening Protectives 2010 Edition, NFPA 101®*Life Safety Code*® 2012 Edition, NFPA 110 Standard for Emergency and Standby Power Systems 2010 Edition, as well as the 2006 International Fire Code and local amendments.

- All applicable codes to be listed on plans

Additional Documents or Information Required/Requested

Building Square Footage: 229,540 sq. ft.	Tenant Square Footage: 24,111 sq. ft.
Proposed Occupancy Type: Assembly / Manufacturing	
Proposed Occupancy Load: Assembly Areas - 15 sq. ft. /per person (Tap Room)	
Proposed Occupancy Load: Business Areas - 100 sq. ft. /per person. (Offices)	
Proposed Occupancy Load: Manufacturing 100 sq. ft. /per person. (Brewing Areas)	
Proposed Occupancy Load: Storage Areas - 300 sq. ft. /per person. (Storage, Receiving, Shipping)	

- The calculation of all spaces for occupancy loads, exit requirements, and travel distances to be provided in accordance with 2012 *Life Safety Code* “Table 7.3.1.2 Occupant Load Factor”.

Plan Review Comments

- The current proposed position of the structure on the site will not change and will therefore not change fire department access from the existing situation. Access does not present any difficulties for fire suppression purposes.
 - Water supply for fire suppression will not change from the existing arrangement and is adequate.
 - An existing NFPA 13 compliant sprinkler system is currently installed throughout. Any changes to the system due to reconfiguration within the space will need to be submitted for review, approved, and the appropriate permit issued.
 - Fire Department Connection location on the system will remain as exists. Changes to 5” Storz Connection on a thirty-degree down turn is required.
 - An existing compliant NFPA 72® National Fire Alarm & Signaling Code system is currently provided as required by NFPA 101®*Life Safety Code*®. Any changes to the system due to reconfiguration within the space and to meet any applicable code requirements for the occupancy use group will need to be submitted for review, approved, and the appropriate permit issued.
 - The fire alarm system is required to be connected to the fire department dispatch center by way of the Village of Lincoln fire alarm radio network. This connection already exists on the building system.
-

Recommended Conditions

- There is an existing Knox Box® (Key Box) at the McCormick side entrance. Keys will need to be supplied by the new tenant for his space for emergency access by fire companies. In addition a second Knox Box® at the Central Park entrance will be required if not already in place.
 - The previous Tenant “Ten-Fab” and the adjoining tenant “Goggin’s Warehouse” were both using the address “7001 N. Central Park”. The Fire Department has in its records for both of these occupants, a further designator of 7001 N. Central Park – “A” and 7001 N. Central Park – “B”. It is unknown how the tenants have been designating themselves beyond the 7001 N. Central Park address. Since “Goggin’s Warehouse” is the southern-most occupancy, we propose an address designation for Begyle Brewery & Tap Room of 7005 N. Central Park.
-



Public Works

Development Review

Project Information

Petitioner or Project Name Begyle Brewing
Subject Property Address 7001 North Central Park Avenue
List and Date of Plans Reviewed <ul style="list-style-type: none">• Site Plan (AA-00); Landscape Plan (A0-01); Floor Plan (A1-01); Floor Plan Mezzanine Level (A1-02); Building Elevations and Signage Exhibit (A2-01); Enlarged Floor Plans (A5-01), all undated and prepared by Valerio Dewalt Train Associates, Inc., Chicago Il• Alta land Survey by Certified Survey, Inc. Revised February 28, 2013
Nature of Proposal <p>Begyle Brewing Company proposes to occupy approximately 24,111 square feet of an existing warehouse building located in the Town Center Planned Unit Development (PUD). In this space, Begyle Brewing plans to produce beer as well as operate a Tap Room where beer will be served. The Tap Room is proposed to have a mezzanine and an outdoor seating area is also proposed. Proposed hours of operation for brewing are 6AM-6PM with the Tap Room open with the following hours: Monday –Thursday Noon-11PM; Friday Noon –Midnight; Saturday 11am-Noon; and Sunday 11am-10PM</p>

Review Information

Name of Reviewer	Ashley Engelmann, Public Works Director
Reviewer Contact Information	847-745-4859; aengelmann@lwd.org
Date of Plan Review	September 21, 2015

Action(s)/Approval(s) Required

- Location and size of water and sewer connections must be approved.

Applicable Regulations/Requirements

- Section 12-2 (Water Main and Sewer Connections)

Additional Documents or Information Required/Requested

- Please identify the location and size of existing and proposed (if applicable) water and sewer connections.

Plan Review Comments

- None

Recommended Development Approval Conditions

- The Village Arborist reviewed the condition of the trees along the perimeter of the fence. There are a total of eight trees. The species and condition ratings are as follows:
 - 6" Cottonwood in fair condition
 - 17" Siberian Elm in poor condition
 - 10" Siberian Elm in poor condition
 - 12" Siberian Elm in poor condition
 - 14" Siberian Elm in poor condition
 - 4" Siberian Elm in fair condition
 - 5" Siberian Elm in poor condition
 - 7" Siberian Elm in fair condition
- The Village Code Section 17-3-11 (P) states that it is a nuisance to allow a dead or diseased tree to remain erect, whether on public or private property, in a manner which may be dangerous or detrimental to life and safety of persons residing on the premises or residing in proximity thereof. All such trees shall be cut down and removed. The trees noted above should be removed per the Village Code.



Engineering Department

Development Review

Project Information

Petitioner or Project Name Begyle Brewing
Subject Property Address 7001 North Central Park Avenue
List and Date of Plans Reviewed <ul style="list-style-type: none">• Site Plan (AA-00); Landscape Plan (A0-01); Floor Plan (A1-01); Floor Plan Mezzanine Level (A1-02); Building Elevations and Signage Exhibit (A2-01); Enlarged Floor Plans (A5-01), all undated and prepared by Valerio Dewalt Train Associates, Inc., Chicago Il• Alta land Survey by Certified Survey, Inc. Revised February 28, 2013
Nature of Proposal <p>Begyle Brewing Company proposes to occupy approximately 24,111 square feet of an existing warehouse building located in the Town Center Planned Unit Development (PUD). In this space, Begyle Brewing plans to produce beer as well as operate a Tap Room where beer will be served. The Tap Room is proposed to have a mezzanine and an outdoor seating area is also proposed. Proposed hours of operation for brewing are 6AM-6PM with the Tap Room open with the following hours: Monday –Thursday Noon-11PM; Friday Noon –Midnight; Saturday 11am-Noon; and Sunday 11am-10PM</p>

Review Information

Name of Reviewer James Amelio, PE
Reviewer Contact Information jamelio@lwd.org
Date of Plan Review 9/17/2015

Action(s)/Approval(s) Required

- None

Applicable Regulations/Requirements

- MWRD WMO Regulations for change in use to food production

Additional Documents or Information Required/Requested

- Provide turning exhibit for the various types of delivery trucks to North loading door
- Provide photometric lighting plan

Plan Review Comments

- None

Recommended Development Approval Conditions

- None



LANDSCAPE REVIEW

Project Information

Petitioner or Project Name Begyle Brewing
Subject Property Address 7001 North Central Park Avenue
List and Date of Plans Reviewed <ul style="list-style-type: none">• Site Plan (AA-00); Landscape Plan (A0-01); Floor Plan (A1-01); Floor Plan Mezzanine Level (A1-02); Building Elevations and Signage Exhibit (A2-01); Enlarged Floor Plans (A5-01), all undated and prepared by Valerio Dewalt Train Associates, Inc., Chicago Il• Alta land Survey by Certified Survey, Inc. Revised February 28, 2013
Nature of Proposal <p>Begyle Brewing Company proposes to occupy approximately 24,111 square feet of an existing warehouse building located in the Town Center Planned Unit Development (PUD). In this space, Begyle Brewing plans to produce beer as well as operate a Tap Room where beer will be served. The Tap Room is proposed to have a mezzanine and an outdoor seating area is also proposed. Proposed hours of operation for brewing are 6AM-6PM with the Tap Room open with the following hours: Monday –Thursday Noon-11PM; Friday Noon –Midnight; Saturday 11am-Noon; and Sunday 11am-10PM</p>

Review Information

Name of Reviewer	Douglas Gotham, RLA
Reviewer Contact Information	CBBEL, 847 823 0500 dgotham@cbbel.com
Date of Plan Review	9-16-15

Action(s)/Approval(s) Required

- None

Applicable Regulations/Requirements

- Village Code – Chapter 15, Article VI: Site Development Standards

Additional Documents or Information Required/Requested

- In consideration of the small amount of available landscape areas the typical 'Full Landscape Plan' will not be requested. We are interested in seeing more details concerning the proposed site furniture, and the landscape treatment for the landscape islands in the parking lot.

Plan Review Comments

- The landscape plan indicates an arbor with vines in one of only three indicated landscape islands. On sheet A2-01 in the north elevation it indicates a trellis for hops. Hops can be a very aggressive grower and they need strong support. I would like to see details of the proposed trellis, indicating its height, materials and foundation.
- The landscape plan also indicates grass being planted in the three landscape islands. Considering the size of the islands I suggest that they be mass planted with perennials, native grasses or a 'no mow' fescue to reduce maintenance and improve the appearance.
- No indication is made for a bike / pedestrian connection from the parking lot to the sidewalk along Central Park Avenue. I strongly encourage that a connection be made.
- No trash enclosures are indicated. Will any be needed?

Recommended Development Approval Conditions

- Please submit details concerning the proposed site furniture and landscape treatment for the landscape islands in the parking lot.



October 26, 2015

Village of Lincolnwood
Mr. Aaron N. Cook, AICP
Community Development
Department Manager
6900 N. Lincoln Avenue
Lincolnwood, IL 60712

RE: Case #PC-14-15: Planned Unit Development Amendment for Brewery and Tap Room – 7005 Central Park Avenue

Dear Mr. Cook:

In response to your letter dated October 14, 2015, referencing the above Case #PC-14-15, we would like to advise you that Lincolnwood Town Center, LLC is aware of the above proposed development amendment.

If the proposed amendment is approved, Lincolnwood Town Center, LLC requests that such approval be subject to the requirement that the Lincolnwood Town Center ring road, more commonly known as "Town Center Drive," shall not be used for service ingress and egress to and from Begyle Brewery and Tap Room. The ring road is not intended for industrial use and we request that this requirement be included in the Planned Unit Development Amendment for Case #PC-14-15.

Should you have any questions, please direct them to Nadia Seniuta, General Manager, Lincolnwood Town Center at (847) 674-1219.

Sincerely,

Lincolnwood Town Center, LLC

A handwritten signature in blue ink, appearing to read "Nadia Seniuta".

Nadia Seniuta
General Manager,
Property Owners Association President

NS/dp



VILLAGE OF LINCOLNWOOD
Community Development Department

Public Hearing Application
Special Use and PUD

SUBJECT PROPERTY

Property Address: 7005 North Central Park, Lincolnwood, IL

Permanent Real Estate Index Number(s): 10-35-204-025

Zoning District: PD Lot Area: 359,873 sf.

List all existing structures on the property. Include fencing, sheds, garages, pools, etc.

Existing building is 229,540 sf and is a multi tenant building. There is an existing fence on the north and west side of the property.

There is an existing patio on the north side of the building.

Are there existing development restrictions affecting the property? ___ Yes X No

(Examples: previous Variations, conditions, easements, covenants) If yes, describe: _____

REQUESTED ACTION

- Special Use - Residential
- Planned Unit Development (PUD)
- Special Use - Non-Residential
- Other

PROJECT DESCRIPTION

Describe the Request and Project: Tenant improvement of 24,111sf. Project is a production brewery with tap room in an existing building. The building is one story and the tap room will have a mezzanine for storage. There will be an outdoor seating area, bicycle parking and 2 grain silos with signage on them.

PROPERTY OWNER/PETITIONER INFORMATION

Property Owner(s): (List all Beneficiaries if Trust)

Name: Daniel Kohanchi

Address: _____

Telephone: (____) _____ Fax: (____) _____ E-mail: _____

Petitioner: (if Different from Owner)

Name: Begyle Brewing Relationship to Property: Tenant

Address: 1800 West Cuyler Ave., Chicago, IL 60613

Telephone: (773) 661-6963 Fax: (____) _____ E-mail: oh.hey@begylebrewing.com

REQUIRED ATTACHMENTS *

Check all Documents that are Attached:

Plat of Survey	<u> X </u>	Applicable Zoning Worksheet	<u> NA </u>
Site Plan	<u> X </u>	Photos of the Property	<u> X </u>
Proof of Ownership	<u> X </u>	PDF Files of all Drawings	<u> X </u>
Floor Plans	<u> X </u>	Elevations	<u> X </u>

**The above documents are required for all applications. The Zoning Officer may release an applicant from specific required documents or may require additional documents as deemed necessary.*

COST REIMBURSEMENT REQUIREMENT

The Village requires reimbursement of certain out-of-pocket costs incurred by the Village in connection with applications for zoning approvals and relief. These costs include, but are not limited to, mailing costs, attorney and engineer costs, and other out-of-pocket costs incurred by the Village in connection with this application. In accordance with Section 5.02 of the Village of Lincolnwood Zoning Ordinance, both the petitioner and the property owner shall be jointly and severally liable for the payment of such out-of-pocket costs. Out-of-pocket costs incurred shall be first applied against any hearing deposit held by the Village, with any additional sums incurred to be billed at the conclusion of the hearing process.

Invoices in connection with this application shall be directed to:

Name: Begyle Brewing
 Address: 1800 West Cuyler, Chicago, IL
 City, State, Zip: Chicago, IL 60613

ATTESTMENT AND SIGNATURE

I hereby state that I have read and understand the Village cost reimbursement requirement, as well as the requirements and procedures outlined in Article V of the Village Zoning Ordinance, and I agree to reimburse the Village within 30 days after receipt of an invoice therefor. I further attest that all statements and information provided in this application are true and correct to the best of my knowledge and that I have vested in me the authority to execute this application.

PROPERTY OWNER:



Signature

Daniel Kohanchi

Print Name

Oct 5, 2015

Date

PETITIONER: *(if Different than Property Owner)*



Signature

Brendan Blume

Print Name

05 Oct 2015

Date

SPECIAL USE STANDARDS

To be approved, each Special Use request must meet certain specific standards. These standards are listed below. After each listed standard, explain how the Special Use request satisfies the listed standard. Use additional paper if necessary.

1. Please explain how the Special Use is necessary for the public convenience at this location and the subject property is deemed suitable for the use. (Please explain in detail)

This will be the first production brewery and tap room in the Village of Lincolnwood. It will serve the residents and also bring in other patrons from the surrounding communities. The existing building is already in a PD district which has light industrial and retail uses in it so this this will fit in with current uses.

2. Please explain how the Special Use is so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected.

The brewery and tap room will be located in an existing building on the site. This location already receives truck and car traffic from current users. The hours of deliveries for the brewery and tap room will be staggered so as not to mix tap room and brewery traffic.

3. Please explain how this Special Use would not cause substantial injury to the value of other property in the neighborhood in which it is located.

Since the brewery is part of an existing building and is in a PD with light industrial and uses this project will fit in with the existing uses

SPECIAL USE STANDARDS (Continued)

4. The Special Use is consistent with the goals and policies of the Comprehensive Plan.

The existing PD has industrial and retail uses in it. This project would be part of those uses.

5. The Special Use would not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the underlying Zoning District.

This project would be part of an existing building in the PD. Its uses are similar to the surrounding properties.

6. Please explain how the Special Use is so designed to provide adequate utilities, access roads, drainage, or necessary facilities.

The brewery and tap room will use existing services on the property. The staff and patrons will use the existing curb cut on North

Central Park. The traffic (car and truck) would be similar to other businesses in the area.

7. Please explain how the Special Use is so designed to provide ingress and egress to minimize traffic congestion on public streets.

Ingress and egress will be through an existing curb cut on the site that the current tenants already use. North Central Park already

serves industrial uses. This will not be introducing new traffic types to the streets in the area. The tap room hours and delivery

/shipping hours will be staggered so as not to cause traffic congestion.

BEGYLE NARRITIVE

05 OCTOBER, 2015

Proposed Brewery & Tap Room

7005 Central Park Avenue

(Formerly 7001 Central Park Avenue)

Begyle Brewing has been in operation since 2012, located at 1800 W. Cuyler, Chicago, IL. We currently operate a brewery and taproom 7 days a week, brewing operations take place Monday thru Friday, and the taproom is open Tuesday-Sunday. The business consists of 4500 square feet of ground floor space, including the brewery and taproom, a second floor space consisting on 5500 square feet of offices, storage and private event space. We have now maximized the amount of beer we can produce out of this location, we will keep 1800 W. Cuyler open after the completion of the new facility.

We are finalizing a lease on 24,111 square feet at 7005 N. Central Park Ave, in Lincolnwood, IL for a new brewery and taproom. The plans include a ~2,000 square foot taproom with an adjacent outdoor patio, production will take place in the remaining space. The use of the production are will include, brewing, packaging, brewery tours and private events. The taproom will provide seating for customers to consume only beer made on premise, no liquor or other beer sales will take place. There will be a total of 64 outdoor seats and 107 indoor seats, for a total of 171 seats overall.

The operating hours of the brewery will be Monday-Friday 6am-6pm, the operating hours of the taproom will be 12pm-11pm Monday thru Friday, 12pm-12am Friday, 11am-12am Saturday and 11am-10pm on Sunday. All deliveries for the business will take place before 4pm daily. The largest delivery vehicle will be 53' long and is used for grain delivery. Live music will take place in the taproom, as well as using the parking lot for special events during the summer months. There are no plans for food, however food trucks will be available on site, and customers can order in food from surrounding businesses.

Total employees for the facility to start will be eight, with 3-4 brewery employees and 3-4 taproom employees. Most of our employees currently ride their bicycles to work or use the Divvy bike sharing program. With the close proximity to our current location employees and owners will continue to ride to work. There will be a minimum of 22 dedicated spots for our business, as well there is available parking for our employees on the southern side of the building that will not take away from customer parking. The south side of the building includes 7 employee parking spots and an additional 10 customer spots during busy business hours.

Thank you,

Kevin Cary and Brendan Blume
Begyle Brewing



RESPONSE TO REVIEW COMMENTS

05 OCTOBER, 2015

Summary Review

Development Review Team

Proposed Brewery & Tap Room

7005 Central Park Avenue

(Formerly 7001 Central Park Avenue)

Review Date: September 23, 2015

Nature of Request

Begyle Brewing Company proposes to occupy approximately 24,111 square feet of an existing warehouse building located in the Town Center Planned Unit Development (PUD). In this space, Begyle Brewing plans to produce beer as well as operate a Tap Room where beer will be served. The Tap Room is proposed to have a mezzanine and an outdoor seating area is also proposed. Proposed hours of operation for brewing are 6AM-6PM with the Tap Room open with the following hours: Monday –Thursday Noon-11PM; Friday Noon –Midnight; Saturday 11AM-Noon; and Sunday 11AM-10PM

Village Actions Required

· Approval of an Amendment of the existing Town Center Planned Unit Development (PUD) to allow for a Brewery and Tap Room

MAIN: 312-260-7300

500 NORTH DEARBORN STREET, CHICAGO, IL 60654

WWW.BUILDORDIE.COM



- Approval of a PUD amendment for proposed exterior signs
- Issuance of a Village Liquor license (for further information contact Executive Secretary Carrie Dick at 847-745-4717 or CDick@lwd.org)

Other Actions Required

- Compliance with MWRD WMO for change in use to food production

Summary of Staff Review Comments

- To eliminate the possibility of tenants using the same address, , the proposed Begyle Brewery and Tap Room will receive an address of 7005 North Central Park Avenue

THIS HAS BEEN UPDATED IN THE DRAWINGS.

- Signs painted directly onto a building are prohibited by the Zoning Code

SIGNS HAVE BEEN CHANGED TO BE PIN MOUNTED AND MAIN SIGNAGE TO BE PIN MOUNTED AND BACKLIT. SEE ELEVATIONS 1A, 4E, 5E, 4G ON SHEET A2-01.

- A maximum of one wall sign is permitted by the Zoning Code

SIGN HAS BEEN UPDATED. SEE ELEVATIONS 1A ON SHEET A2-01.

- Location and size of water and sewer connections must be approved

THIS COMMENT WILL BE ADDRESSED DURING PERMIT SUBMITTAL PROCESS.

- A bicycle/pedestrian connection from the parking lot to the public sidewalk along Central Park Avenue should be considered

A PAINTED 5' WIDE BIKE/ PEDESTRIAN PATH HAS BEEN ADDED TO THE SITE AND LANDSCAPE PLAN. SEE SHEETS A0-00 AND A0-01.

- Install a stop sign and stop bar at the Central Park Avenue driveway

STOP SIGN AND STOP BAR IS INCLUDED. SEE SHEETS A0-00 AND A0-01.

- Parks and Recreation Department is 1) open to discussing possible lease for signage along future bike path directing riders to business, 2) noting the future bike path will not



be illuminated and will not be open at night, and 3) recommending consideration of interior bike storage

INTERIOR BIKE STORAGE FOR EMPLOYEES HAS BEEN INCLUDED IN THE MANUFACTURING SPACE. SEE SHEET A1-01.

Additional Documents Required/Requested

· Provide a more detailed written narrative describing proposed use and operation including but not limited to maximum number of seats, maximum occupancy, number of full-time employees, location and number of off-street parking spaces dedicated to the use, and future expansion plans.

DETAILED NARRATIVE ATTACHED.

· Provide a Photometric Lighting Plan for the property (see Village's Outdoor Lighting Standards section in Zoning Code for illumination levels and other restrictions).

LIGHTING HAS BEEN TESTED AND PASSES THE VILLAGE'S OUTDOOR LIGHTING STANDARDS. SEE SHEET A0-03.

· Provide additional details concerning proposed site furniture, landscape features, and items identified in the attached Landscape Review (in lieu of a full Landscape Plan)

ADDITIONAL TRELLIS INFORMATION IS INCLUDED. SEE DRAWING 6E ON SHEET A2-01.

· Provide detail on refuse management and any exterior trash enclosure.

TRASH ENCLOSURE HAS BEEN ADDED. SEE DRAWING 1A ON SHEET A2-01 AND 1A ON A0-00.

· In the event of reconfiguration, prior to building permit issuance, submit fire sprinkler and fire alarm plans for review and approval.

THIS COMMENT WILL BE ADDRESSED DURING PERMIT SUBMITTAL PROCESS.

· Prior to occupancy, provide a security plan for approval by the Police Chief.

THIS COMMENT WILL BE ADDRESSED DURING PERMIT SUBMITTAL PROCESS.

· Provide dimensions of sign proposed on proposed silo including height above ground.

DIMENSIONS HAVE BEEN ADDED TO ALL SIGNAGE. SEE DRAWINGS 4A, 4E, AND 5A ON SHEET A2-01.

· Provide height of proposed silos



DIMENSIONS HAVE BEEN ADDED TO SILO. SEE DRAWING 4A ON SHEET A2-01.

· Clarify the size of delivery vehicles that will service the facility and provide turning exhibit for the various types of vehicles accessing the north loading door

DELIVERY TRUCK TO BE 53' LONG. TURNING RADIUS HAS BEEN TESTED ON A LARGER 55' LONG VEHICLE. SEE DRAWING 1A ON SHEET A0-02.

Recommended Development Approval Conditions

Below are staff's recommended development conditions

1) Security Plan

Prior to issuance of Certificate of Occupancy, a Security Plan for the building and property shall be submitted & approved by the Police Chief

THIS COMMENT WILL BE ADDRESSED DURING PERMIT SUBMITTAL PROCESS.

2) BASSET Training

All alcoholic beverage servers shall obtain certified Beverage Alcohol Sellers/Servers Education & Training as stipulated by the Illinois Liquor Control Commission

THIS COMMENT WILL BE ADDRESSED DURING PERMIT SUBMITTAL PROCESS.

3) Knox Box installation

Prior to occupancy, install a Fire Department Knox Box at the Central Park Avenue

THIS COMMENT WILL BE ADDRESSED DURING PERMIT SUBMITTAL PROCESS.

4) Tree Removal

Prior to occupancy, dead or diseased trees must be removed from the property. See Public Works Development Review for report on condition of trees.

DEAD OR DISEASED TREES TO BE REMOVED BY LANDLORD. SEE SHEET A0-01.



Community Development

Development Review

Project Information

Petitioner or Project Name Begyle Brewing

Subject Property Address 7005 North Central Park Avenue (Formerly 7001 N Central Park Ave)

List and Date of Plans Reviewed

- Site Plan (AA-00); Landscape Plan (A0-01); Floor Plan (A1-01); Floor Plan Mezzanine Level (A1-02); Building Elevations and Signage Exhibit (A2-01); Enlarged Floor Plans (A501), all undated and prepared by Valerio Dewalt Train Associates, Inc., Chicago Il
- Alta land Survey by Certified Survey, Inc. Revised February 28, 2013

Nature of Proposal

Begyle Brewing Company proposes to occupy approximately 24,111 square feet of an existing warehouse building located in the Town Center Planned Unit Development (PUD). In this space, Begyle Brewing plans to produce beer as well as operate a Tap Room where beer will be served. The Tap Room is proposed to have a mezzanine and an outdoor seating area is also proposed. Proposed hours of operation for brewing are 6AM-6PM with the Tap Room open with the following hours: Monday –Thursday Noon-11PM; Friday Noon –Midnight; Saturday 11am-Noon; and Sunday 11am-10PM

Review Information

Name of Reviewer: Tim Clarke/Aaron Cook

Reviewer Contact Information

tclarke@lwd.org (847-745-4710) acook@lwd.org (847-745-4796)

Date of Plan Review: September 23, 2015



Action(s)/Approval(s) Required

The following Village Zoning Approvals:

1. Amendment to the Town Center Planned Unit Development (PUD) for
 - a. New Use: Brewery and Tap Room
 - b. Proposed Signage

Note: Additional PUD amendments may be identified upon review of additional documents.

2. Village of Lincolnwood Liquor License(s)

Contact Executive Secretary Carrie Dick (Cduck@lwd.org or 847-745-4717) for additional information

Applicable Regulations/Requirements

- Town Center PUD Ordinance and Amendments

Additional Documents or Information Required/Requested

- Provide detailed written narrative describing proposed use and operation

DETAILED NARRATIVE ATTACHED.

- Provide proposed maximum number of total seats for

- Tap Room, Patio Area, other proposed area(s)

OUTDOOR PATIO: 64 SEATS

TAP ROOM: 72 SEATS

BAR: 11 SEATS

INDOOR PATIO: 24 SEATS

TOTAL INDOOR: 107 SEATS AND TOTAL OVERALL: 171 SEATS. SEE SHEET A5-01.

- Provide proposed maximum total number of occupants

DETAILED NARRATIVE ATTACHED. TOTAL OVERALL: 171 SEATS AND TOTAL MAXIMUM FULL TIME EMPLOYEES: 10.

MAXIMUM TOTAL NUMBER OF OCCUPANTS: 181.

- Provide proposed initial and maximum total number of full-time employees



TOTAL MAXIMUM FULL TIME EMPLOYEES: 10

· Provide information regarding the number and location of off-street parking available for this proposed use. Identify any parking spaces which may be dedicated exclusively to Begyle, if any, and additional parking rights on the property

TAP ROOM REQUIRES: 11 PARKING SPACES

WAREHOUSE (INCLUDES 10 MAXIMUM FULL TIME EMPLOYEES) REQUIRES: 5 PARKING SPACES

MANUFACTURING (INCLUDES 10, SAME AS ABOVE) REQUIRES: 7 PARKING SPACES

TOTAL PARKING REQUIRED: 23 SPACES

WE ARE PROPOSING A TOTAL OF 39 SPACES FOR ADDITIONAL PARKING DURING BUSY BUSINESS HOURS. SEE SHEET A0-00 FOR PARKING LOCATIONS.

· Provide detail on expected site deliveries (number of daily deliveries, anticipated hours, and type of delivery vehicles)

DETAILED NARRATIVE ATTACHED. DELIVERY TRUCK TO BE 53' LONG. TURNING RADIUS HAS BEEN TESTED ON A LARGER 55' LONG VEHICLE. SEE DRAWING 1A ON SHEET A0-02.

DELIVERIES WILL HAPPEN BETWEEN 6AM AND 3PM ON WEEKDAYS, AND NO DELIVERY ON WEEKENDS.

· Describe brewery and tap room operation including any future expansion plans (food service, expanded operation, etc.)

DETAILED NARRATIVE ATTACHED.

Plan Review Comments

· Proposed Signs

· Signs painted directly onto a building are prohibited by the Zoning Code

SIGNS HAVE BEEN CHANGED TO BE PIN MOUNTED AND MAIN SIGNAGE TO BE PIN MOUNTED AND BACKLIT. SEE ELEVATIONS 1A, 4E, 5E, 4G ON SHEET A2-01.

· Zoning Code limits number of wall signs for a business to a maximum of one

SIGN HAS BEEN UPDATED TO INCLUDE ONLY ONE. SEE ELEVATIONS 1A ON SHEET A2-01.

· Provide dimension of sign proposed for silo and proposed maximum sign height



from ground

DIMENSIONS HAVE BEEN ADDED TO ALL SIGNAGE. SEE DRAWINGS 4A, 4E, AND 5A ON SHEET A2-01.

- Provide additional information on proposed outdoor lighting

LIGHTING HAS BEEN TESTED AND PASSES THE VILLAGE'S OUTDOOR LIGHTING STANDARDS. SEE SHEET A0-03.

- Provide detail regarding proposed outdoor patio enclosure

ADDITIONAL TRELLIS INFORMATION IS INCLUDED. SEE DRAWING 6E ON SHEET A2-01.

- Provide height of proposed silos

DIMENSIONS HAVE BEEN ADDED TO SILO. SEE DRAWING 4A ON SHEET A2-01.

- Provide additional information on proposed bike repair station

IMAGE OF BIKE REPAIR STATION HAS BEEN INCLUDED. SEE SHEET A0-00.

- Off-street parking calculation is incomplete, awaiting information on number of full-time

Employees

TAP ROOM REQUIRES: 11 PARKING SPACES

WAREHOUSE (INCLUDES 10 MAXIMUM FULL TIME EMPLOYEES) REQUIRES: 5 PARKING SPACES

MANUFACTURING (INCLUDES 10, SAME AS ABOVE) REQUIRES: 7 PARKING SPACES

TOTAL PARKING REQUIRED: 23 SPACES

WE ARE PROPOSING A TOTAL OF 39 SPACES FOR ADDITIONAL PARKING DURING BUSY BUSINESS HOURS. SEE SHEET A0-00 FOR PARKING LOCATIONS.

- Remove foundation of existing former light standard if not proposed for re-use

LANDLORD WILL EITHER REMOVE OR REUSE EXISTING FORMER LIGHT STANDARD.

- Provide information on the use of existing parking located on the south side of building.

If parking for proposed use is envisioned in this area, consideration should be given to

how to direct pedestrians safely through loading zone and to proposed business

WE ARE PROPOSING A TOTAL OF 10 SOUTH PARKING SPACES FOR ADDITIONAL PARKING DURING BUSY BUSINESS HOURS, AND 7 SOUTH EMPLOYEE PARKING SPACES. TRUCKS WILL NOT BE ALLOWED TO DELIVER DURING PEAK HOURS. DELIVERIES WILL HAPPEN BETWEEN 6AM AND 3PM ON WEEKDAYS, AND



NO DELIVERY ON WEEKENDS. PATRON PARKING ON SOUTH SIDE TO OCCUR IN THE EVENINGS OR ON WEEKENDS ONLY.

SEE SHEET A0-00 FOR PARKING LOCATIONS.

Recommended Development Approval Conditions

· None at this time

LINCOLNWOOD POLICE DEPARTMENT

6900 N. Lincoln Avenue, Lincolnwood, IL 60712

(847) 673-2167

Development Review

Project Information

Petitioner or Project Name: Begyle Brewing

Subject Property Address: 7001 North Central Park Avenue Lincolnwood, Illinois 60712

List and Date of Plans Reviewed: · Site Plan (AA-00); Landscape Plan (A0-01); Floor Plan

Mezzanine Level (A1-02); Building Elevations and

Signage Exhibit (A2-01); Enlarged Floor Plans (A5-01),

all undated and prepared by Valerio Dewalt Train

Associates, Inc., Chicago, Illinois

· Alta land Survey by Certified Survey, Inc. Revised

February 28, 2013

Nature of Proposal: Begyle Brewing Company proposes to occupy approximately

24,111 square feet of an existing warehouse building located I

the Town Center Planned Unit Development (PUD). In this

space, Begyle Brewing plans to produce beer as well as



operate a Tap Room open with the following hours: Monday Thursday
Noon-11PM; Friday Noon-Midnight; Saturday 11am-12am;
and Sunday 11am-10PM

Review Information

Name of Reviewer: Lieutenant Randall Rathmell

Reviewer Contact Information: Work: (847) 745-4751 Cell: 847 980-7894

Email rrathmell@lwd.org

Date of Plan Review: September 17, 2015

Action(s)/Approval(s) Required

· None

Applicable Regulations/Requirements

· None

Additional Documents or Information Required/Requested

· Photometric Lighting Plan

LIGHTING HAS BEEN TESTED AND PASSES THE VILLAGE'S OUTDOOR LIGHTING STANDARDS. SEE SHEET A0-03.

· Security Plan

THIS COMMENT WILL BE ADDRESSED DURING PERMIT SUBMITTAL PROCESS.

Plan Review Comments

· Submit a Security Plan for the property with approval by the Police Chief prior to issuance of the Certificate of Occupancy to include alarms, sensor lights, video surveillance cameras and intrusion detectors made visible to potential offenders and to assist in any criminal investigation



THIS COMMENT WILL BE ADDRESSED DURING PERMIT SUBMITTAL PROCESS.

- Install a stop sign and stop bar at the Central Park Avenue driveway

STOP SIGN AND STOP BAR IS INCLUDED. SEE SHEETS A0-00 AND A0-01.

- Ensure that all alcoholic beverage servers obtain certified Beverage Alcohol Sellers/Servers Education & Training (BASSET) as stipulated by the Illinois Liquor Control Commission

THIS COMMENT WILL BE ADDRESSED DURING PERMIT SUBMITTAL PROCESS.

Recommended Development Approval Conditions

- Submit a Photometric Lighting Plan

LIGHTING HAS BEEN TESTED AND PASSES THE VILLAGE'S OUTDOOR LIGHTING STANDARDS. SEE SHEET A0-03.

- Submit a Security Plan for the property with approval by the Police Chief prior to issuance of the Certificate of Occupancy to include alarms, sensor lights, video surveillance cameras and intrusion detectors made visible to potential offenders and to assist in any criminal investigation

THIS COMMENT WILL BE ADDRESSED DURING PERMIT SUBMITTAL PROCESS.

- Install a stop sign and stop bar at the Central Park Avenue driveway

STOP SIGN AND STOP BAR IS INCLUDED. SEE SHEETS A0-00 AND A0-01.

- Ensure that all alcoholic beverage servers obtain certified Beverage Alcohol Sellers/Servers Education & Training (BASSET) as stipulated by the Illinois Liquor Control Commission

THIS COMMENT WILL BE ADDRESSED DURING PERMIT SUBMITTAL PROCESS.



LINCOLNWOOD FIRE DEPARTMENT

6900 N. LINCOLN AVENUE – LINCOLNWOOD, ILLINOIS - 60712

PHONE: 847-673-1545 FAX: 847-673-7456

Development Review

Project Information

Petitioner or Project Name: Begyle Brewing & Tap Room

Subject Property Address: 7001 North Central Park Avenue

List and Date of Plans Reviewed:

Site Plan (AA-00); Landscape Plan (A0-01); Floor Plan (A1-01); Floor Plan Mezzanine Level (A1-02);

Building Elevations and Signage Exhibit (A2-01); Enlarged Floor Plans (A5-01), all undated and

prepared by Valerio Dewalt Train Associates, Inc., Chicago Il

Alta land Survey by Certified Survey, Inc. Revised February 28, 2013

Nature of Proposal: Change of occupancy from the existing Industrial and Storage use to be a place of Assembly with a separated Manufacturing area for brewing beer and subsequently serving beer in an associated Tap Room which will include a mezzanine (for storage only) and an outdoor seating area.

Review Information

Name of Reviewer: Battalion Chief Clyde Heineman

Reviewer Contact Information: Lincolnwood Fire Department – 847-673-1545 – cheineman@lwd.org

Date of Plan Review: 9-16-2015



Action(s)/Approval(s) Required

- Fire sprinkler plans for any necessary reconfiguration to be submitted, reviewed, and approved prior to construction of the system.

THIS COMMENT WILL BE ADDRESSED DURING PERMIT SUBMITTAL PROCESS.

- Fire alarm plans for any necessary reconfiguration to be submitted, reviewed, and approved prior to construction of the system.

THIS COMMENT WILL BE ADDRESSED DURING PERMIT SUBMITTAL PROCESS.

Applicable Regulations/Requirements

- All plans will be reviewed to the currently adopted versions of the NFPA code set including, but not limited to NFPA 1 Fire Code 2009 Edition, NFPA 13 Standard for the Installation of Sprinkler Systems 2010 Edition, NFPA 70 National Electrical Code® 2011 Edition, NFPA 72 National Fire Alarm and Signaling Code 2010 Edition, NFPA 80 Standard for Fire Doors and Other Opening Protectives 2010 Edition, NFPA 101®Life Safety Code® 2012 Edition, NFPA 110 Standard for Emergency and Standby Power Systems 2010 Edition, as well as the 2006 International Fire Code and local amendments.

THIS COMMENT WILL BE ADDRESSED DURING PERMIT SUBMITTAL PROCESS.

- All applicable codes to be listed on plans

THIS COMMENT WILL BE ADDRESSED DURING PERMIT SUBMITTAL PROCESS.

Additional Documents or Information Required/Requested

Building Square Footage: 229,540 sq. ft.

Tenant Square Footage: 24,111 sq. ft.

Proposed Occupancy Type: Assembly / Manufacturing

Proposed Occupancy Load: Assembly Areas - 15 sq. ft. /per person (Tap Room)

Proposed Occupancy Load: Business Areas - 100 sq. ft. /per person. (Offices)

Proposed Occupancy Load: Manufacturing 100 sq. ft. /per person. (Brewing Areas)

Proposed Occupancy Load: Storage Areas - 300 sq. ft. /per person. (Storage, Receiving, Shipping)



- The calculation of all spaces for occupancy loads, exit requirements, and travel distances to be provided in accordance with 2012 Life Safety Code “Table 7.3.1.2 Occupant Load Factor”.

THIS COMMENT WILL BE ADDRESSED DURING PERMIT SUBMITTAL PROCESS.

TRAVEL DISTANCE IS INCLUDED IN SET. SEE SHEET A1-01.

Plan Review Comments

- The current proposed position of the structure on the site will not change and will therefore not change fire department access from the existing situation. Access does not present any difficulties for fire suppression purposes.

THIS COMMENT WILL BE ADDRESSED DURING PERMIT SUBMITTAL PROCESS.

- Water supply for fire suppression will not change from the existing arrangement and is adequate.

THIS COMMENT WILL BE ADDRESSED DURING PERMIT SUBMITTAL PROCESS.

- An existing NFPA 13 compliant sprinkler system is currently installed throughout. Any changes to the system due to reconfiguration within the space will need to be submitted for review, approved, and the appropriate permit issued.

THIS COMMENT WILL BE ADDRESSED DURING PERMIT SUBMITTAL PROCESS.

- Fire Department Connection location on the system will remain as exists. Changes to 5” Storz Connection on a thirty-degree down turn is required.

THIS COMMENT WILL BE ADDRESSED DURING PERMIT SUBMITTAL PROCESS.

- An existing compliant NFPA 72® National Fire Alarm & Signaling Code system is currently provided as required by NFPA 101® Life Safety Code®. Any changes to the system due to reconfiguration within the space and to meet any applicable code requirements for the occupancy use group will need to be submitted for review, approved, and the appropriate permit issued.

THIS COMMENT WILL BE ADDRESSED DURING PERMIT SUBMITTAL PROCESS.



- The fire alarm system is required to be connected to the fire department dispatch center by way of the Village of Lincoln fire alarm radio network. This connection already exists on the building system.

THIS COMMENT WILL BE ADDRESSED DURING PERMIT SUBMITTAL PROCESS.

Recommended Conditions

- There is an existing Knox Box® (Key Box) at the McCormick side entrance. Keys will need to be supplied by the new tenant for his space for emergency access by fire companies. In addition a second Knox Box® at the Central Park entrance will be required if not already in place.

THIS COMMENT WILL BE ADDRESSED DURING PERMIT SUBMITTAL PROCESS.

- The previous Tenant “Ten-Fab” and the adjoining tenant “Goggin’s Warehouse” were both using the address “7001 N. Central Park”. The Fire Department has in its records for both of these occupants, a further designator of 7001 N. Central Park – “A” and 7001 N. Central Park – “B”. It is unknown how the tenants have been designating themselves beyond the 7001 N. Central Park address. Since “Goggin’s Warehouse” is the southern-most occupancy, we propose an address designation for Begyle Brewery & Tap Room of 7005 N. Central Park.

THIS HAS BEEN UPDATED IN THE DRAWINGS.



Public Works

Development Review

Project Information

Petitioner or Project Name Begyle Brewing

Subject Property Address 7001 North Central Park Avenue

List and Date of Plans Reviewed

- Site Plan (AA-00); Landscape Plan (A0-01); Floor Plan (A1-01); Floor Plan Mezzanine Level (A1-02); Building Elevations and Signage Exhibit (A2-01); Enlarged Floor Plans (A501), all undated and prepared by Valerio Dewalt Train Associates, Inc., Chicago II
- Alta land Survey by Certified Survey, Inc. Revised February 28, 2013

Nature of Proposal

Begyle Brewing Company proposes to occupy approximately 24,111 square feet of an existing warehouse building located in the Town Center Planned Unit Development (PUD). In this space, Begyle Brewing plans to produce beer as well as operate a Tap Room where beer will be served. The Tap Room is proposed to have a mezzanine and an outdoor seating area is also proposed. Proposed hours of operation for brewing are 6AM-6PM with the Tap Room open with the following hours: Monday –Thursday Noon-11PM; Friday Noon –Midnight; Saturday 11am-Noon; and Sunday 11am-10PM

Review Information

Name of Reviewer Ashley Engelmann, Public Works Director

Reviewer Contact Information 847-745-4859; aengelmann@lwd.org

Date of Plan Review September 21, 2015



Action(s)/Approval(s) Required

- Location and size of water and sewer connections must be approved.

THIS COMMENT WILL BE ADDRESSED DURING PERMIT SUBMITTAL PROCESS.

Applicable Regulations/Requirements

- Section 12-2 (Water Main and Sewer Connections)

THIS COMMENT WILL BE ADDRESSED DURING PERMIT SUBMITTAL PROCESS.

Additional Documents or Information Required/Requested

- Please identify the location and size of existing and proposed (if applicable) water and sewer connections.

THIS COMMENT WILL BE ADDRESSED DURING PERMIT SUBMITTAL PROCESS.

Plan Review Comments

- None

Recommended Development Approval Conditions

- The Village Arborist reviewed the condition of the trees along the perimeter of the fence. There are a total of eight trees. The species and condition ratings are as follows:
 - 6" Cottonwood in fair condition
 - 17" Siberian Elm in poor condition
 - 10" Siberian Elm in poor condition
 - 12" Siberian Elm in poor condition
 - 14" Siberian Elm in poor condition
 - 4" Siberian Elm in fair condition
 - 5" Siberian Elm in poor condition
 - 7" Siberian Elm in fair condition
- The Village Code Section 17-3-11 (P) states that it is a nuisance to allow a dead or



diseased tree to remain erect, whether on public or private property, in a manner which may be dangerous or detrimental to life and safety of persons residing on the premises or residing in proximity thereof. All such trees shall be cut down and removed. The trees noted above should be removed per the Village Code.

DEAD OR DISEASED TREES TO BE REMOVED BY LANDLORD. SEE SHEET A0-01.

Engineering Department

Development Review

Project Information

Petitioner or Project Name Begyle Brewing

Subject Property Address 7001 North Central Park Avenue

List and Date of Plans Reviewed

- Site Plan (AA-00); Landscape Plan (A0-01); Floor Plan (A1-01); Floor Plan Mezzanine Level (A1-02); Building Elevations and Signage Exhibit (A2-01); Enlarged Floor Plans (A5-01), all undated and prepared by Valerio Dewalt Train Associates, Inc., Chicago Il
- Alta land Survey by Certified Survey, Inc. Revised February 28, 2013

Nature of Proposal

Begyle Brewing Company proposes to occupy approximately 24,111 square feet of an existing warehouse building located in the Town Center Planned Unit Development (PUD). In this space, Begyle Brewing plans to produce beer as well as operate a Tap Room where beer will be served. The Tap Room is proposed to have a mezzanine and an outdoor seating area is also proposed. Proposed hours of operation for brewing are 6AM-6PM with the Tap Room open with the following hours: Monday –Thursday Noon-11PM; Friday Noon –Midnight; Saturday 11am-Noon; and Sunday 11am-10PM



Review Information

Name of Reviewer James Amelio, PE

Reviewer Contact Information jamelio@lwd.org

Date of Plan Review 9/17/2015

Action(s)/Approval(s) Required

· None

Applicable Regulations/Requirements

· MWRD WMO Regulations for change in use to food production

THIS COMMENT WILL BE ADDRESSED DURING PERMIT SUBMITTAL PROCESS.

Additional Documents or Information Required/Requested

· Provide turning exhibit for the various types of delivery trucks to North loading door

DELIVERY TRUCK TO BE 53' LONG. TURNING RADIUS HAS BEEN TESTED ON A LARGER 55' LONG VEHICLE. SEE DRAWING 1A ON SHEET A0-02.

· Provide photometric lighting plan

LIGHTING HAS BEEN TESTED AND PASSES THE VILLAGE'S OUTDOOR LIGHTING STANDARDS. SEE SHEET A0-03.

Plan Review Comments

· None

Recommended Development Approval Conditions

· None



LANDSCAPE REVIEW

Project Information

Petitioner or Project Name Begyle Brewing

Subject Property Address 7001 North Central Park Avenue

List and Date of Plans Reviewed

- Site Plan (AA-00); Landscape Plan (A0-01); Floor Plan (A1-01); Floor Plan Mezzanine Level (A1-02); Building Elevations and Signage Exhibit (A2-01); Enlarged Floor Plans (A501), all undated and prepared by Valerio Dewalt Train Associates, Inc., Chicago II
- Alta land Survey by Certified Survey, Inc. Revised February 28, 2013

Nature of Proposal

Begyle Brewing Company proposes to occupy approximately 24,111 square feet of an existing warehouse building located in the Town Center Planned Unit Development (PUD). In this space, Begyle Brewing plans to produce beer as well as operate a Tap Room where beer will be served. The Tap Room is proposed to have a mezzanine and an outdoor seating area is also proposed. Proposed hours of operation for brewing are 6AM-6PM with the Tap Room open with the following hours: Monday –Thursday Noon-11PM; Friday Noon –Midnight; Saturday 11am-Noon; and Sunday 11am-10PM

Review Information

Name of Reviewer Douglas Gotham, RLA

Reviewer Contact Information CBBEL, 847 823 0500 dgotham@cbbel.com

Date of Plan Review 9-16-15

Action(s)/Approval(s) Required

- None

Applicable Regulations/Requirements



· Village Code – Chapter 15, Article VI: Site Development Standards

Additional Documents or Information Required/Requested

· In consideration of the small amount of available landscape areas the typical ‘Full Landscape Plan’ will not be requested. We are interested in seeing more details concerning the proposed site furniture, and the landscape treatment for the landscape islands in the parking lot.

Plan Review Comments

· The landscape plan indicates an arbor with vines in one of only three indicated landscape islands. On sheet A2-01 in the north elevation it indicates a trellis for hops. Hops can be a very aggressive grower and they need strong support. I would like to see details of the proposed trellis, indicating its height, materials and foundation.

ADDITIONAL TRELLIS INFORMATION IS INCLUDED. SEE DRAWINGS 1A AND 6E ON SHEET A2-01.

· The landscape plan also indicates grass being planted in the three landscape islands. Considering the size of the islands I suggest that they be mass planted with perennials, native grasses or a ‘no mow’ fescue to reduce maintenance and improve the appearance.

ISLANDS HAVE BEEN UPDATED TO INCLUDE PERENNIALS AND NATIVES GRASSES. SEE SHEET A0-01.

· No indication is made for a bike / pedestrian connection from the parking lot to the sidewalk along Central Park Avenue. I strongly encourage that a connection be made.

A PAINTED 5’ WIDE BIKE/ PEDESTRIAN PATH HAS BEEN ADDED TO THE SITE AND LANDSCAPE PLAN. SEE SHEETS A0-00 AND A0-01.

· No trash enclosures are indicated. Will any be needed?

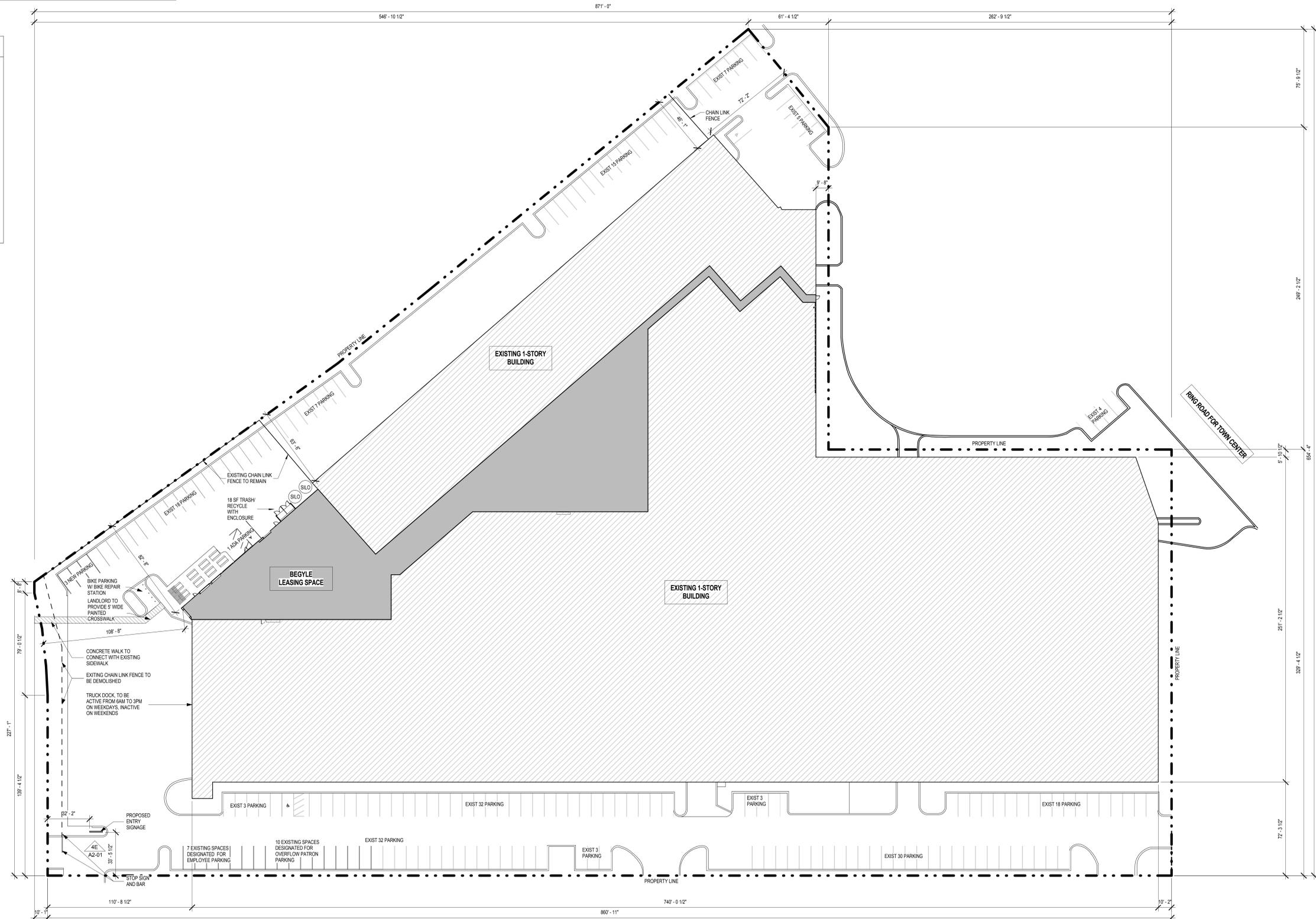
TRASH ENCLOSURE HAS BEEN ADDED. SEE DRAWING 1A ON SHEET A2-01 AND 1A ON A0-00.

Recommended Development Approval Conditions

· Please submit details concerning the proposed site furniture and landscape treatment for the landscape islands in the parking lot.

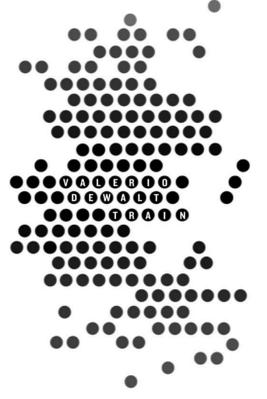


PARKING COUNT			
USE CATEGORY	GROSS SQ. FT.	REQUIRED PARKING SPACES	REQUIRED PARKING SPACES
TAP ROOM	1,727 GSF	6.6 SPACES/1000 GSF	11 SPACES
WAREHOUSE	3,954 GSF (10 MAX FULL TIME EMPLOYEES)	1 SPACE/2 FULL TIME EMPLOYEES	5 SPACES
MANUFACTURING	17,782 GSF (10 MAX FULL TIME EMPLOYEES)	1 SPACE/1.5 FULL TIME EMPLOYEES	7 SPACES
TOTAL PARKING REQUIRED			23 PARKING SPACES
TOTAL PARKING PROVIDED			39 PARKING SPACES



PROJECT NAME
BEGYLE BREWING AND TAP ROOM

PROJECT ADDRESS
**7005 N. CENTRAL PARK AVE.
 LINCOLNWOOD, IL. 60712**



ARCHITECT
 VALERIO DEWALT TRAIN ASSOCIATES, INC.
 500 N. DEARBORN, 9TH FLOOR
 CHICAGO, ILLINOIS 60654
 312.260.7300
 www.buildordie.com

PROJECT TEAM ARCHITECT STAMP

VDTA PROJECT NUMBER
 15097.00.00

CONSULTANT

CONSULTANT PROJECT NUMBER

ISSUE		
NO.	REVISION DESCRIPTION	DATE
1	PUBLIC HEARING REVIEW	10/05/2015

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SHEET TITLE
SITE PLAN



SHEET NUMBER
A0-00

1A SITE PLAN
 SCALE: 1/32" = 1'-0"

10/20/15 3:08:57 PM

CERTIFIED SURVEY, INC.

1440 Renaissance Drive, Suite 140, Park Ridge, IL 60068 Phone 847-296-6900 Fax 847-296-6906

Email : surveys@certifiedsurvey.com

ALTA/ACSM LAND TITLE SURVEY

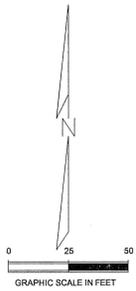
PARCEL 1:
 LOT 4, (EXCEPT THAT PART OF LOT 4 DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 4 AFORESAID; THENCE ON AN ASSUMED BEARING OF NORTH 00 DEGREES 57 MINUTES 47 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 4, A DISTANCE OF 220.18 FEET TO A POINT ON A 305.00 FOOT RADIUS CURVE, THE CENTER OF CIRCLE OF SAID CURVE BEARS SOUTH 76 DEGREES 15 MINUTES 02 SECONDS WEST; THENCE SOUTHERLY ALONG SAID CURVE, CENTRAL ANGLE 14 DEGREES 42 MINUTES 44 SECONDS, AN ARC DISTANCE OF 78.32 FEET TO A LINE 10.00 EASTERLY OF (PERPENDICULAR MEASURE) AND PARALLEL WITH THE WEST LINE OF SAID LOT 4; THENCE SOUTH 00 DEGREES 57 MINUTES 47 SECONDS WEST ALONG TANGENT AND SAID PARALLEL LINE 142.77 FEET TO THE SOUTH LINE OF SAID LOT 4; THENCE NORTH 88 DEGREES 46 MINUTES 24 SECONDS WEST ALONG SAID SOUTH LINE A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.) IN THE LINCOLNWOOD TOWN CENTER RESUBDIVISION, BEING LINCOLNWOOD TOWN CENTER RESUBDIVISION (EXCEPTING THEREFROM LOT 3); A PART OF THE NORTH 1/2 OF SECTION 35, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 2, 1989 AS DOCUMENT NO. 8952374, IN COOK COUNTY, ILLINOIS.

PARCEL 2:
 A NON-EXCLUSIVE EASEMENTS FOR ACCESS FOR VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS TO AND FROM RING ROAD AND ALSO A TERMINABLE EASEMENT FOR MAINTENANCE OF A CANOPY CREATED BY INSTRUMENT RECORDED MAY 1, 1990 AS DOCUMENT 90199016 OVER LOT 5B IN LINCOLNWOOD TOWN CENTER RESUBDIVISION, BEING A PART OF THE NORTH 1/2 OF SECTION 35, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3:
 EXCLUSIVE EASEMENT FOR SIGN OVER, ACROSS, UNDER AND THROUGH THE WESTERLY 10 FEET OF THE NORTHERLY 10 FEET OF LOT 7 IN LINCOLNWOOD TOWN CENTER RESUBDIVISION, BEING A PART OF THE NORTH 1/2 OF SECTION 35, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, AS CREATED BY EASEMENT AGREEMENT RECORDED MAY 1, 1990 AS DOCUMENT 90199015.

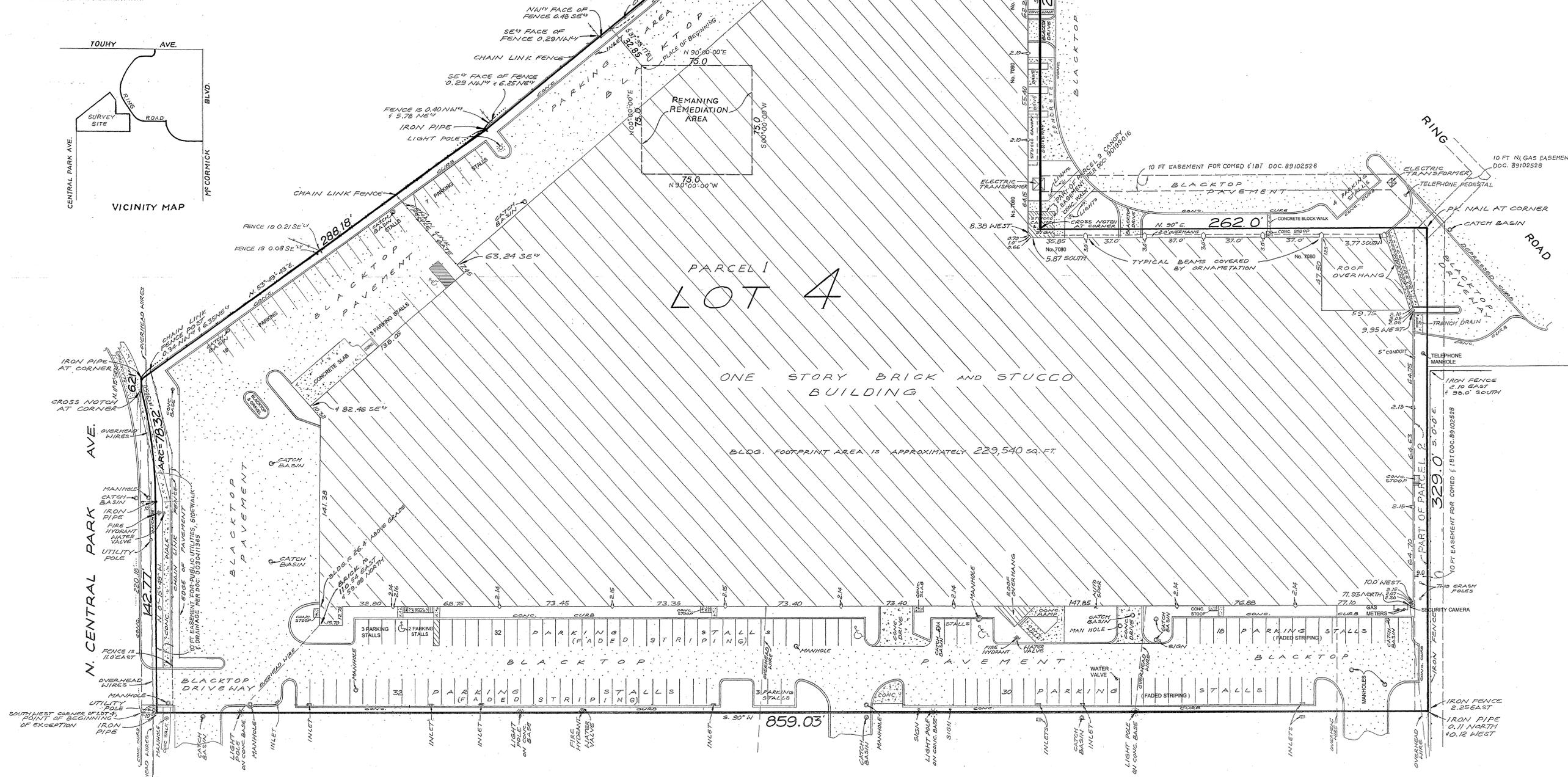
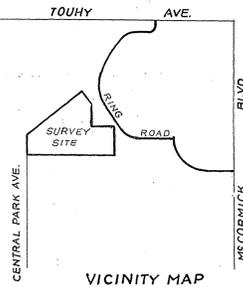
PARCEL 4:
 A NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS FOR THE BENEFIT OF PARCEL 1 AS CREATED BY DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, RIGHTS AND EASEMENTS RECORDED MAY 30, 1989 AS DOCUMENT 89242443, FIRST AMENDMENT RECORDED MAY 1, 1990 AS DOCUMENT 90199011 AND SECOND AMENDMENT RECORDED JULY 18, 2002 AS DOCUMENT 020788581.

COMMONLY KNOWN AS : 7001 N. CENTRAL PARK AVENUE, LINCOLNWOOD, ILLINOIS.



REMEDIATION BOUNDARY DESCRIPTION
 THAT PART OF LOT 4 IN LINCOLNWOOD TOWN CENTER RESUBDIVISION, BEING LINCOLNWOOD TOWN CENTER RESUBDIVISION (EXCEPTING THEREFROM LOT 3), A PART OF THE NORTH 1/2 OF SECTION 35, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, AS RECORDED MAY 26, 1989 AS DOCUMENT NUMBER 89242443, IN COOK COUNTY, ILLINOIS, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST NORTHEASTERLY CORNER OF SAID LOT 4, A DISTANCE OF 292.17 FEET, THENCE SOUTH 37°33'17" EAST ON A LINE PERPENDICULAR TO THE NORTHWESTERLY LINE OF SAID LOT 4, A DISTANCE OF 32.85 FEET TO THE PLACE OF BEGINNING; THENCE NORTH 90°00'00" EAST, A DISTANCE OF 75.0 FEET, THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 75.0 FEET, THENCE NORTH 90°00'00" WEST, A DISTANCE OF 75.0 FEET, THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 75.0 FEET TO THE PLACE OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

NOTE: REMEDIATION AREA AND LEGAL DESCRIPTION SHOWN HEREON AS PER SURVEY PREPARED BY MARCHESE AND SONS, INC DATED SEPTEMBER 11, 2006 AS ORDER NO. 06-15070.



SURVEY NOTES

THE PROPERTY SHOWN HEREON IS LOCATED IN UNSHADED ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP PANEL NO. 17031C0244 EFFECTIVE DATE: AUGUST 19, 2008.

PROPERTY AREA = 359,873 SQ FT = 8.26 ACRES

PARKING SUMMARY

178 REGULAR STALLS
 5 HANDICAP STALLS

ALL SURVEY RELATED MATTERS AS DISCLOSED BY CHICAGO TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE ORDER NO. 1401 008893751 D2 DATED MAY 16, 2012 ARE SHOWN HEREON.

TITLE EXCEPTIONS

J. EASEMENT PER DOCUMENT NO. 0030411385-SHOWN ON SURVEY
 K. EASEMENT PER DOCUMENT NO. 89102626-SHOWN ON SURVEY
 M. EASEMENT PER DOCUMENT NO. 24889022-EASEMENT IS NOT LOCATED WITHIN THE BOUNDARIES OF THE SUBJECT PROPERTY.
 N. DOCUMENT NO. 9111034 GRANTED AN EASEMENT FOR A RAILROAD SPUR TRACK AS IT WAS THEN LOCATED, SAID SPUR TRACK HAS SINCE BEEN REMOVED.

CERTIFICATION REVISED FEBRUARY 28, 2013

DIMENSIONS ARE NOT TO BE ASSUMED FROM SCALING

BOUNDARY LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO RECORDED IN THE MAPS OTHERWISE REFER TO YOUR DEED OR ABSTRACT.

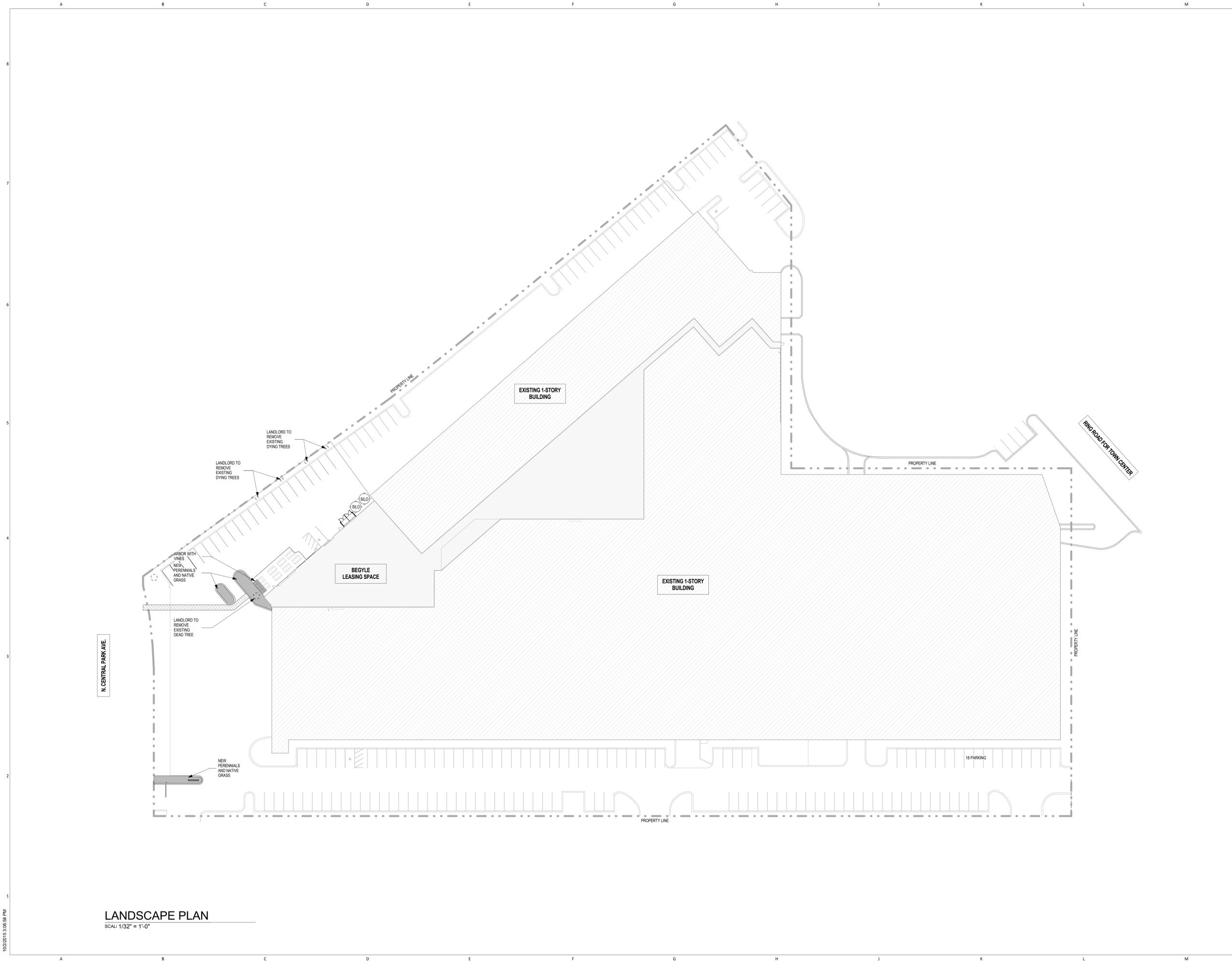
DECIMALS OF FOOT AND THEIR EQUIVALENT IN INCHES AND FRACTIONS THEREOF.

01-1/8"	01-7/8"	00-0"
00-1/4"	08-1/4"	86-7"
03-3/8"	17-2"	87-8"
04-1/2"	23-2"	75-0"
05-5/8"	33-4"	83-10"
06-3/4"	42-5"	90-11"
		1-0/12"

ORDER No. 050529(Z)
 ORDERED BY: DUANE MORRIS LLP



STATE OF ILLINOIS
 COUNTY OF COOK SS
 TO: NEW LINCOLN LLC, LINCOLNWOOD TOWN PLAZA L.L.C., MB FINANCIAL BANK, N.A. AND CHICAGO TITLE INSURANCE COMPANY.
 THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7a, 8, 9, 11a OF TABLE THEREOF.
 THE FIELD WORK WAS COMPLETED ON SEPTEMBER 26, 2012.
 DATE OF PLAT: SEPTEMBER 27, 2012
 PROFESSIONAL LAND SURVEYOR NO. 3408
 LICENSE EXPIRES NOVEMBER 30, 2012

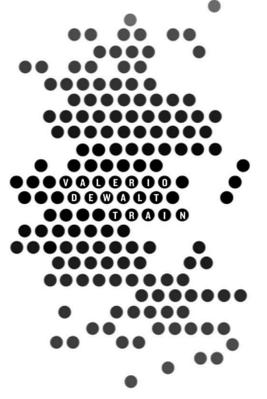


LANDSCAPE PLAN
 SCALE: 1/32" = 1'-0"

10/2/2015 3:08:58 PM

PROJECT NAME
BEGYLE BREWING AND TAP ROOM

PROJECT ADDRESS
 7005 N. CENTRAL PARK AVE.
 LINCOLNWOOD, IL. 60712



ARCHITECT
 VALERIO DEWALT TRAIN ASSOCIATES, INC.
 500 N. DEARBORN, 9TH FLOOR
 CHICAGO, ILLINOIS 60654
 312.260.7300
 www.buildordie.com

PROJECT TEAM **ARCHITECT STAMP**

VDTA PROJECT NUMBER
 15097.00.00

CONSULTANT

CONSULTANT PROJECT NUMBER

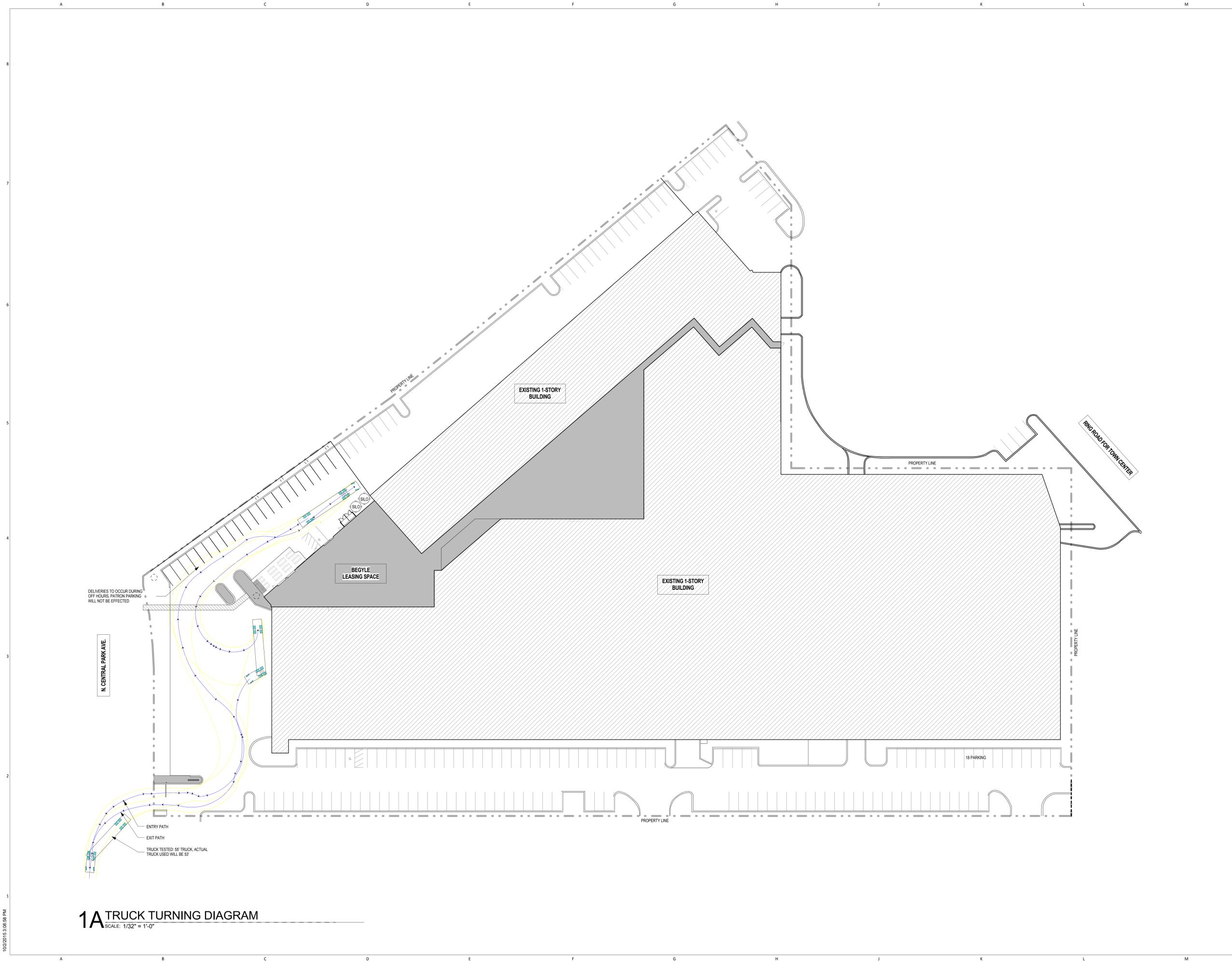
ISSUE		
NO.	REVISION DESCRIPTION	DATE
1	PUBLIC HEARING REVIEW	10/05/2015

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SHEET TITLE
LANDSCAPE PLAN

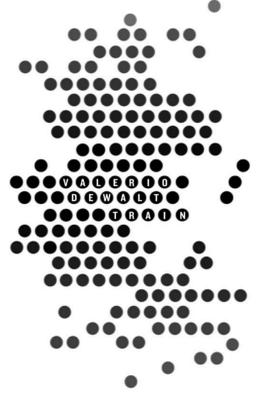


SHEET NUMBER
A0-01



PROJECT NAME
BEGYLE BREWING AND TAP ROOM

PROJECT ADDRESS
 7005 N. CENTRAL PARK AVE.
 LINCOLNWOOD, IL. 60712



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SHEET TITLE
TRUCK TURNING DIAGRAM



SHEET NUMBER
A0-02

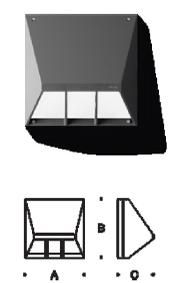
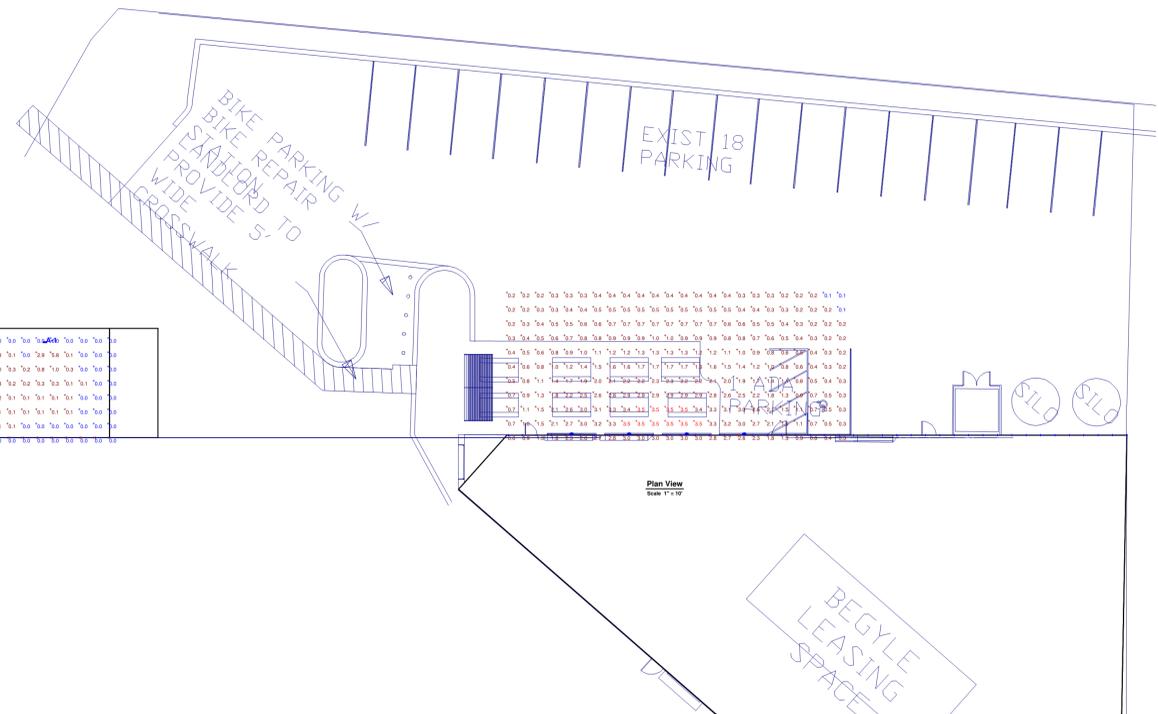
1A TRUCK TURNING DIAGRAM
 SCALE: 1/32" = 1'-0"

10/2/2015 3:08:58 PM

LUMINAIRE SCHEDULE							
Symbol	Label	Qty	Catalog Number	Description	Lamp	File	Lumens L.F.F Watts
■	A	4	225ALED	4-34" L X 7-7/8" W X 7-7/8" H WALL MOUNTED LUMINAIRE DIFFUSEE WITH REMOVABLE CAST ALUMINUM LOUVERS	225ALED-RES	Absolute	0.95 28.43

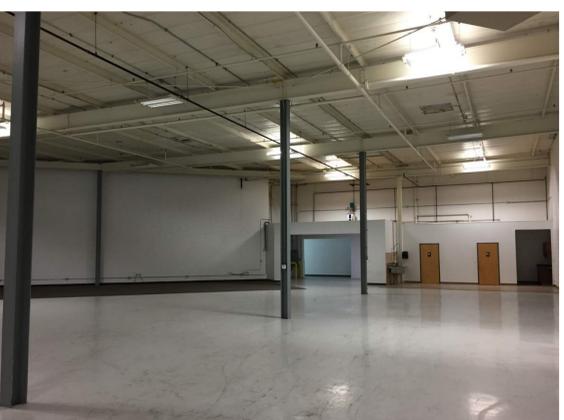
STATISTICS						
Description	Symbol	Avg	Max	Min	MaxMin	AvgMin
Calc Zone #1	+	0.1%	5.9%	0.0%	N/A	N/A
Calc Zone #2	+	1.3%	5.5%	0.1%	25.0%	13.0%

LUMINAIRE LOCATIONS						
No.	Label	X	Y	MH	Orientation	Tilt
1	A	13.5	0.3	20.0	0.0	0.0
2	A	25.5	0.3	20.0	0.0	0.0
3	A	37.5	0.3	20.0	0.0	0.0
4	A	49.5	0.3	20.0	0.0	0.0



6A PHOTOMETRIC LIGHTING PLAN FOR PATIO
SCALE: NTS

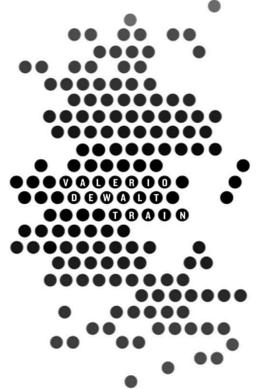
6K PATIO LIGHTING : BEGA 2228LED



1A EXISTING SITE PHOTOS
SCALE: NTS

PROJECT NAME
BEGYLE BREWING AND TAP ROOM

PROJECT ADDRESS
7005 N. CENTRAL PARK AVE. LINCOLNWOOD, IL. 60712



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15097.00.00

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NO.	REVISION DESCRIPTION	DATE

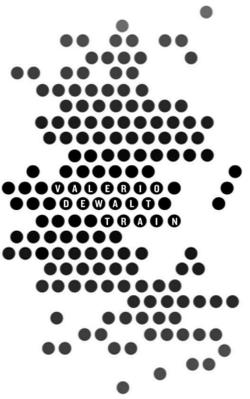
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SHEET TITLE
ADDITIONAL SITE INFORMATION



SHEET NUMBER
A0-03

10/2/2015 3:08:50 PM



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 15097.00.00

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NO.	REVISION DESCRIPTION	DATE
1	PUBLIC HEARING REVIEW	10/05/2015

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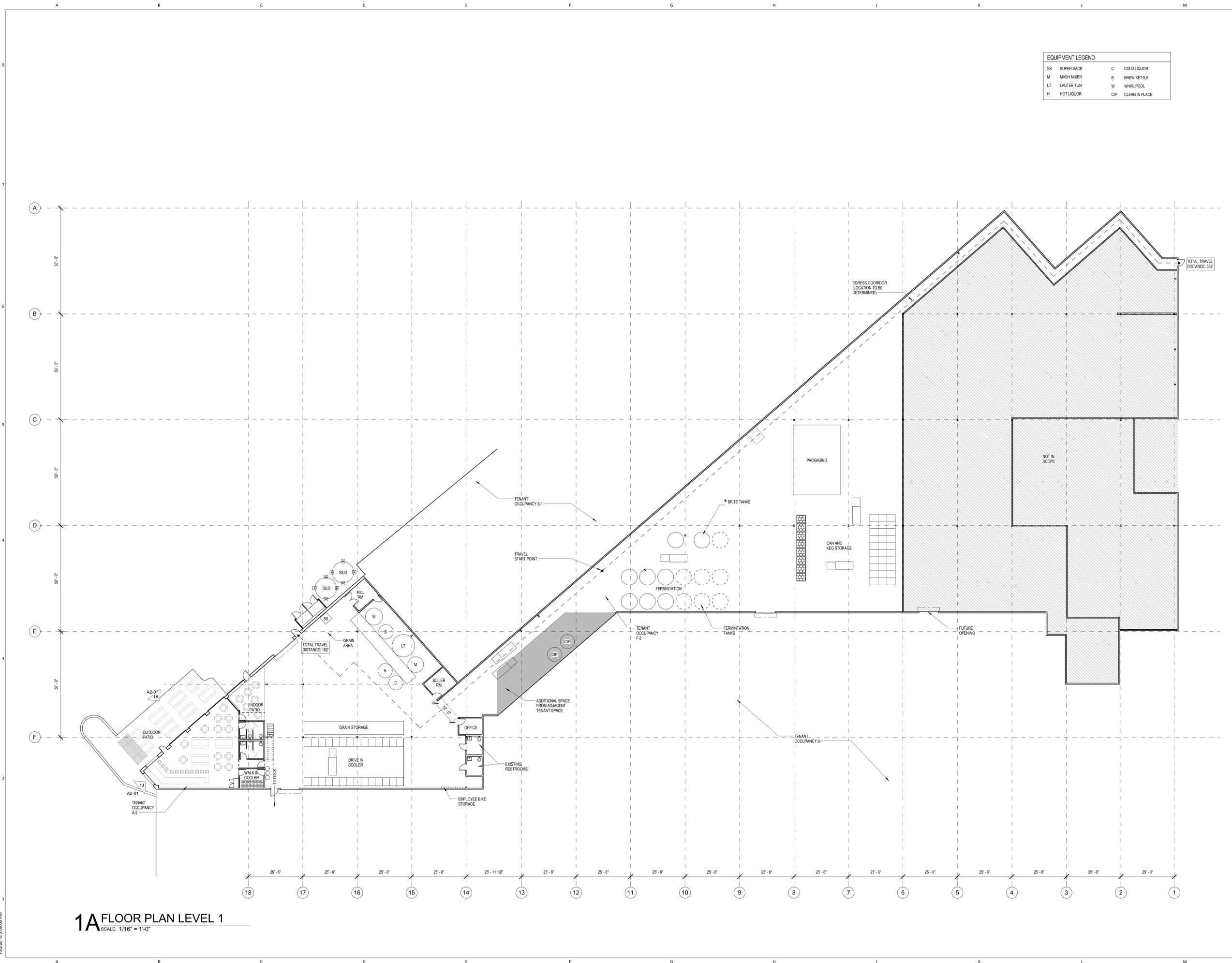
SHEET TITLE
FLOOR PLAN LEVEL 1



SHEET NUMBER
A1-01

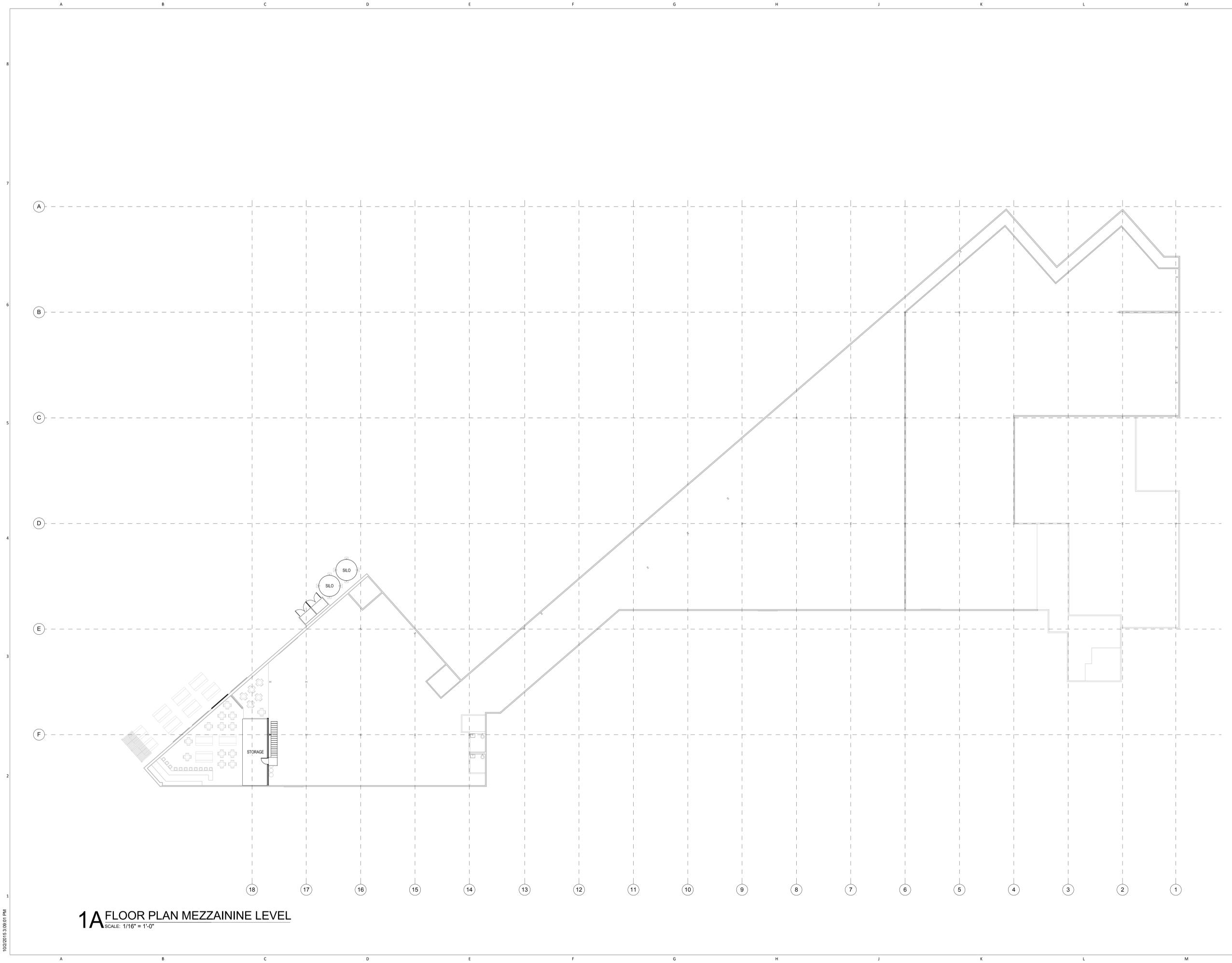
EQUIPMENT LEGEND

SS	SUPER SACK	C	COLD LIQUOR
M	MASH MIXER	B	BREW KETTLE
LT	LAUTER TUN	W	WHIRLPOOL
H	HOT LIQUOR	CIP	CLEAN IN PLACE



1A FLOOR PLAN LEVEL 1
 SCALE: 1/16" = 1'-0"

10/20/15 3:08:00 PM

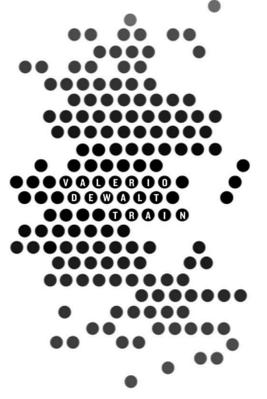


1A FLOOR PLAN MEZZAININE LEVEL
 SCALE: 1/16" = 1'-0"

10/2/2015 3:09:01 PM

PROJECT NAME
BEGYLE BREWING AND TAP ROOM

PROJECT ADDRESS
 7005 N. CENTRAL PARK AVE.
 LINCOLNWOOD, IL. 60712



ARCHITECT
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ISSUE		
NO.	REVISION DESCRIPTION	DATE
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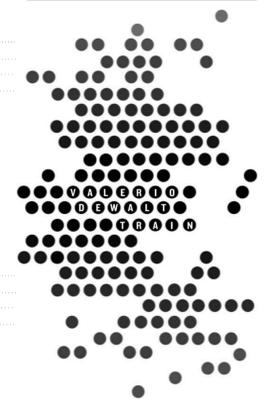
SHEET TITLE
 FLOOR PLAN MEZZAININE LEVEL



SHEET NUMBER
A1-02

PROJECT NAME
BEGYLE BREWING AND TAP ROOM

PROJECT ADDRESS
 7005 N. CENTRAL PARK AVE.
 LINCOLNWOOD, IL. 60712



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CONSULTANT PROJECT NUMBER

ISSUE		
NO.	REVISION DESCRIPTION	DATE
1	PUBLIC HEARING REVIEW	10/05/2015

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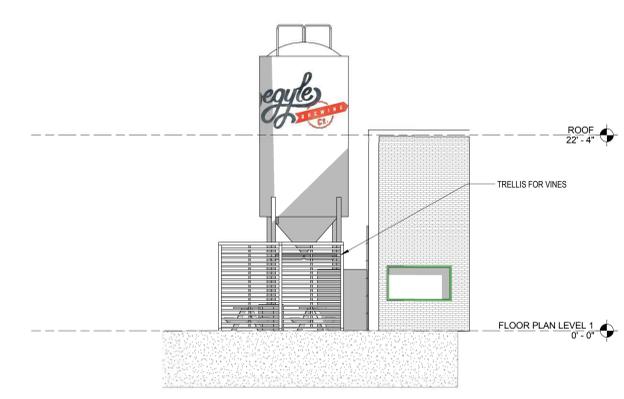
SHEET TITLE
BUILDING ELEVATIONS AND SIGNAGE



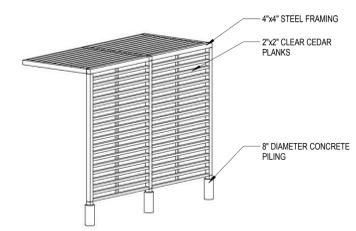
SHEET NUMBER
A2-01



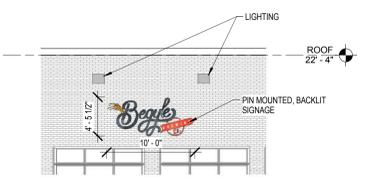
4K SOUTH EAST EXTERIOR VIEW
 SCALE: NTS



1J NORTH EAST ELEVATION
 SCALE: 1/8" = 1'-0"



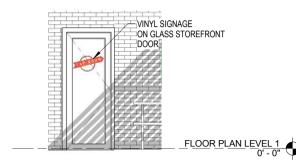
6E TRELLIS
 SCALE: NTS



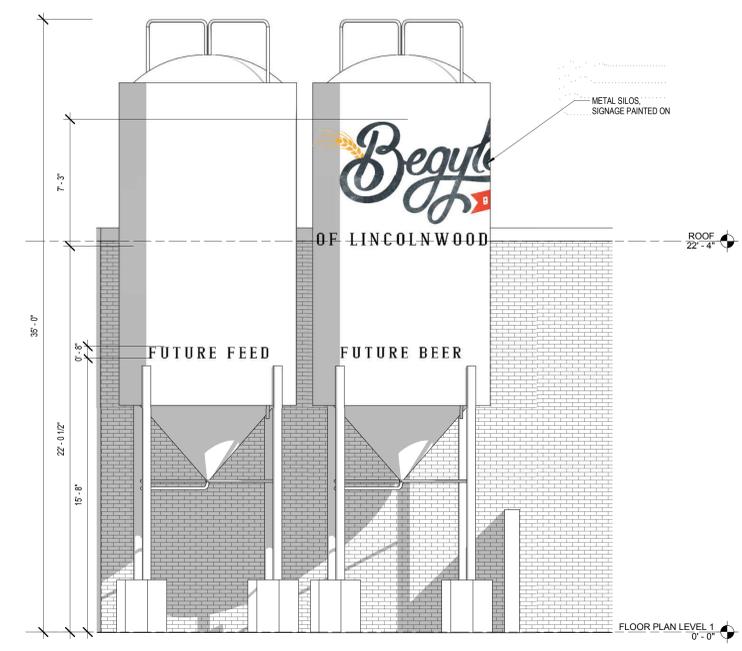
5E SIGNAGE ELEVATION
 SCALE: 1/8" = 1'-0"



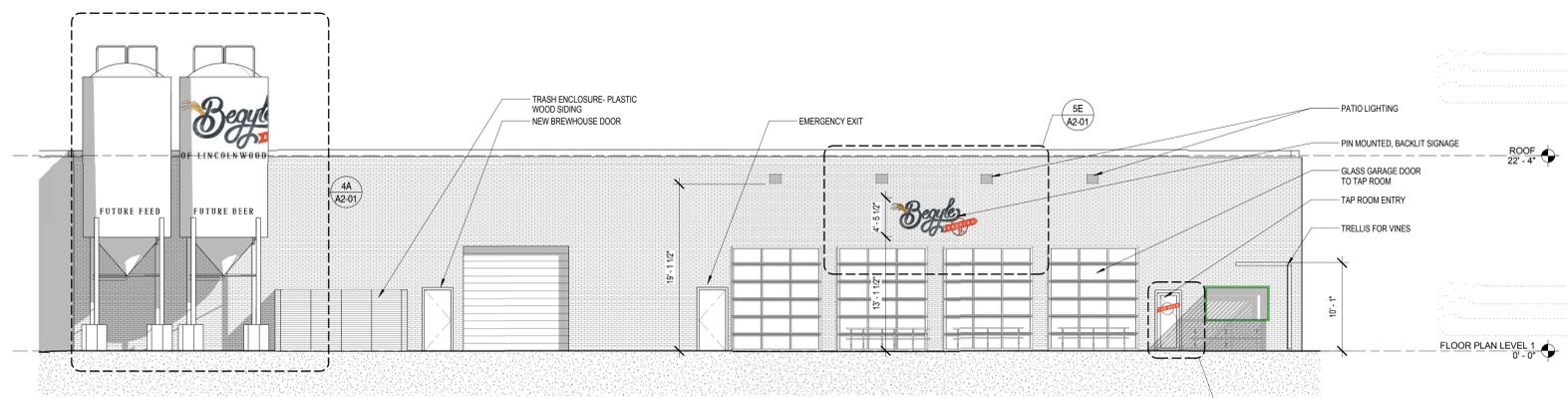
4E ENTRY SIGNAGE
 SCALE: 1/4" = 1'-0"



4G DOOR SIGNAGE
 SCALE: 1/4" = 1'-0"

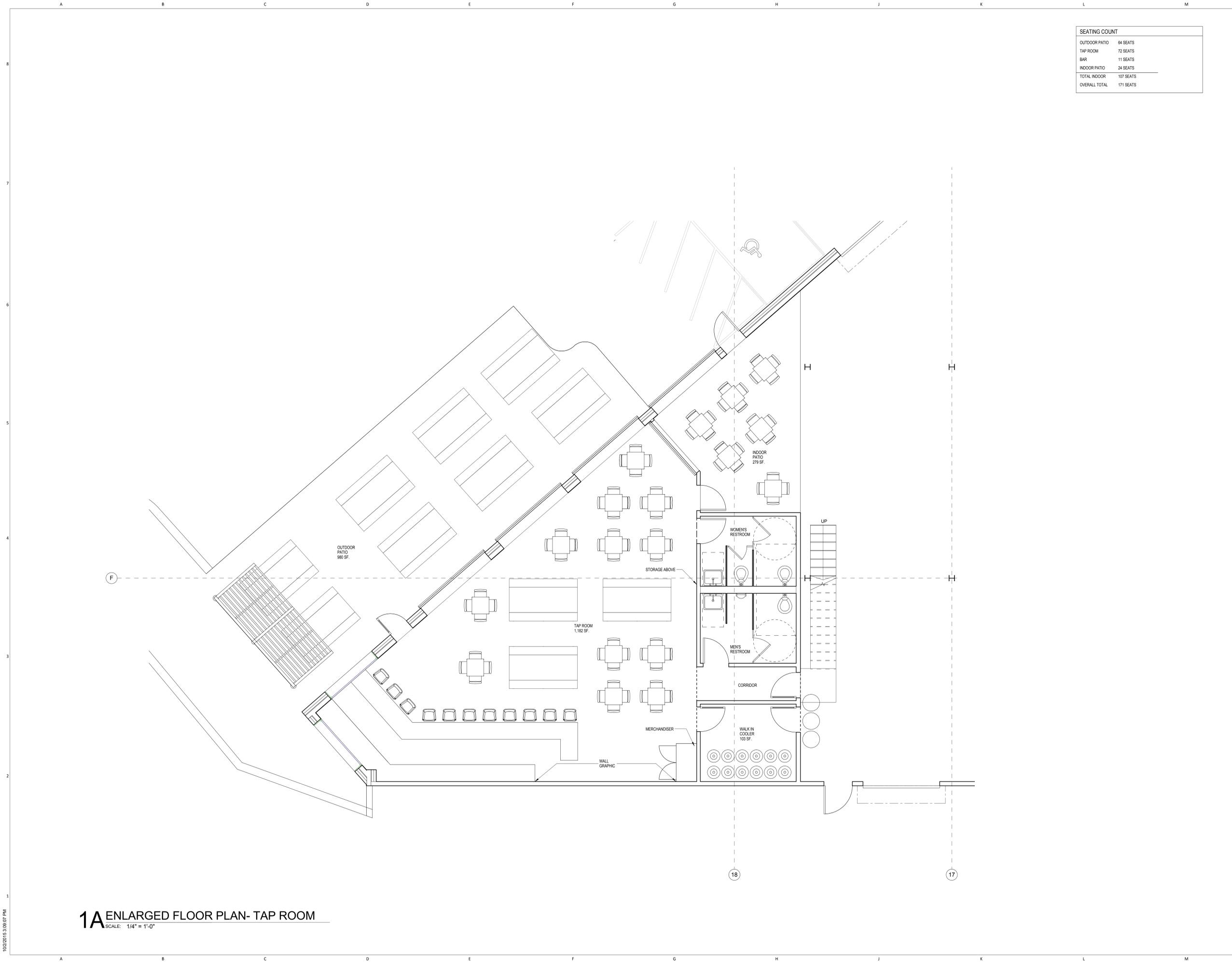


4A SILO SIGNAGE
 SCALE: 1/4" = 1'-0"



1A SOUTH EAST ELEVATION
 SCALE: 1/8" = 1'-0"

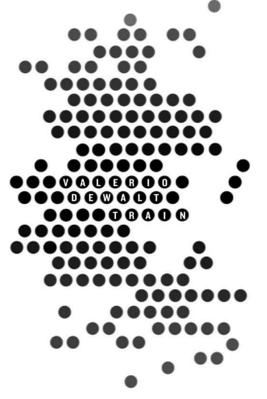
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SEATING COUNT	
OUTDOOR PATIO	64 SEATS
TAP ROOM	72 SEATS
BAR	11 SEATS
INDOOR PATIO	24 SEATS
TOTAL INDOOR	107 SEATS
OVERALL TOTAL	171 SEATS

PROJECT NAME
BEGYLE BREWING AND TAP ROOM

PROJECT ADDRESS
 7005 N. CENTRAL PARK AVE.
 LINCOLNWOOD, IL. 60712



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PROJECT TEAM **ARCHITECT STAMP**

VDTA PROJECT NUMBER
 15097.00.00

CONSULTANT

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ISSUE		
NO.	REVISION DESCRIPTION	DATE
1	PUBLIC HEARING REVIEW	10/05/2015

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SHEET TITLE
 ENLARGED FLOOR PLANS



SHEET NUMBER
A5-01

1A ENLARGED FLOOR PLAN- TAP ROOM
 SCALE: 1/4" = 1'-0"

10/2/2015 3:08:07 PM



Plan Commission Staff Report

Case #PC-15-15

November 4, 2015

Subject Property:

7175 North Lincoln Avenue

Zoning District:

B-3 Village Center PD

Petitioner:

7175 N. Lincoln Avenue LLC., Contract Purchaser and Petitioner
Lincolnwood Partners L.P., Property Owner

Nature of Request: Petitioner seeks to open a Binny's Beverage Depot in the Location of the Former Lincolnwood Produce and New Century Bank locations.



Requested Action:

Special Use: To allow a Packaged goods liquor store in the B-3 District

Variations:

1. Variation Approval to exceed maximum number of freestanding signs *Section 11.04(1)i.1*
2. Variation to exceed the maximum height of a monument sign *Section 11.04(1)ii*
3. Variation to permit a ground sign closer than the minimum 10 foot setback
4. Variation to exceed maximum sign area for wall signs *Section 11.04(2)iii.1*
5. Variation to permit the location of the Signable Wall Area *Section 11.04(2)ii*
6. Variation to exceed the maximum vertical dimension of a signable wall area *Section 11.04(2)ii*

Notification: Consistent with Village requirements, notice of the November 4, 2015 Public Hearing was published in the Lincolnwood Review dated October 16, 2015, a Public Hearing Sign was installed at 7175 North Lincoln Avenue, and notice of the public hearing, dated October 16, 2015, was mailed to property owners within 250 Feet.

Summary of Request

Binny's Beverage Depot is proposing to renovate and occupy approximately 28,000 square feet of space previously occupied by Lincolnwood Produce and New Century Bank at 7175 North Lincoln Avenue. To do this, Binny's requires Special Use approval for a packaged goods liquor store (and also the issuance of a liquor license by the Village). In addition, Binny's seeks approval of certain sign variations including allowing two additional monument signs (bottle shape) on the property, a second wall sign facing Lincoln Avenue and variations regarding the size of the proposed wall signs. The only exterior improvements proposed are the installation of two freestanding signs.

Before the Plan Commission are both the Special Use request and the Variation requests. The Village of Lincolnwood through Home Rule authority has created a process in which the Plan Commission considers zoning variations when they are requested along with Special Use. This process is intended to streamline the hearing process for the benefit of the applicant.

Special Use to Approve Packaged Goods Liquor Store

Related Village Action at Subject Property: In 2008 the Village considered an application for Special Use approval for a "Liquor Store" 7177 North Lincoln Avenue. At the May 28, 2008 Plan Commission/Zoning Board of Appeals (PC/ZBA) meeting, by a 4-3 vote, a recommendation to deny the "Liquor store" was made. Certain improvements to the property were recommended as part of the consideration. It is worth noting that via a straw poll, the PC/ZBA indicated support for the "Liquor Store" use. The negative recommendation related to variations, which at the time were required. The applicant ultimately withdrew the request prior to the Village Board voting on an Ordinance.

In 2014, Bill G. Assimakopoulos requested Special Use approval to permit a Packaged Goods Liquor Store at 7177 North Lincoln Avenue next to Lincolnwood Produce. The proposal was to move the retail sales of liquor from within Lincolnwood Produce store to the adjoining separate space. The standalone liquor store was approved in June 2014 via Ordinance No. 2014-3104.

Related Village Action – "Liquor Store, Package Goods": In 2008, the Village considered a Special Use application for a "Liquor Store" at 6929 North Lincoln Avenue. Lincolnwood Wines & Spirits initially received Special Use approval in January 2009 to operate a "Package Good Liquor Store". As part of this approval several conditions were placed on the store including several operational requirements. In November 2010 the Village granted approval of an amendment to the original Special Use approval to modify some of the operational conditions. The owners of Lincolnwood Wines & Spirits indicated that in order to continue to successfully operate and offer desired products and services to their customers they needed modifications to some of the conditions. In 2012, Lincolnwood Wines & Spirits again requested amendments to previously approved Special Use Ordinances in order to modify several operational conditions for the existing liquor store. These modifications were approved by Ordinance No. 2012-3055 which is the current Ordinance applicable to Lincolnwood Wines & Spirits.

Some of the current conditions placed on Lincolnwood Wines & Spirits are difficult to apply to the proposal for 7177 North Lincoln Avenue. For example, Lincolnwood Wines & Spirits has minimum linear feet of shelving that must be devoted to bottled wine. The floor plan submitted by the applicant includes information on the amount of shelf space but does not make reference to what will be displayed.

Currently, there are three standalone "Liquor Stores" in Lincolnwood, Miska's Keystone Liquors, 6423 North Cicero Avenue, Lincolnwood Wines & Spirits 6929 North Lincoln Avenue, and The Vineyards of Lincolnwood, 7177 North Lincoln Avenue. Retail Sales of alcohol also occurs at Lincolnwood Produce, Walgreens (6770 North Lincoln Ave), and CVS (3950 West Devon Ave and 7179 North Lincoln Ave).

Binny's has indicated that occasional tastings will occur at the store. Do know that the Village of Lincolnwood Municipal Code includes Product Sampling restrictions. These restrictions are copied below for your information:

"Section 10-2-35 Product Sampling

- (A) *Local liquor licensees may conduct product sampling for consumption at a licensed retail location. Class B licensees shall not conduct product sampling except upon the prior written approval of the Local Liquor Control Commissioner.*
- (B) *All product sampling conducted pursuant to this Section 10-2-35 must be attended by and supervised by a person 21 years old or older, who must be either a full-time or part-time employee of the local liquor licensee or a representative of an alcoholic beverage distributor.*
- (C) *Not more than one ounce of wine, three ounces of beer, or 1/2 ounce of distilled spirits may be served in any serving of alcoholic beverages provided pursuant to this Section 10-2-35.*
- (D) *Not more than eight ounces of wine, 12 ounces of beer, and three ounces of distilled spirits may be served to a consumer in one day.*
- (E) *Class E licensees may conduct not more than 12 on-premises open houses or special events per calendar year at which the licensee may conduct alcoholic liquor product sampling.*
- (F) *All product sampling conducted pursuant to this Section 10-2-35 shall be performed in accordance with this Article 2, Section 6-31 of the Liquor Control Act,[1] and any additional restrictions imposed by the Local Liquor Control Commissioner.*

[1] Editor's Note: See 235 ILCS 5/6-31."

Sign Variations

The petitioner also seeks sign variations to add two new monument signs and two new wall signs. Below is a summary of the requested variations.

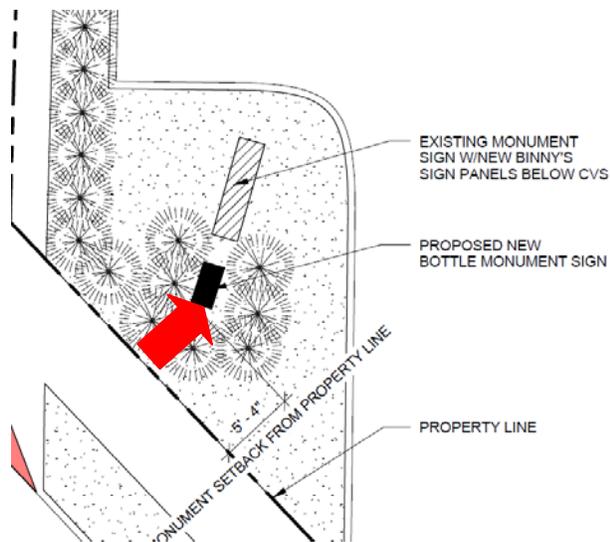
Variation to Exceed Maximum Number of Monument Signs: The petitioner seeks approval to permit the installation of an additional two monument signs at the subject property. Currently, there are two monument signs near the intersection of Lincoln Avenue and Kostner Avenue as well as at Touhy Avenue and Kostner Avenue. These monument signs were approved as part of the CVS consideration in 2010. Each of the signs was specifically designed to include CVS

Pharmacy and space for an additional tenant. Binny’s has represented in their materials (rendering to the right) that they will locate on the existing signs in addition to proposing their own two additional signs. Binny’s is seeking approval to install two additional monument signs adjacent to the existing sign near the intersection of Lincoln Avenue and Kostner Avenue and at the entrance to the property off Touhy Avenue. As proposed, the property would have a total of 4 monument signs where the Zoning Code permits one monument sign.

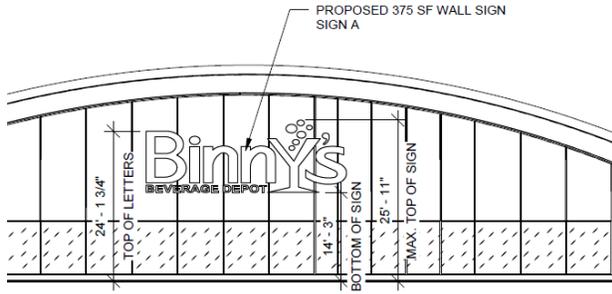


Variation to Exceed the Maximum Height of a Monument Sign: The petitioner seeks relief from the maximum monument sign height of eight feet. The Zoning Code states that a monument sign shall not exceed eight feet in height from finished grade. As proposed, the two Binny’s signs are 11.75 feet in height. CVS received a monument sign height variation for each of the existing signs to be ten feet in height rather than the maximum height of eight feet. The rendering to the right is not to scale however it does show that the proposed “bottle” sign exceeds the height of the existing monument sign.

Monument Sign Setback Variation: The Zoning Code requires that no monument sign shall be located closer than 10 feet to an exterior property line. The monument sign proposed near the intersection of Lincoln Avenue and Kostner Avenue is setback five feet four inches from the Lincoln Avenue property line. The proposed sign is not located within a Site triangle as defined by the Zoning Code. The existing CVS monument sign in this location complies with the minimum ten foot setback.



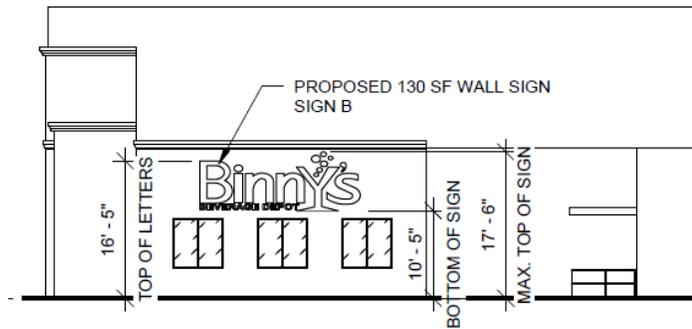
Whenever variations are requested for monument signs, the Village requires the petitioner to install a sign “mock-up” in the location, height and dimension of the proposed sign. In accordance with this requirement, sign mock-ups are currently in place at the subject property. Attached to this report are photographs of the two sign mock-ups.



Variation to Exceed the Maximum Wall Sign Area:

The Petitioner seeks approval to permit the two wall signs to exceed the maximum 110 square foot area for individual letter wall signs. The Zoning Code states that in no case shall a wall sign area exceed 100 square feet in area. However, a ten percent bonus is allowed for individual letter signs. As proposed, the wall sign on the west building elevation is proposed at 375 square feet in area.

The proposed wall sign on the south building elevation is proposed at 130 square feet in area. Binny's is proposing to infill a portion of the south wall with brick finish to match existing wall in order to create an acceptable signable wall area. Below is the south elevation after the infill and with the proposed 130 square foot wall sign.



SIDE ELEVATION - SOUTH



Variation to Permit the Location of the Signable Wall Area:

The Zoning Code defines "Signable wall area" as:

"The area within a rectangle which encompasses a continuous portion of a building facade, unbroken by windows, doors, or major architectural interruptions of the building surface. For signs located completely within a gable, signable wall area may be triangular in shape."

The west building elevation of the former Lincolnwood Produce is designed without a continuous portion of a building façade and therefore, in order to install a wall sign in the proposed location relief from the Zoning Code relative to permitted wall sign location is required.

Variation to Exceed Maximum Vertical Dimension of Signable Wall Area:

The Zoning Code establishes that the vertical dimension of the signable wall area shall not exceed six feet. As proposed each of the wall signs exceeds six feet in height and therefore would vertically extend beyond the allowed signable wall area.

The proposed wall sign on the west elevation is approximately 10.8 feet in height.

SIGN A



375 Sq Ft Sign

LED illuminated channel letter sign, with blinking bubbles

The proposed wall sign on the south elevation is approximately 6.25 feet in height.

SIGN B



130 Sq Ft Sign

LED illuminated Channel letter sign, with blinking bubbles.

Conclusion

Binny's Beverage Depot is proposing to renovate and occupy approximately 28,000 square feet of space previously occupied by Lincolnwood Produce and New Century Bank at 7175 North Lincoln Avenue. Binny's requires Special Use approval for a packaged goods liquor store and certain sign variations including allowing two additional monument signs (bottle shape) on the property, a second wall sign facing Lincoln Avenue and variations regarding the size of the proposed wall signs.

Staff convened the Development Review Team on September 9, 2015 and attached is the report from that review. Included in this document are review comments from each participating department representative. A summary of the review comments and

recommendations are found on page 2 of the document. No inquiries from the public were received relative to this request in advance of the public hearing.

If the Plan Commission sees fit to recommend approval of Special Use and Variations, staff recommends the following conditions:

1. All shopping carts shall be stored within the building at all times the store is closed.
2. Submit a Security Plan for the store for Police Chief approval prior to the issuance of the Certificate of Occupancy
3. Prior to occupancy enter into a Traffic Regulation Agreement for the Property with the Village.
4. Prior to occupancy, install stop sign and stop bar at Kostner Avenue exist and stop sign, stop bar and right turn only sign at Lincoln Avenue exit.

Documents Attached

1. Development Review Team Report – Review Date: September 9, 2015
2. Memorandum to the Economic Development Commission (EDC) re: Binny’s Beverage Depot – October 29, 2015
 - a. EDC Statement on Proposed Binny’s Beverage Mart
 - b. Draft Minutes of October 28, 2015 EDC Meeting
3. Owner Authorization
4. Sign Mock-up Photographs
5. Public Hearing Application Packet
 - a. Special Use and PUD Public Hearing Application
 - b. Variations Public Hearing Application
 - c. Milord Company Response to Development Review Team – October 5, 2015
 - d. Binny’s Beverage Depot Proposed Store No. 34 Information September 2, 2015
 - e. Tasting Narrative
 - f. Site Plan, Parking Plan, Landscape Plan, Lighting Plan, Site Triangle & Setback Plans, and New Sign & Pavement Markings
 - g. Floor Plan
 - h. Building Elevations and Renderings
 - i. Bottle Monument Views and Perspectives
 - j. Monument Sign Elevations
 - k. Property Photos
 - l. Delivery Truck Plan – Dock 1 and Dock 2
 - m. Existing Site Lighting and Site Photometric Plan
 - n. Signage Photometric Plan
 - o. Proposed Wall and Ground Sign Drawings
 - p. Plat of Survey



Summary Review

Development Team Review

Proposed Binny's Beverage Depot

7175 North Lincoln Avenue

Review Date: September 9, 2015

Nature of Request

Binny's Beverage Depot proposes to occupy approximately 27,785 square feet of existing building located at 7175 North Lincoln Avenue. Space proposed to be occupied includes both space that has been occupied by Lincolnwood Produce and also the adjoining vacant space previously occupied by New Century Bank. CVS which also occupies space in this shopping center will continue to operate; however a small liquor store located between CVS and the proposed Binny's will cease operation.

As part of Binny's proposal, two wall signs, two new panels for existing monument signs and two new separate "bottle" monument signs are proposed. Except for unspecified repairs and maintenance, no changes to parking, landscaping or site lighting are proposed.

Village Actions Required

- **Issuance of a Liquor License by the Village**
 - For further information on liquor licenses, Contact Executive Secretary Carrie Dick at CDick@lwd.org or 847-745-4717
- **Zoning Approvals**
 - Special Use approval for a packaged liquor store
 - Variations for
 - Number of proposed Monument Signs

- Height of proposed “bottle” Monument Signs
- Size of Wall Signs
- Location of Signable Area/Wall Sign over Existing Windows
- Zoning Code Text Amendment
 - To allow for blinking lights on signs

Note: additional variations may be identified upon review of additional documents requested

A combined public hearing to consider Special Use, all variations requested and any text amendment will be scheduled before the Plan Commission upon submittal of the requisite applications

Summary of Staff Review Comments

- Mock-ups of the proposed “bottle” Monument Signs are required to be installed in advance of the public hearing at the locations proposed, showing proposed sign height and width. Installation timing should be coordinated with the Community Development Department
- Additional information (see below and attached) is needed to ascertain if additional variations are required for height/location of wall signs and location of monument signs
- Flashing signs or signs which give the illusion of movement are prohibited in the Village. A text amendment to the Code would be required to change this prohibition.
- Touhy and Lincoln Avenues are controlled by IDOT and any future work within this right-of-way must be approved by IDOT

Attached are specific department comments on the proposed development

Additional Documents Required/Requested

- Provide maximum installation height from finished grade for proposed Wall Signs A&B. Signs exceeding a height of 30 feet require a variation
- Provide a diagram showing the Signable Wall Areas (see Code for detail) for the proposed Wall signs and provide detail concerning proposed Sign B and apparent changes to existing windows. Village regulations do not allow signs to be installed over windows.
- Provide diagrams showing sight triangles in proximity to the proposed bottle Monument Signs

- Provide illustrations showing the existing monument signs with the proposed Binny's inserts
- Provide a Landscape Plan for the base of the proposed Monument signs showing compliance with the landscape requirements for Monument signs
- Provide on the site plan, the distance measurement of the proposed Monument Signs from the property lines
- Provide evidence that all proposed signs comply with the Village's maximum 75 foot candle limitation, as measured perpendicular to the face of the sign from a distance equal to the narrowest dimension of the sign
- Identify on the site plan, the location of the store's trash bin
- Identify on the site plan, locations in the parking lot for shopping cart corrals
- Correct the Site Plan to show tenant space located between proposed Binny's and CVS
- Provide turning exhibit showing delivery truck access
- Provide a narrative concerning any alcohol tastings, giving details on the nature, type, number and extent of such tastings
- Add to site plan notations for installation of Stop Sign and Stop Bar at Kostner exit and Stop Sign, Stop Bar and Right Turn Only sign at Lincoln Avenue exit

Recommended Development Approval Conditions

1. All shopping carts shall be stored within the building at all times the store is closed
2. Prior to occupancy, submit and obtain Police Chief approval of a Security Plan for the Store
3. Prior to occupancy enter into a Traffic Regulation Agreement for the property with the Village
4. Prior to occupancy, Install Stop Sign and Stop Bar at Kostner exit and Stop Sign, Stop Bar and Right Turn Only sign at Lincoln Avenue exit



Village of Lincolnwood

Individual Department Reviews

Proposed

Binny's Beverage Depot

7175 Lincoln Avenue



Community Development Development Review

Project Information

Petitioner or Project Name Binny's Beverage Depot

Subject Property Address 7175 Lincoln Avenue

List and Date of Plans Reviewed

- Site Plan, Parking Plan, Landscape Plan, Lighting Plan, New Floor Plan, Building Elevations, Sign Perspectives for Signs A,B,C,D; all dated September 1, 2015 by Milford Company
- Sign Detail for Signs A, B, C, D all dated August 26, 2015 by Signarama
- Development Review Application and narrative on proposed Binny's store #34 dated September 2, 2015

Nature of Proposal

Binny's Beverage Depot proposes to occupy approximately 27,785 square feet of existing building in both space that has been occupied by Lincolnwood Produce and also adjoining vacant space previously occupied by New Century Bank. Two wall signs, two new panels for existing monument signs and two new separate "bottle" signs are proposed. Except for repairs and maintenance, no changes to parking, landscaping or lighting plans are proposed.

Review Information

Name of Reviewer Tim Clarke/Aaron Cook

Reviewer Contact Information

TClarke@lwd.org (847-745-4710)

ACook@lwd.org (847-745-4796)

Date of Plan Review September 9, 2015

Action(s)/Approval(s) Required

The following Village Zoning Approvals:

- 1) Special Use approval for packaged goods liquor store
- 2) Variation for number of proposed monument signs
- 3) Variation for proposed height and width of "bottle" Monument Signs
- 4) Variation for size of wall signs (maximum 100 sf or 110 Sf for individual letters. Main sign proposed at 375 s. f. smaller wall sign proposed at 130 s.f. smaller sign does not appear to be located in a signable wall area
- 5) Variation for location of signable wall area for proposed Sign B (Southside of building over windows)
- 6) Possible variation for proposed height of wall signs (maximum 30 feet high)
- 7) Text Amendment for proposed flashing signs/signs that give illusion of motion

Note: Additional variations may be identified upon review of additional documents requested

Applicable Regulations/Requirements

- Village Zoning Code, especially the Sign Chapter

Additional Documents or Information Required/Requested

- Provide evidence that all proposed signs comply with the Village's maximum 75 foot candle limitation, as measured perpendicular to the face of the sign from a distance equal to the narrowest dimension of the sign
- Provide proposed installation height from finished grade for proposed Wall Signs A & B
- Provide total proposed height dimension of proposed wall signs
- Provide the measurement of the projection of the proposed wall signs from the building wall
- Provide illustration of existing monument signs with proposed changes
- Provide diagram identifying distance measurements of proposed monument signs from closest property lines
- Provide diagram showing proximity of proposed monument signs to sight triangles at intersections/driveways
- Provide a Landscape Plan for the proposed Monument sign areas showing compliance with Village landscape requirement of 2 square feet of landscaping for every one square foot of sign face.
- Install in advance of public hearing, mock-ups of proposed "bottle signs" showing height and width dimensions at proposed sign locations
- Provide diagram showing signable wall area for proposed wall signs
- Correct submitted Site Plan to show existing tenant space between proposed Binny's location and CVS

- Identify on site plan location(s) for cart corals in parking lot
- Identify location of trash bin for store
- Indicate on site plan, width of drive aisle in parking lot

Plan Review Comments

- Flashing signs or signs which give the illusion of movement are not allowed and are prohibited altogether in the Village. A text amendment to the Zoning Code to alter this prohibition would be required in order to allow for the blinking bubble component of the proposed signs. If applicant chooses to seek a text amendment to the Code to allow for the blinking bubbles, staff recommends that the applicant's proposed language change to the Code be drafted narrowly so that the impact of such a text change on other locations and sites in the Village is reduced.
- One Monument Sign is allowed per development. A variation was previously granted to allow 2 monument signs for this shopping center. Adding 2 additional Monuments Signs as proposed requires approval of an additional variation.
- Monument signs may not exceed 8 feet in height from finished grade, including the sign base. Proposed "Bottle" Monument Sign exceeds 11 feet in height, above the Village's standard.
- Wall Sign B is proposed to be installed over the upper portion of existing windows. Village Code allows for the installation of Wall Signs within a Signable Wall Area. A Signable Wall Area can not extend over windows.
- Identify the location of the trash bin for the store
- Height limit for monument signs is 8 feet from finished grade unless located in a sight triangle in which the maximum height is 3 feet
- Monument signs may not be closer than 10 feet to a property line and must have 2 square feet of landscaping at its base for every 1 square foot of sign face
- The maximum height of a Wall Sign is 30 feet from finished grade. Wall Signs must be located in a permitted Signable Wall Area and cannot project more than 15 inches

Recommended Development Approval Conditions

- All shopping carts shall be stored each evening within the building

Zoning Review Worksheet

September 9, 2015

Subject Property: 7175 Lincoln Ave.

ZONING DISTRICT: B3 PD
District

ZONING CALCULATIONS:

TOTAL LOT AREA: 130,766
SQUARE FEET

EXISTING BUILDING AREA: 44,436
SQUARE FEET



	<u>MAX. PERMITTED</u>	<u>PROPOSED</u>	<u>VARIATION REQUIRED</u>
TOTAL LOT COVERAGE:	N/A	N/A	NO
MINIMUM LOT AREA:	N/A	N/A	NO
FLOOR AREA RATIO:	N/A	N/A	NO
BUILDING HEIGHT:	N/A	N/A	NO

Notes: None

ZONING SETBACKS

	<u>REQUIRED</u>	<u>PROPOSED</u>	<u>VARIATION REQUIRED</u>
Front yard setback:	30 Ft.	N/A	NO
Interior side yard setback:	5 Ft	N/A	NO
Interior side yard setback:	5 Ft.	N/A	NO
Rear yard setback:	75 Ft.	N/A	NO

Notes: None

OFF-STREET PARKING REQUIREMENTS

	<u>REQUIRED</u>	<u>PROPOSED</u>	<u>VARIATION REQUIRED</u>
Location	Rear and Side Yard Only	No Improvements Proposed	NO
Number of Spaces:	See Notes	Existing	NO
Number of Handicap Spaces:		Existing	NO
Size of Spaces:	9' x 18'	Existing	NO
Driveway Dimension:	24'	Existing	NO
Drive Aisle Dimension:	24'	Existing	NO

Notes: Requirements above are based on:

General Retail sales and service
Grocery Store
Liquor store, package goods

3.3 spaces per 1,000 square feet of gross floor area
4.5 spaces per 1,000 square feet of gross floor area
3 spaces per 1,000 square feet of gross floor area

MINIMUM LANDSCAPE REQUIREMENTS

PERIMETER LOT SCREENING

	<u>REQUIRED</u>	<u>PROPOSED</u>	<u>VARIATION REQUIRED</u>
Setback width:	8 feet (no overhang)	No Improvements Proposed	NO
Screening:	continuous 3 feet	No Improvements Proposed	NO
Concrete curb separation:	6 inch required	No Improvements Proposed	NO

Notes: None

INTERIOR LOT LANDSCAPING

	<u>REQUIRED</u>	<u>PROPOSED</u>	<u>VARIATION REQUIRED</u>
End Cap Islands Provided:	ends of parking row	No Improvements Proposed	NO
Interior Islands Provided:	every 20 Spaces	No Improvements Proposed	NO
Size of Islands:	9X20 feet	No Improvements Proposed	NO
Island Trees:	1 per island	No Improvements Proposed	NO
Size of Island Trees:	2 1/2 caliper	Unknown	NO
Non-parking areas 50+ s.f.:	pervious/vegetative	Shown	NO
Island Topsoil Depth:	3 feet depth	Unknown	NO

Notes: No improvements proposed.

FOUNDATION PLANTING REQUIREMENTS

	<u>REQUIRED</u>	<u>PROPOSED</u>	<u>VARIATION REQUIRED</u>
Setback Width:	6 feet front and sides of bldg.	No Improvements Shown	No
Concrete Curb:	6 inch required	No Improvements Shown	No

Notes: None

PARKWAY LANDSCAPING REQUIREMENTS

	<u>REQUIRED</u>	<u>PROPOSED</u>	<u>VARIATION REQUIRED</u>
Parkway Plantings:	Sod or Vegetative Ground Cover	N/A	NO
Impervious Material In Parkway:	All impervious material prohibited	N/A	NO
Structure/Obstructions In Parkway:	No structures or obstruction may be erected	N/A	NO
Parkway Trees:	One parkway tree for each 25 lineal feet	Existing	NO
Public Sidewalks:	A 5-foot public sidewalk in B1, B2 & M Districts	N/A	NO

Notes: None

SIGN REQUIREMENTS

- Blinking/flushing signs are prohibited *Section 11.06(8)*
- Variation to exceed maximum number of freestanding signs *Section 11.04(1)i.1*
- Variation to exceed the maximum height of a monument sign *Section 11.04(1)ii*
- Variation to exceed maximum sign area for wall signs *Section 11.04(2)iii.1*
- Variation to exceed the maximum vertical dimension of a signable wall area *Section 11.04(2)ii*
- Freestanding signs shall be simple and compatible with the building to which it relates. Signs of excessively complicated outlines are unacceptable. *Section 11.08(7)*

Notes: Please provide setback to proposed monument signs. Monument signs are to not be located closer than 10 feet to an exterior property line.

Monument signs are to be **rectilinear** signs with width and thickness generally uniform from finished grade to top of sign.

Sign “mock-ups” are required for ground signs requiring variations.

OTHER

- Special Use is required for packaged liquor store.

REVIEWED BY: Aaron N. Cook, AICP

DATE: September 9, 2015



LINCOLNWOOD POLICE DEPARTMENT

6900 N. Lincoln Avenue, Lincolnwood, IL 60712

(847) 673-2167

Development Review

Project Information

Petitioner or Project Name:	Binny's Beverage Depot
Subject Property Address:	7175 North Lincoln Avenue
List and Date of Plans Reviewed:	<ul style="list-style-type: none"> • Site Plan, Parking Plan, Landscape Plan, Lighting Plan, New Floor Plan, Building Elevations, Sign Perspectives for Signs A, B, C, D; all dated September 1, 2015 by Milord Company • Sign Detail for Signs A, B, C, D all dated August 26, 2015 by Signarama • Development Review Application and narrative on proposed Binny's store # 34 dated September 2, 2015.
Nature of Proposal:	Binny's Beverage Depot proposes to occupy approximately 27,785 square feet of existing building in both spaces that has been occupied by Lincolnwood Produce and also adjoining vacant space previously occupied by New Century Bank. Two wall signs, two new panels for existing monument signs and two new separate "bottle" signs are proposed. Except for repairs and maintenance, no changes to parking, landscaping or lighting plans are proposed.

Review Information

Name of Reviewer:	Lieutenant Randall Rathmell		
Reviewer Contact Information:	Work:	(847) 745-4751	Cell: 847 980-7894
	Email	rrathmell@lwd.org	
Date of Plan Review:	September 4, 2015, Revised September 9, 2015		

Action(s)/Approval(s) Required

- None

Applicable Regulations/Requirements

- None

Additional Documents or Information Required/Requested

- Submit a Photometric Lighting Plan
- Submit a Security Plan

Plan Review Comments

- Submit a Security Plan for the property with approval by the Police Chief prior to issuance of the Certificate of Occupancy to include alarms, sensor lights, video surveillance cameras and intrusion detectors made visible to potential offenders and to assist in any criminal investigation
- Install a stop sign, stop bar and right turn only sign at the Lincoln Avenue exit
- Install a stop sign and stop bar at the Kostner Avenue exit
- Request a Traffic Regulation Enforcement Agreement with the Village

Recommended Development Approval Conditions

- Submit a Security Plan for the property with approval by the Police Chief prior to issuance of the Certificate of Occupancy to include alarms, sensor lights, video surveillance cameras and intrusion detectors made visible to potential offenders and to assist in any criminal investigation
- Install a stop sign, stop bar and right turn only sign at the Lincoln Avenue exit
- Install a stop sign and stop bar at the Kostner Avenue exit
- Request a Traffic Regulation Enforcement Agreement with the Village
- Submit a Photometric Lighting Plan



LINCOLNWOOD FIRE DEPARTMENT

6900 N. LINCOLN AVENUE – LINCOLNWOOD, ILLINOIS - 60712

PHONE: 847-673-1545 FAX: 847-673-7456

Development Review

Project Information

Petitioner or Project Name: Binny's Beverage Depot
Subject Property Address: 7175 N. Lincoln Avenue
List and Date of Plans Reviewed: Site Plan, Parking Plan, New Floor Plan, Building Elevations, Landscape Plan, Lighting Plan, and Explanation Letter.
Nature of Proposal: Redevelopment of an existing grocery store to retail liquor store.

Review Information

Name of Reviewer: Battalion Chief Clyde Heineman
Reviewer Contact Information: Lincolnwood Fire Department – 847-673-1545 – cheineman@lwd.org
Date of Plan Review: 9-4-2015

Action(s)/Approval(s) Required

- Fire sprinkler plans to be submitted, reviewed, and approved prior to construction of the system.
- Fire alarm plans to be submitted, reviewed, and approved prior to construction of the system.

Applicable Regulations/Requirements

- All plans will be reviewed to the currently adopted versions of the NFPA code set including, *but not limited to* NFPA 1 Fire Code 2009 Edition, NFPA 13 Standard for the Installation of Sprinkler Systems 2010 Edition, NFPA 70 National Electrical Code® 2011 Edition, NFPA 72 National Fire Alarm and Signaling Code 2010 Edition, NFPA 80 Standard for Fire Doors and Other Opening Protectives 2010 Edition, NFPA 101® *Life Safety Code*® 2012 Edition, NFPA 110 Standard for Emergency and Standby Power Systems 2010 Edition, as well as the 2006 International Fire Code and local amendments.

Additional Documents or Information Required/Requested

- The calculation of all spaces for occupancy loads, exit requirements, and travel distances to be provided in accordance with 2012 *Life Safety Code* "Table 7.3.1.2 Occupant Load Factor".

Building Square Footage: 27,785 sq. ft.
Proposed Occupancy Type: Mercantile (Same as Existing)
Proposed Occupancy Load: Mercantile Areas - 30 sq. ft. /per person. (Sales on Street Floor Level) Number to be determined.
Proposed Occupancy Load: Business Areas - 100 sq. ft. /per person. Number to be determined.
Proposed Occupancy Load: Storage Areas - 300 sq. ft. /per person. (Storage, Receiving, Shipping) Number to be determined.

Plan Review Comments

- The current proposed position of the structure on the site will not change and will therefore not change fire department access from the existing situation. Access has always been somewhat limited to the rear of the structure but does not present any appreciable difficulties for fire suppression purposes.
- Water supply for fire suppression will not change from the existing arrangement and is adequate.
- An existing NFPA 13 compliant sprinkler system is currently installed throughout. Any changes to the system due to reconfiguration within the store will need to be submitted for review, approved, and the appropriate permit issued.
- Fire Department Connection location on the system will remain as exists.
- An existing compliant NFPA 72® National Fire Alarm & Signaling Code is currently provided as required by NFPA 101® *Life Safety Code*®. Any changes to the system due to reconfiguration within the store will need to be submitted for review, approved, and the appropriate permit issued.
- The fire alarm system is required to be connected to the fire department dispatch center by way of the Village of Lincoln fire alarm radio network. The new owners will be required to maintain this connection. The Fire Prevention Bureau will coordinate with the new owners in their taking over this connection.
- There is an existing Knox Box® (Key Box) at the entrance(s) and keys to be supplied by the new owner for emergency access by fire companies.

Recommended Conditions

- None at this time
-



Public Works Department

Development Review

Project Information

Petitioner or Project Name: Binny's Beverage Depot
Subject Property Address: 7175 Lincoln Avenue
List and Date of Plans Reviewed: <ul style="list-style-type: none">• Site Plan, Parking Plan, Landscape Plan, Lighting Plan, New Floor Plan, Building Elevations, Sign Perspectives for Signs A,B,C,D; all dated September 1, 2015 by Milford Company• Sign Detail for Signs A, B, C, D all dated August 26, 2015 by Signarama• Development Review Application and narrative on proposed Binny's store #34 dated September 2, 2015
Nature of Proposal: <p>Binny's Beverage Depot proposes to occupy approximately 27,785 square feet of existing building in both space that has been occupied by Lincolnwood Produce and also adjoining vacant space previously occupied by New Century Bank. Two wall signs, two new panels for existing monument signs and two new separate "bottle" signs are proposed. Except for repairs and maintenance, no changes to parking, landscaping or lighting plans are proposed.</p>

Review Information

Name of Reviewer:	Andrew Letson, Assistant to the Public Works Director
Reviewer Contact:	Work: 847-745-4851 aletson@lwd.org
Date of Plan Review:	August 11, 2015

Action(s)/Approval(s) Required

- Location and size of water and sewer connections must be approved.

Applicable Regulations/Requirements

- Section 12-2 (Water Main and Sewer Connections)

Additional Documents or Information Required/Requested

- Please identify the location and size of existing and proposed (if applicable) water and sewer connections.

Plan Review Comments:

- The landscape plan calls for the existing parkway trees to remain. If that plan changes, the petitioner will need to coordinate with the Village Arborist for approvals.
- If the petitioner decides to do any work to the driveway aprons on Touhy or Lincoln Avenues, it will require an IDOT permit.

Recommended Development Approval Conditions

- None



ENGINEERING DEPARTMENT

Development Review

Project Information

Petitioner or Project Name Binny's Beverage Depot
Subject Property Address 7175 Lincoln Avenue
List and Date of Plans Reviewed <ul style="list-style-type: none">• Site Plan, Parking Plan, Landscape Plan, Lighting Plan, New Floor Plan, Building Elevations, Sign Perspectives for Signs A,B,C,D; all dated September 1, 2015 by Milford Company• Sign Detail for Signs A, B, C, D all dated August 26, 2015 by Signarama• Development Review Application and narrative on proposed Binny's store #34 dated September 2, 2015
Nature of Proposal <p>Binny's Beverage Depot proposes to occupy approximately 27,785 square feet of existing building in both space that has been occupied by Lincolnwood Produce and also adjoining vacant space previously occupied by New Century Bank. Two wall signs, two new panels for existing monument signs and two new separate "bottle" signs are proposed. Except for repairs and maintenance, no changes to parking, landscaping or lighting plans are proposed.</p>

Review Information

Name of Reviewer James Amelio, PE
Reviewer Contact Information jamelio@lwd.org
Date of Plan Review 9/8/2015

Action(s)/Approval(s) Required

- Depending on scope of the repairs / maintenance activities, various permits may be triggered.
- If work is performed along Lincoln or Touhy right-of-way, an Illinois Department of Transportation (IDOT) permit will be required.

Applicable Regulations/Requirements

- Project may be subject to IDOT requirements

Additional Documents or Information Required/Requested

- Provide a turning exhibit for the various types of delivery vehicles

Plan Review Comments

- Repairs and maintenance activities shall be specified.

Recommended Development Approval Conditions

Memorandum

To: Chair and Members
Economic Development Commission

From: Timothy M. Clarke, AICP
Community Development Director

Date: October 29, 2015

Subject: Binny's Beverage Depot

On October 28, 2015, the Lincolnwood Economic Development Commission considered the proposal by Binny's to occupy the property located at 7175 Lincoln Avenue. At this meeting, the Commission adopted the attached statement supporting Binny's request for Special Use approval.

For reference, attached are the unapproved draft minutes of this Economic Development Commission meeting.



Economic Development Commission

Statement on

Proposed Binny's Beverage Mart

Village plans for the Lincoln/Touhy area envision this area to become the downtown center for the community. These planning documents call for strong or unique retailers to become part of this area. Currently Binny's Beverage Mart is seeking zoning relief to renovate and occupy 7175 Lincoln Avenue, in vacant space formerly occupied by Lincolnwood Produce and New Century Bank.

The Economic Development Commission has reviewed these plans by Binny's. We believe that not only is Binny's an excellent and attractive fit for the former Lincoln Produce site, but that Binny's promises to provide a solid and significant sales tax revenue source for the community. Further, Binny's is known in the marketplace to have extensive product lines that will attract shoppers to this key location in the Village.

We believe Binny's at the proposed location will be an asset for the Village and we support and recommend approval of the Special Use sought by Binny's in their proposal to occupy 7175 Lincoln Avenue.

***This statement was approved by the Economic Development Commission
on October 28, 2015 by a 6-2 vote***



Economic Development Commission

Wednesday, October 28, 2015
Council Chambers Room

Minutes

Commissioners Present

James Persino, Chair
James Kucienski, Vice Chair
Myles D. Berman
Pat McCoy
Patrick Kaniff
Nadia Seniuta
Paul Levine
James Berger
Terrence Strauch

Commissioners Absent

None

Staff Present

Timothy M. Clarke, AICP, Community Development Director
Caleb Miller, Community Development Intern

Others Present

Jesal Patel, Trustee
Larry Elster, Trustee

1. Call to Order/ Quorum Declaration

Noting that a quorum of 6 members was present, the meeting was called to order at 8:02AM by Vice Chairman Kucienski.

2. Minutes Approval

Commissioner Strauch moved to approve, as proposed, the September 16, 2015 meeting minutes of the Commission. Commissioner Berger seconded the motion. Motion approved by voice vote 5-0-1 with Commissioner McCoy abstaining. (Commissioners Persino, Levine and Berman arriving to the meeting after minute approval).

3. 2016 Meeting Schedule

Director Clarke summarized the proposed 2016 Commission meeting calendar, noting that it followed the Commission's general practice of meeting on the fourth Wednesday

of the month at 8AM, except for November and December, when they are generally held on the third Wednesday of the month due to major holidays. He noted that none of the proposed meetings for 2016 appeared to fall on any major religious or federal holiday, but invited Commissioner review. It was also noted that there was a typing error included in the proposed meeting date for July, which was indicated as the 22nd of the month, while the meeting is intended to be scheduled for July 27, the fourth Wednesday of July. On review, Commissioner Berman made a motion, seconded by Commissioner McCoy to approve the 2016 meeting schedule as amended. Motion approved by voice vote, 7-0.

4. Binny's Beverage Depot

Discussion began with Vice Chairman Kucienski inquiring as to why the Economic Development Commission was deliberating on the matter of Binny's Beverage Depot. Director Clarke indicated that Chairman Persino, had requested that the Commission consider this matter and whether a statement should be made by the Commission. Director Clarke noted that Binny's is seeking a Special Use and various sign variations which will be considered at a public hearing before the Plan Commission meeting on November 3rd.

Director Clarke then summarized the specific requests of Binny's. Along with a special use request for a packaged goods/liquor store use at the former Lincolnwood Produce site, Binny's is also pursuing sign variations for the number and size of wall and monument signs. Commissioner McCoy inquired about the specific size of the monument signs. Director Clarke responded and noted that mock-ups of the proposed monument signs were installed on the property for the public hearing. Commissioner Strauch added that he has seen the mock-ups and did not believe these were obtrusive from a driver's perspective.

Vice Chairman Kucienski expressed his concern regarding the proposed Binny's location, saying that he did not find a liquor store appropriate at a gateway to the community, despite its revenue-producing capabilities. Commissioner Strauch replied, saying most drivers on Touhy or Lincoln Avenues may be unaware that they are in Lincolnwood, or may mistake the site for Skokie, so did not feel it would harm the community's attractiveness. Further, he added, he did not believe it was under the purview of the Commission to discuss the aesthetics of the development, but rather whether the proposal would produce an economic benefit to the Village, which he believed it would.

Chairman Persino added that the corner of Lincoln and Touhy Avenues was not necessarily a gateway to the community, but rather it could be considered a town center.

Vice Chairman Kucienski agreed with the Chairman, but maintained a liquor store was inappropriate for such a location. Discussion ensued.

Commissioner Berman asked what exactly was desired at this location, whether Binny's was a good fit and if the Village was choosing some development activity because it was better than no development activity. Chairman Persino responded by saying he believed some residents compare the Village to Glencoe or Wilmette, noting that Lincolnwood is much more diverse in terms of ethnicity and income than such north shore communities and such comparison is not appropriate. Discussion ensued on what Lincolnwood should aspire to be.

Commissioner Strauch noted that past Village administrations had frequently denied new developments, and that the Village should move away from such a policy of denial. He stated his support for Binny's, indicating his belief that it would be an effective anchor for a property needing a good anchor. He stated he believed Binny's is a quality retail establishment.

In responding to whether the Village may be accepting any development over no development, Chairman Persino noted that the Village must acknowledge the reality of the market place and that many retailers already have locations in this market. Trustee Patel noted that the Village has very limited sites for larger retailers and many of the available sites in the Village are challenged due to either size or configuration. Chairman Persino agreed, noting for instance that Costco had expressed specific desire in the Village but a site large enough and meeting their requirements was simply not available. Discussion continued.

Commissioner Kaniff noted that a Binny's would provide essential activity on the site, which is important to spur further economic development near the intersection. Commissioner Seniuta agreed, contending that increased activity at the site could help spur development at the former Purple Hotel site. Commissioner Strauch added that Binny's would increase sales tax revenue, which he said was important. Chairman Persino indicated that he understood that Binny's would generate roughly \$20 million in sales per year at this location.

Discussion then moved back to the signs, with Commissioner McCoy indicating his support for Binny's, but discomfort with the proposed additional monument signs. Discussion continued on whether it was appropriate for the Commission to weigh-in on variation requests. Discussion ensued after which Chairman Persino suggested that the draft Commission statement remove reference to sign variations. Discussion continued

with Commissioners concurring that they should not weigh-in on sign variations or any site issues as these were not under the purview of the Commission

Hearing no further discussion, Commissioner Strauch made a motion to approve the proposed Commission statement regarding Binny's as amended with the reference to sign variations removed. Motion seconded by Commissioner Seniuta. Roll Call vote, in support of the motion: Persino, Levine; Strauch; Berger; Seniuta; and McCoy. Against the motion: Berman and Kucienski. Motion approved 6-2 (Commissioner Kaniff leaving the meeting before the vote was taken). Director Clarke indicated the Commission's adopted statement will be presented to the Plan Commission for the public hearing on November 4th, 2015.

5. Reports

A. Development Updates

Director Clarke summarized the written development update report. Discussion also occurred regarding pending developments on the former Purple Hotel site.

B. New Business Licenses

Commissioners reviewed the list of new business licenses issued during the month of September 2015.

6. Other Business

Commissioner Berman inquired about the possibility of holding Commission meetings in the evenings. He expressed concern that morning meetings were at a time that prohibited public participation, and that evening meetings may encourage more citizen attendance.

Commissioner discussion ensued regarding the possibility of convening evening meetings and also the possibility of televising the meetings. Discussion topics included whether it was wise to convene only some meetings in the evening, whether specific topics should be identified for such meetings and whether any public would attend. Also discussed was whether televising would limit Commission discussion of sensitive material provided by developers or limit frank discussions.

Chairman Persino ask Commissioners to consider these matters, ask staff to seek input from the Village President and Manager and that this will be further discussed at the next Commission meeting.

7. Public Forum

No member of the public desired to address the Commission.

8. Adjournment

On motion by Vice Chairman Kucienski, and seconded by Commissioner Berman, the meeting was adjourned by consensus at 9:22 AM.

Respectfully Submitted,

Caleb Miller
Community Development Intern

**Lincolnwood Partners LP
7175 N Lincoln Avenue
Lincolnwood, IL 60712**

Monday, October 05, 2015

Village of Lincolnwood
Community Development Department
6900 N. Lincoln Avenue
Lincolnwood, IL 60712

RE: Signage Variation and Special Use Permit Applications
7175 N. Lincoln Avenue
Lincolnwood, IL

To Whom It May Concern:

As the owner of the property located at 7175 N. Lincoln Avenue, authorization is hereby given to Milco Acquisition Company LLC and Milord Company to file the necessary signage variance and special use permit applications in conjunction with future development.

Signed,



Lincolnwood Partners LP
Gus Dimas
General Partner



←
ONLY

CVS
pharmacy
DRIVE-THRU PHARMACY



DO NOT
ENTER

WELCOME
TO
MOCOCO

ASSYRIAN
AMERICAN
CULTURAL
CENTER

pharmacy

pharmacy

EXIT
DRIVE-THRU pharmacy

SF



STOP

LINCOLNWOOD
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C
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CVS
pharmacy

Thank



COLWOOD PRODUCE

CVS
pharmacy

DRIVE-THRU PHARMACY



Postner Ave

NINO'S
Auto Care
7-983-8366

CVS
pharmacy

DRIVE-THRU PHARMACY

SURE LIGHT SIGN 847-214-9595



ONLY

CVS
pharmacy



VILLAGE OF LINCOLNWOOD
Community Development Department

Public Hearing Application
Special Use and PUD

SUBJECT PROPERTY

Property Address: 7175 N. Lincoln Avenue

Permanent Real Estate Index Number(s): 10-34-200-016-0000

Zoning District: B3 Lot Area: 130,766 or 3.0 acres

List all existing structures on the property. Include fencing, sheds, garages, pools, etc.
The structures on the existing property consist of one multi-tenant commercial building.

Are there existing development restrictions affecting the property? Yes No
(Examples: previous Variations, conditions, easements, covenants) If yes, describe: _____

REQUESTED ACTION

- Special Use - Residential Planned Unit Development (PUD)
 Special Use - Non-Residential Other

PROJECT DESCRIPTION

Describe the Request and Project: We are requesting a Special Use for the interior build-out of a packaged goods liquor store.

PROPERTY OWNER/PETITIONER INFORMATION

Property Owner(s): *(List all Beneficiaries if Trust)*

Name: Lincolnwood Partners L.P.

Address: 7175 N. Lincoln Avenue, Lincolnwood, Illinois

Telephone: (847) 894-2243 Fax: (____) _____ E-mail: _____

Petitioner: *(if Different from Owner)*

Name: 7175 N. Lincoln Avenue LLC Relationship to Property: Contract Purchaser

Address: 19 South LaSalle Suite 1000 Chicago, Illinois 60603

Telephone: (312) 377-7800 Fax: (____) _____ E-mail: bobby@millcoinvestments.com

REQUIRED ATTACHMENTS *

Check all Documents that are Attached:

Plat of Survey	<input checked="" type="checkbox"/>	Applicable Zoning Worksheet	<input type="checkbox"/>
Site Plan	<input checked="" type="checkbox"/>	Photos of the Property	<input checked="" type="checkbox"/>
Proof of Ownership	<input checked="" type="checkbox"/>	PDF Files of all Drawings	<input checked="" type="checkbox"/>
Floor Plans	<input checked="" type="checkbox"/>	Elevations	<input checked="" type="checkbox"/>

**The above documents are required for all applications. The Zoning Officer may release an applicant from specific required documents or may require additional documents as deemed necessary.*

COST REIMBURSEMENT REQUIREMENT

The Village requires reimbursement of certain out-of-pocket costs incurred by the Village in connection with applications for zoning approvals and relief. These costs include, but are not limited to, mailing costs, attorney and engineer costs, and other out-of-pocket costs incurred by the Village in connection with this application. In accordance with Section 5.02 of the Village of Lincolnwood Zoning Ordinance, both the petitioner and the property owner shall be jointly and severally liable for the payment of such out-of-pocket costs. Out-of-pocket costs incurred shall be first applied against any hearing deposit held by the Village, with any additional sums incurred to be billed at the conclusion of the hearing process.

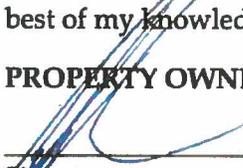
Invoices in connection with this application shall be directed to:

Name: Lincolnwood Partners L.P.
Address: 7175 N. Lincoln Avenue, Lincolnwood, Illinois
City, State, Zip: Lincolnwood, Illinois, 60712

ATTESTMENT AND SIGNATURE

I hereby state that I have read and understand the Village cost reimbursement requirement, as well as the requirements and procedures outlined in Article V of the Village Zoning Ordinance, and I agree to reimburse the Village within 30 days after receipt of an invoice therefor. I further attest that all statements and information provided in this application are true and correct to the best of my knowledge and that I have vested in me the authority to execute this application.

PROPERTY OWNER:



Signature

ROBERT MILLER

Print Name

10/05/2015

Date

PETITIONER: (if Different than Property Owner)



Signature

DONALD G. RICKARDS

Print Name

2015-10-5

Date

SPECIAL USE STANDARDS

To be approved, each Special Use request must meet certain specific standards. These standards are listed below. After each listed standard, explain how the Special Use request satisfies the listed standard. Use additional paper if necessary.

1. Please explain how the Special Use is necessary for the public convenience at this location and the subject property is deemed suitable for the use. (Please explain in detail)

The Special Use requested will serve the public convenience by providing an experience that does not currently exist in the immediate area and is suitable for the subject property. The business Binny's seeking the Special Use although similar to other liquor stores provides a unique experience not found at other stores and also promotes community involvement through education and fund raising for local causes that would be in the interest of the public's convenience. This property having supported other liquor stores in the past would be deemed to be a suitable property for this similar Special Use.

2. Please explain how the Special Use is so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected.

The business seeking the Special Use has implemented procedures throughout the organization to ensure a safe and health environment and protect the public welfare. The business has requirements in place to maintain a clean and safe property and site with the routine collection and storing of shopping carts. In addition, there are also security procedures in place to monitor the whole property to ensure safety and report of any suspicious activity throughout the property.

3. Please explain how this Special Use would not cause substantial injury to the value of other property in the neighborhood in which it is located.

The granting of this Special Use will not affect the value of property in the neighborhood and will on the contrary contribute to the character of the area and provide an amenity that will be enjoyed by many. With the variety of people who will be visiting the proposed business the added consumer traffic will enhance and add to the value of other properties and possible help bring additional customers to the area.

SPECIAL USE STANDARDS (Continued)

4. The Special Use is consistent with the goals and policies of the Comprehensive Plan.

The Special Use requested is consistent with the policies of the Comprehensive Plan because the nature of the request is for a use that will complement the goals of the plan. By contributing to the development of a commercial district and providing an amenity that will be enjoyed by the local public this Special Use will provide a sustainable business in the area contributing to the value of the surrounding properties.

5. The Special Use would not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the underlying Zoning District.

The granting of this Special Use would not in any way impede the development or improvements of surrounding property. Given the nature of the Special Use being sought which is only for a specific commercial use there is no impact on the ability of other properties to develop a property nearby of any use. The Special Use sought would not change the physical nature of the property which has also supported a liquor store and therefore the overall character of the property will not fundamental change. As a result the proposed Special Use will not affect any surrounding properties.

6. Please explain how the Special Use is so designed to provide adequate utilities, access roads, drainage, or necessary facilities.

Given the nature of the proposed Special Use which is to allow the use of a liquor store at a location that previously housed a grocery store at this location there will not be the need for additional utilities, docks, or necessary facilities. The existing conditions of this site are well suited for the proposed Special Use and will not required additional infrastructure changes be made to the building or site.

7. Please explain how the Special Use is so designed to provide ingress and egress to minimize traffic congestion on public streets.

The Special Use sought for a liquor store will have similar traffic pattern to that of the previously housed grocery store and will not have a major impact to the ingress and egress from the site. Given that this Special Use is not for the development of a new site but rather the granting of a specific commercial use in a commercial area the existing traffic pattens will not be affected.



VILLAGE OF LINCOLNWOOD

COMMUNITY DEVELOPMENT DEPARTMENT

PUBLIC HEARING FEES AND DEPOSIT SCHEDULE

Plan Commission

Hearing Type	Hearing Fee*	Hearing Deposit**
Special Use – Non Residential Property	\$500	\$2,000
Special Use – Residential Property	\$250	NA
Reasonable Accommodation	\$250	\$2,000
Text Amendment	\$500	\$2,000
Map Amendment	\$500	\$2,000
Planned Unit Development (PUD) 0 to 5 Acres	\$1,250	\$10,000
Planned Unit Development (PUD) 5 to 10 Acres	\$2,500	\$10,000
Planned Unit Development (PUD) Over 10 Acres	\$3,000	\$10,000
Minor Subdivision	\$250	NA
Major Subdivision	\$500	\$2,000

Zoning Board of Appeals

Hearing Type	Hearing Fee*	Hearing Deposit**
Major Variation – Non Residential Property	\$500	NA
Major Variation – Residential Property	\$250	NA
Variation – Off-Street Parking	\$500	NA
Variation – Design Standards	\$250	NA
Minor Variation	\$125	NA
Sign Variation/Special Signs	\$500	NA

* Hearing fees are non-refundable.

** Hearing deposits shall be applied to out-of-pocket expenses incurred by the Village as the result of the Public Hearing process. If additional costs are incurred, or if no deposit is provided, such out-of-pocket expenses will be billed directly to the applicant.

REQUIRED ATTACHMENTS *

Check all Documents that are Attached:

Plat of Survey

Site Plan

Proof of Ownership

Floor Plans

Applicable Zoning Worksheet

Photos of the Property

PDF Files of all Drawings

Elevations

**The above documents are required for all applications. The Zoning Officer may release an applicant from specific required documents or may require additional documents as deemed necessary.*

COST REIMBURSEMENT REQUIREMENT

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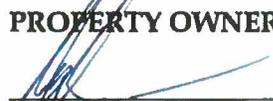
Invoices in connection with this application shall be directed to:

Name: Lincolnwood Partners L.P.
Address: 7175 N. Lincoln Avenue, Lincolnwood, Illinois
City, State, Zip: Lincolnwood, Illinois, 60712

ATTESTMENT AND SIGNATURE

I hereby state that I have read and understand the Village cost reimbursement requirement, as well as the requirements and procedures outlined in Article V of the Village Zoning Ordinance, and I agree to reimburse the Village within 30 days after receipt of an invoice therefor. I also understand that if I desire a Reasonable Accommodation from the Zoning Code based on disability or handicap, that I must complete and submit a different application for consideration and by submitting this application for a Variation, I am attesting that I am not seeking a Reasonable Accommodation. I further attest that all statements and information provided in this application are true and correct to the best of my knowledge and that I have vested in me the authority to execute this application.

PROPERTY OWNER:


Signature

ROBERT MILLER

Print Name

10/05/2015
Date

PETITIONER: (if Different than Property Owner)


Signature

DONALD G. RICKARDS

Print Name

2015 - 10 - 15
Date

VARIATION STANDARDS

To be approved, each Variation request must meet certain specific standards. These standards are listed below. After each listed standard, explain how your Variation request satisfies the listed standard. Use additional paper if necessary.

1. The requested Variation is consistent with the stated intent and purposes of the Zoning Ordinance and the Comprehensive Plan.

The nature of the variance for which we are applying is consistent with the purposes of the Zoning Ordinance and the Comprehensive Plan of the Village of Lincolnwood. As stated in section 1.03 of the Zoning Ordinance our request does not impact the public health, safety, comfort or general welfare and is compatible with the zoning district where the subject property is located. With the nature of our request consisting of signage, the bulk, density, and natural light of the site is not affected and the taxable value of the property is preserved in accordance with the Zoning Ordinance.

2. The particular physical surroundings, shape or topographical conditions of the subject property would bring a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of this Zoning Ordinance is enforced.

Due to the configuration of the site and orientation of the building as a result of street intersections at Lincoln and Touhy the visibility of our tenant space is limited from the main traffic through the area and imposes a unique hardship at this location that may not apply to other locations. As a result we are requested variations regarding signage to allow use to overcome this unique hardship with the least amount of impact to the regulations as set forth in the Zoning Ordinance. This condition is not merely an inconvenience but a hardship due to the impact on the businesses at this location and their ability to inform the general public of their location and allow the public to better navigate the site.

3. The conditions upon which the petition for the Variation is based would not be applicable generally to other property within the same Zoning District.

The Variations for which we are applying for relating to signage do not apply to most other properties within the same Zoning District because our site and building orientation is not similar to other properties. The majority of buildings located along a main thoroughfare such as ours are generally orientated such that they face the street and allow their signage to be viewed from the street even if passing the property in a vehicle. The property associated with this variance has buildings facing away from the main thoroughfares towards a smaller side street and orientated such that the signage on the building is not visible while approaching the property in a vehicle from multiple direction. The building orientation creates a scenario were the general public cannot easily see the businesses at this location and may have difficulty navigating and gaining access to the site due to limited visibility.

4. The Variation is not solely and exclusively for the purpose of enhancing the value of or increasing the revenue from the property.

The variations for which we are applying for are based solely on increasing the public's ability to identify the tenants at the subject property to allow better navigability of the site and promote safety. With the increased signage requested the public will easily be able to identify the site and commercial tenants in a more timely manor when approaching in vehicles and allow for a safer approach to the site and eliminate the need of sudden or missed turns with the increased complexity of this intersection and the various stop lights and traffic lanes unique to this location.

VARIATION STANDARDS (Continued)

5. The alleged difficulty or hardship has not been created by any person presently having an interest in the property.

The hardship for which we are seeking variances to overcome was created at the time the property was first developed and the building orientation was determined. This hardship was not created by any persons having an interest in the property and is due to design decisions at the time the property was originally developed.

6. The granting of the Variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

The variations we are seeking are for the installation of signage and will not impact other properties or impact the public welfare in any negative way. The signage requested in the variance has been proposed with good design intent and will enhance the architectural integrity of the property and increase the ability to identify and navigate the site. The signage proposed will also stay below the foot-candle limitation established by the zoning ordinance and not impact adjacent properties.

7. The Variation granted is the minimum change to the Zoning Ordinance standards necessary to alleviate the practical hardship on the subject property.

The signage we are proposing has been designed, located, and scaled to be the minimum amount of signage necessary to alleviate the hardship that currently exist due to the shape of the site, orientation of the building on the site, and configuration of the main thoroughfares around the site. The signage proposed is in direct response to the hardship that exist at this site and does not exceed what is required to overcome our hardship imposed by the site configuration.

8. The proposed Variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.

The variation for which we are applying will not effect the supply of light, air, or increase the danger of fires to the public safety. The nature of our variations consisting of signage does not change the nature of the commercial development. Given that the subject building has had other tenants such as the bank on the south end which previously had signage, our proposed wall signs will be consistent with the signage that currently and previously existed on this site and does not alter the previous site conditions. The location and size of the monument signs proposed are similar to the existing monument signs and located similarly to the existing monument signs and assist with the site navigation.



VILLAGE OF LINCOLNWOOD

COMMUNITY DEVELOPMENT DEPARTMENT

SIGN VARIATION STANDARDS

For all Sign Variation and/or Special Sign requests, the Applicant shall also complete Questions 9 through 12.

9. The proposed Variation is consistent with the statement of purpose set forth in Section 11.01 of the Zoning Ordinance.

The requested variations are consistent with the purpose of the zoning and signage ordinance and does not impact the public health, safety, and welfare in any way. The proposed signage being requested does not affect the public interest given that it is in line with existing and previous signage on the building. The proposed monument signs are also consistent with the Zoning Ordinance given that their purpose is to assist with the ability to identify and navigate the site which is in the interest of the public.

10. The proposed sign complies with any additional standards or conditions set forth in Article XI of the Zoning Ordinance.

The proposed signage complies with additional standards and conditions set forth in Chapter 15:Article XI of the Zoning Ordinance. The signage we are requesting deviate only slightly from the standards established in the Zoning Ordinance and confirm substantially with the requirements for signage on a commercial property.

11. The proposed sign will substantially enhance the architectural integrity of the building or other structure to which it will be attached, if any.

The proposed building signage will provide an upgrade from the existing signage and will only consist of two wall signs which will be less than the total wall signs that previously existing when the bank at the southwest corner of the building was in operation. With less tenants residing in the building and the total reduction in signage the unique feature of the barrel roof and architectural integrity of the building will be enhanced.

12. The proposed sign conforms with the design and appearance of nearby structures and signs.

Our proposed wall and monument signs are consistent with the overall appearance, design, and scale of nearby commercial properties and do not detract from other properties in any way. Nearby structures have pylon, monument, and walls signs of similar design, scale, and placement as our proposed signs creating a uniform appearance with the commercial zoning.



VILLAGE OF LINCOLNWOOD

COMMUNITY DEVELOPMENT DEPARTMENT

PUBLIC HEARING FEES AND DEPOSIT SCHEDULE

Plan Commission

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Zoning Board of Appeals

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MILORD

C O M P A N Y

CONSTRUCTION | DESIGN-BUILD | MANAGEMENT

October 05, 2015

Tim Clarke
Community Development Director
Village of Lincolnwood
6900 N. Lincoln Ave.
Lincolnwood, IL 60712
Tel 847.673.1540

Re: Binny's Beverage Depot
7175 North Lincoln Ave.
Lincolnwood, IL

Dear Mr. Clarke,

We are in receipt of your Development Team Review, dated September 9, 2015, in regards to the above referenced project. Please note this response is for the requested and required information for the Special Use and Variations Applications.

We offer the following in response:

VARIATIONS COMMENTS

Comment 1 Provide maximum installation height from finished grade for proposed Wall Signs A&B. Signs exceeding a height of 30 feet require a variation.

Response Reference Building Elevations sheet for height of walls signs on building. Maximum height of proposed walls signs is less than 30'-0" as measured from grade.

Comment 2 Provide a diagram showing the Signable Wall Areas (see Code for detail) for the proposed Wall signs and provide detail concerning proposed Sign B and apparent changes to existing windows. Village regulations do not allow signs to be installed over windows.

Response Reference Signable Wall Area diagram on Building Elevation sheet indicating modification and reducing of existing window area. Proposed wall sign on south elevation will not cover any window area. Portion of existing windows to be filled in with new brick veneer to match existing wall finish.

Comment 3 Provide diagrams showing sight triangles in proximity to the proposed bottle Monument Signs.

Response Reference Site Triangle sheet for proximity of Bottle Monument Sign in relation to the site triangle. Dimension indicating proximity of Bottle Monument Sign to property line is also indicated on this sheet.

Comment 4 Provide illustrations showing the existing monument signs with the proposed Binny's inserts.

Response Reference Monument Sign Perspective sheet showing proposed Binny's insert in existing monument signs.

Comment 5 Provide a Landscape Plan for the base of the proposed Monument signs showing compliance with the landscape requirements for Monument signs.

Response Reference Landscape Plan sheet showing additional landscaping to be provided at a quantity to equal 2 SF of landscaping for everyone 1 SF of signage panel.

Comment 6 Provide on the site plan, the distance measurement of the proposed Monument Signs from the property lines.

Response Reference Site Triangle sheet for proximity of Bottle Monument Sign to property line. A dimension has been provided on this sheet showing distance of Bottle Monument Sign from property line.

Comment 7 Provide evidence that all proposed signs comply with the Village's maximum 75 foot candle limitation, as measured perpendicular to the face of the sign from a distance equal to the narrowest dimension of the sign.

Response Reference Signage Photometric Plan for foot candle of signs. Foot candle calculation as shown on signage photometric are measured in accordance with the Lincolnwood Zoning Ordinance.

Comment 8 Identify on the site plan, the location of the store's trash bin.

Response Reference Site Plan sheet for location of trash bin.

Comment 9 Identify on the site plan, locations in the parking lot for shopping cart corrals.

Response Reference Site plan for location and quantity of cart corals.

Comment 10 Correct the Site Plan to show tenant space located between proposed Binny's and CVS.

Response All plans in submittal have been revised to show the tenant space between CVS and the proposed Binny's space.

Comment 11 Provide turning exhibit showing delivery truck access.

Response Reference turning exhibits provided for delivery truck access.

Comment 12 Provide a narrative concerning any alcohol tastings, giving details on the nature, type, number and extent of such tastings.

Response Reference attached narrative providing additional details regarding the proposed alcohol tastings.

Comment 13 Add to site plan notations for installation of Stop Sign and Stop Bar at Kostner exit and Stop Sign, Stop Bar and Right Turn Only sign at Lincoln Avenue exit.

Response Reference New Sign and Pavement Markings sheet for proposed installation of stop signs, stop bar, and turning sign per the recommendations of the Development Commission.

Comment 14 Flashing signs or signs which give the illusion of movement are prohibited in the Village. A text amendment to the Code would be required to change this prohibition.

Response We will not be pursuing a text amendment to allow for a flashing sign. At a previous meeting with the Community Development Department the interest in a flashing sign was conceded by the owner of Binny's and we will no longer be proposing a flashing sign.

Comment 15 Provide the measurement of the projection of the proposed wall signs from the building wall.

Response The projection measurement of the proposed wall sign from the building face is 5" typical.

Comment 16 Indicate on site plan, width of drive aisle in parking lot.

Response Reference site plan for width of driving aisles in parking lot.

DEVELOPMENT APPROVAL CONDITIONS RECOMMENDATIONS

Comment 1 All shopping carts shall be stored within the building at all times the store is closed.

Response **In accordance with Binny's store policy all shopping carts will be stored inside the building at all times the store is closed.**

Comment 2 Prior to occupancy submit and obtain Police Chief approval of a Security Plan for the Store.

Response **We accept and will comply with the request to submit a Security Plan of the store to the Police Chief for approval prior to occupancy.**

Comment 3 Prior to occupancy enter into a Traffic Regulation Agreement for the property with the Village.

Response **We accept and will comply with the request to enter into a Traffic Regulation Agreement for the property with the Village prior to occupancy.**

Comment 4 Prior to occupancy, Install Stop Sign and Stop Bar at Kostner exit and Stop Sign, Stop Bar and Right Turn only sign at Lincoln Avenue exit

Response **Prior to occupancy we will install Stop Sign and Stop Bar at Kostner exit and Stop Sign, Stop Bar, and Right Turn Only sign at Lincoln exit.**

Comment 5 Fire sprinkler plans to be submitted, reviewed, and approved prior to construction of the system.

Response **We accept and will comply with the request to submit fire sprinkler plans for review and approval of the Lincolnwood Fire Department prior to construction of the system.**

Comment 6 Fire alarm plans to be submitted, reviewed, and approved prior to construction of the system.

Response **We accept and will comply with the request to submit fire alarm plans for review and approval of the Lincolnwood Fire Department prior to construction of the system.**

Respectfully,
Michael Pagan
Architect



Binny's Beverage Depot

Proposed Store No. 34

7175 N. Lincoln Avenue Lincolnwood, Illinois 60712

September 02, 2015

Binny's Beverage Depot is Chicagoland's and the Midwest's largest retailer of fine wine, spirits, beer and cigars. We have been in business since 1949 and operate over 30 stores in the Chicago Metro area as well as Bloomington and Champaign. We are excited and proud to be coming to Lincolnwood with our 34th store and becoming a member of the Lincolnwood business community. We offer our customers the largest selection of wine, spirits, beer and cigars at competitive prices. Our friendly and knowledgeable employees have a passion for our industry and are excited to assist our customers with their selections. Binny's employees are well versed in product selection and are always there to assist customers with finding products they are looking for. What differentiates Binny's from traditional liquor stores is the superior selection, service, value and quality. Binny's has the largest selection of beers, wines, spirits and cigars in Chicagoland and the entire Midwest. Everything from domestic beers and wines, to some of the rarest micro brews, craft beers, fine wines, rare spirits and exceptional cigars from around the world are

readily available. The prices are very competitive and the shopping experience is safe and enjoyable. The stores are all very well kept and maintained, well lit, secure and safe.

Current Retail Locations

Algonquin	Arlington Heights	Bloomington	Bloomington	Bolingbrook
Buffalo Grove	Champaign	Chicago-Grand Ave.	Chicago - Hyde Park	Chicago - Ivanhoe Castle
Chicago - Lincoln Park	Chicago - South Loop	Des Plaines	Downers Grove	Elmwood Park
Evergreen Park	Glen Ellyn	Glencoe	Highland Park	Lake Zurich
Lincolnwood – coming soon	McHenry	Mokena – coming soon	Naperville	Niles
Oak Brook	Orland Park	Plainfield	River Grove	Schaumburg
Schererville – coming soon	Skokie	St. Charles	Willowbrook	

This particular site is at the SouthEast corner of Touhy Avenue, Kostner Avenue and Lincoln Avenues and is well suited for our newest Binny's location. The 27,785 sq.ft. building, currently occupied by Lincolnwood Produce and Grocery, is the optimal size for our typical Binny's Beverage Depot retail store and the location provides great access to major roads through controlled intersections handling many vehicles daily. This store will contribute to bringing shoppers and customers to the Lincolnwood area by offering a retail product that is currently not available in the area. This location also provides the building space necessary to operate and offer the full selection of products and service that we offer our customers.

Subject Property Information:

Permanent Real Estate Index No.: 10-34-200-016-0000

Zoning District: B-3

Lot Area: 130,766 sq.ft. or 3.0 acres

Building Area: 27,785 sq.ft.

Security and Safety:

Security and Safety is a top priority to make sure customers have a safe and enjoyable shopping experience and employees feel safe while at work. Binny's provides security that includes approximately 20 strategically placed cameras inside the building including all exterior doors, receiving doors, entrances to the building, the checkout area and exterior cameras that cover entrances and delivery areas. Silent and

audible alarms are also installed. We do not have access to our safes and cashiers do not accumulate cash in the registers. Employees are trained in a "do not resist" policy and references are checked on all employees. Doors are locked and secured after hours.

Where it's found to be necessary, we also employ independent on site security in our stores. Our shopping carts are collected throughout the parking lot every 30 minutes and employees are trained to report any suspicious activity and we immediately call to tow unauthorized vehicles or notify the police if the car looks suspicious. We have typically not had issues with parking lot security. Safe and ample parking is our lifeline to sales.

Liquor Sales Training

TIPS (Training for Intervention Procedures) is the global leader in education and training for the responsible service and sale of alcohol. Proven effective by third-party studies, TIPS is a skills-based training program that is designed to prevent intoxication, underage drinking, and drunk driving. The BASSETT program (Beverage Alcohol Sellers and Servers Education and Training), "Training Servers to Serve Responsibly", is the State of Illinois' seller training program. Under the licensing and regulatory auspices of the Illinois Liquor Control Commission (ILCC), the BASSETT Program is designed to encourage sellers of alcoholic beverages to sell responsibly and stay within the law. TIPS (BASSETT) trainers are on Binny's staff and hold regular certification training sessions. Prior to ringing orders, cashiers are trained in carding. The policy states that everyone who looks under 40 years of age gets carded. Carding policies are reviewed with each cashier prior to each shift. Managers monitor cashiers to assure procedures are being followed. Store associates are trained and instructed to notify management of potential underage patrons trying to enter store. The birth date from everyone carded less than 40 years of age is entered into the POS terminal (register). The register software also verifies the age and prevents a sale to persons under 21 years of age. Managers must approve any sale to a customer 21 years of age. Managers must also approve a sale if any of the persons in line with the customer being carded appears 21 years of age or younger. Binny's also uses proprietary software that tracks age dispersion recorded by each cashier which is reviewed monthly.

Employees

There will be approximately 25 employees at this location; 3 salaried managers, 2 customer service managers, 8 sales people and up to 15 store associates. There will be 9-10 employees on site at any given time.

Hours of Operation

The store will be open Monday through Saturday from 9:00 am – 9:00 pm. Sunday hours are between 10:00 am and 12:00 pm with a closing at 6:00 pm depending on the local village ordinances.

Product Sales Mix

45% wine, 32% Spirits, 15% beer, 4% cigars, 4% misc. and accessories (corkscrews, glassware)

Special Promotions and Events

There will occasionally be a promotional event held at the store, which usually consists of a celebrity, micro-brewer, wine producer, spirits distiller and the like who will come in to endorse or sell a specific product within the store. Binny's also hosts tasting events where a small group of people can drop in and sample specific products at specific times. Typically events and promotions are held about once every 3-4 weeks for a period of about 3 hours each. These events are always done within the guidelines of the local liquor ordinances as permitted by the liquor license.

Store Deliveries

Deliveries are received at the store Monday through Friday between 8:00 am and 5:00 pm. Spirit and wine deliveries generally come in 16' to 24' straight trucks, beer deliveries typically come in low bay beer trucks up to 40' in length. There are usually no more than 2-3 trucks delivering at any one time and they are scheduled by the store management to prevent congestion. There is an average of 45-50 deliveries per 7 day week. Most deliveries come in small passenger vans and trucks with only a few beer trucks that can be up to 40' in length. Generally the delivery schedule for a typical store is as follows:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Passenger Van	1	1	6	2	3	0	0
Straight Truck 16-24'	1	1	9	2	8	0	0
Beer Truck max. 40'	1	1	3	3	5	0	0
Total	3	3	18	7	16	0	0

Deliveries will be made at the South end of the building through existing loading doors used by the grocery store.

Parking Lot landscaping and Lighting

Binny's believes that the available parking and loading spaces are adequate for the business. The available parking counts exceed the number of people anticipated on site at any given time. Binny's is proposing to use the parking lot as it exists today without modifying the parking lot, landscaping and site lighting with the exception of cleaning up and making any necessary repairs or maintenance tasks once a thorough review of the premises is made.

Refuse Disposal

Refuse will be stored in an existing dumpster container located at the SouthEast corner of the property and is picked up regularly from a contracted private waste hauler.

Project Schedule and Timeline

Binny's is prepared to move forward with construction immediately after the Village of Lincolnwood issues all approvals and permits. Binny's generates approximately 70% of its yearly sales during the holiday season. It is critical for this store to be open as soon as possible. To that end we are working diligently to make that happen. We are confident that we can provide sufficient information as well as timely answers to questions from the Village of Lincolnwood. We are hopeful that Lincolnwood will do everything possible to help keep us on swift schedule and we are asking for your support of our project that would allow us to be a proud member of the Lincolnwood business community.

ESTABLISHED 1887

MILORD

C O M P A N Y

CONSTRUCTION | DESIGN-BUILD | MANAGEMENT

October 05, 2015

Tasting Narrative

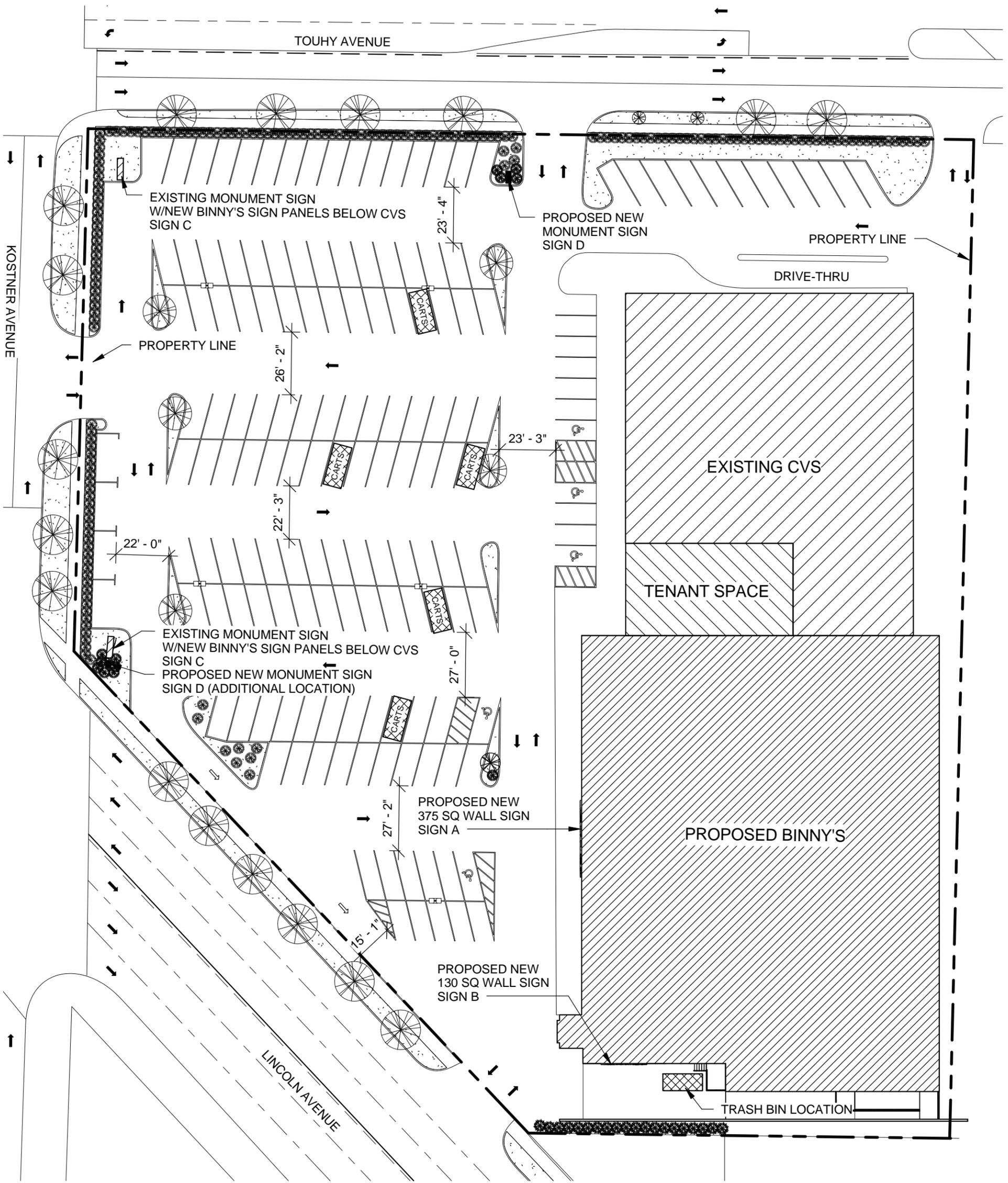
Project: Binny's Beverage Depot
7175 North Lincoln Ave.
Lincolnwood, IL

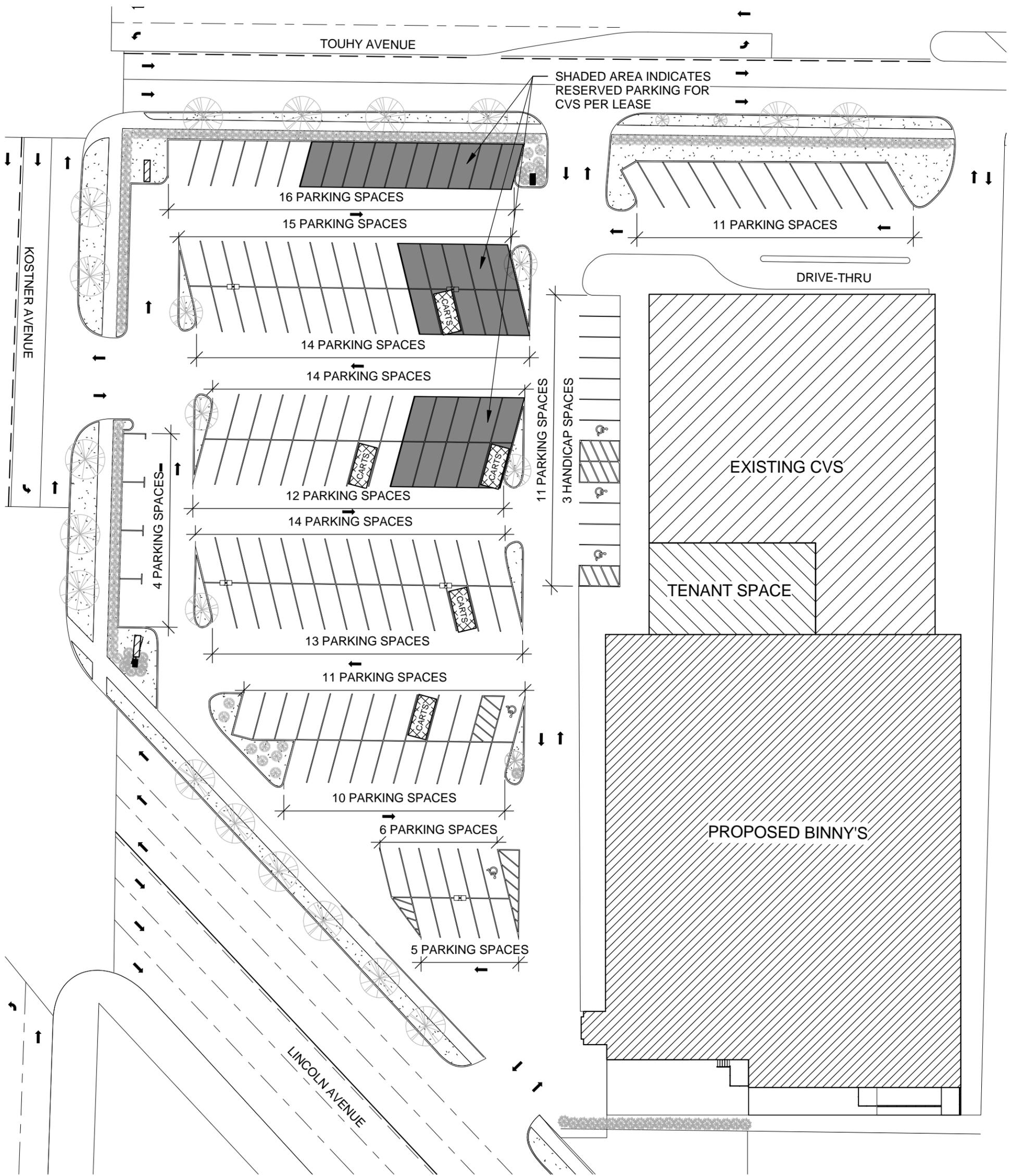
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Sincerely yours,

Milord Company

Michael Pagan
Architect





SHADED AREA INDICATES RESERVED PARKING FOR CVS PER LEASE

DRIVE-THRU

EXISTING CVS

TENANT SPACE

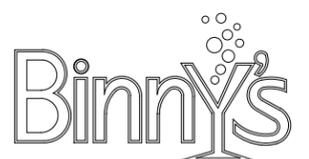
PROPOSED BINNY'S

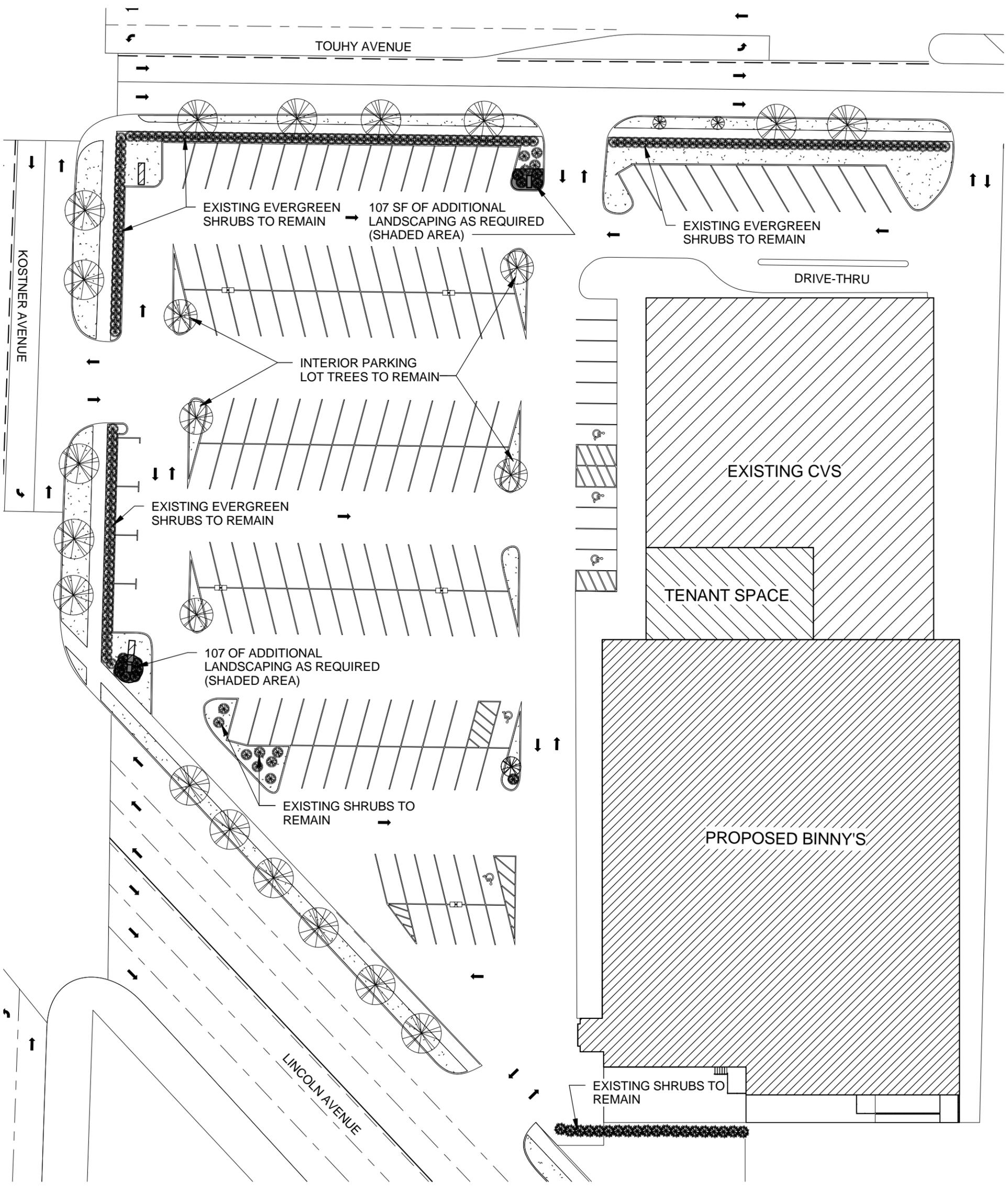
PARKING NOTES

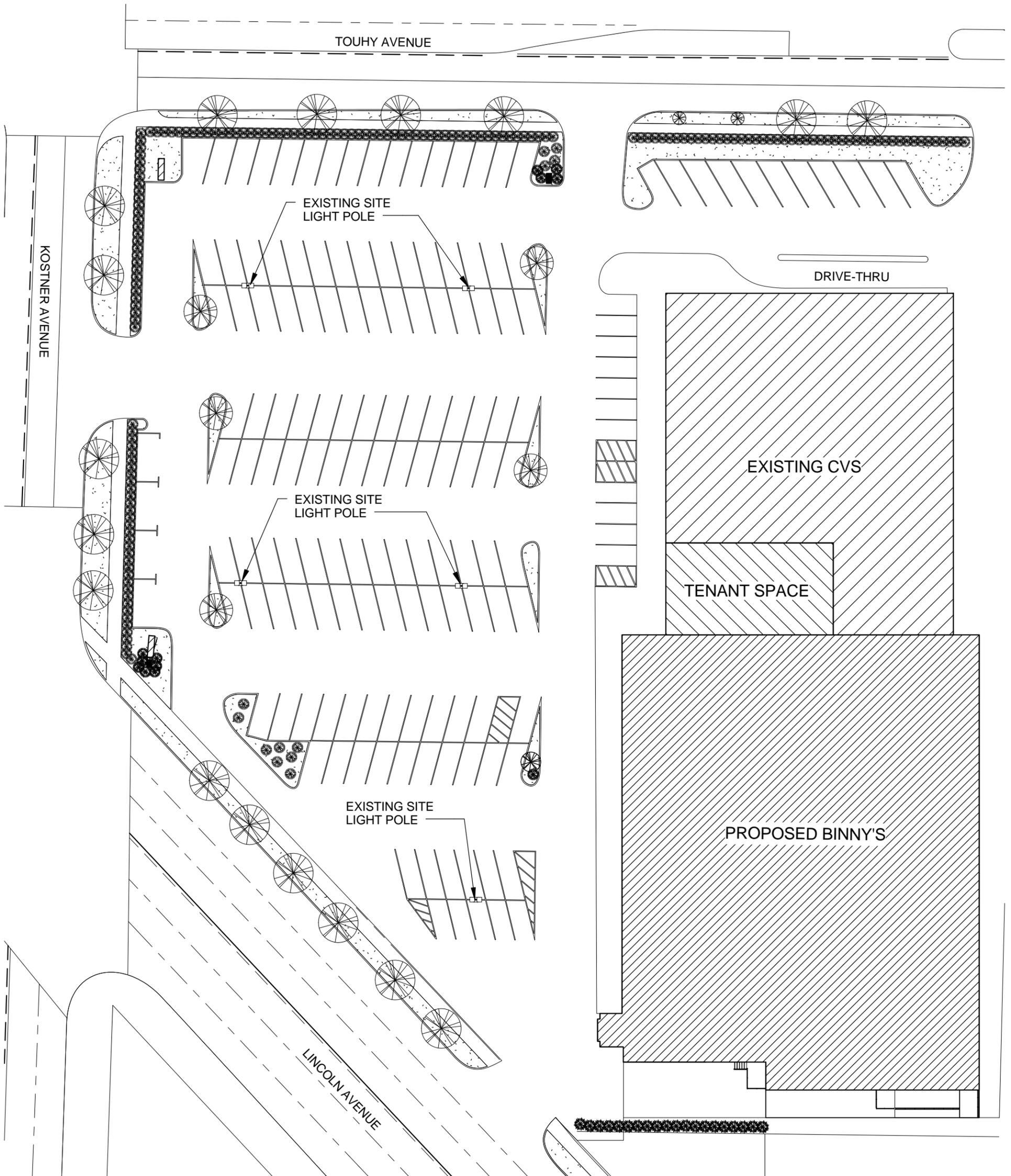
EXISTING TOTAL PARKING SPACES = 156 SPACES

RESERVED PARKING AREA FOR CVS PER LEASE = 30 SPACES

REMAINING PARKING SPACES NOT RESERVED = 126 SPACES

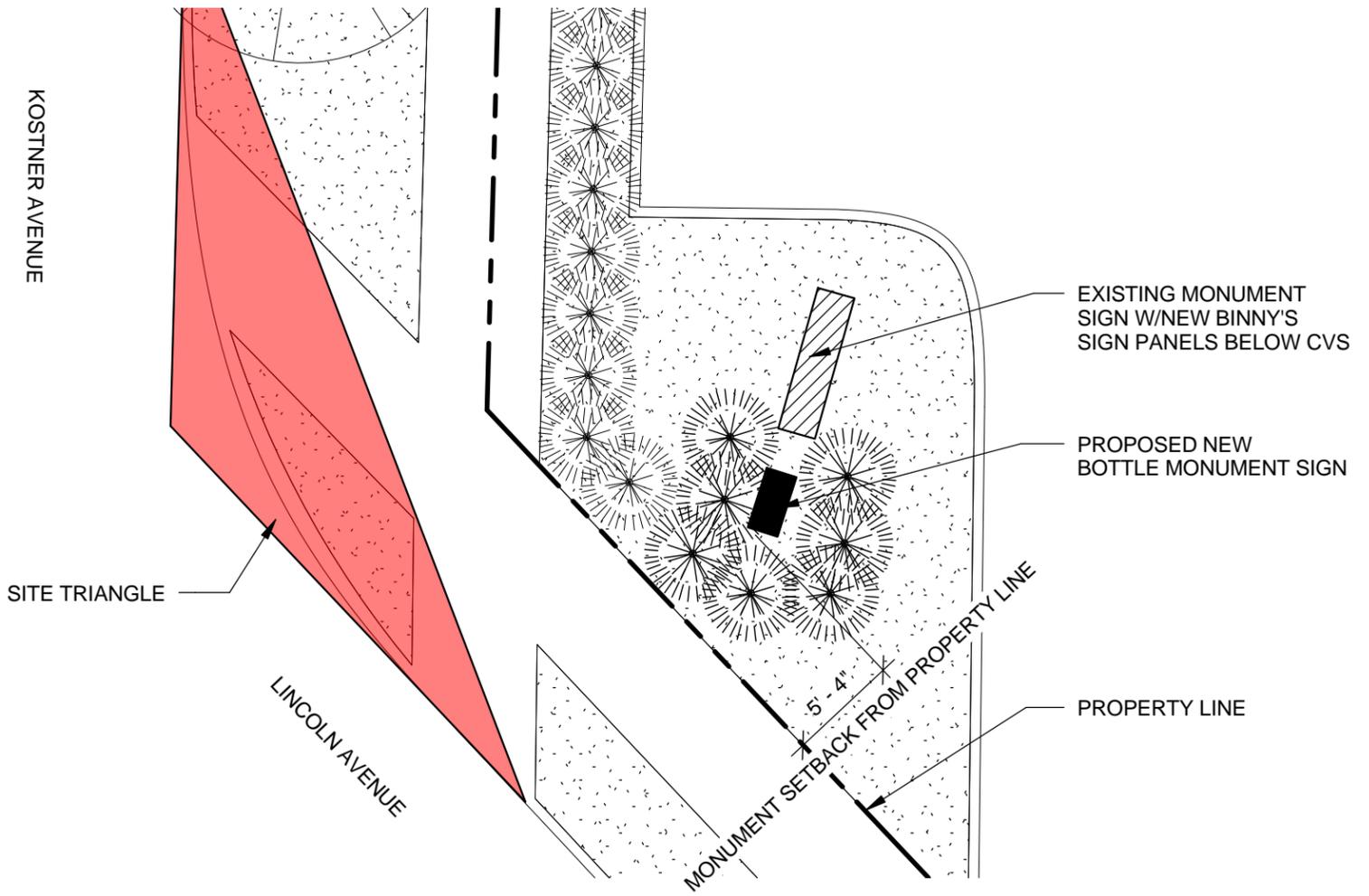




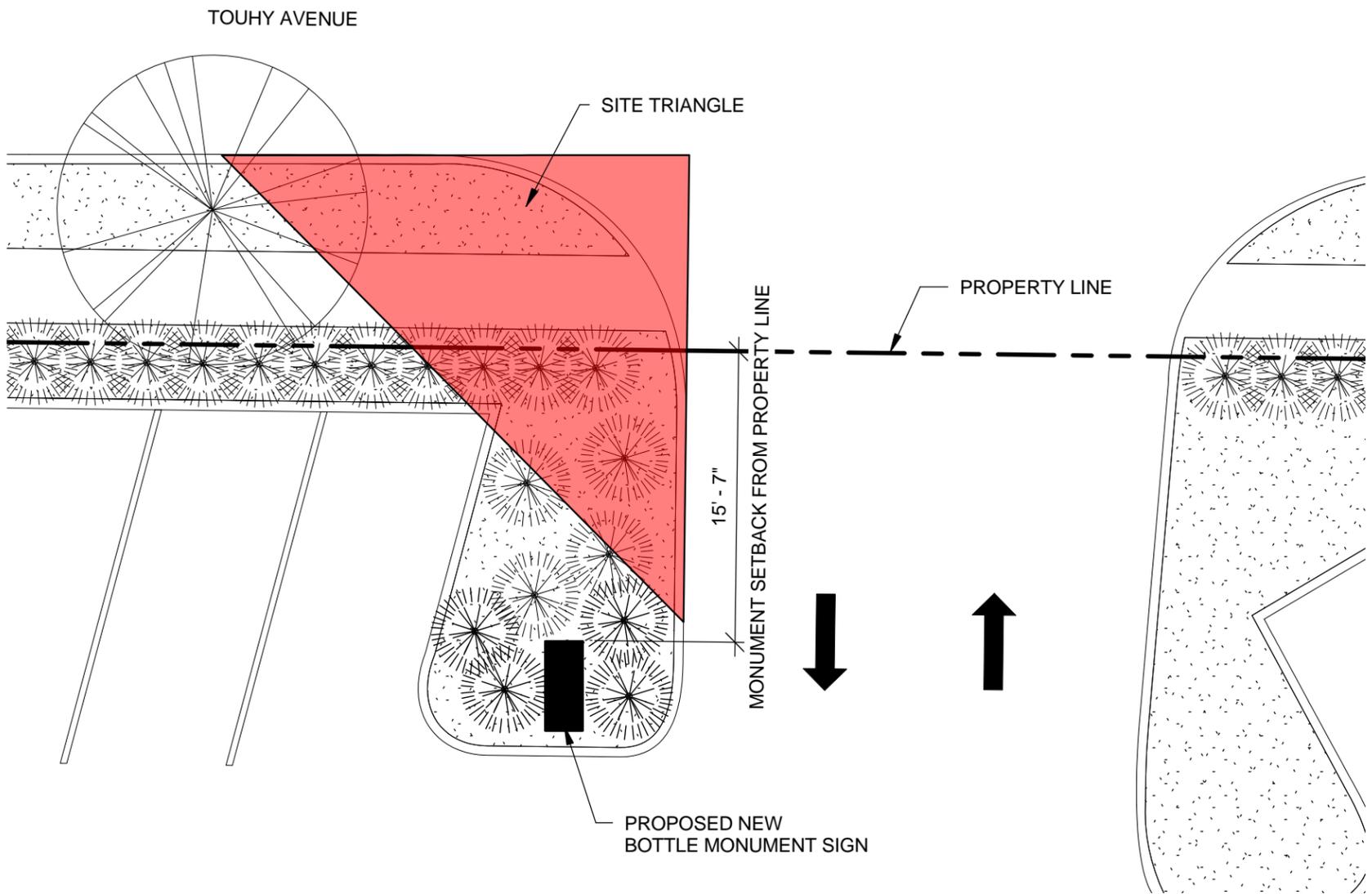


NOTE:
 SITE LIGHTING TO BE UPGRADED AND OR MODIFIED TO ENSURE A
 MINIMUM LEVEL OF SITE LIGHTING IS PROVIDED IN ACCORDANCE
 WITH THE LINCOLNWOOD ZONING ORDINANCE.

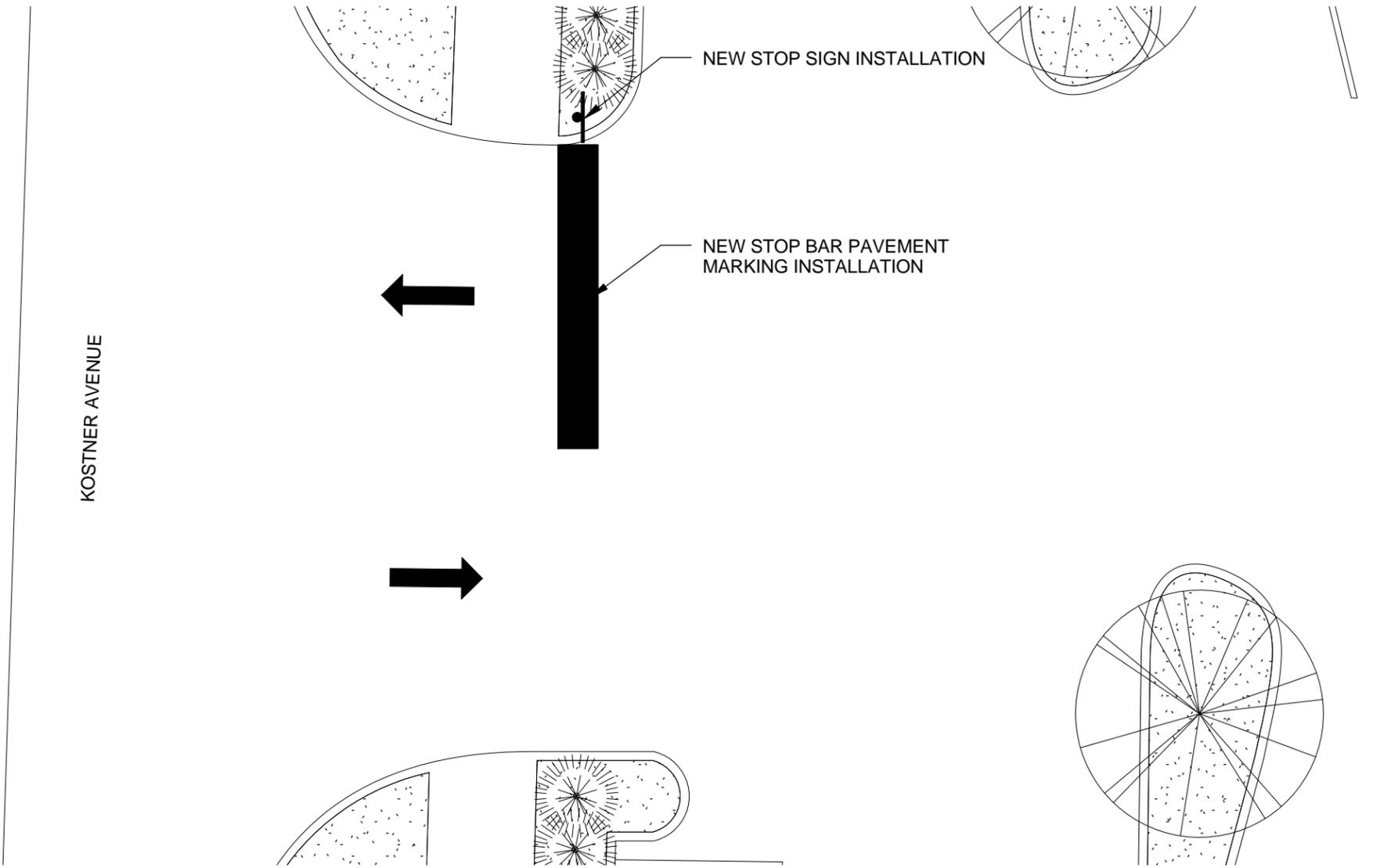




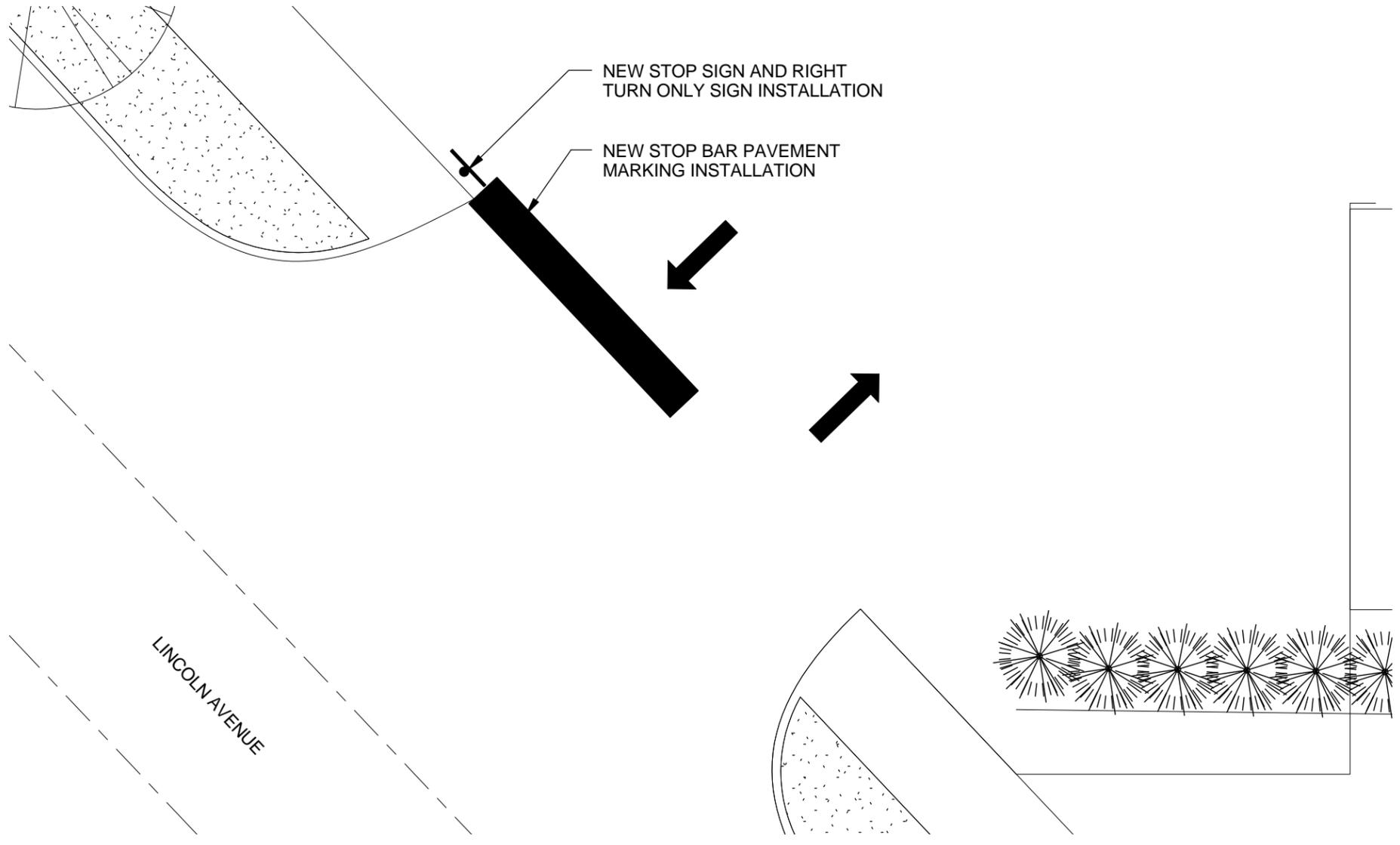
SITE TRIANGLE AND SETBACK AT LINCOLN



SITE TRIANGLE AND SETBACK AT TOUHY

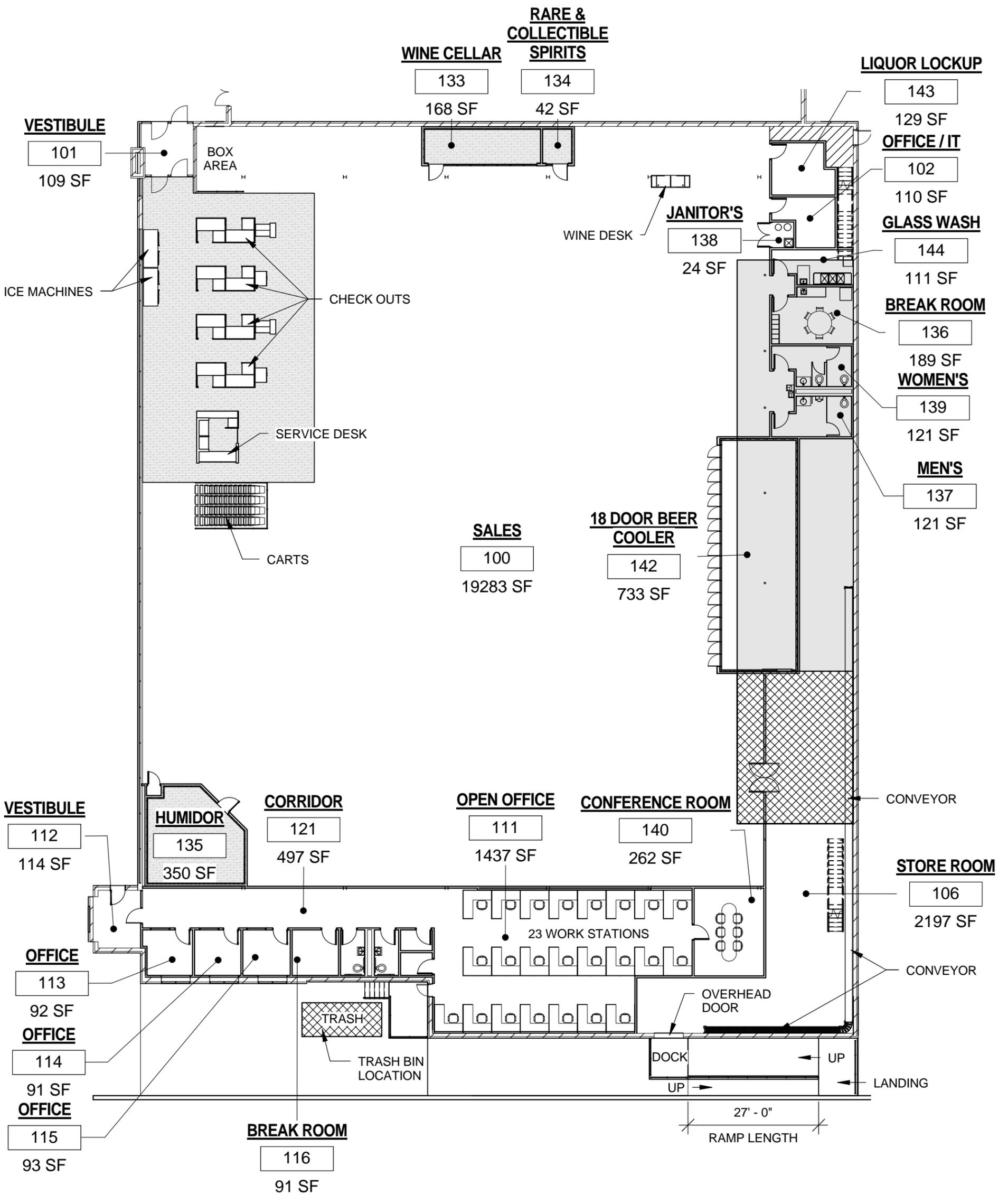


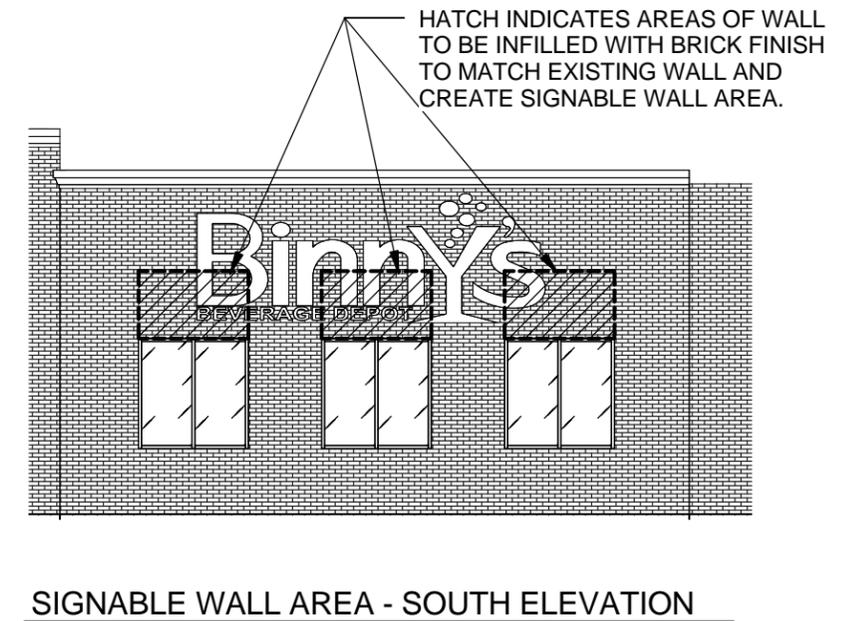
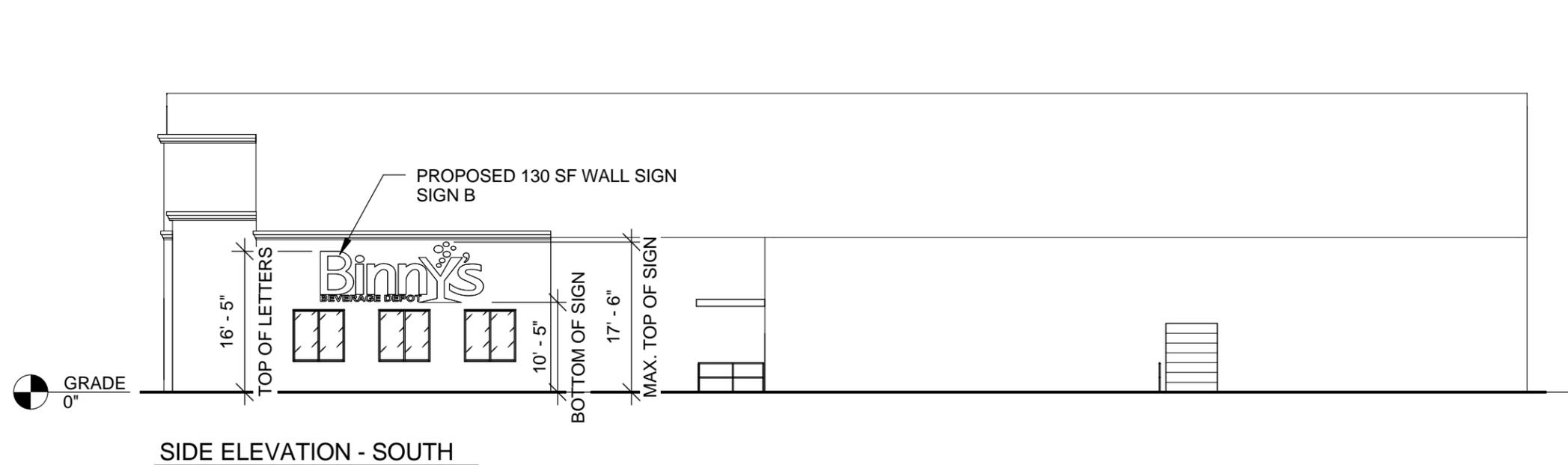
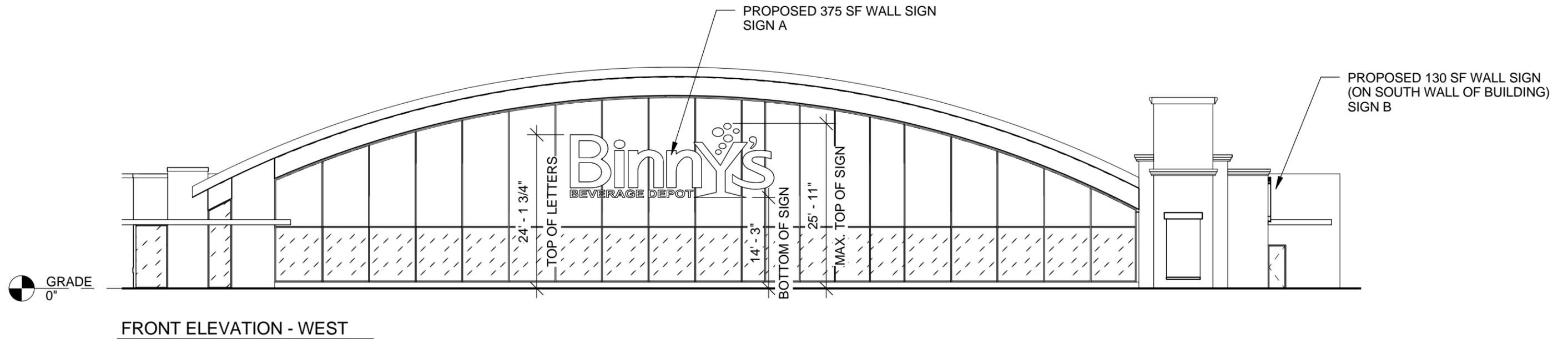
NEW SIGN & PAVEMENT MARKINGS AT KOSTNER



NEW SIGNS & PAVEMENT MARKINGS AT LINCOLN

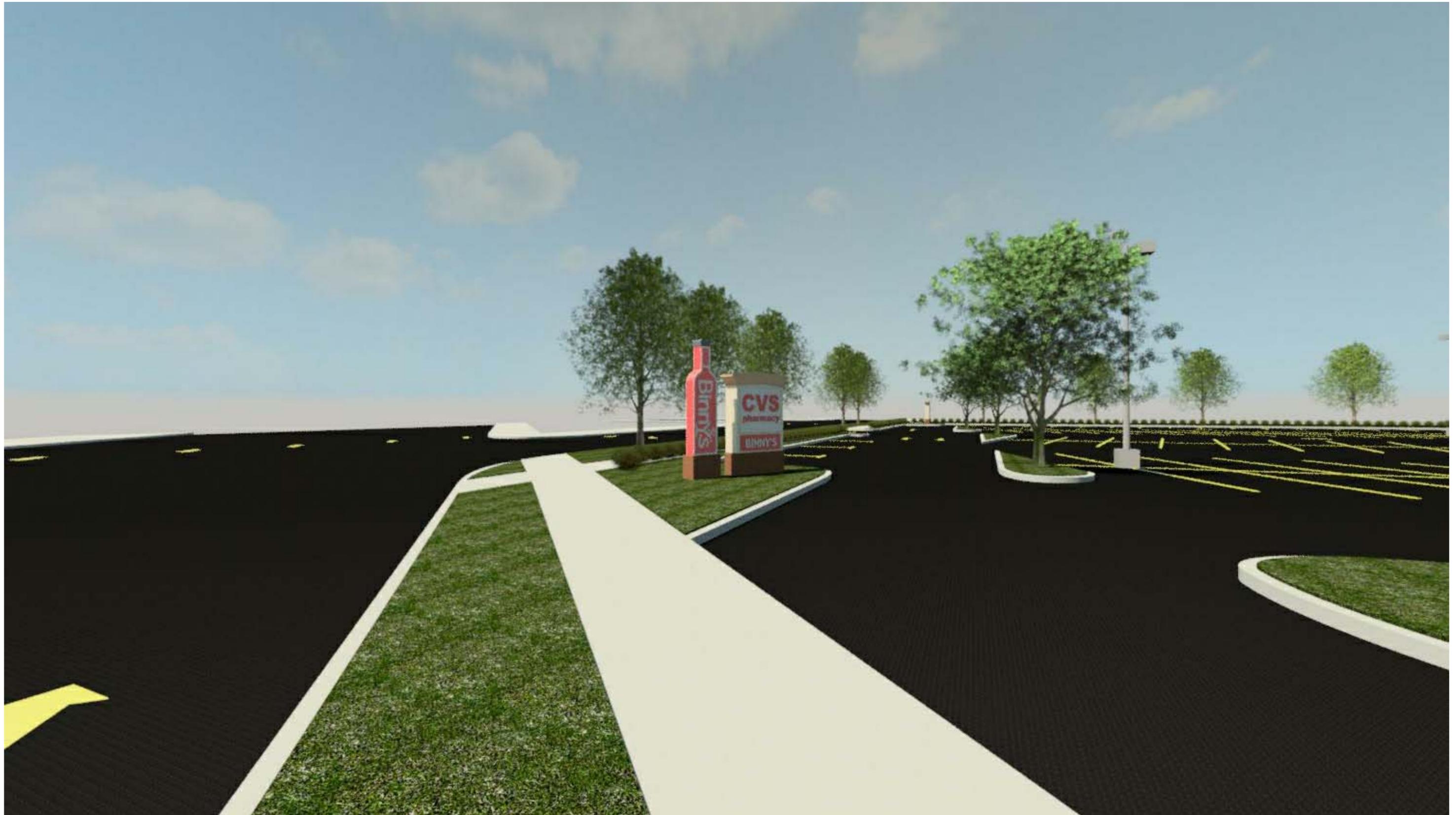














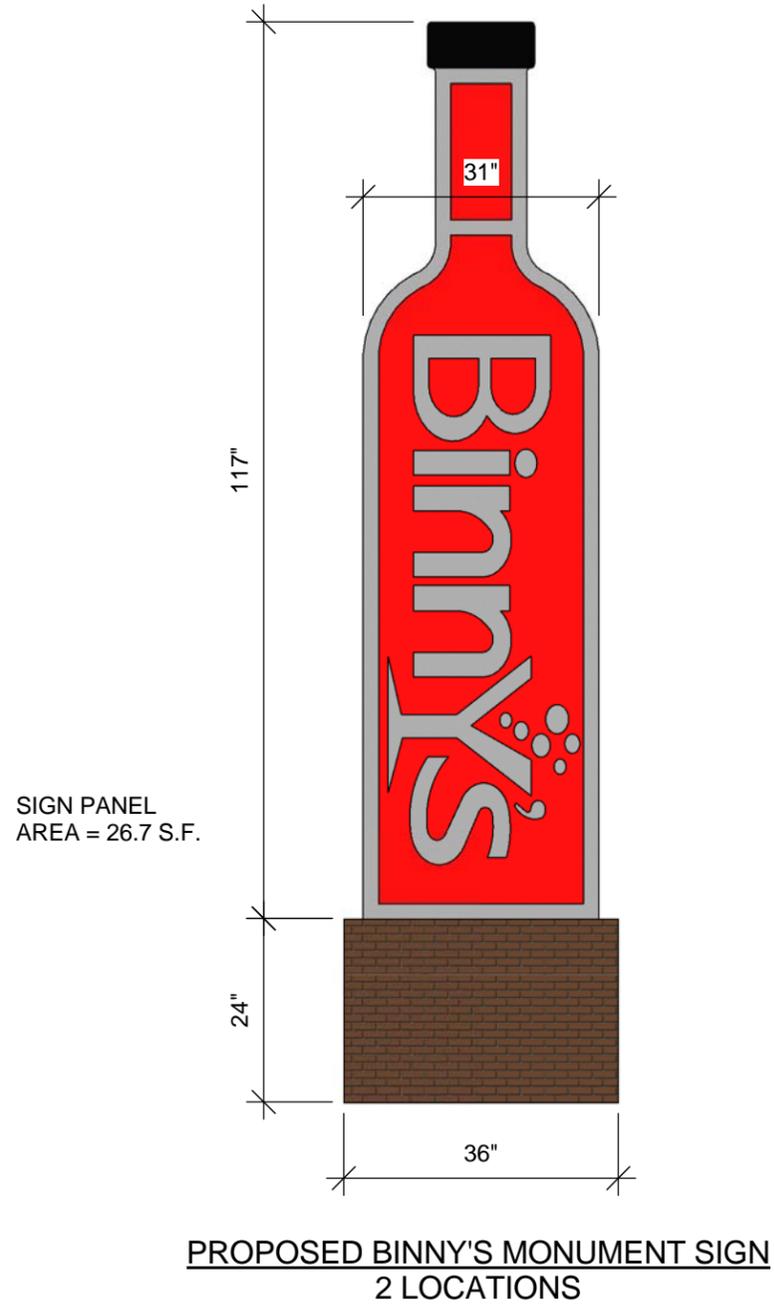


MONUMENT SIGN PERSPECTIVE ON LINCOLN



ADDITIONAL LANDSCAPE
AS REQUIRED

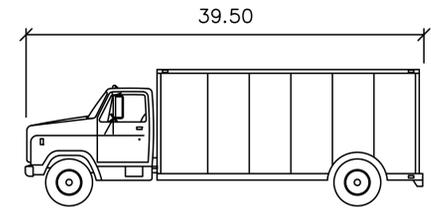
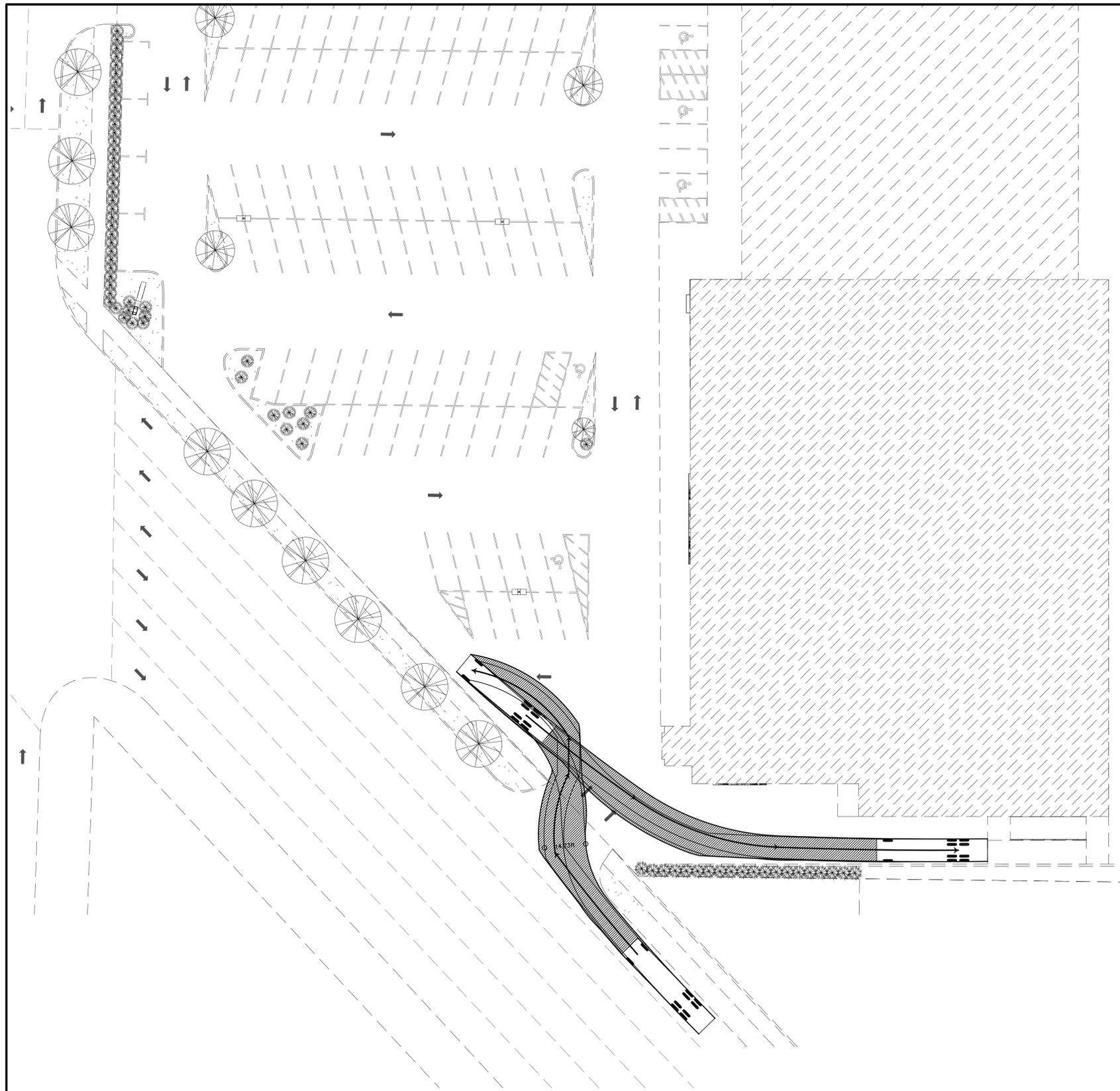
MONUMENT SIGN PERSPECTIVE ON TOUHY



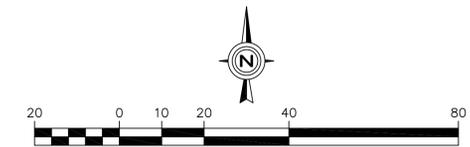
NOTE:
ADDITIONAL LANDSCAPING TO BE PROVIDED
PER THE LINCOLNWOOD ZONING ORDINANCE







SU-40 feet
 Width : 8.00
 Track : 8.00
 Lock to Lock Time : 6.0
 Steering Angle : 31.8



**40' DELIVERY TRUCK
 PLAN - DOCK 1**

CHECKED BY: B. PERRY
 DESIGN BY: K. PRICE
 DRAWN BY: K. PRICE
 DATE: SEPTEMBER 28, 2015
 SCALE: 1" = 20'
 PROJECT NO.: 15-076

1 of 1

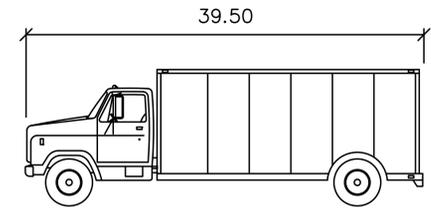
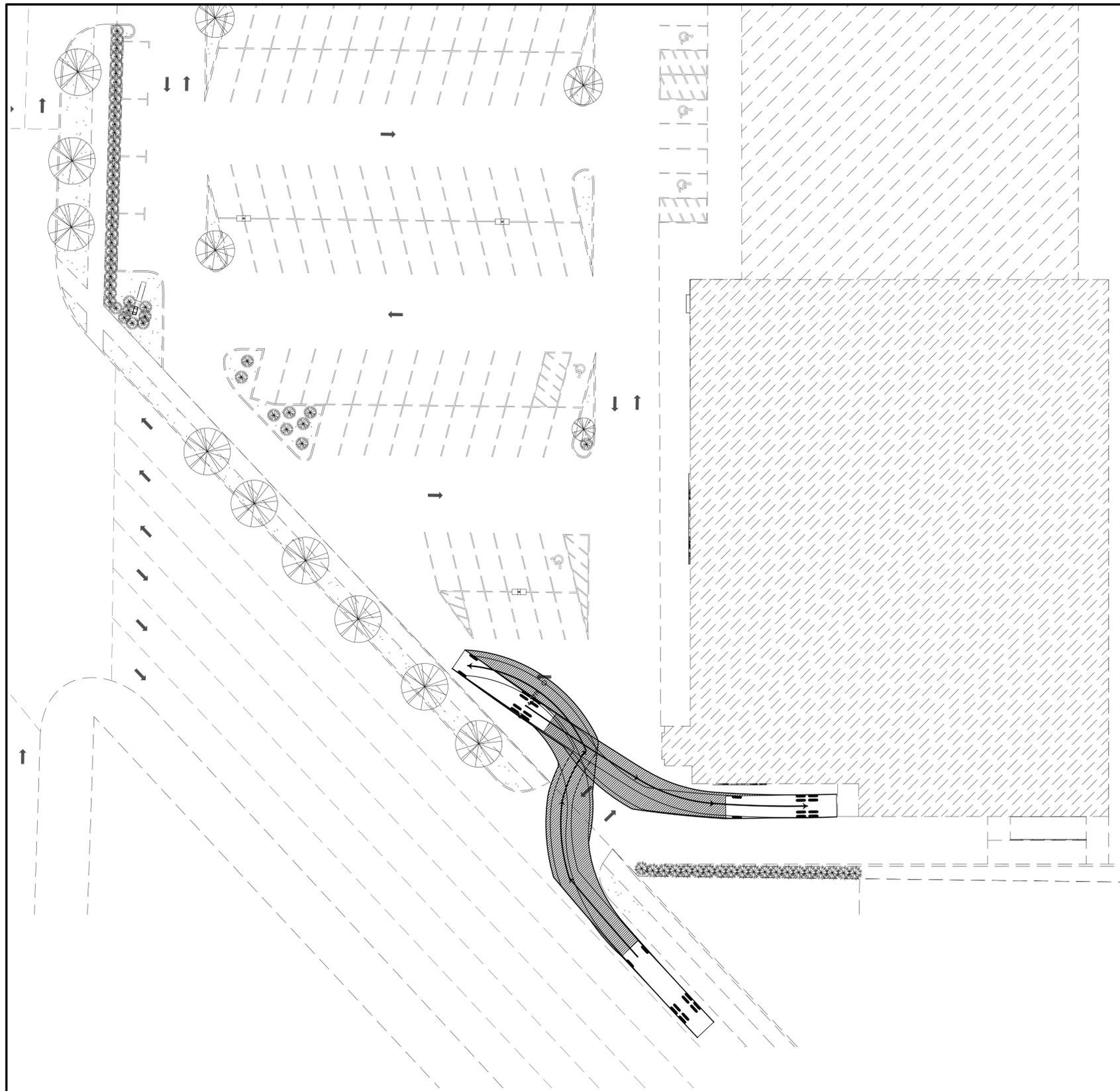
Watermark Engineering
 RESOURCES, LTD.
 2631 Ginger Woods Parkway, Suite 100, Aurora, IL 60502
 phone 630-375-1800 fax 630-238-9800 www.watermark-engineering.com

Prepared By:

Binnys
 Binnys - LINCOLNWOOD
 7175 N. Lincoln Ave.
 Lincolnwood, Illinois

Prepared For:

NO.	REVISIONS	DATE



SU-40 feet
 Width : 8.00
 Track : 8.00
 Lock to Lock Time : 6.0
 Steering Angle : 31.8

NO.	REVISIONS	DATE

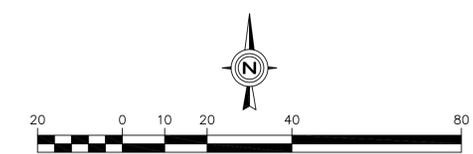
Prepared For:

The Milford Company
 981 Industrial Drive
 Bridgeview, IL 60455
Binny's - LINCOLNWOOD
 7175 N. Lincoln Ave.
 Lincolnwood, Illinois

Prepared By:

Watermark Engineering
 RESOURCES, LTD.
 2631 Ginger Woods Parkway, Suite 100, Aurora, IL 60502
 phone 630-375-1800 fax 630-238-9800 www.watermark-engineering.com

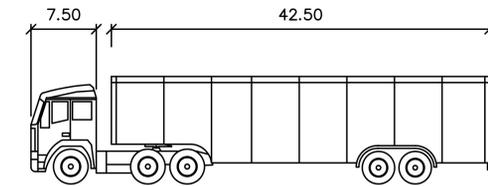
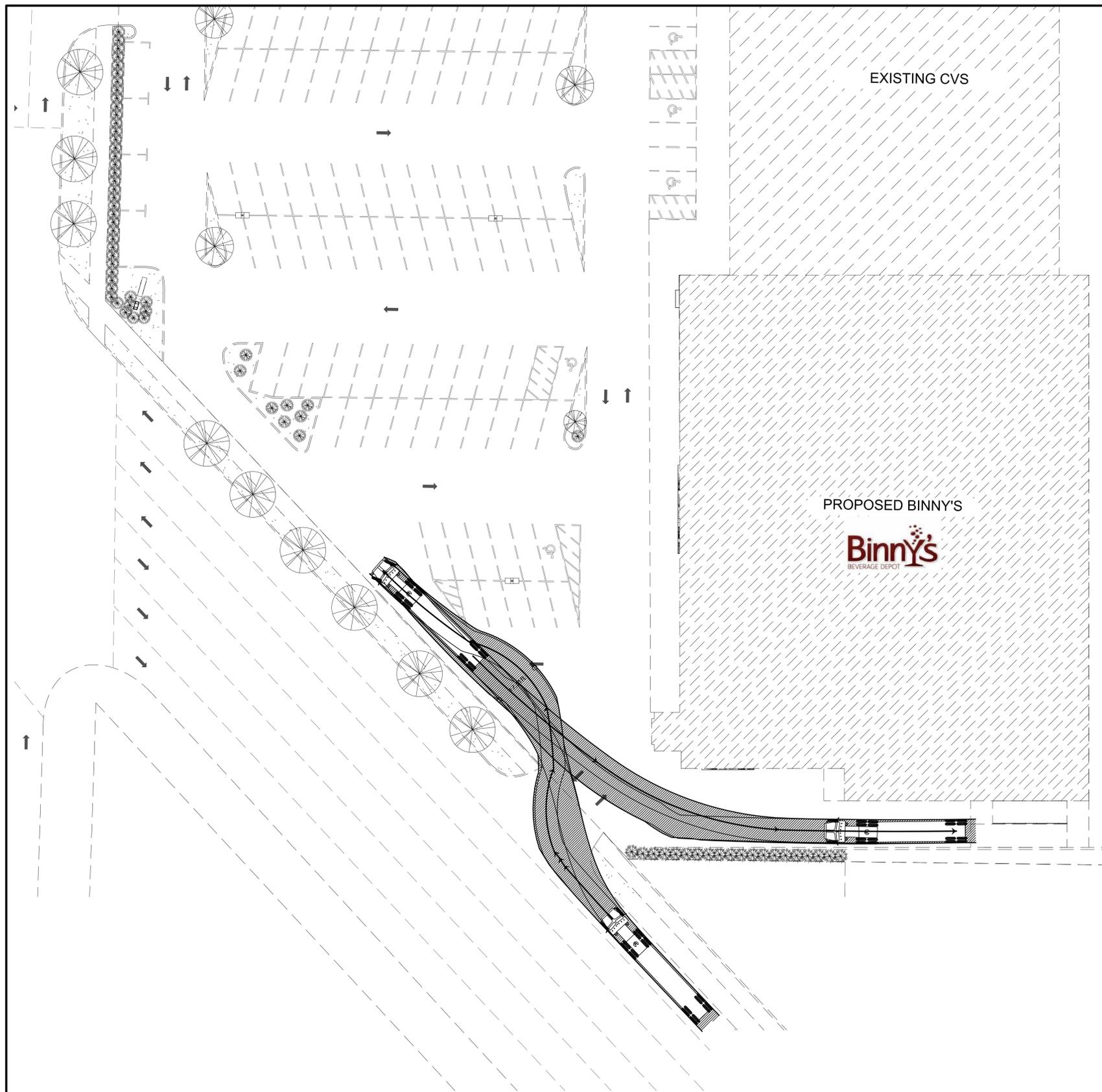
CHECKED BY: B. PERRY
 DESIGN BY: K. PRICE
 DRAWN BY: K. PRICE
 DATE: SEPTEMBER 28, 2015
 SCALE: 1" = 20'
 PROJECT NO.: 15-076



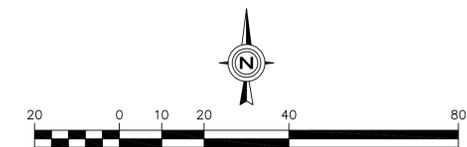
**40' DELIVERY TRUCK
 PLAN - DOCK 2**

1 of 1

40' DELIVERY TRUCK PLAN - DOCK 2

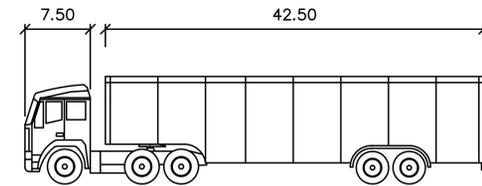
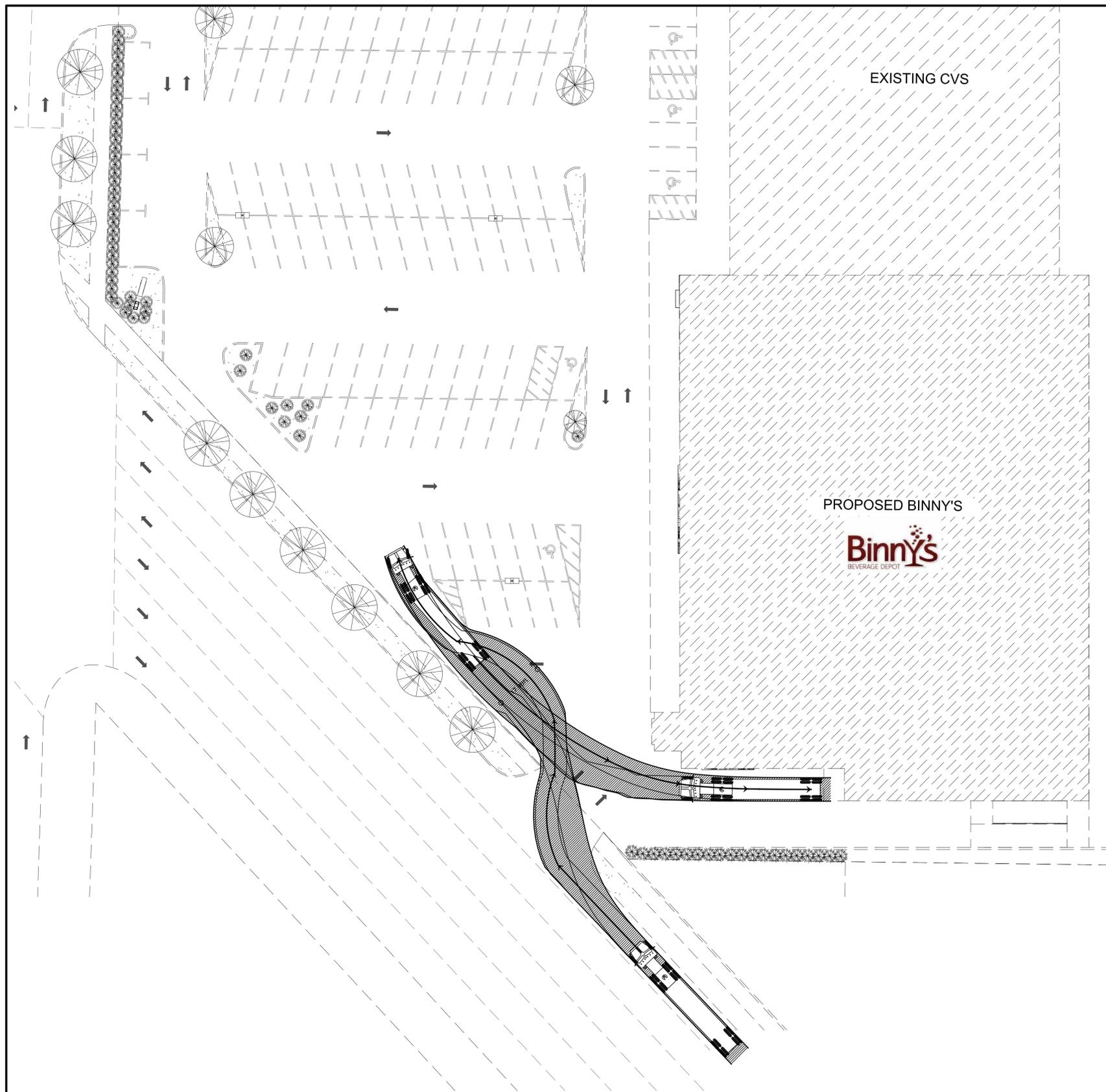


WB-50 Semi-Trailer		feet	
Tractor Width	: 8.00	Lock to Lock Time	: 6.0
Trailer Width	: 8.50	Steering Angle	: 17.7
Tractor Track	: 8.50	Articulating Angle	: 70.0
Trailer Track	: 8.50		



**58' DELIVERY TRUCK
 PLAN - DOCK 1**

CHECKED BY: B. PERRY DESIGN BY: K. PRICE DRAWN BY: K. PRICE DATE: SEPTEMBER 28, 2015 SCALE: 1" = 20' PROJECT NO.: 15-076	The Milford Company 981 Industrial Drive Bridgeview, IL 60455 Binny's BEVERAGE DEPOT BINNY'S - LINCOLNWOOD 7175 N. Lincoln Ave. Lincolnwood, Illinois	PREPARED BY: 2631 Ginger Woods Parkway, Suite 100, Aurora, IL 60502 phone 630-375-1800 fax 630-238-9800 www.watermark-engineering.com	NO. _____ REVISIONS DATE _____	PREPARED FOR:
1 of 1		58' DELIVERY TRUCK PLAN - DOCK 1		



WB-50 Semi-Trailer		feet	
Tractor Width	: 8.00	Lock to Lock Time	: 6.0
Trailer Width	: 8.50	Steering Angle	: 17.7
Tractor Track	: 8.50	Articulating Angle	: 70.0
Trailer Track	: 8.50		

NO.	REVISIONS	DATE

Prepared For:

The Milford Company
981 Industrial Drive
Bridgeview, IL 60455

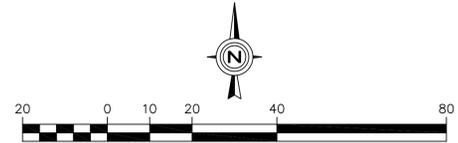
BINNY'S - LINCOLNWOOD
7175 N. Lincoln Ave.
Lincolnwood, Illinois

Binny's
BEVERAGE DEPOT

Prepared By:

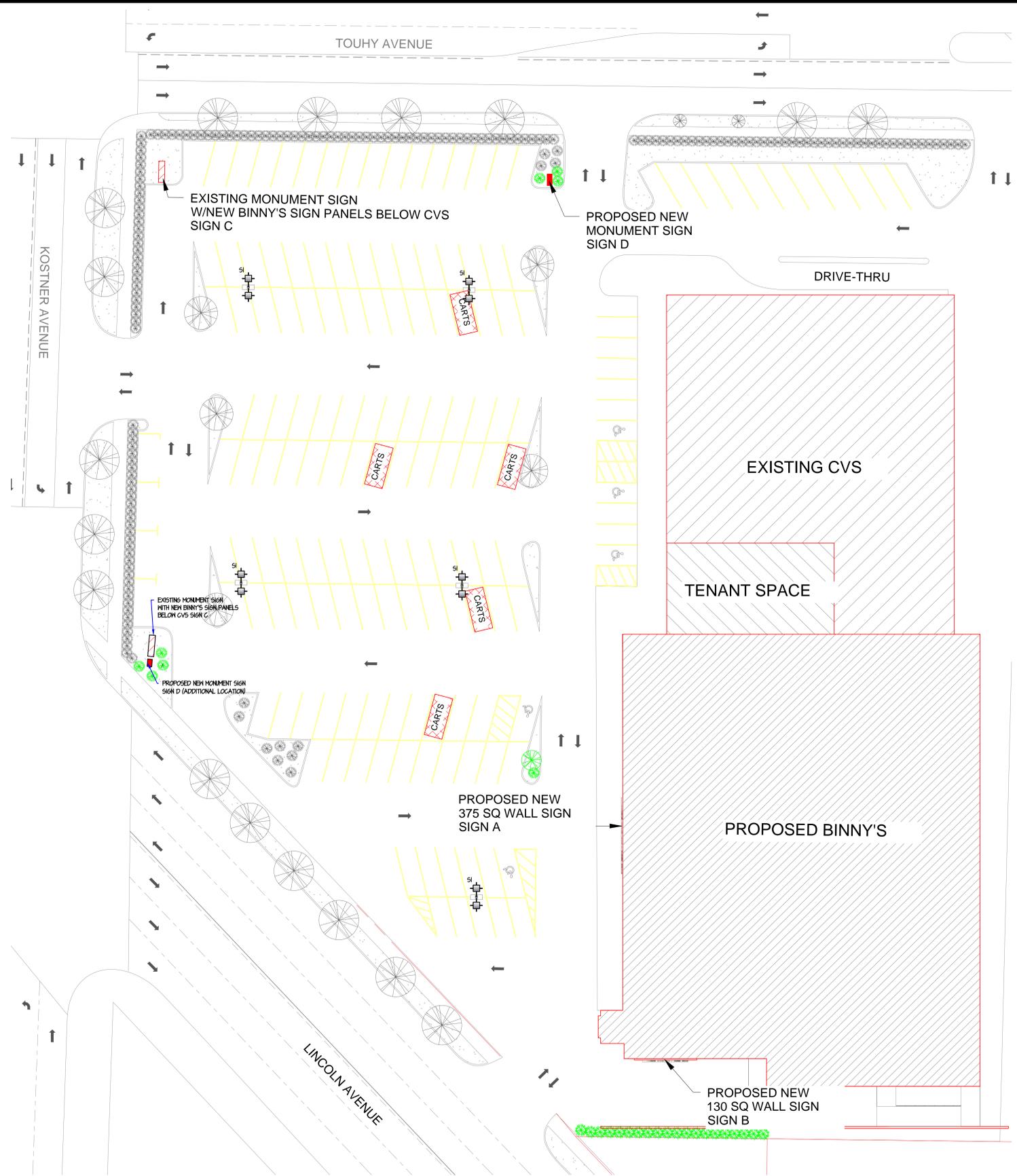
Watermark Engineering
RESOURCES, LTD
2631 Ginger Woods Parkway, Suite 100, Aurora, IL 60502
phone 630-375-1800 fax 630-238-9800 www.watermark-engineering.com

CHECKED BY: B. PERRY	DESIGN BY: K. PRICE
DRAWN BY: K. PRICE	DATE: SEPTEMBER 28, 2015
SCALE: 1" = 20'	PROJECT NO.: 15-076



**58' DELIVERY TRUCK
PLAN - DOCK 2**

J:\dwgs\15jobs\15076\15076.dwg, Truck Option 2



EXISTING SITE LIGHTING PLAN
SCALE: 1"=20'-0"

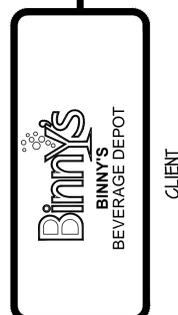
FIXTURE SCHEDULE						
TYPE	QTY	SYMBOL	DESCRIPTION	VOLTAGE	VA	NOTES
S1	5	⊕⊕	(2) 400W MH HEADS (BACK TO BACK) POLE MOUNTED AT 27' ABOVE GROUND	120VOLT	924	



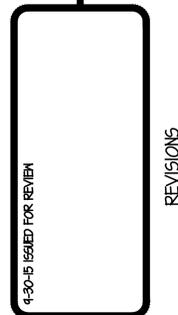
ELECTRICAL CONTRACTOR



GENERAL CONTRACTOR



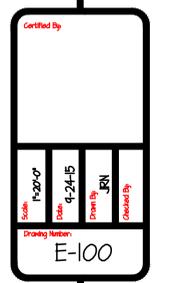
CLIENT

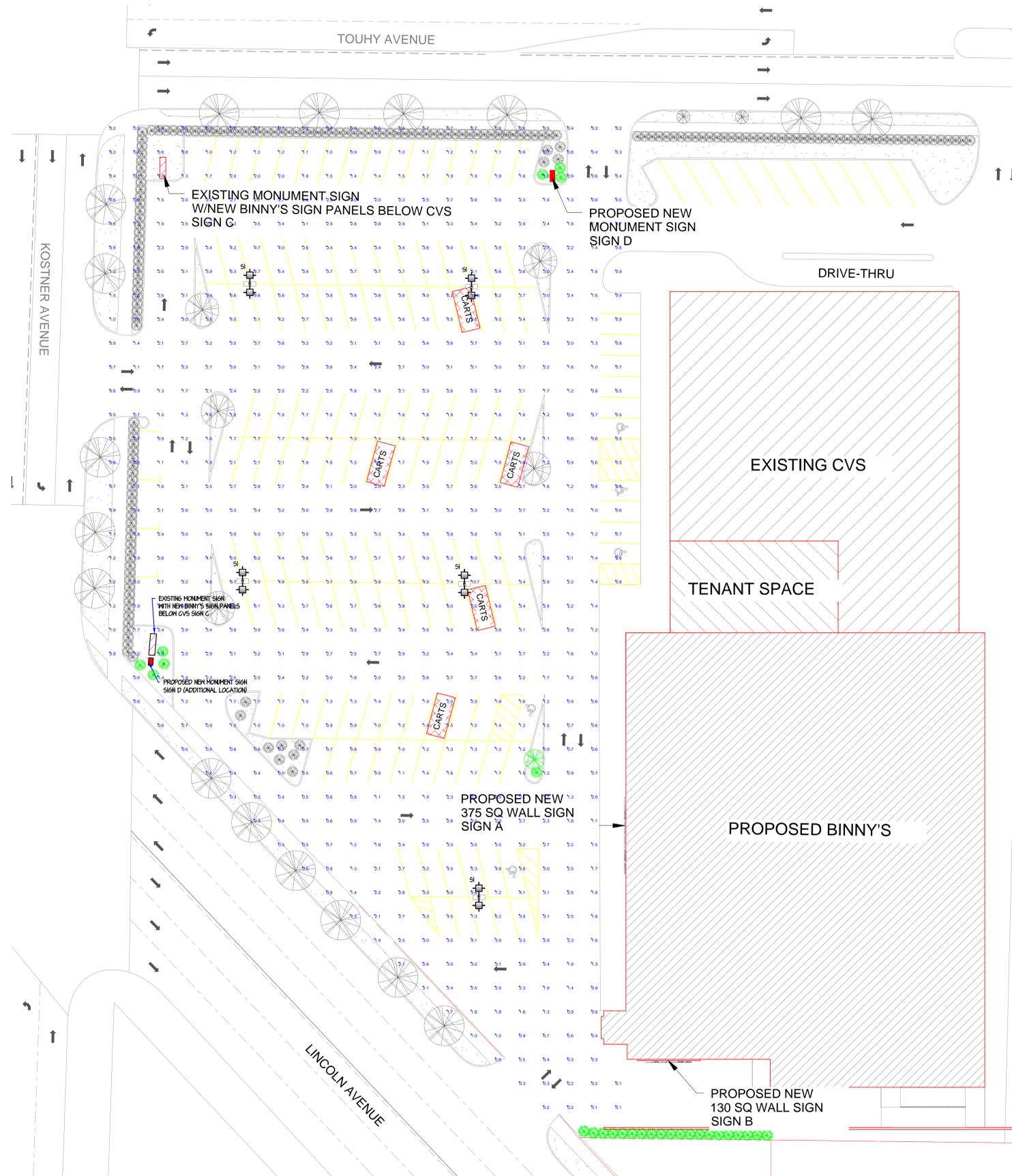


REVISIONS



PROJECT NAME





LUMINAIRE SCHEDULE

Symbol	Label	Qty	Catalog Number	Description	Lamp	File	Lumens	LLF	Watts
⊕	S1	5	KVSS 400M R5 (PROBE)	VERTICAL LAMP, CUT-OFF LUMINAIRE	ONE 400-WATT CLEAR BT-37 METAL HALIDE, VERTICAL BASE-UP POSITION.	KVSS_400M_R5_(PROBE).ies	34000	0.75	924

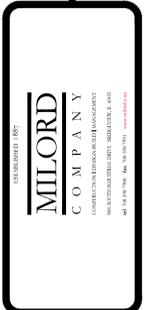
STATISTICS

Description	Symbol	Avg
PARKING LOT	+	2.3 fc

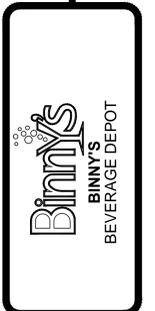
EXISTING SITE PHOTOMETRIC PLAN
SCALE: 1"=20'-0"



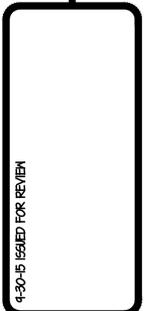
ELECTRICAL CONTRACTOR



GENERAL CONTRACTOR



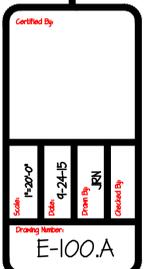
CLIENT

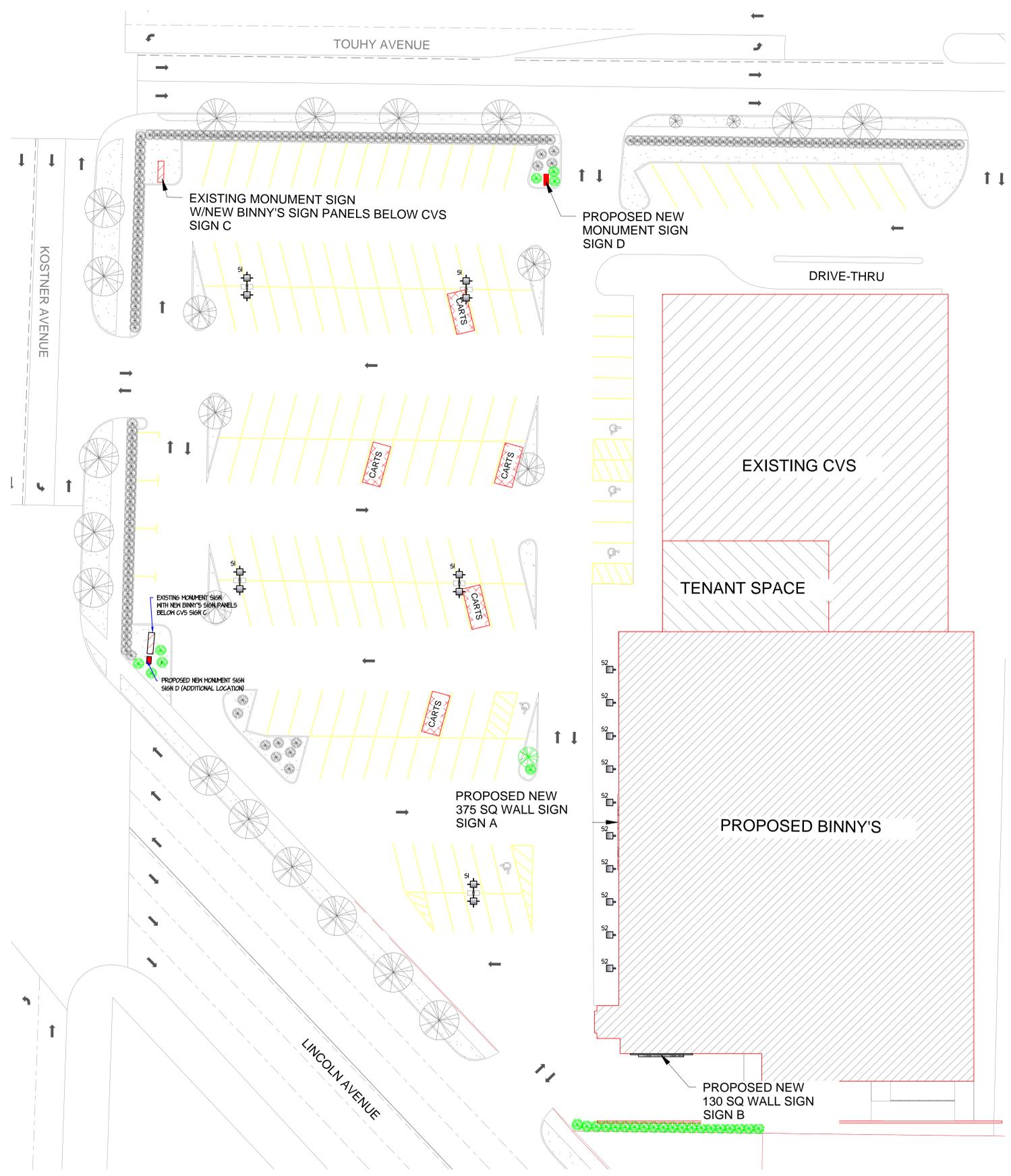


REVISIONS



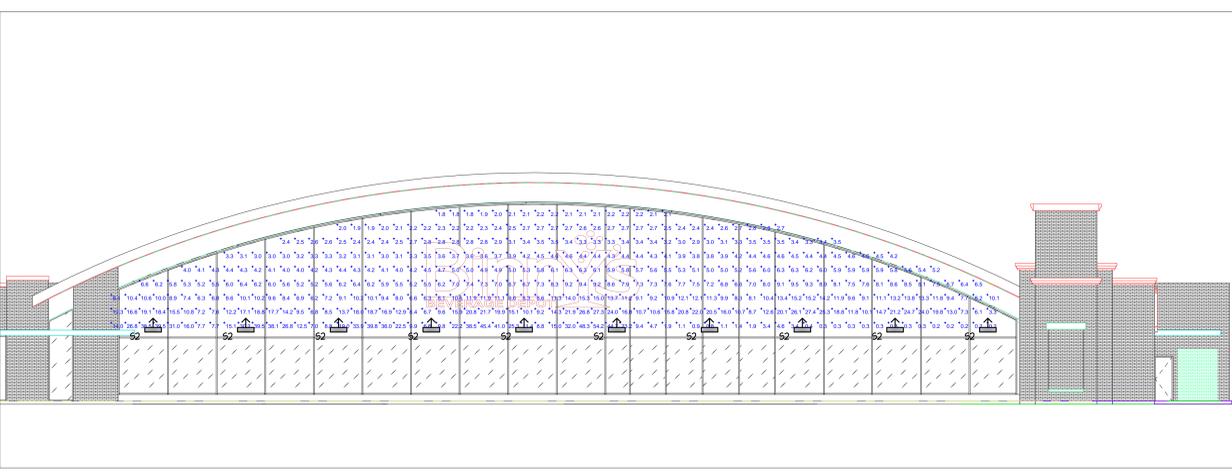
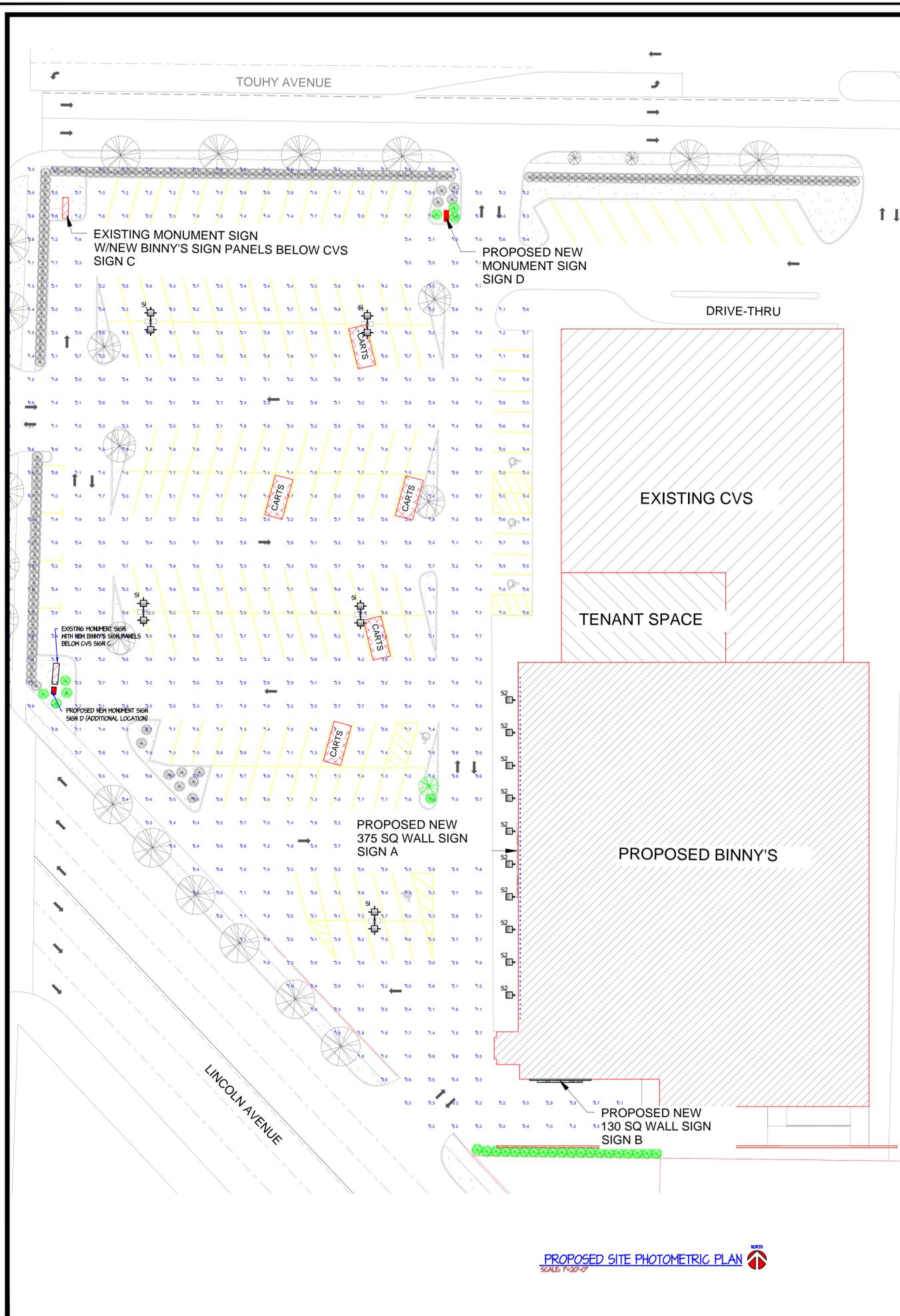
PROJECT NAME





PROPOSED SITE LIGHTING PLAN
SCALE: 1"=20'-0"

FIXTURE SCHEDULE						
TYPE	QTY	SYMBOL	DESCRIPTION	VOLTAGE	VA	NOTES
S1	5	[Symbol]	(2) 400W MH HEADS (BACK TO BACK) POLE MOUNTED AT 27' ABOVE GROUND	MVOLT	924	
S2	10	[Symbol]	BUILDING MOUNTED LED SPOT MOUNTED 12' ABOVE GROUND	MVOLT	78	

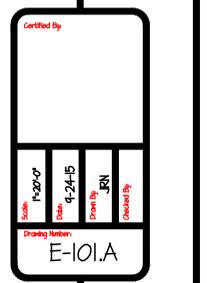
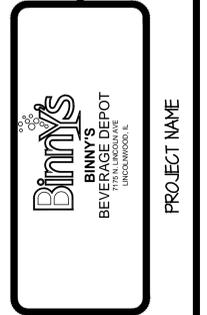
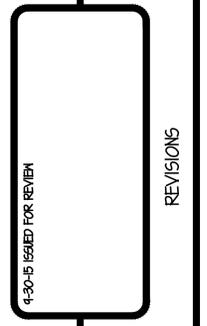
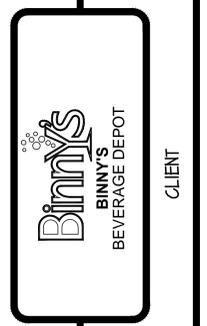


LUMINAIRE SCHEDULE

Symbol	Label	Qty	Catalog Number	Description	Lamp	File	Lumens	LLF	Watts
⊕	S1	5	KVS3 400M R5 (PROBE)	VERTICAL LAMP, CUT-OFF LUMINAIRE	ONE 400-WATT CLEAR BT-37 METAL HALIDE, VERTICAL BASE-UP POSITION.	KVS3_400M_R5_(PROBE).ies	34000	0.75	924
⊕	S2	10	CANVAS78SF / CANVAS78T (NEMA 6X4)	TWO-PIECE CAST METAL LEDDRIVER HOUSING, CAST FINNED METAL HEAT SINK, MOLDED PLASTIC REFLECTOR WITH SPECULAR FINISH, 3 CIRCUIT BOARDS EACH WITH 1 LED, CLEAR MICRO-PRISMATIC GLASS LENS IN CAST BROWN PAINTED METAL DOOR FRAME WITH INTEGRAL VISOR, LENS PRISMS IN.	THREE WHITE MULTI-CHIP LIGHT EMITTING DIODES (LEDS), AIMED AT THE HORIZON.	IB81704-cies	Absolute	0.95	89
⊕	S3	1	BINNY'S SIGN 130 SQ.	3,000 LUMEN WALL SIGN	LED WALL SIGN	STTYU.ies	3000	0.72	68

STATISTICS

Description	Symbol	Avg
FRONT OF STORE	+	8.6 fc
PARKING LOT	+	2.3 fc



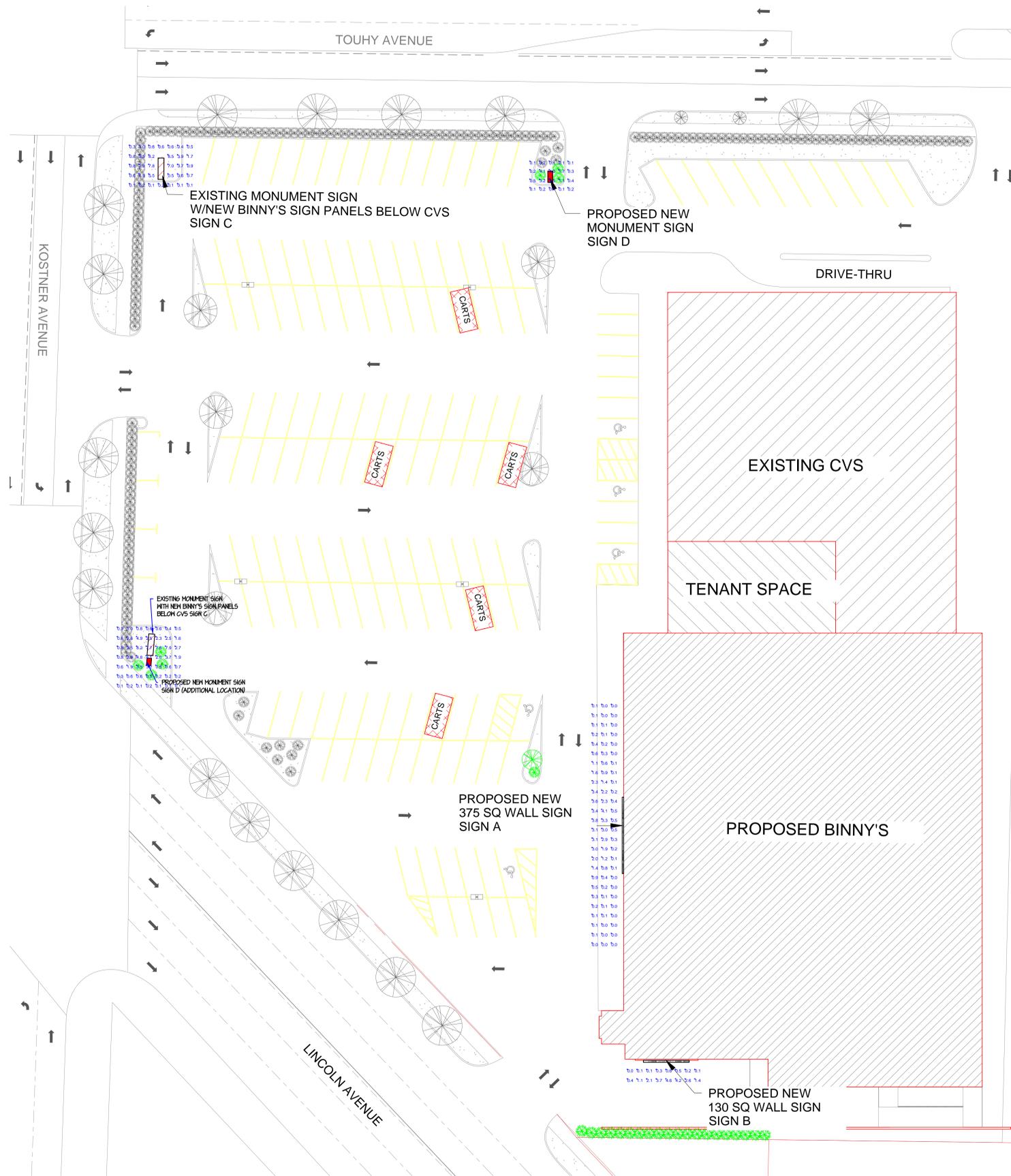
ELECTRICAL CONTRACTOR

GENERAL CONTRACTOR

CLIENT

REVISIONS

PROJECT NAME



SIGNAGE PHOTOMETRIC PLAN
SCALE: 1"=20'-0"

LUMINAIRE SCHEDULE			
Qty	Catalog Number	Description	Lumens
1	BINNY'S SIGN 130 SQ.	3,000 LUMEN WALL SIGN	3000
1	BIG BINNY'S SIGN	9,000 LUMEN WALL SIGN	9000
4	MONUMENT SIGN C	1094 LUMEN WALL SIGN	1094
2	MONUMENT SIGN D	600 LUMEN WALL SIGN	604

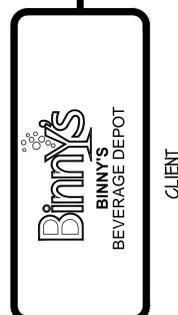
STATISTICS		
Description	Symbol	Avg
SOUTH BUILDING SIGN	+	1.4 fc
SOUTH ENTR. SIGNS	+	1.9 fc
FRONT OF STORE	+	1.0 fc
NORTH WEST ENTR. SIGN	+	1.2 fc
NORTH EAST ENTR. SIGN	+	0.7 fc



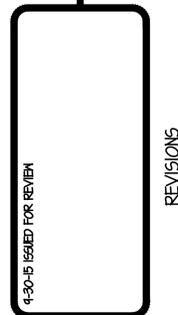
ELECTRICAL CONTRACTOR



GENERAL CONTRACTOR



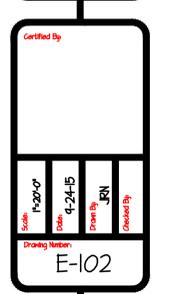
CLIENT



REVISIONS



PROJECT NAME



SIGN A

385.14 in

111.5" - B

18" Beverage Depot



375 Sq Ft Sign

LED Illuminated channel letter sign, with blinking bubbles

Colors

Acrylic Faces Red #2793

Bubbles Digital Print

5" Returns Black

Trim Caps Black

LED White

Binny's Beverage Depot Lincolnwood, IL		APPROVED BY:
SCALE:	NTS	
DATE:	August 26, 2015	
DRAWING #:	1588B	352 LEXINGTON DR, BUFFALO GROVE, ILLINOIS 60089 PHONE: 847-215-1535 FAX: 847-215-1574

SIGN B



10" Beverage Depot

130 Sq Ft Sign

LED illuminated Channel letter sign, with blinking bubbles.

Colors

Acrylic Faces	Red #2793
Bubbles	Digital Print
5" Returns	Black
Trim Caps	Black
LED	White

Binny's Beverage Depot Lincolnwood, IL		APPROVED BY:
SCALE:	NTS	 Signarama The way to grow your business.
DATE:	August 26, 2015	
DRAWING #:	1589B	352 LEXINGTON DR, BUFFALO GROVE, ILLINOIS 60089 PHONE: 847-215-1535 FAX: 847-215-1574

SIGN C



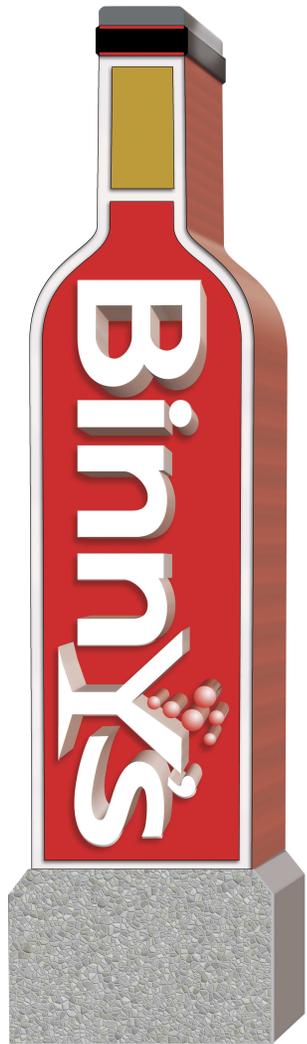
16" x 52"

Roughed aluminum face, painted PMS 186 red.
Backed in white acrylic with digitally printed bubbles.

Colors

Aluminum Faces PMS 186 Red
Plexiglas Letters White
Bubbles Digital Print

Binny's Beverage Depot Lincolnwood, IL		APPROVED BY:
SCALE:	NTS	
DATE:	August 26 2015	
DRAWING #:	5590A	
		352 LEXINGTON DR, BUFFALO GROVE, ILLINOIS 60089 PHONE: 847-215-1535 FAX: 847-215-1574



Day View



Night View

SIGN D

Colors

Box Color	Duranotic Bronze
Aluminum facade	pms 186 Red
Acrylic Letters	White
Binny's LED	White
Perimeter LED	Red
Bubbles	Digital

117.25" x 31"

Double sided monument sign
mounted to stone base

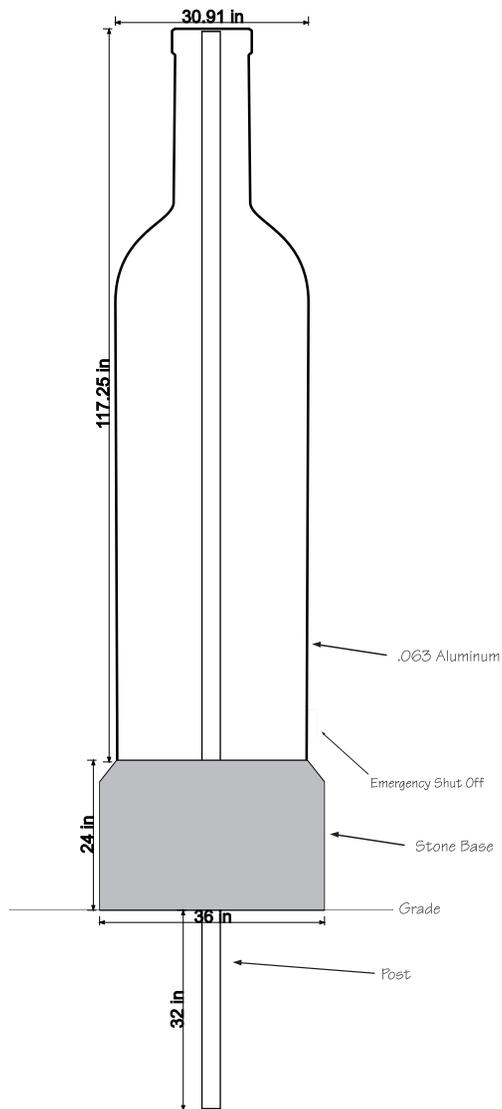
Red aluminum face with

white acrylic push through Letters

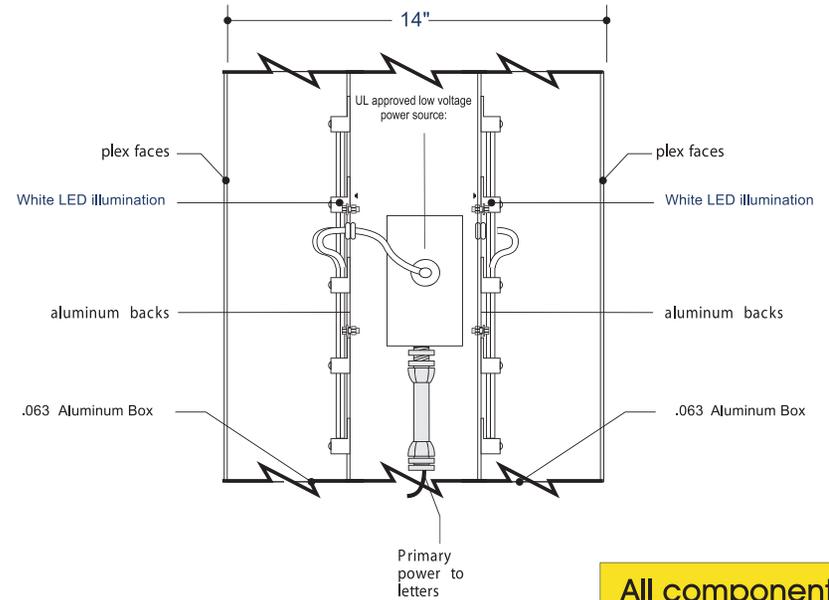
Perimeter of face illuminated with

red LED's and blinking digital bubbles.

Binny's Beverage Depot Lincolnwood, IL		APPROVED BY:
SCALE:	NTS	 Signarama The way to grow your business.
DATE:	Augst 26 2015	
DRAWING #:	5591B	
		352 LEXINGTON DR, BUFFALO GROVE, ILLINOIS 60089 PHONE: 847-215-1535 FAX: 847-215-1574



2 sided illuminated box sign cutaway



Sign hooked to dedicated 20amp line

**All components
UL approved**

Typical Box Sign
Detail - NTS

Binny's Beverage Depot Lincolnwood, IL		APPROVED BY:
SCALE:	NTS	 Signarama The way to grow your business.
DATE:	August 26 2015	
DRAWING #:	5591A	
		352 LEXINGTON DR, BUFFALO GROVE, ILLINOIS 60089 PHONE: 847-215-1535 FAX: 847-215-1574



Plan Commission Staff Report

Case #PC-11-15

November 4, 2015

(Continued from September 2, 2015)

Subject Property: N/A (Text Amendment)

Requested Action: Text Amendment to Article II Section 2.02 to add an appropriate definition for “Short-term rental property” and Table 4.01.1 to include “Short-term rental property” as a Permitted, Special Use, or Prohibited Use in Village Zoning Districts.

Notification: Notice in Lincolnwood Review dated August 13, 2015

Petitioner: Lincolnwood Village Board

Summary

*Below is a summary of the matter included in the September 2, 2015 Plan Commission packet. It is anticipated that Howard Handler, Government Affairs with the Illinois Association of REALTORS will be present at the November 4th meeting. Please find in addition to the original attachments several new attachments pertinent to this matter (identified with an *).*

In recent months, Village staff has been contacted regarding several residential properties in use as short-term rentals. These short-term rentals are typically rented out by the property owner of a residential property via websites such as AirBNB or Vacation Rentals By Owner (VRBO). Guests reserve dates for the purpose of using the residential property on a temporary basis.

The use of a residential property as a short-term rental by transient guests for overnight lodging is perhaps most similar to a “Hotel or Motel” use. However, as currently defined, these residential properties used as short-term rentals do not fit the description of a “Hotel or Motel”. The Zoning Code does not anticipate transient uses such as short-term rentals within residential districts. In order to clarify the intent of the Zoning Code to prohibit these uses in residential districts, an amendment is appropriate.

Attached is a cover memo from Steven M. Elrod, Village Attorney, regarding potential Zoning Code amendments to distinguish short-term rentals from traditional residential land uses. Mr. Elrod identifies amendments to Section 2.02 of the Zoning Code for the purpose of defining “short-term rental property” and modification to other definitions to distinguish traditional residential dwellings from short-term rental properties. Also identified is an amendment to Table 4.01.1 to include “short-term rental property” as a permitted use, special use, or prohibited use in Village zoning districts.

Alternatively, regulating short-term rental properties through a licensing process may be appropriate. Such regulations for the licensing of short-term rental properties does not require a public hearing before the Plan Commission as the provisions would be within the Village Code and not the Zoning Code.

This matter was referred to the Plan Commission for public hearing by the Village Board at their July 21, 2015 meeting. It is anticipated that Hart Passman, Village Attorney, will be present at the September 2, 2015 Plan Commission meeting.

Attached is proposed language prepared by the Village Attorney for consideration by the Plan Commission. The matter for deliberation by the Plan Commission is the preferred definition of "Short-term rental property" and how to regulate them within the Village's Zoning Districts.

Attachments:

1. Memorandum from Steven M. Elrod dated July 14, 2015
2. Proposed Draft Amendments to Village of Lincolnwood Zoning Ordinance
3. Village of Lincolnshire Short Term Rental COTW Materials*
4. Lincolnshire Review Article*
5. Wilmette Life Article*
6. NSBAR Short Term Rentals Overview*
7. Zoning Practice - Short-Term Rentals October 2015*

Holland & Knight

131 South Dearborn Street, 30th Floor | Chicago, IL 60603 | T 312.263.3600 | F 312.578.6666
Holland & Knight LLP | www.hklaw.com

Steven M. Elrod
(312) 578-6565
steven.elrod@hklaw.com

Memorandum

Date: July 14, 2015

To: Timothy Clarke, Community Development Director

From: Steven M. Elrod, Village Attorney

cc: Timothy Wiberg, Village Manager
Aaron Cook, Development Manager

Re: Short-Term Rentals: Potential Zoning Ordinance Amendments

As you requested, we have prepared potential amendments to the Village of Lincolnwood Zoning Ordinance that would permit the Village to regulate the short-term rental of residential properties as a separate land use from traditional residential land uses. The amendments include: (1) defining the term “short-term rental property;” (2) amending other definitions to distinguish traditional residential dwellings from short-term rental properties; and (3) amending Table 4.01.1 to include “short-term rental property” under the “Lodging” use group and to designate short-term rental properties as permitted uses, special uses, or prohibited uses in the Village’s zoning districts.

We have provided two alternative definitions of “short-term rental property.” The first definition uses an objective standard. A building must be held out for rent for a minimum number of months during a 12-month period (to be determined by the Plan Commission and Village Board). This standard would be relatively easy to apply, so long as staff has access to information about the time a building has been held out for rent (e.g., by consulting the website of AirBNB). The second definition is subjective. A building must be “primarily” held out for rent on a short-term basis. This standard is less precise because people may disagree about the meaning of “primarily.” However, if staff cannot obtain information regarding the time that a property is held out for rent, “primarily” may provide appropriate flexibility.

We inserted question marks in Table 4.01.1 to seek direction regarding how short-term rental properties should be classified (i.e., as permitted, special, or prohibited uses). We also suggest that the Village consider whether it is appropriate to impose other regulations on short-term rental properties, such as locational restrictions or performance standards. Any such regulations could be added to the Zoning Ordinance as part of these proposed amendments.

Finally, the Village may want to consider whether it would be appropriate to regulate short-term rental properties through a licensing scheme, as is done in the City of Chicago. Licensing provisions need not go through the Plan Commission hearing process, as they would be located within the Village Code and not the Zoning Ordinance. Please let us know if the Village is

July 13, 2015

Page 2

interested in developing a licensing program, either in tandem with, or in lieu of, the proposed zoning amendments.

**Proposed Draft Amendments to Village of Lincolnwood Zoning Ordinance
For the Regulation of Short-Term Rental Properties**

Section 2.02 Definitions.

Add new definition of “Short-Term Rental Property”:

SHORT-TERM RENTAL PROPERTY

A building or portion thereof that is held out for rent on a nightly, weekly, or monthly basis for overnight lodging for transient guests for more than months during a 12-month period.

[ALTERNATIVE]

SHORT-TERM RENTAL PROPERTY

A building or portion thereof that is primarily held out for rent on a nightly, weekly, or monthly basis for overnight lodging for transient guests.

Amend the following definitions as follows:

DUPLEX/TWO-FAMILY DWELLING

A ~~building~~ **dwelling** containing two dwelling units only, one above the other.

DWELLING

A building or portion thereof designed or used exclusively for **non-transient** residential purposes, including single-family, two-family and multiple-family dwellings, but not including lodging rooms in hotels, motels, ~~or~~ rooming houses, ~~or~~ **or short-term rental properties.**

DWELLING UNIT

One or more rooms **within a dwelling** which are arranged, designed or used as living quarters for one family only. Individual bathrooms and complete single kitchen facilities, permanently installed to serve the entire family, shall always be included within each "dwelling unit."

BED AND BREAKFAST

A private, owner-occupied business in a single-family ~~residence~~ **dwelling** where overnight accommodations and a morning meal are provided to transients for compensation. **The term “bed and breakfast” does not include short-term rental properties.**

HOME OCCUPATION

Any home occupation or profession conducted entirely within a dwelling by a member of the family residing in the dwelling and when such home occupation is incidental and secondary to the use of the dwelling for dwelling purposes, and in connection with which: (a) there is no other display or activity that will indicate from the exterior of the dwelling that it is being utilized in whole or in part for any purpose other than a residential use; (b) there is not sold or conducted a commodity or service that requires regular receipt and delivery of merchandise, goods or equipment by other than first class mail; (c) an accessory building is not used in whole or in part for such home occupation; (d) vehicular traffic in the vicinity of the dwelling is not increased by more than one additional vehicle at a time; and (e) no separate entrance is provided in connection with the conduct of any home occupation. **The operation of a short-term rental property is not a home occupation.**

HOTEL OR MOTEL

An establishment which is open to transient guests, in contradistinction to a lodging house, boarding house, or a rooming house, and is commonly known as a hotel in the Village of Lincolnwood, and which provides the following customary hotel services; maid service; furnishing and laundry of linens; telephone and secretarial and desk service; the use and upkeep of furniture; and bellboy service. **Regardless of the services provided, a short-term rental property is not a hotel or motel.**

MULTIPLE-FAMILY DEVELOPMENT

A detached building designed and used as a dwelling by three or more families occupying separate ~~suites~~ **dwelling units**.

MULTIPLE-FAMILY DWELLING

A ~~building~~ **dwelling** containing three or more dwelling units.

TOWNHOUSE

An attached single-family residential ~~housing~~ **dwelling** design which typically contains three or more dwelling units having one or more walls abutting with another dwelling and designed to have all exits open directly to the outside.

Table 4.01.1

Amend Table 4.01.1 as follows:

* * *

Use Category	Zoning Districts											
	Residential				Business			Office	Manufacturing/ Business	Public	Standard	
	R-1	R-2	R-3	R-4	B-1	B-2	B-3 P D	O-1	M-B (Note 8)	P		
Restaurant, >=5,000 sf	—	—	—	—	S	S	P	—	S	—	§ 4.07(6)	
Pub, bar, lounge	—	—	—	—	S	S	P	—	S	—	§ 4.07(10)	
Entertainment and recreation												
Billiard club	—	—	—	—	S	S	P	—	—	—		
Commercial recreational facility					S	P	P	S	S			
Golf course, private	S	S	S	S	—	—	—	—	—	—		
Health club	—	—	—	—	S	P	P	S	S	—		
Entertainment venue	—	—	—	—	S	S	S	—	—	—		
Facility with drive-through	—	—	—	—	S	S	P	—	—	—	§ 4.07(8)	
Financial services												
Bank, credit union, savings and loan	—	—	—	—	—	P	—	—	—	—		
Firearms shooting range									S		§ 4.08(5)	
Food and beverage retail sales												
Convenience store	—	—	—	—	P	P	P	—	—	—		
Grocery store, <30,000 sf	—	—	—	—	P	P	P	—	—	—		
Grocery store, >=30,000 sf	—	—	—	—	S	S	P	—	—	—		
Liquor store, package goods	—	—	—	—	S	S	S	—	S	—		
Lodging												
Bed-and-breakfast (4 or less guest rooms)	—	—	—	—	S	S	P	—	—	—		
Hotel/motel	—	—	—	—	S	S	P	—	—	—		
<u>Short-term rental property</u>	<u>?</u>	<u>?</u>	<u>?</u>	<u>?</u>	<u>?</u>	<u>?</u>	<u>?</u>	<u>?</u>	<u>?</u>	<u>?</u>	<u>?</u>	
Medical cannabis dispensary	—	—	—	—	S	—	—	—	S (Note 9)	—	§ 4.07(16)	
Office (except as more specifically regulated)												

* * *


**Agenda Item
3.11, COW**

**REQUEST FOR BOARD ACTION
Committee of the Whole
October 26, 2015**

Subject:	Text Amendments to address Short-Term Rental of Residential Property
Action Requested:	Consideration of a Zoning Board recommendation regarding a request to amend Sections 6-2-2, 6-3-5, 6-5A, 6-5B, 6-5C, 6-5D and 6-5F of the Lincolnshire Zoning Code, to amend and introduce new regulations governing short-term rental of residential property.
Originated By/Contact:	Steve McNellis, Director Department of Community & Economic Development
Advisory Board Review:	Zoning Board

Background:

- The Village has traditionally permitted single-family residential property to be rented, whether a room or an entire home, on an annual basis.
- The rental of single-family residential property for uses such as a bed and breakfast, lodging house or through a home rental organization such as Vacation Rental By Owner (VRBO) or Air BnB is not currently permitted; nor has it ever been.
- A recent issue with a resident operating an Air BnB business in a single-family residence made it clear the Village's regulations prohibiting such a use should be clarified and placed in a more appropriate section of the Code, with increased visibility.
- ***The Zoning Board held a Public Hearing on September 8th, followed by further discussion at the October 14th regular Zoning Board meeting, at which there was a unanimous recommendation to amend the Zoning Code to regulate short-term rentals, with the following key stipulations (further detailed in the attached Draft Ordinance):***
 - ***Minimum permitted rental period = 3 months***
 - ***No more than two rentals per year.***
 - ***Leases which meet the minimum required rental period may be permitted to extend on a month-to-month basis.***
 - ***Leases less than the 3-month minimum are permissible only when they involve a rent-back option to the original owner on a home sale.***
 - ***No temporary structure (ie. a shed, treehouse, tent, etc.) is permitted to be used for short-term rental.***

Zoning Board Commentary:

The Zoning Board discussed a number of different options, with the intent of balancing the character of a neighborhood, minimizing transient uses, and a desire to permit homeowner flexibility. In the context of this discussion the following benefits were identified:

Potential Benefits:

- Insure that transient uses, which can detract from the stable nature of a residential area, such as Air BnB, VRBO and Bed & Breakfast type uses, are not permitted.
- Require any permissible lease periods, less than three months, are only for situations in which the current home occupant is extending their stay, rather than accommodating



**Agenda Item
3.11, COW**

greater transiency.

- Provide homeowners an ability to reasonably rent their home when situations like a corporate relocation occur and they are unable to sell their home.
- Provide homeowners an ability to reasonably rent their home when they are relocated, but do not desire to sell their home if they are underwater on their mortgage.
- Allow future residents an opportunity to rent in the area if they were awaiting home construction to be completed.
- Allow future residents an opportunity to rent in the area while they find a home to purchase.

Note – The attached correspondence from Howard Handler of NorthShore Barrington Realtor's Association (NSBAR) was submitted during the Zoning Board review process. NSBAR is active in lobbying local governments regarding Ordinances that could have a potential impact on their member Realtors. Mr. Handler attended the October 14th Zoning Board meeting and expressed the concerns of their organization.

Recommendation:

Consideration of text amendments to Chapter's 2, 3 and 5 of Title 6 - Zoning of the Lincolnshire Zoning Code and placement on the November 9th Consent Agenda for approval.

Reports and Documents Attached:

- Draft Ordinance, Prepared by Village Attorney Simon
- Draft Section 6-3-5, Accessory Structures and Uses, of the Lincolnshire Zoning Code.
- Staff Memoranda, Dated September 8, 2015 and October 14, 2015
- Attachment submitted by Northshore Barrington Realtors Association

Meeting History	
Preliminary Evaluation (COW):	July 27, 2015
Zoning Board Public Hearing:	September 8, 2015
Continued Zoning Board Discussion:	October 14, 2015
Current COW Discussion:	October 26, 2015

VILLAGE OF LINCOLNSHIRE

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 6 (ZONING)
OF THE VILLAGE OF LINCOLNSHIRE MUNICIPAL CODE
(Short-Term Rentals)**

WHEREAS, the Village of Lincolnshire, an Illinois home rule municipal corporation, has the authority to adopt ordinances and promulgate rules and regulations that pertain to its government and affairs, including the coordination and operation of various activities and structures within its boundaries, and to protect the public health, safety, and welfare of its citizens; and

WHEREAS, the Corporate Authorities of the Village of Lincolnshire find it necessary for the promotion and preservation of the public health, safety and welfare of the Village that the regulation of short-term rental of residential dwellings be reviewed for legality, efficiency and predictability;

WHEREAS, the Board of Trustees referred to the Zoning Board (“Zoning Board”) a petition to research, consider and prepare proposed text amendments to the Zoning Code to clarify and amend the regulation of short-term rental of residential dwellings; and

WHEREAS, following due publication of notice in the Lincolnshire Review on _____, a public hearing concerning the proposed amendments to the Zoning Code of the Village was convened by the Zoning Board on September 8, 2015, and finally adjourned on October 14, 2015, 2015; and

WHEREAS, following deliberation and consideration on the evidence and testimony elicited during the public hearing and the recommendation of the Zoning Board, the Village

Board desires for the Zoning Code to be amended to improve the Zoning Code regulations affecting the short-term rental of residential dwellings; and

WHEREAS, the Village hereby finds that it is in the best interest of the Village and the public to amend its Zoning Code to promote the economic health and welfare of the Village.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Trustees of the Village Of Lincolnshire, Lake County, Illinois, in exercise of its home rule powers, as follows:

SECTION ONE: The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance as though fully set forth herein. The findings of the Zoning Board of the Village of Lincolnshire, attached hereto as **Exhibit A**, are herein incorporated by reference as the findings of the Village Board to the same effect as if fully recited herein at length. All references in the Zoning Board's findings are made the references of the Mayor and Board of Trustees of the Village of Lincolnshire.

SECTION TWO: Title 6 of the Village of Lincolnshire Municipal Code ("Zoning") is hereby revised by amending Chapter 3, Section 5 (Accessory Structures and Uses) by adding a new category of Accessory Use regulations entitled, "Short Term Rental" in the form described in **Exhibit B**, attached hereto and incorporated as though fully set forth herein.

SECTION THREE: Title 6 ("Zoning"), Chapter 2 ("Definitions") is hereby amended in the following manner:

SHORT-TERM RENTAL The accessory use of a residential dwelling under a written or oral agreement providing for occupancy of all or part of the dwelling by any person other than the owner thereof in exchange for consideration therefor.

LODGING HOUSE
(INCLUDING BOARDING) ~~A residential building, or portion and thereof, other than a motel, apartment hotel, or hotel, containing lodging rooms which and accommodate persons who are not members of~~

~~the keeper's family. Lodging with or without meals is provided for compensation on a weekly or monthly basis.~~

**~~ROOM HOUSE)
LODGING ROOM
(ROOMING UNIT)~~**

~~A room which is not physically a part of a dwelling unit, or which through physically a part of a dwelling unit is used or intended for use by a person or persons other than members of the family occupying said dwelling unit, and which is used or intended to be used as sleeping and living quarters, but without facilities for either cooking or eating.~~

SECTION FOUR: Title 6 (“Zoning”), Chapters 5A, 5B, 5C, 5D and 5F (the Residential zoning districts) are hereby amended by adding the following permitted use to each Chapter:

Short-Term Rental, as an accessory use to residential dwelling units and as regulated in section 6-3-5 of this Title.

SECTION FIVE: If any section, subsection, sentence, clause, phrase or application of this Ordinance, or any regulations adopted hereby, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, either facially or as applied, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof or any other application under which such provision is deemed permitted.

SECTION SIX: All prior Ordinances in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION SEVEN: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

SO ORDAINED this _____th Day of _____, 2015, at Lincolnshire,
Lake County, Illinois.

AYES:

NAYS:

ABSENT:

APPROVED:

Elizabeth Brandt, Mayor

DATE: _____

ATTEST:

Barbara Mastandrea, Village Clerk

EXHIBIT A
ZONING BOARD FINDINGS OF FACT

EXHIBIT B**TITLE 6, CHAPTER 3, SECTION 5****ACCESSORY STRUCTURES AND USES****Short Term Rental**

- Except as otherwise provided herein, leasing a residential dwelling in any Residential zoning district (R1 through R5, inclusive) for less than three (3) months shall be prohibited.
- The term of any lease which has satisfied the minimum term required by these rules may be extended on a month-to-month basis so long as the tenant(s) remain the same.
- Residential dwellings shall not be leased more than two (2) times during any consecutive twelve (12) month period unless the rental agreement has been terminated by reason of a tenant default.
- The rental premises may comprise all or a part of the principal structure.
- The rental premises shall not count toward the limit of accessory structures otherwise permitted by this Chapter.
- The form of consideration exchanged for the rental premises does not affect whether it is treated as a short term rental for the purposes of this Chapter.
- The property owner shall remain responsible for compliance with all Village Codes during the term of any rental agreement unless the owner can show by clear and convincing evidence that the tenant caused the violation despite good faith efforts by the owner to abate the violation.
- No temporary structure shall be permitted to be used for a short-term rental.
- The prohibition on short term rentals for less than three (3) months shall not apply when the immediately preceding owner maintains possession of the dwelling unit after closing and leases it from the successor owner under a written lease agreement.

Text = New Text Proposed by Zoning Board**6-3-5: ACCESSORY STRUCTURES AND USES**

No accessory structure or use shall be established, erected, altered or moved onto a lot unless it is specifically conforms to the requirements of this Section.

A. General Requirements:

1. Floor Area Ratio: The maximum size shall not exceed 10% of the gross square feet of the Principal Structure on the lot, except as further regulated in Section 6-3-5(B).
2. Height: The maximum height shall not exceed fifteen (15) feet, except as further regulated in Section 6-3-5(B).
3. Location: Shall meet the minimum required Setbacks applicable to the Principal Structure on the lot, except as otherwise permitted in Section 6-3-5(B).
4. Relationship to Principal Structure: No portion of an Accessory Structure shall extend beyond the front façade of the Principal Structure on the lot.
5. Tree Removal: Any tree removal related to the installation of an Accessory Structure shall be subject to the tree removal requirements of Section 13-1-3(l).
6. Quantity: A maximum of two Accessory Structures shall be permitted on a lot. No two Accessory Structures shall be the same, with the exception of Play Structures.
7. Establishment: An Accessory Structure shall not be erected, altered or moved onto a lot prior to the establishment of a permitted Principal Structure on the same lot. Accessory Structures to any non-residential use or structure shall require Architectural Review Board approval prior to establishment.
8. Appeal: Any person or entity aggrieved by Staff determination regarding the application or interpretations of these requirements may submit a written appeal, as specified in Section 6-14-12 of the Lincolnshire Village Code, to the Architectural Review Board or Zoning Board, for final decision by the Village Board of Trustees.

B. Specific Requirements: The following Accessory Structures and Uses shall be permitted subject to the additional specific regulations set forth below:

ACCESSORY STRUCTURES AND USES 6-3-5(B)

P = Permitted
S = Special Use

Flagpole & Flags

- Flagpoles shall not exceed a height of fifteen feet (15') or 75% of the height of the Principal Structure, whichever is greater.
- Flagpoles may be located beyond the front façade of the Principal Structure and shall comply with all required building setbacks or setbacks shall be equal to the pole height, whichever is greater.
- Flagpoles shall be exempt from the Quantity requirement of Section 6-3-5(A)(6). In addition, Flagpoles in single-family residential lots shall be limited to one (1) flagpole per lot.

Gazebo

- Shall incorporate traditional/classical architectural detailing and ornamentation in the pillars, railings, walls, eave brackets, structural members, roof and/or similar elements
- Shall have a shape of six (6) or more sides, with a maximum diameter of fifteen feet (15').
- Shall be open sided, with no more than 50% of any exterior side of the structure consisting of a solid wall surface.
- Installation of natural gas, water supply or sanitary sewer service; plumbing fixtures; hot tubs; whirlpool tubs or similar equipment is prohibited.

- Permanent or temporary windows or other installations are prohibited. The installation of screens to control insects and ceiling fans are permitted.
- Storage is prohibited.
- Shall be constructed of wood materials erected upon concrete piers or a structural foundation
- Permitted within the required rear yard setback, provided the Gazebo is no closer than ten feet (10') from the nearest property line(s).

Greenhouse

- At least two walls and the roof of the structure must be glass or similar transparent materials.
- Storage of materials other than plants shall not be visible from adjacent properties and public ways

Memorial Garden

- As defined in Section 6-2-2

Memorial Assembly Facility

- Shall only be permitted as an accessory use to an assembly use, including but not limited to religious institutions or schools.
- Shall be permitted inside the principal structure on the lot.
- If located outside as an accessory structure, the following shall apply:
 1. Shall be located not less than 100 feet from any Lot Line where there is Frontage.
 2. Shall maintain a minimum distance of 135 feet from any Lot Line where there is no Frontage.
 3. Shall be located not more than 20 feet from the principal structure on the lot.
 4. Shall comprise an area no greater than 600 square feet.
 5. The structure shall have a height not greater than 3 feet.
 6. The structure shall be concealed from the adjacent right-of-way and contiguous residential Lots with vegetation which provides complete screening during the entire year and shall be a minimum of 6 feet tall at the time of planting (such vegetation shall not be considered part of the permitted area).
 7. The face of the structure into which cremated human remains are interned must substantially face towards the principal structure on the Lot.

Parking Garage Structure

- Refer to permitted zoning districts for specific regulations.

Personal Recreation Facility

- Recreation courts/facilities which do not require a foundation, concrete slab, or impervious surface floor shall not require a building permit.
- Permitted within the required rear yard setback, provided they are no closer than ten feet (10') from the nearest property line(s).
- Lighting shall be positioned and operated to minimize the amount of light and glare cast onto any adjacent property or street to not be a nuisance.

Play Structure

- Structures which do not include a foundation or concrete slab shall not require a building permit.
- Playhouses shall not exceed 8 feet in height and a maximum floor area of sixty (60) square feet.
- Storage of materials is prohibited.
- Permitted within the required rear yard setback, provided they are no closer than ten feet (10') from the nearest property line(s).

Private Residential Swimming Pools & Pool Houses

- Private Residential Swimming Pools – Refer to Chapter 5 of Title 5 for specific requirements.
- The combination of a Private Residential Swimming Pool and Pool House shall be classified as one Accessory Structure/Use and exempt from the Quantity requirement of Section 6-3-5(A)(6).
- The use of a Pool Houses as a Second Residential Unit is prohibited.
- Pool Houses shall be constructed with the same materials used on the Principal Structure.

- Pool Houses shall be permitted only in conjunction with an in-ground swimming pool. Installation of natural gas, water supply or sanitary sewer service; plumbing fixtures; heating/air conditioning is permitted.

Second Residential Unit

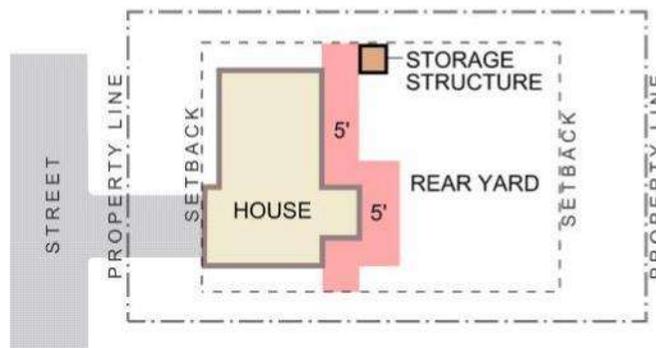
- Refer to Section 6-5A-2(H) for specific requirements.

Short Term Rental

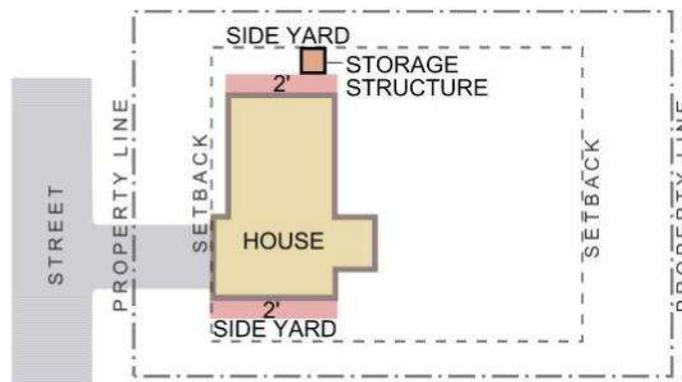
- Except as otherwise provided herein, leasing a residential dwelling in any Residential zoning district (R1 through R5, inclusive) for less than three (3) months shall be prohibited.
- The term of any lease which has satisfied the minimum term required by these rules may be extended on a month-to-month basis so long as the tenants remain the same.
- Residential dwellings shall not be leased more than two (2) times during any consecutive twelve (12) month period unless the rental agreement has been terminated by reason of a tenant default.
- The rental premises may comprise all or a part of the principal structure.
- The rental premises shall not count toward the limit of accessory structures otherwise permitted by this Chapter.
- The form of consideration exchanged for the rental premises does not affect whether it is treated as a short term rental for the purposes of this Chapter.
- The property owner shall remain responsible for compliance with all Village Codes during the term of any rental agreement unless the owner can show by clear and convincing evidence that the tenant caused the violation despite good faith efforts by the owner to abate the violation.
- No Temporary Structure shall be permitted to be used for short term rental.
- The prohibition on short term rentals for less than three (3) months shall not apply when the immediately preceding owner maintains possession of the dwelling unit after closing and leases it from the successor owner under a written lease agreement.

Storage Structure

- Shall be located in one of the following locations:
Rear Yard: Within five feet (5') of the Principal Structure (see figure below)



- Side Yard: Within two feet (2') of the Principal Structure (see figure below)



- Shall have a maximum floor area of 100 square feet.
- Shall not exceed a height of ten feet (10') from the established grade.
- Shall be placed on a hard surface, including but not limited to a concrete pad, cement blocks or similar materials.
- Shall be screened by plant material that provides visual relief throughout the year from both the public way and adjacent properties.
- Plastic, corrugated metal, fiberglass and dryvit/stucco are prohibited unless they are the primary material(s) on the principal structure.

END OF ACCESSORY STRUCTURES AND USES LIST

6-3-5(B)

C. Existing Non-Conforming Accessory Structures: Accessory structures existing as of July 10, 1995 shall be considered Non-Conforming and may be preserved, maintained and used subject to the restrictions in Chapter 13 of this Title.

1. Detached garages located within the Stonegate Circle Subdivision, as defined in Ordinance No. 62-000-70, shall not be subject to the restrictions in Chapter 13 of this Title, but shall be subject to flood plain and flood way regulations and are permitted to perform normal maintenance and incidental repair, reconstruction and restorations but may not increase the existing garage floor area.

Section 6-2-2: Definitions

SHORT-TERM RENTAL The accessory use of a single-family dwelling under a written or oral agreement providing for occupancy of all or part of the dwelling by any person other than the owner thereof in exchange for consideration therefor.

**LODGING HOUSE
(INCLUDING BOARDING
ROOM HOUSE)** **DELETE THIS DEFINITION**

**LODGING ROOM
(ROOMING UNIT)** **DELETE THIS DEFINITION**

Sections 6-5A, 6-5B, 6-5C, 6-5D and 6-5F are amended by adding the following permitted use to each chapter:

Short-Term Rental, as an accessory use to residential dwelling units and as regulated in Section 6-3-5 of this Title.



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3.1, ZB

REQUEST FOR BOARD ACTION
Zoning Board
September 8, 2015

Subject:	Text Amendments to address Short-Term Rental of Single-Family Residential Property
Action Requested:	Public Hearing regarding Text Amendments to Chapter 3, General Zoning Regulations, Chapter 2, Zoning Definitions, Chapter 5, Residence Districts, and associated cross-references, in Title 6 - Zoning of the Lincolnshire Village Code, to amend and introduce new regulations governing short-term rental of residential property.
Originated By/Contact:	Steve McNellis, Director Department of Community & Economic Development
Advisory Board Review:	Zoning Board

Background:

- The Village has traditionally permitted single-family residential property to be rented, whether it's a room or an entire home, on an annual basis.
- The rental of single-family residential property for uses such as a bed and breakfast, lodging house or through a home rental organization such as Vacation Rental By Owner (VRBO) or Air BnB is not currently permitted, nor has it ever been.
- A recent issue with a resident operating an Air BnB business in a single-family residence brought to light the Village's regulations prohibiting such a use should be clarified and placed in a more appropriate section of the Code.
- At their July 27th meeting, the Village Board re-confirmed that certain rentals should continue to be prohibited and clarified what should constitute a permitted short-term rental. The Village Board further directed Staff and the Zoning Board to hold a Public Hearing to consider amending Village Code to clarify permissibilities and prohibitions related to the single-family home rentals.
- Per Village Code, a Notice of Public Hearing regarding proposed Text Amendments to be discussed at the September 8th Zoning Board meeting was published in the Lincolnshire Review on Thursday, August 20, 2015.

Project Summary:

Following, is a summary of proposed amendments related to the rental of single-family residential property (*for specific detail, please see attached Draft Code*):

- **Accessory Use:** Per Village Attorney's recommendation, regulations on the permissibility of short-term rentals are placed in the Accessory Structures and Uses (Section 6-3-5(B)) section of the Zoning Code. This is to reiterate the primary use of single-family residential property should be residential and not business use. This also recognizes rental of a property is accessory to the primary purpose of single-family residential, which is long-term owner-occupied use.
- **Permissible Timeframe:** The proposed amendment follows Board direction in permitting rentals for no less than three months and permitting no more than one rental per consecutive twelve-month period, regardless of whether the rental is for 3 months, 6 months or 11 months, etc. However, a caveat is provided permitting more than one rental per twelve-month period if a Tenant defaults on a Rental Agreement. The 3-month minimum



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rental still applies in this scenario. In this way, the Owner is not punished for any legal remedy they must take with a bad Renter.

- **Limits of Rental Area:** Since this amendment is not intended to prohibit the rental of a room in someone's house versus the entire house that permissibility has been clarified.
- **Code Enforcement:** A caveat is added stating compliance with Codes is the owner's responsibility during a Rental period, unless it can be clearly proven the tenant caused a particular violation, despite the Owner's demonstrated efforts to remedy the violation. The Village Attorney advises this stipulation is commonplace in Municipal regulations.
- **Definitions:** The proposed amendment removes current definitions for both Lodging Room and House, which were previously utilized to define the type of short-term rentals being clarified in this Code Amendment. These are being replaced by a new definition of Short Term Rental, which more accurately describes these uses.
- **Permissibility in Residential Zoning Districts:** The R1, R2, R2A and R3 Zoning Districts would be amended to add a caveat that Short-Term rentals are permitted per the requirements of Section 6-3-5(B), Accessory Structures and Uses.

Note – Three of six Zoning Board members have notified Staff they will not be available for the September 8th Zoning Board meeting. Although there is sufficient attendance for a Quorum to hold a meeting, there will not be sufficient attendance to vote on the proposed amendment. Therefore, Tuesday night's meeting will function as the required Public Hearing and a workshop session, to enable revised language to be prepared for a vote on October 14th.

Recommendation:

Hold the **Public Hearing** and provide feedback and direction to Staff regarding proposed Draft Code Amendments for further consideration at the October 14th Zoning Board meeting.

Reports and Documents Attached:

- Draft Section 6-3-5, Accessory Structures and Uses, of the Lincolnshire Zoning Code.

Meeting History	
Preliminary Evaluation (COW):	July 27, 2015
Current Zoning Board Public Hearing:	September 8, 2015



- APPROVED** Minutes of the **REGULAR MEETING OF THE ZONING BOARD** held on Tuesday, September 8, 2015, in the Public Meeting Room in the Village Hall, One Olde Half Day Road, Lincolnshire, IL.
- PRESENT:** Members Bichkoff, Brady and Kalina.
- STAFF PRESENT:** Steve McNellis, Community & Economic Development Director.
- ABSENT:** Chairman Manion, Members Leider and Van de Kerckhove and Trustee McDonough.

CALL TO ORDER: **Member Kalina** called the meeting to order at 7:02 P.M.

Director McNellis noted **Chairman Manion** was absent this evening, so the Zoning Board would need to elect a Chairman Pro Tem. In speaking with Staff, **Chairman Manion** requested **Member Kalina** serve as Chairman Pro Tem, as he is the next most senior member of the Zoning Board.

Director McNellis requested a vote of the Zoning Board to consider Member Kalina to serve in the role of Chairman Pro Tem. **Member Bichkoff** moved and **Member Brady** seconded appointment of **Member Kalina** as Chairman pro Tem. The temporary appointment was approved unanimously.

1.0 ROLL CALL

The roll was called by **Director McNellis** and **Chairman Pro Tem Kalina** declared a quorum to be present.

2.0 APPROVAL OF MINUTES

2.1 Approval of the Minutes related to the Rescheduled Zoning Board Meeting held on Thursday, August 13, 2015.

Member Brady moved and **Member Bichkoff** seconded the motion to approve the minutes of the Regular Meeting of the Zoning Board, as submitted. The motion passed unanimously by voice vote.

3.0 ITEMS OF GENERAL BUSINESS

3.1 **PUBLIC HEARING** regarding Text Amendments to Chapter 3, General Zoning Regulations, Chapter 2, Zoning Definitions, Chapter 5, Residence Districts, and associated cross-references, in Title 6 - Zoning of the Lincolnshire Village Code, to amend and introduce new regulations governing short-term rental of residential property (Village of Lincolnshire).

Chairman Pro Tem Kalina recessed the Zoning Board meeting and opened the Public Hearing.

Director McNellis presented Staff's memorandum and summarized what the Village Code currently does and does not permit. He noted there had been an issue recently with a resident operating an Air BnB service. These types of short-term uses are not permitted by the Village Code, however, the current language in the Code is not necessary clear to the average person who may consult the Code. He noted this issue, and potential Code Revision remedies were discussed with the Village Board at their July 27th meeting, where it was subsequently referred to the Zoning Board for consideration.

Director McNellis stated Staff has worked on proposed Code language with the Village Attorney, who believes the most appropriate place to house these regulations is under the Accessory Structures section of the Zoning Code. He noted cross-references have also been added in the Residential Zoning District requirements to help make it more clear and obvious to the average reader consulting the Code where the specific regulations related to the permissibility of short-term rentals are housed. Director McNellis concluded his summary.

Chairman Pro Tem Kalina noted since this is a Public Hearing he would ask for any comment from the public in attendance. There being no comment, with no one present in the audience, Chairman Pro Tem Kalina closed the Public Hearing and reconvened the Regular Zoning Board meeting and sought comments from the Zoning Board.

Chairman Pro Tem Kalina noted he is all for changing the Code to prohibit Air BnB type uses, as he believes it makes sense. He wondered what recourse we currently have. **Director McNellis** noted that presently it's difficult to shut-down such a use immediately as the Courts would likely see our existing Codes as a little vague. The idea would be to make the Code more clear and obvious, and combine that with a concerted effort to "advertise" to the Public that short-term rentals like Air BnB are prohibited via the Village Newsletter, website, e-blasts, etc. This all helps make the Village's intentions clear and can help considerably if a violation needs to go to Court.

Member Brady asked why there is an objection to these types of uses. **Chairman Pro Tem Kalina** answered that for him, the concern is an online marketplace where you have no idea who's coming into a neighborhood. **Member Brady** countered that while he agrees with that concern, a longer rental still doesn't guarantee you know who you're getting as a neighbor. He further noted the only thing he'd like to change is removing the limitation on only one rental per year. He believes the Village is over-reaching with that requirement. **Chairman Pro Tem Kalina** noted it is a point well-taken. He further agreed if a Renter leaves after a 6-month rental, the property owner should be able to rent to another individual for another 6-months. He believes the ultimate goal here is simply to eliminate nightly or weekly rentals.

Member Brady stated he believes daily or weekly rentals should be separate from monthly and should be prohibited. **Member Bichkoff** noted it's about the character of the community, which is family-based and not transient in nature.

Member Brady stated if he has to move and can't sell his house, he'll need to rent it and he doesn't believe this Code should interfere with that. He went on to state he believes this Code should separate Air BnB users from longer-term rentals. **Director McNellis** noted a clarification that if you rent your home for 12 months and someone leaves in the middle of that lease term, you can still rent again for another 12-month lease.

Member Brady inquired as to what happens if he can only find Renters willing to enter into 3-month leases. He believes at a certain point you have to leave it to the Homeowner. He further questioned if maybe the threshold for prohibition should be less than 1-month. **Director McNellis** noted the Village Board's unanimous direction at referral was for a 3-month minimum rental period. **Chairman Pro Tem Kalina** noted while he felt Member Brady had brought up some great points, he still believes a 3-month minimum is reasonable. He further noted he does believe the prohibition on one rental per year should be removed and an owner should be able to rent as many times as they want as long as the 3-month minimum rental period is met.

Member Brady inquired what would happen if someone rents for a 12-month period and then desires to go on to a month-to month lease at that same property. A scenario could be that you are having a house built in Lincolnshire, you're renting in the community while the house is built, and it goes beyond the scheduled completion date and you need more time. With this Code as proposed, you would be out of luck. **Member Bichkoff** noted that is a good point, and inquired of Staff if a lease could be extended under those circumstances. **Director McNellis** stated his agreement in that month-to-month leases are a roll-over of the same tenants, so the transient concerns are lessened.

Member Brady reiterated his concern that rentals of a month or more should be treated differently from Air BnB type uses. **Director McNellis** stated that ultimately, the bottom line is if renting becomes a business, it should be secondary to single-family residential ownership. **Member Brady** noted if the Village has too firm and broad a set of restrictions it could be an over-reach. He believes there should be caveats for residents who really need the ability to rent their house. **Chairman Pro Tem Kalina** agreed with Member Brady. He further noted he is not a supporter of Air BnB uses and believes there is no place for that type of use in the Village's residential community. He believes Member Brady has a valid point that there must be language allowing rentals for someone who is in a position where they need to do this.

Member Bichkoff asked the Zoning Board what they would think about a flat 6-month rental period, with no other restrictions? **Member Brady** asked about a scenario in which you only needed to rent for three months and were then held to a 6-month rental period. He further noted the housing market is still tough, with many homes still under water. If you had to sell your house now, you might strongly considering renting it until the market comes back, so you can get more equity out of it. **Chairman Pro Tem Kalina** noted he would go as short as one-month rentals being permitted. **Director McNellis** asked if the Zoning Board could find a compromise between all the issues discussed tonight?

Member Bichkoff asked if anyone ever signs 90-day leases? To which **Member Brady** noted he has relocated many times and people do want rentals for 90-days as that can be the amount of time you're waiting on new home construction or an addition or remodel to be finished. **Member Bichkoff** inquired if Member Brady was implying that he would be ok with four 3-month leases in a year, with added permissibility for a month-to-month roll-over of an existing lease? **Member Brady** stated whether someone rents for 3-months or 2-years , you still don't know who you're getting living next to you if you're a neighbor unless the Village requires a background check. There was no consensus from the Zoning Board favoring required background checks.

Director McNellis summarized the concerns of the Zoning Board voiced at tonight's meeting and stated Staff would work with the Village Attorney to prepare revised Draft Code language. He thanked the Zoning Board members for their comments.

There being no further comments, **Chairman Pro Tem Kalina** noted this matter will return for additional consideration at the next Zoning Board meeting.

- 4.0 **UNFINISHED BUSINESS (None)**
- 5.0 **NEW BUSINESS (None)**
- 6.0 **CITIZENS COMMENTS (None)**
- 7.0 **ADJOURNMENT**

There being no further business, **Chairman Pro Tem Kalina** sought a motion for adjournment. **Member Brady** moved, and **Member Bichkoff** seconded the motion to adjourn. The meeting adjourned at 7:36 p.m.

Minutes Submitted by Steve McNellis, Community & Economic Development Director.



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REQUEST FOR BOARD ACTION
Zoning Board
October 14, 2015

Subject:	Text Amendments to address Short-Term Rental of Single-Family Residential Property
Action Requested:	Continued discussion regarding Text Amendments to Chapter 3, General Zoning Regulations, Chapter 2, Zoning Definitions, Chapter 5, Residence Districts, and associated cross-references, in Title 6 - Zoning of the Lincolnshire Village Code, to amend and introduce new regulations governing short-term rental of residential property.
Originated By/Contact:	Steve McNellis, Director Department of Community & Economic Development
Advisory Board Review:	Zoning Board

At the September 8th meeting, the Zoning Board conducted a Public Hearing regarding the regulation of Short-Term Rentals on residentially-zoned property. Draft Ordinance language was discussed and the Zoning Board requested Staff consider revisions to address the following concerns:

- 1) **Limitation on Number of Rentals Annually:** The Zoning Board discussed, and was strongly in favor of, eliminating the previously-proposed draft language limiting the number of rentals per year to one, (regardless of whether that rental period was three months, twelve months or anywhere in between). The three-month minimum rental requirement would remain in place, permitting a maximum of 4 three-month rentals annually. ***The limitation on one rental annually is shown crossed-out on the attached Draft and would be removed if this is the Zoning Board's consensus.***

- 2) **Month-to-Month Lease Extensions:** The Zoning Board recommended existing leases be permitted to continue past the initial lease period on a month-to-month basis, in light of the fact this would be a continuation of an existing tenant's residency and would actually decrease the transient nature of the property. ***A new bullet point is added permitting month-to-month leases as an extension or "roll-over" of an existing lease.***

- 3) **Rental of Unoccupied Property:** The Zoning Board had considerable discussion regarding a way to distinguish between a property that is being used for a rental business and one in which a homeowner seeks the ability to rent due to circumstances beyond their control (relocating and unable to sell, mortgage is underwater, etc.). Staff is concerned that distinguishing between a rental for business reasons and a rental to provide an owner economic peace of mind is a difficult proposition. In addition, the reason for the rental does not necessarily change the end result, which could be a frequently-changing transient population. ***The Village Attorney provided the following draft language as a possible way to address this concern, should the Zoning Board wish to pursue such a distinction:***

In the interest of promoting property maintenance and the preservation of property values, and to prevent the risk of criminal activity at abandoned property, a property owner who certifies to the Village that his/her Single Family Dwelling has been unoccupied for not less than 120 consecutive days may



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register such property with the Department of Community and Economic Development and lease that Single Family Dwelling for not less than one month terms. Such owners shall have a duty to renew such registration semi-annually and notify the Department when the property becomes occupied by a successor owner.

- 4) Consider Multi-Family Residential restrictions:** While the Zoning Board didn't previously discuss the details of the residential districts to be covered by the proposed Short-Term rental requirements, Staff believes this matter warrants further deliberation. The proposed Draft Code language regulates Short-Term rentals in all single-family residential zoning districts, including: R1, R2, R2A and R3 zoning districts. The two multi-family residential districts: R4, Attached Residential (townhouse communities such as Heritage Creek, Woodcreek Courts, etc.) and R5, Mixed Use Residential (including the Village Green condominiums) were not initially included as Districts regulated by this proposal. Staff sees a difference in this residential use type in that Condo/Townhouse Homeowner Associations and Apartment Landlords can also tackle this issue if there were a problem, while residential neighborhoods have only the Village to rely on for regulation. However, it would be more uniform to include all residential zoning districts in these regulations. ***So, Staff has added the R4 and R5 Residential Zoning Districts to the list of those regulated by this proposed Draft Code language.***

Recommendation:

Approval of text amendments to the Lincolnshire Zoning Code to amend and introduce new regulations governing short-term rental of residential property, as presented in Draft Code language attached to this memorandum, with the following revision:

- 1) Removal of the prohibition on more than one rental in a 12-month consecutive period.

Motion:

Having made findings based on facts covered in a Public Hearing held on September 8, 2015, the Zoning Board recommends approval to the Village Board of amendments to Sections 6-2-2, 6-3-5, 6-5A-1(H), 6-5B-2(G), 6-5C-2 and 6-5D-2 of the Lincolnshire Zoning Code to amend and introduce new regulations governing short-term rental of residential property, as recommended in Staff's memorandum, and further subject to. . . .

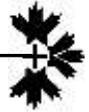
{Insert any additional conditions or modification desired by the Zoning Board}

Reports and Documents Attached:

- Draft Section 6-3-5, Accessory Structures and Uses, of the Lincolnshire Zoning Code.
- Staff Memorandum, Dated September 8, 2015.
- Attachment submitted by NSBAR

Reports and Documents Attached:

Meeting History	
Preliminary Evaluation (COW):	July 27, 2015
Zoning Board Public Hearing:	September 8, 2015
Current Zoning Board Consideration	October 5, 2015



APPROVED Minutes of the **REGULAR MEETING OF THE ZONING BOARD** held on Wednesday, October 14, 2015, in the Public Meeting Room in the Village Hall, One Olde Half Day Road, Lincolnshire, IL.

PRESENT: Chairman Manion, Members Bichkoff, Kalina and Van de Kerckhove.

STAFF PRESENT: Steve McNellis, Community & Economic Development Director.

ABSENT: Members Brady and Leider and Trustee McDonough.

CALL TO ORDER: **Chairman Manion** called the meeting to order at 7:00 P.M.

1.0 ROLL CALL

The roll was called by **Director McNellis** and **Chairman Manion** declared a quorum to be present.

2.0 APPROVAL OF MINUTES

2.1 Approval of the Minutes related to the Rescheduled Zoning Board Meeting held on Tuesday, September 8, 2015.

Member Van de Kerckhove moved and **Member Bichkoff** seconded the motion to approve the minutes of the Regular Meeting of the Zoning Board, as submitted. The motion passed unanimously by voice vote.

3.0 ITEMS OF GENERAL BUSINESS

3.1 Continued discussion regarding Text Amendments to Chapter 3, General Zoning Regulations, Chapter 2, Zoning Definitions, Chapter 5, Residence Districts, and associated cross-references, in Title 6 - Zoning of the Lincolnshire Village Code, to amend and introduce new regulations governing short-term rental of residential property (Village of Lincolnshire).

Director McNellis presented Staff's memorandum and summarized the proposed Draft Ordinance language. He noted what the Village Code currently does and does not permit. He noted there had been an issue recently with a resident operating an Air BnB service. These types of short-term uses are not permitted by the Village Code, however, the current language in the Code is not necessary clear to the average person who may consult the Code. Director McNellis further noted there was a Public Hearing at the September 8th Zoning Board meeting, at which there were no members of the public present and no one testified. The Public Hearing was subsequently closed.

As requested, **Director McNellis** began to summarize the proposed revisions, beginning with the three-month minimum rental period. He noted there was a lot of discussion at the last meeting. Staff continues to believe this 3-month minimum rental period is appropriate. The Village Board also seemed to be agreeable to that timeframe when the code revision was referred.

Director McNellis discussed a proposed caveat to the three-month minimum rental regarding permissibility of a month-to-month extension for an existing lease. This was discussed at the last meeting by Member Brady. Director McNellis noted that if the concern is about the transient nature in a neighborhood, and if a permissible length of rental occurs, but a situation happens where someone has to extend month-to-month, if say perhaps a home under construction isn't finished, then an extension wouldn't make that property any more transient as it would be the same person that was living in the house for the previous rental period simply extending their time. Staff agrees this is a reasonable change to the Draft Ordinance. Members Bichkoff and Kalina agreed.

Chairman Manion noted he works in an industry that finances apartment buildings and he finds that lease extensions are typical. He agrees this reduces the transient nature of a property, so he believes it seems very reasonable to permit it.

Director McNellis noted the crossed-out bullet point on the current draft was in the previous draft in September, and previously stated that single-family dwellings shall not be rented more than once in a 12-month period. This was the direction from the Village Board that regardless of the lease time frame, there should be only one rental per year. There was much discussion at the last Zoning Board meeting about whether or not that was appropriate. Some Zoning Board members were ok with the minimum 3-month rental period, but believed there should be no further limitations, which should allow you to do up to 4 rentals per year.

Member Kalina praised Member Brady for noting the scenario in which someone was in a distressed financial situation, perhaps with two mortgages, and needed to rent their property, he wondered if it should really be up to the Village to mandate a one rental per year maximum. Member Kalina said he felt it does make sense to allow more than one per year.

Member Bichkoff recounted the discussion was about if you were in this dire situation and you could only find someone for perhaps six months, you'd be prohibited from leasing again, losing 6 months of rental income. He recalled that Member Brady was pretty adamant that this was not a good idea.

Chairman Manion inquired of Staff if they know how many people rent their homes. To which **Director McNellis** answered that Staff has no way of knowing, as we don't require rentals to register with the Village. **Chairman Manion** noted that even most large condo buildings wouldn't allow rentals for less than 12 months initially, and he doesn't see the difference here. **Member Kalina** stated, however, that if you're in a large condo building or high-rise you're all walking in the same entrance, whereas in Lincolnshire we have nice large yards, so perhaps the impact is even greater in a condo building than single-family residential. **Chairman Manion** noted regardless it's the same in that it's a community and however you define community, it doesn't matter whether it's a high-rise or single-family homes. Having said that, Member Brady had a good point and I'm trying not to limit rentals. **Member kalina** noted he agrees that rentals for a day, night or week should not be permitted, but he inquired as to what the Zoning Board is really trying to do by limiting the rental period minimum to 3-months. He wondered what it is we are really trying to prevent by such a long minimum rental period.

Director McNellis stated the Village Board appeared to agree that single-family neighborhoods are for single-family residential. The real concern is permitting a transient

nature to form in the Village's neighborhoods. The expectation of the Village is that on a longer-term basis the same people will be living in each area. The expectation is that single-family neighborhoods will remain stable. The more rental periods you add, the greater potential the neighborhoods become more transient.

Member Kalina agreed that the Village does need to protect the homeowners to a degree, but if someone were to have an economic hardship, he wants to be sure that the Zoning Board looked at all the angles.

Chairman Manion noted that apartments, in general, all require a 12-month lease to start. Very few apartments can be gotten for less. Even apartment dwellers don't want a transient nature to their building. He believes that to allow someone to rent their house for three months is more than reasonable, and he reiterated in the world of apartments, its very common that the rental period is a minimum of 12-months initially.

Member Kalina stated he believes the main question here is how many 3-month rental segments the Village should permit per year. **Chairman Manion** noted that with the previous proposal if you have a 3-month rental and that person leaves and you want to rent again, you couldn't re-rent it that year. But now you're saying there could be up to four 3-month rentals per year? **Director McNellis** noted that was the direction of the Zoning Board at the end of the September meeting. Staff's position is we thought one rental per year would be appropriate, but the Zoning Board at the last meeting felt strongly one rental was not enough. Further, the Zoning Board noted they are an advisory body and should pass on a recommendation they believe is appropriate. If the Village Board disagrees, they can always over-ride that recommendation.

Member Kalina stated he would like to limit the number of rentals to two in a 12-month period. Chairman Manion stated he felt four times a year is excessive, but 2 times seems more realistic. He further inquired of Staff what would happen if the Village changes the Code to 2 times a year, and someone wants to do it 3 times a year. **Director McNellis** stated if the Code is twice per year and we learn someone has more than two leases, we'd notify them they weren't in compliance and undertake a legal process.

Member Kalina stated he thinks of the financial hardship that is involved if someone is relocated and has to sell their house. What if you get a bad tenant and don't renew a lease with them? If its once a year, you're out of luck for the next 9 months. **Chairman Manion** noted that at some point the use becomes transient. He stated two rentals per year is the permissibility he believes the Village should consider.

Member Van de Kerckhove stated someone could go away for the Winter for three months and would like to rent for the period of time they're gone. Would that work? **Chairman Manion** answered that three months would be the minimum and you could do it two times a year, so that would work. He believes this reasonably maintains property rights for a homeowner. He further inquired what it is the Village is trying to accomplish here? He believes its to limit the transient nature of renting and he believes two rentals per year does that. He asked if the rest of the Zoning Board was in agreement with this, to which there was a consensus of agreement.

Director McNellis continued to summarize the regulations contained in the Draft Ordinance. He noted the section of the Ordinance regarding the owner's responsibility for violations on a property, unless it can be shown that the owner tried and failed in good faith to remedy a situation. He noted the Village Attorney stated this caveat is

typical in most Village Codes. **Director McNellis** also noted that temporary structures, like treehouses, cannot be rented. He further noted there is a new proposed definition in the Code and the permissibility of short-term rentals will be prominently cross-referenced in each residential Zoning section of the Code. he asked the Zoning Board if they wanted to include R4 (Townhouse) zoning district and R5 (mixed-use) zoning district in these regulations and permissibility's. **Chairman Manion** asked if there were any for-rent professionally-managed apartment buildings in the Village, to which Director McNellis answered there is one on Apple Hill Lane at Rt. 22.

Chairman Manion asked if condo buildings would then get added-in to the areas regulated by this proposed Code amendment? **Director McNellis** answered yes, but asked the Zoning Board to keep in mind that multi-family developments are usually protected by Landlords and Homeowners Associations whereas single-family development is protected only by Village regulations.

Member Bichkoff asked why we would be inconsistent, when we're trying to make the Code more clear? As such, he believes all zoning districts, single or multi-family, should be included. **Member Van de Kerckhove** stated if the multi-family properties are being governed by a condo HOA, lets let them enforce it. **Chairman Manion** stated he believes all Village residential properties should be subject to the same regulations in this regard. **Director McNellis** noted this is a good point, as there could be some confusion about some residential being treated one way and others being treated a different way. **Member Kalina** noted that anAirBnB use in a condo building could, in many ways, be even more disruptive than in a single-family home.

Director McNellis continued on and stated he would conclude his remarks by asking the Zoning Board to consider Member Brady's position that they should look at language that would differently define rental property as a business versus rentals because of economic hardship a particular owner might have. He noted he spoke with the Village Attorney and they both agreed that this continues to be problematic. The Village would have to register them and show proof of hardship. He also believes what the Zoning Board has agreed to tonight allows for those situations anyway.

Member Kalina gave credit to Member Brady for introducing the thought process on this, but he ultimately agreed that we don't need to separately define the two different situations.

Director McNellis noted there is a member of the public present in the audience who may wish to address the Zoning Board. This isn't a Public Hearing, but the Zoning Board certainly can permit comments from the audience. **Mr. Howard Handler** of the Illinois Association of Realtors and NorthShore Barrington Association of Realtors, located at 450 Skokie Boulevard in Northbrook, provided commentary about how the Realtors Association is looking at this. He stated they're formulating their position and are happy the Zoning Board is balancing private property rights and the needs of the community. He also mentioned Evanston's experience in dealing with this issue. He stated he would strongly recommend a stipulation that Evanston used in which "rent-back" options are considered. This occurs when someone sells their property and can't move out, so they rent it back from the new owner for a few weeks or other specified period of time. He further stated he is not at the meeting to oppose the proposed Village ordinance, only to send the message that the Village may want to consider an ordinance that is least restrictive, but still accomplishes your goals.

Member Kalina inquired what is the real interest of the Illinois Association of Realtors? **Mr. Handler** responded they have no interest in AirBnb whatsoever, and their interest is solely in private property rights and real estate. He noted the Association also wants to be a resource. He further noted that a 3-month minimum rental could make it difficult for a homeowner to rent their house, which could create a hardship, especially if they need the income. The Zoning Board thanked Mr. Howard for his comments.

Chairman Manion asked if its common that people have to rent back their homes after a sale. **Member Kalina** stated Mr. Handler made a good point. We're building a Code to prevent the negative element, but this wouldn't be a problem. He conjectured that in many cases, though, the Village will never even know if someone is going beyond the parameters of the code. **Mr. Handler** noted if you do want to permit something, you shouldn't be silent on it just because no one will complain if its going on. The problem is if someone wants to follow the law and they look in the Code and don't see the permissibility to do something, they won't try to do it. In that way, they'll be deprived of an opportunity.

Director McNellis stated the Village's single-family residential property is intended for longer-term residency and the Village is not interested in seeing a lot of turnover. He further stated the Village should be looking at how far things are opened up and the negative that could come if its opened too far.

Chairman Manion noted there are plenty of options for people to rent for shorter periods. There are plenty of hotels in the area. **Member Bichkoff** agreed with the rent-back option after a sale. He noted if he sold his house he'd like to think this was a viable option. He stated he thinks this caveat would be a good "carve-out". **Member Van de Kerckhove** agreed.

Chairman Manion noted he believes a three-month minimum rental is already a huge concession. He stated he believes the Zoning Board agreed to two caveats in the motion, but agreed with everything else Staff presented to them. The Zoning Board agreed with this assessment.

Member Kalina noted he could go less than a 3-month minimum, as even 1-month would effectively eliminate AirBnB, but he's fine with keeping the 3-month minimum.

The Zoning Board did not have any further questions or concerns.

There being no further comments, **Chairman Manion** sought a motion from the Zoning Board.

Member Kalina moved and Member Van de Kerckhove seconded a motion to recommend approval to the Village Board, based on facts covered in a Public Hearing held on September 8, 2015, of amendments to Sections 6-2-2, 6-3-5, 6-5A-1(H), 6-5B-2(G), 6-5C-2 and 6-5D-2 of the Lincolnshire Zoning Code to amend and introduce new regulations governing short-term rental of residential property, as recommended in Staff's memorandum, and further subject to; 1) No more than two rentals may be permitted per 12-month period, and 2) It is permissible for a seller of a property to rent-back that property for a period of time less than 3-months, after its sale.

The motion passed unanimously by voice vote.

- 4.0 UNFINISHED BUSINESS (None)**
- 5.0 NEW BUSINESS (None)**
- 6.0 CITIZENS COMMENTS (None)**
- 7.0 ADJOURNMENT**

There being no further business, **Chairman Manion** sought a motion for adjournment. **Member Kalina** moved, and **Member Van de Kerckhove** seconded the motion to adjourn. The meeting adjourned at 8:03 p.m.

Minutes Submitted by Steve McNellis, Community & Economic Development Director.



The Gateway to Education, Information and Technology

OVERVIEW OF SHORT-TERM RENTAL REGULATIONS

WHAT IS SHORT-TERM RENTAL HOUSING?

The term “short-term rental housing” typically means a dwelling unit that is rented for a period of less than thirty consecutive days. In general, short term rental housing differs from bed & breakfasts, hotels, motels, and other lodging uses by providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. Although bed & breakfasts often are similar in appearance and location to many short-term rentals, they are distinguishable by the presence of the owner/operator onsite. Boarding houses differ from short-term rentals by having multiple rooms or units for rent and common kitchen and dining facilities that are shared by the occupants; boarding houses also tend to be less transient than short-term rentals. Similarly, hotels and motels are distinguishable from short-term rentals by having separate entrances, an on-site management office, and multiple rooms for rent by multiple parties. In some communities, short-term rental housing may be referred to as vacation rentals, transient rentals, or resort dwelling units.

WHY DO PEOPLE CHOOSE SHORT-TERM RENTAL HOUSING?

It is undeniable that, like Uber and other market disrupters, short-term rental housing is fulfilling a market demand. In 2012, 12 percent of Americans stayed in short-term rental housing and the number is growing. In just August 2015, more than 17 million people throughout the world stayed at an Airbnb listing (this figure does not even include listings on other sites). Short-term renters are attracted to the extra living space, lower rates than hotels, and better amenities – short term rentals have been cited as being about 50 percent per square foot less expensive than hotels.

Short-term rentals are used for more than weekend jaunts. They serve a broad variety of needs including providing housing for families renovating their home, people in-town for business, patients and their families in-town for extended medical care, out-of-town relatives visiting family for an extended period of time, families that had to vacate their home but are unable to move into their new home, and much more.

WHY DO PEOPLE RENT THEIR PROPERTY ON SHORT-TERM BASIS?

The money generated by short-term rentals is most often viewed by hosts as extra spending money or supplementary income that the host relies upon. In many cases, the supplementary money is used to make home improvements. In other more extreme cases, property owners are experiencing significant financial hardship and are renting out their house to pay the mortgage or put food on the table.

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Often, communities will create exemptions to their short-term rental regulations. Exemptions can include:

1. **A rental agreement in conjunction to sell the house.** This exemption primarily is intended to legalize the very common occurrence of “rent-backs” in which an owner sells their house, is temporarily unable to move into their new home, and rents their home back from the new owner. This exemption could be extended to anyone that is under contract on a house (even if the short-term rental is not related to the contract) but have yet to close and are in need of

housing -- this could be applied to only those that are under contract in relation to a home in the community or a neighboring community.

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7. **Catch-all.** This exemption recognizes the inherent right to make use of one's property without unduly burdening neighboring properties. A free, no-questions-asked exemption once, twice, or more per year can be a reasonable balance.

SUMMARY

In adopting any short-term rental policies, municipalities should consider the minimum amount of regulation necessary to achieve the community's goal without unnecessarily depriving property owners of their rights. If homes being rented, day-after-day, night-after-night are disruptive to the community, consider allowing property owners to rent out their property just once or twice a year which would end the problematic activity. A municipality can always revisit and amend an existing ordinance. In Evanston, opponents of allowing any short term rentals argued that short-term rentals would disrupt neighborhood harmony and introduce criminals and sexual predators into residential neighborhoods, but more than two years later after minimal regulations were adopted that allow some short-term rentals city officials report that they are not receiving resident complaints.

The North Shore – Barrington Association of REALTORS® (NSBAR) is the area's leading private property advocate and the recognized voice for real estate. NSBAR, along with affiliated REALTOR® associations, is a strong advocate for a healthy business environment and a resource for its members to deliver ethical and professional services to the public and to one another. With 1.1 million members, REALTORS® are the largest trade association in North America; NSBAR represents approximately 3,600 members. The views expressed within may or may not reflect the view of each and every member.

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Suburbs / Lincolnshire Review / Lincolnshire News

Lincolnshire close to ban of Airbnb rentals

By **Ronnie Wachter** · **Contact Reporter**

Pioneer Press

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Need an Airbnb rental? Need a treehouse rental? Don't look at Lincolnshire.

OCTOBER 28, 2015, 2:22 PM

The village of Lincolnshire is poised to outlaw short-term home rentals, and officials say they will visit Airbnb's site from time to time, looking for violators.

If the trustees give final approval to a new set of rules, no one in Lincolnshire will be able to rent their house for less than three months — effectively eliminating the short-term vacations that Airbnb specializes in. Mayor Liz Brandt spelled it out: Sites like that, and the questions they bring to quiet suburbs, are not wanted in Lincolnshire.

"That was our original objective," Brandt said.

Village Hall officials first started receiving complaints about short-term rentals early in the summer, Brandt said. Community development director Steve McNellis said that, after getting a few tips, they started checking the site themselves, looking for postings.

Article continues below ↓

McNellis said officials will not make a regular habit of patrolling airbnb.com for Lincolnshire listings, and they will continue to rely on complaints from neighbors. But he said they may still check the site on occasion.

[Glenview, Wilmette and Evanston](#) are among the other municipalities who spent the summer looking at how, if at all, they want to regulate the modern-day bed and breakfast that Airbnb has become.

Lincolnshire's new rules will affect every kind of living space in Lincolnshire, beginning with single-family dwellings, but also covering multi-family buildings. Lincolnshire has only a few of those — but the law would also cover new multi-family dwellings that could be built in the coming

years.

The new code leaves little to chance: it specifies that homeowners cannot rent out treehouses, or even space in the backyard for someone to pitch a tent. It does, however, permit month-to-month leases after an initial three-month lease agreement is completed.

The trustees gave the new rules unanimous first-round approval during their Oct. 26 meeting. The measure will go on the consent agenda for a final vote Nov. 9.

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Suburbs / Wilmette Life / Wilmette News

North Shore communities eyeing Airbnb-style rentals cautiously

By **Kathy Routliffe and Ronnie Wachter** · Contact Reporters

Pioneer Press

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North Shore municipal leaders review Airbnb-style rentals carefully

AUGUST 24, 2015, 3:07 PM

Mark Matejka says he became an Airbnb operative by accident.

The east Wilmette resident discovered the online residential-space rental service during a 2014 summer vacation to Seattle, when a hotel shortage convinced him to take a friend's advice to use Airbnb.

During the registration process, he decided to enroll as an Airbnb provider. Since then, the top floor of his home has hosted "really, really cool" guests from all over the world, people he described as intellectually curious travelers — a British retiree and two MIT professors among them — who want to stay someplace more interesting than a hotel room.

Matejka said he likes having the ability to turn potential short-term boarders down, like the group of fraternity brothers he called "an instant decline."

Article continues below ↓

He said he has no problem with the idea of Wilmette regulating or even taxing Airbnb-type businesses in the village.

"I think it's reasonable; I think it's smart. I'm a resident and neighbor and parent here first, and an Airbnb provider second," he said, adding that the service will send him a 1099 tax form next January, "so I already pay taxes on it. It's fair."

Matejka's attitude might be a welcome one for Wilmette officials, who have turned their eyes to the possibility of regulating short-term rentals in the village.

Airbnb-style services require municipalities to deal with a phenomenon that lets private owners

and renters "essentially operate a business in what are usually residential areas," village staff and members of the Village Board's Land Use Committee reported in a July 14 memo to the board.

The memo came after the committee decided to explore short-term rentals more closely.

The committee hasn't yet scheduled its next session, but members know they have a lot to consider, Committee Chairman Dan Sullivan said.

"Obviously, the popularity of this type of thing is picking up, which could be good news if people decide they want to visit Wilmette," Sullivan said, "but what's the potential impact to neighbors and neighborhoods?"

Committee member Ted McKenna shared Sullivan's concerns.

"My personal view is that this is an interesting and good concept that a lot of people like worldwide. The pitfalls that we really want to focus on are, what kind of disruption does it cause?" McKenna said.

Short-term rentals are drawing the attention of municipal governments around the north and northwest suburbs.

Lincolnshire shut down its first known Airbnb operator earlier this summer, declaring it not a permitted use. Its zoning board is currently looking at an amendment to the village's zoning ordinances that might regulate where and for how long listings might be offered.

"We feel it's important to clarify the language," said Stephen Robles, Lincolnshire's village planner.

Airbnb caught Wilmette's eye after residents in a west Wilmette neighborhood complained about what the committee report described as a constant stream of visitors to the Airbnb operator on their quiet street. Lincolnshire cracked down after hearing reports of "loud noise at night and things like that," Robles said.

Paula Delehanty of Wilmette had already decided to stop renting through Airbnb, when she got a cease and desist order July 31 from the village, she said.

"I understand that there's an impact on my neighbors, and I want to be a good neighbor," she said.

But those initial complaints prompted Wilmette to look at the zoning and legal issues inherent in short-term rentals, Community Development Director John Adler said.

Airbnb's services, which started in 2008 and grew significantly after 2011, moved from cities into suburbs like Wilmette before officials had a chance to decide how the rentals jibe with codes or zoning ordinances, Adler said.

"Something like this wouldn't have been possible on the Internet 15 years ago," he said, "but it's moving fast now. We're obviously not ahead of the curve, because people are already doing it here in town."

Adler's staff and Village Attorney Michael Zimmerman delineated one regulatory conundrum for the Land Use Committee's consideration.

Renting one room or section of home for a short time could probably be covered under existing village codes as a commercial use, Zimmerman said in the July 14 memo. But renting an entire house might be harder to govern without new regulations, because it could arguably be legally no different than long-term house rentals.

Those happen all the time in Wilmette and aren't governed in the code, according to the memo.

Money will also be an issue when Sullivan, McKenna and Trustee Carol Ducommun next get together for a committee meeting.

Wilmette instituted a 9.75 percent hotel lodging tax in 2011, preparing for the construction of the Marriott Residence Hotel in west Wilmette. The committee will want to explore how or if short-term rentals could impact that revenue, McKenna said.

"Not that we looking for additional income, but we do want to investigate how (the lodging tax) might be affected. We want to be fair," he said.

Glenview's own 6 percent lodging tax, currently applied at the village's multiple hotels, will be part of that village's discussion about short-term rentals, Brady said

Evanston, which has a 7.5 percent hotel tax, is currently looking at the possibility of taxing one particular type of short-term rental venue — bed and breakfast operations, Muenzer said.

Adler said he and his staff will gather information on how other communities have handled short term rental regulations, but added, "most communities, I think, act on a complaint basis."

That's true in Glenview, where "it has started to pop up a little bit," according to Jeff Brady, the village's planning director. The village has no regulations of short-term rentals, he said. However, he expects staff and Glenview's Village Board to begin taking their own look at the issue later this

year.

"While it seems like it's a very specific issue, it's going to open a lot of doors," Brady said. "When you start talking about short-term rentals, you're talking about pretty much everything. Someone who rents their house out for a month could rent it to someone who needs a place to stay while their own home is being renovated, or they could be renting to tourists.

"Or we could be talking about someone simply renting out a single room in their house. There's a lot to be considered."

Winnetka has not had to deal with similar complaints, nor does the village allow Airbnb-style short-term rentals, said Mike D'Onofrio, the village's community development director.

"It's not a permitted use. If someone came in and asked about it, we'd tell them it wasn't allowed," he said.

Evanston has regulated the licensing of vacation rentals, defined as any rental of 30 days or fewer, since 2013, according to Mark Muenzer, the city's community development director. Evanston has allowed bed and breakfasts under its zoning ordinance since 1993.

The Evanston ordinance requires providers of rentals shorter than 31 days to be licensed, Muenzer said. The petitioner must notify neighbors within 250 feet of his or her residence in order to apply for a license, he said.

The license can be issued after review by the City Council's Planning and Development Committee, and can be renewed administratively thereafter, if the city has issued no citations against the provider in the previous year, Muenzer said. However, the city has seen little activity connected to the ordinance, he said.

Buffalo Grove officials said they are aware of the growing trend in room renting, but have yet to experience any problems. Community Development Director Chris Stilling said that if they start receiving reports, officials will need to see if the individual uses violate any zoning ordinances or Buffalo Grove's current rental housing program.

"We would look at it on a case-by-case basis," Stilling said.

In Buffalo Grove and Lincolnshire, Robles and Stilling said that families renting an entire house for a duration of months is common. Stilling said such Buffalo Grove properties must be licensed and inspected, which costs the owners \$75 annually.

Back in Wilmette, committee members expect to sift through other communities' rules and guidelines as they decide what regulatory route to recommend for Wilmette. But at least one member appeared wary of adding too much red tape for Wilmette short-term rental providers.

"I would prefer not to legislate, although we probably at least want to consider a set of rules making it clear how to proceed," McKenna said. "But I have a favorable impression of the business overall."

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OVERVIEW OF SHORT-TERM RENTAL REGULATIONS

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It is undeniable that, like Uber and other market disrupters, short-term rental housing is fulfilling a market demand. In 2012, 12 percent of Americans stayed in short-term rental housing and the number is growing. In just August 2015, more than 17 million people throughout the world stayed at an Airbnb listing (this figure does not even include listings on other sites). Short-term renters are attracted to the extra living space, lower rates than hotels, and better amenities – short term rentals have been cited as being about 50 percent per square foot less expensive than hotels.

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ZONING PRACTICE

OCTOBER 2015



AMERICAN PLANNING ASSOCIATION

➔ ISSUE NUMBER 10

PRACTICE SHORT-TERM RENTALS



Peering into the Peer Economy: Short-Term Rental Regulation

By Dwight H. Merriam, FAICP

You will recall, or if you are a millennial (18 to 34 years old), you might have read about the mantra that James Carville dreamed up for President Bill Clinton's 1992 campaign: "It's the economy, stupid."

Today, for planners, thanks to the entirely new perspective brought to us by the millennials, our theme must be "It's the sharing economy, stupid." It is called variously collaborative consumption, the peer economy, and the sharing economy. More than half of millennials have used sharing services. It is permeating our daily lives in many ways.

This new ethic about our relationship to things, to transportation, to where we bed down, and even to other people has taken us away from owning and exclusively using, to not owning, not possessing, and not using alone. We see the sharing economy in three broad spheres—transportation, goods and services, and housing. While our focus here is on short-term rentals, it helps to understand the larger context for "home sharing."

RIDE-SHARING REVOLUTION

Transportation may be the most obvious and most pervasive face of the sharing economy. Millennials own fewer automobiles than other age cohorts. Millennials purchased almost 30 percent fewer cars from 2007 to 2011 (Plache 2013). Why? Because they use short-term car rentals, public transportation, and ride-sharing services. They are less likely to get driver's licenses. One-third of 16 to 24 year olds don't have a driver's license, the lowest percentage in over 50 years (Tefft et al. 2013). At the same time, so we don't get too carried away with this trend, as the millennials age, they will buy more cars. Forty-three percent said they are likely to buy a car in the next five years (Kadlec 2015).



This four-bedroom colonial home in Wetherfield, Connecticut, rents for \$385 per night, with a four-night minimum stay.

Dwight H. Merriam

Ride sharing as a generic term encompasses short-term rentals, making your car available to others, sharing rides, and driving or riding in taxi-like services brokered online through companies like Uber.

Instead of owning a car, you can rent one on a short-term basis from companies such as Zipcar and Enterprise Rent-A-Car. Why own a car when you can conveniently pick one up curbside and use it to run errands for a few hours?

Sharing a ride and splitting the cost is made easier with services like Zimride (also by Enterprise Rent-A-Car), which links drivers with riders at universities and businesses. You boomers will remember the ride-share bulletin boards on campus. Same thing.

Got a car, not making much use of it, and interested in making some money? You can make it available to others on a short-term basis through peer-to-peer car-sharing services including Getaround, which presently operates in Portland, Oregon; San Francisco; San Diego; Austin, Texas; and Chicago. They will rent your car for you while you are away. Cars are covered with a \$1 million policy, and they even clean it for you. RelayRides connects neighbors to let them rent cars by the hour or the day, and if you're traveling more than 14 days, they will take your car at the airport, rent it for you, and pay you. You can even do it for boats with Boatbound. With the help of Spinlister, you can connect with others and rent a bicycle, surfboard, or snowboard.

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Want to make some money by driving others around in your car, or are you a rider who wants to be driven? Just about everyone has heard of Uber, the leader in this form of ride sharing, which includes other services such as Lyft and now Shuddle for ferrying children around and Sidecar for both people and packages. Wireless communications, the Internet, and smartphones have made such ride-sharing and delivery services possible. This is a big deal. Lyft and Uber are worth \$2.5 billion and \$50 billion (more than FedEx and 405 companies in the S&P 500) respectively (Dugan 2015; Tam and de la Merced 2015). And want to be a driver but don't have a car? You can rent one from Breeze just for that purpose.

GOODS AND SERVICES PEER TO PEER

Beyond transportation, the sharing economy extends to relationships between people and service providers. There is peer-to-peer or collaborative consumption through services like TaskRabbit and Skillshare which provide help, paid or bartered, or sometimes free. Instacart will grocery shop for you and claims it will deliver to your door in an hour. You can be a shopper and delivery person for them, making up to \$25 an hour.

NeighborGoods lets you share all those things you have but use so little, from leaf blowers, to pressure washers, to . . . well, take a look in your garage, that place where you used to park your car. If you live in Austin, Texas; Denver; Kansas City, Missouri; Minneapolis; or San Francisco, Zaarly seeks to create a marketplace

to help freelance home-service workers connect with home owners.

There seems no end to the sharing. Fon, touting over 7 million members, lets you share your home WiFi in exchange for access. The Lending Club connects borrowers and investors, enabling, so they say, better rates than credit cards and more return for lenders than what banks offer. Over \$11 billion has been borrowed since it started in July 2007, with investors earning a median of 8.1 percent. Poshmark lets you show your unneeded clothing in a virtual closet and get linked with people who share your sense of style. You can even share your dog, or become a sitter, with DogVacay and Rover helping you find a local dog sitter to care for your dog at your home or theirs.

The power of the Internet in facilitating collaborative consumption was probably best evidenced first when eBay and Craigslist provided an online marketplace never experienced before. Today, we have web-based services like Freecycle where people can post things they don't want, the remnants of our overconsumption, and others can take that flotsam and jetsam for free. Yes, for free. It solves the donor's solid waste disposal problem and provides free goods for the takers.

SHARING THE ROOF OVER OUR HEADS

That brings us to the subject matter of greatest interest to planners—the sharing of space.

Maybe it began with the sale of timeshares in the United States in 1974. These fractional interests have proved difficult to sell. Short-term vacation rentals emerged as a better way for many, linking property owners with vacationers through companies like HomeAway and its numerous related entities, claiming over one million listings. FlipKey does much the same with what it says are over 300,000 listings in 179 countries.

But Airbnb goes beyond vacation rentals. You can rent a shared or private room for a night, a whole house, an apartment for your exclusive use for a week, a British castle (Airbnb says it has 1,400-plus castles), a teepee, an igloo, a caboose, or an eight-foot by 14-foot treehouse in Illinois (\$195 a night) if you wish.

The company, originally "AirBed & Breakfast," was founded in 2008 by Brian Chesky, Joe Gebbia, and later Nathan Blecharczyk. It began when Chesky and Gebbia, to help pay their rent, rented sleeping accommodations on three air mattresses in their San Francisco apartment living room and made breakfast for the guests (Salter 2012). The company is now worth \$25.5 billion and joins the ranks of the rest of the great ideas we wish we had thought of first (O'Brien 2015).

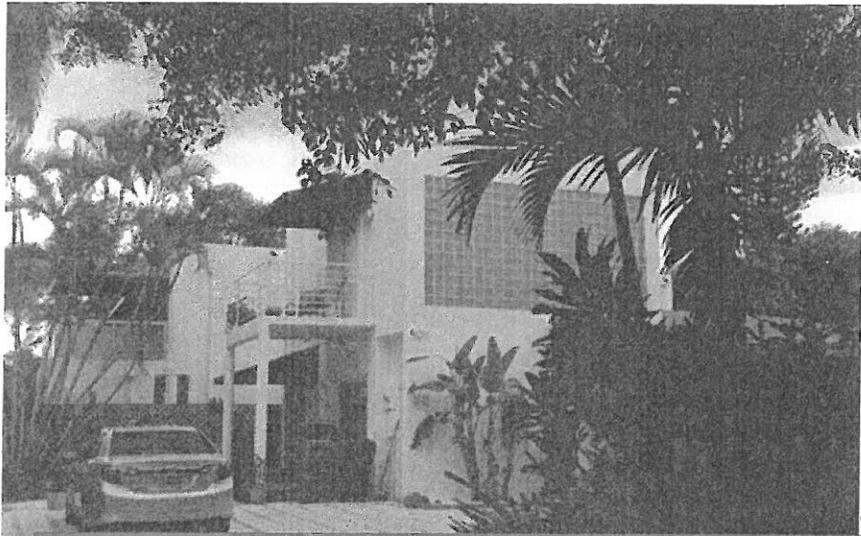
GOOD OR BAD?

Are short-term rentals good or bad for your community? Like so many things, it depends.



Brian J. Connelly

➞ A second floor condominium in this converted mansion in Denver's Capitol Hill neighborhood offers a private bedroom and bath rental for \$105 per night, with a two-night minimum stay.



Sorell E. Negro

➡ This three-bedroom home near Miami's Coconut Grove rents for \$325 per night, with a five-night minimum stay.

Affordable Housing

Short-term rentals (STRs) increase the stock of furnished, short-term accommodations. Because many of the rentals involve renting a room in a permanently occupied dwelling, they are often less expensive than commercial lodging. The benefit for home owners or long-term tenants who host STR guests is additional income, which can help offset mortgage or rent payments.

Some contend that STRs may exacerbate the shortage of lower cost rentals because landlords, attracted by the higher revenue stream from STRs, are taking apartments out of long-term rentals, especially in tight markets like New York and San Francisco (Monroe 2014; Moskowitz 2015). Others say high tenant demand and demographics are the cause of the problem, not STRs, which are a small share of the market (Lewyn 2015; Rosen 2013).

Aging in Place

Short-term rentals of rooms in homes and apartments not only provide additional revenue for those aging in place, but they may provide an opportunity for sharing of chores and bartering for services, just as accessory apartments do. This can enable older people to stay in their homes longer before transitioning to an independent or assisted living facility.

Commercial Lodging

The only possible benefit of STRs with regard to existing commercial lodging is that it may stimulate competition and lower prices for the consumer. The negatives are several. Short-

term rentals may reduce commercial lodging revenues. In many situations STRs have an advantage over commercial lodging because the STRs do not pay the occupancy taxes paid by commercial lodging. Short-term rentals generally do not need the service workers employed in commercial lodging. Unions and service workers often oppose STRs.

State and Local Government

Revenues to state and local government may go down as a result of STRs because, as noted, such rentals usually do not pay the occupancy and other taxes levied on commercial lodging. Airbnb does provide 1099 forms to hosts to report their income, and it has begun collecting and remitting hotel and tourist taxes in San Francisco; San Jose, California; Chicago; and Washington, D.C. (Hantman 2015).

Health and Safety

Much of the STR market today is unregulated. Those who rent typically do not have their premises inspected to determine compliance with health, building, housing, and safety codes. For its part, Airbnb does clearly state in its terms of service that some localities have zoning or administrative laws that prohibit or restrict STRs and that "hosts should review local laws before listing a space on Airbnb."

Airbnb also provides a guide to responsible hosting on its website, and what they do address is good guidance for local planners and regulators, and thus worth reading. How many hosts read and follow up on the suggestions is another matter. Airbnb's list is still a good starting point for local action.

Many STR hosts do not have home owners and liability insurance to cover losses that may result from occupancy. There is a life safety issue here, and in the event of death, injury, or property damage, there may not be insurance coverage or sufficient assets available to cover the liability.

AN OUNCE OF PREVENTION IS WORTH A POUND OF CURE

So said Benjamin Franklin, and it is apt here. You need only take a few relatively easy steps to get out ahead of the potential problems with STRs and capitalize on the good that such rentals can provide your community.

Moratorium

This is not a recommendation, but something worth considering. As you work down this list of



Robert H. Thomas

➡ This condo hotel in downtown Honolulu includes owner- and long-term renter-occupied units, privately owned units available for daily rental through the building's hotel operator, units owned by the hotel operators, and privately owned units available for short-term rental through Airbnb and similar sites.

steps you will have the sense that you need to do six things at once. You do. One way to get a grip on it is take a “planning pause” moratorium on all STRs for, say, six months, during which time no one can rent. However, given that the number of such rentals in many places is still relatively small, it is unlikely that much harm will come from letting them continue on while you plan and prepare to regulate. It may not be worth the effort to have a moratorium. A moratorium takes time—for drafting, maybe some legal advice, and the expenditure of political capital in most cases—and may cause some pushback from those already renting, all of which may cost more than the planning pause is worth. Moratoria sometimes serve only to delay the inevitable hard work and are often extended. Back to Ben Franklin: “Don’t put off until tomorrow what you can do today.”

Education

Learn what is available out there now by going to all of the websites and services that you can find, most of which are identified here. Look online to see what STRs are being offered in your community. You may be surprised at how many of your friends and neighbors are already in the STR business. Don’t forget to check Craigslist as well, and use an online search engine, such as Google, with a few key terms, like “rentals Anytown” and “house-sharing Anytown,” to find other STR activity.

Conduct educational sessions in your community (“Everything You Need To Know About Short-Term Rentals”) even before trying to regulate, to sensitize present and potential hosts to the need for proper code compliance, fire prevention, emergency response, following rules for rent controlled units, first aid, protecting privacy (e.g., disclosing security cameras), insurance coverage, parking, noise, smoking, pets, childproofing, operation of heating and ventilating systems (including fireplaces and heating stoves), safe access, occupancy limits, deciding what to tell neighbors, home owners association approval, tax obligations, and any required zoning approvals. These sessions may also provide an opportunity to learn who is renting and to connect with them. Consider establishing a section of your municipal website as a resource portal. You will not have all the answers to all the questions as you start, but you need to start.

Planning

Yes, planning. The rational planning model in its simplest terms is what do you have, what do

you want, and how do you get it. You need to know who is renting and what is being rented to whom for how long. You need to determine what you may expect in the future. What do you think the demand is for STRs, in what mix of accommodations, and for what length of tenancy? This will prove useful to deciding whether you need to limit the number of units available for STR and to regulate the length of occupancy.

Regulate

Regulation probably will come in two forms: licensing of individual hosts to insure code compliance and general regulation (either through zoning or licensing standards) as to location, number of units, and terms of tenancy. You will have to draw the line somewhere as to what is an STR and what is simply an unregulated rental.

Conduct educational sessions in your community even before trying to regulate, to sensitize present and potential hosts to the need for proper code compliance.

Is an STR a rental of less than 30 days or 90 days, or some other somewhat arbitrary number of days, and everything else is just an unregulated rental? It is for you to decide. You will also want to consider whether owner-occupied STRs might be regulated less strictly, given that the owner is present during the STR.

Austin, Texas, has a robust program with licensing. They carve out three types of STRs: owner-occupied single-family, multifamily, or duplex units (Type 1); single-family or duplex units that are not owner occupied (Type 2); and multifamily units that are not owner occupied (Type 3). There is a three percent limit by census tract on the Type 2 single-family and duplex STRs, a three percent limit per property on Type 3 STRs in any noncommercial zoning district, and a 25 percent limit per property on Type 3 STRs in any commercial zoning district. However, each multifamily property is allowed at least one Type 3 STR, regardless of these limits.

Austin has separate application forms for Type 1 primary, secondary, and partial STRs. All of these forms include owner and property identification information as well as insurance information, number of sleeping rooms, occupancy limit, and average charge per structure. To qualify as a Type 1 primary STR, the unit must be owner occupied at least 51 percent of the time and can only be rented out in its entirety and for periods of 30 days or less. To qualify as a Type 2 secondary STR, the unit must be accessory to an owner-occupied principal residence and can only be rented out in its entirety and for periods of 30 days or less. To qualify as a Type 1 partial unit, namely a room rental, the unit must provide exclusive use of a sleeping room and shared bathroom access. Only one partial unit can be rented out at a time, to a single party of individuals, and for periods of 30 days or less. Owners must be present for the duration of the rental.

The annual licensing fee for STRs in Austin is \$235. Applicants must also pay a one-time notification fee of \$50.

Of course, as with all regulation there are those with schemes to beat the regulation. There are sites online that advise potential STR hosts to avoid posting on Craigslist, use Airbnb’s community and social features to screen the reservations (presumably to avoid enforcement types), “hide your home” by using Airbnb’s public view that only shows a large circle within which the unit is located, use word of mouth (or social networking sites) to rent the unit, and “get lost in the crowd” in that there are thousands of listings in large places like Austin (but not in the rural counties, suburbs, and small towns). This advice to those interested in breaking the law suggests that it will not always be easy for code enforcement to find the STRs. Perhaps some notice to all property owners, maybe a note with the tax bill, telling them of the need to register would help. Free, simple, online registration might increase compliance. The critical issue is life safety—you need to find all of these STRs to make sure they are safe.

San Francisco has an Office of Short-Term Rental, and in 2014 the city adopted major revisions to its planning codes for STRs. Those amendments include some useful definitions of hosting platform, primary residence, residential unit, short-term residential rental, and tourist or transient use. The code requires registration, occupancy of the unit by the owner not less than 275 days a year, maintenance of records for two years, certain insurance coverage, payment of transient occupancy taxes, compliance with the

housing code, posting the registration number on the hosting platform's listing, and a clearly printed sign inside of the front door with the locations of all fire extinguishers in the unit and building, gas shut-off valves, fire exits, and pull fire alarms. The application fee and renewal fee every two years is \$50. The hosting platform has numerous responsibilities, and there are fines for violations. It is a good model from which to start.

Isle of Palms, South Carolina, regulates STRs through zoning, defining an STR to be three months or less. The city's STR standards limit the number of overnight occupants to six and daytime occupants to 40 (can we assume a wedding party or the like?), set a minimum floor area per occupant, and establish off-street parking requirements.

Monterey County, California, also regulates STRs in its zoning code, defining STRs as rentals between seven and 30 consecutive calendar days. The county considers stays of less than seven days to be a motel/hotel use. The regulation provided for administrative approval of all STRs in operation at the time of its adoption in 1997 if the property owners applied within 90 days. Most of the existing, legal STRs date from that initial round of approvals. Since then, there have been some discretionary approvals, and many STRs are believed to be operating without the required permits.

San Bernardino County, California, permits STRs, defined as rentals of less than 30 days, by zoning in the "Mountain Region" by special use permit exempting multifamily condominium units in fee simple and timeshares with a previous land-use approval. The development standards include code compliance, maximum occupancy based on floor area per occupant and the number of beds, off-street parking requirements, and signage specifications. Conditions of operations address the contents of the rental agreement, posting of the property within the unit with all the conditions of use, and details of fire safety and maintenance, even including a prohibition on the use of extension cords.

Miami Beach, Florida, prohibits STRs in all single-family homes and in many multifamily buildings in certain zoning districts.

Registering all these STRs can be burdensome. Since May 1, 2015, Nashville has issued 1,000 permits, and staff estimates the city still has 800 illegal hotels and motels (Bailey 2015). Wait times for all types permits went from 30 minutes to four hours because of all the STR registrations (Bailey 2015).

THE MAKINGS OF WORKABLE PROGRAM

Overarching issues to consider include the nature of the activity you aim to regulate, the management structure of the STR, and the limits on STR use.

What Is the Nature of the Activity You Will Regulate?

Presumably, hosting a STR is a private enterprise and almost certainly not a commercial lodging business. It is a type of lodging that is largely advertised online, through social media, and on bulletin boards. How will you draw the line between that modest, private activity and a commercial operation?

How Is It Managed?

Does the host have to be the owner, and does the host need to be there during the rental? If not, will you regulate differently in terms of numbers of units allowed, number of days per year, or terms of occupancy?

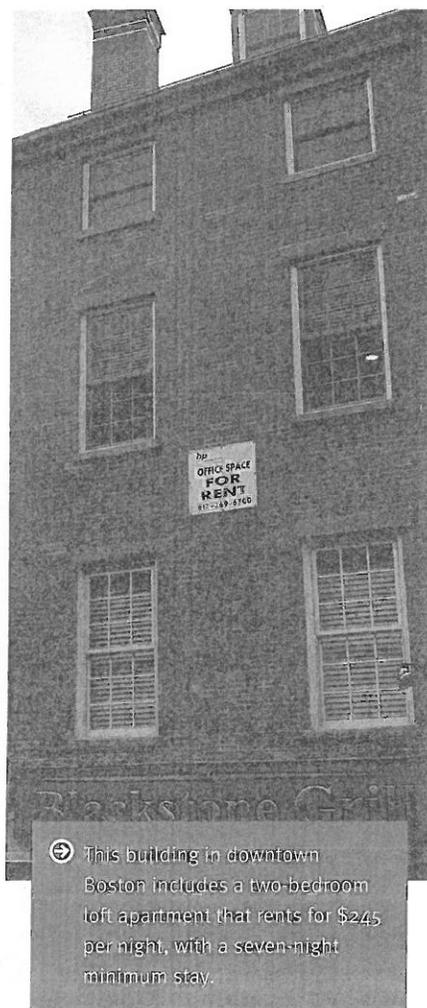
What Is the Limit of Use?

Will you require the host to live in the residence at least some minimum number of days per year? Will you limit rentals to some maximum number of days per year? Will you define STR as a rental of 30 consecutive days or less and not regulate longer rentals in any way? Will you regulate whole-house, exclusive-use rentals differently, for example by only regulating when the house is rented for less than a week or two weeks? And will you regulate renting of rooms on a different schedule, for example by including room rentals only if they are less than one month and otherwise not regulating longer room rentals, which may be covered by zoning anyway, possibly under the definition of a rooming house? There are so many questions to be answered and so many lines to be drawn.

A checklist of considerations for hosts and public officials for planning, regulation, and operation might include current zoning requirements; applicable codes (sanitation, health, building, occupancy among many); business licensing; business organization (none, limited liability corporation, general or limited liability partnership, Subchapter S, etc.); home owners association covenants and restrictions; other easements, covenants, restrictions on the land; lodging to be offered (room, whole house, host-occupied, length of stay); 911 marking at the street; emergency notifications; food service (permitted? licensed?); federal, state, and local taxes; safety inspections; fire, smoke, CO₂, and other detectors; fire extinguishers; child safety; parking; insurance; emergency notifications; water and septic; safe hot water temperature; electrical and plumbing in good repair; pest/vermin-free (especially bed bugs); ventilation, heat, air conditioning adequate; no hazards; no mold or excessive moisture; working doors, windows, and screens; adequate means of egress; linen sanitation; and pool and spa maintenance.

YOU'VE MADE YOUR BED . . .

So goes the idiom from the French as early as 1590: "Comme on fait son lit, on le trouve" (As one makes one's bed, so one finds it). In planning for and regulating STRs, you will indeed be the ones making the bed, and you will have to lie in it. There are benefits and burdens in how you permit STRs and many considerations to be weighed. If you start with life-safety issues first, you can be quite certain the most important aspect of this rapidly emerging sharing economy phenomenon will be addressed. After that, it is the usual planning and politics.



Kathia L. Chaffee

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Plan Commission Staff Report

Case #PC-13-15

November 4, 2015

(Continued from October 14, 2015)

Subject Property: Text Amendment Consideration Applicable to B-1, B-2, B-3, O, and MB Districts

Requested Action: Text Amendment to Article VII Section 7.06(5) to consider parking in front and corner side yard of non-residential properties.

Petitioner: Village Board

Summary

*Below is a summary of the matter included in the October 14, 2015 Plan Commission packet. Please find in addition to the original attachments the recommended text as distributed by Commissioner Fishman at the October 14, 2015 Plan Commission meeting (identified with an *).*

Currently, the Zoning Ordinance permits open-air, off-street parking spaces in any yard except a front yard and a corner side yard (“front yard parking”). This requirement applies to all properties in Lincolnwood. The existing standard requires all newly constructed off-street parking spaces to be located to the side and rear of the principal structure on a lot.

This matter has been referred to the Plan Commission by the Village Board for consideration as it pertains to commercial property. This referral was prompted as the result of a Variation request by the owner of a dental practice at 7370 North Cicero Avenue. The dentist sought approval to expand an existing off-street parking lot into the front yard. The Zoning Board of Appeals unanimously recommended the Variation be denied. Subsequently, the Village Board directed the Plan Commission to review the prohibition of front yard parking.

Amending Section 7.06(5) would result in off-street parking located between the principal structure and a public street (either in a front yard or corner side yard). Many commercial properties have been developed previously with off-street parking located between the principal structure and the street. This existing condition is allowed as an existing legal non-conforming condition; however, all new/expanded parking lot construction cannot take place in the front yard or corner side yard unless a variation is granted.

Prior Review of Regulation

In October 2012, the Village Board considered a Variation request made by the property owner of 3837 West Sherwin Avenue to permit off-street parking in front of the existing single-family residence. The property owner received an interior remodel permit to convert the attached garage into living space. By converting the attached garage into living space, the driveway no

longer led to an approved parking space and the driveway became an off-street parking space in a front yard.

The Zoning Board of Appeals forwarded the Village Board a negative recommendation on the requested Variation. The Village Board continued the requested Variation indefinitely and directed the Plan Commission to review the off-street parking location requirements.

At its January 9, 2013 meeting, the Plan Commission considered the matter of allowed locations of off-street parking spaces. The Plan Commission reviewed the regulation for both residential and non-residential properties; however, the focus was at that time on residential properties. Several Plan Commission members stated that the existing standard is appropriate as written and that no change is needed. The Plan Commission concluded that if unique situations merit consideration a Variation may be sought.

Research of Neighboring Communities

Staff reviewed the regulations of nine neighboring communities and found that only two communities, Glenview and Niles, permit parking in front yards in all zoning districts. Three communities (Skokie, Des Plaines, and Wilmette) allow parking in front yards within some zoning districts. In these communities, relief from the regulation is reviewed as a zoning Variation. Three communities (Evanston, Morton Grove, and Park Ridge) were found to prohibit front yard parking by various zoning regulations and relief from the standard is considered via a zoning Variation. Winnetka advised staff that all off-street parking in commercial districts require Special Use approval.

Recent Variation Requests

Below is a summary of recent variation requests concerning front yard parking and the outcome.

Property Address	Date of Action	Project Type	ZBA or PC	Approved/Denied
3400 W Pratt	10/14/2015	New Construction – Senior Housing	PC	PENDING
6733 N Lincoln	9/2/2015	New Construction - Mixed use development containing apartments, office, and retail space with parking.	PC	Recommended Approval 5-0 Pending Village Board
7370 N Cicero	6/17/2015	Parking Lot Expansion - Dental office	ZBA	Recommended Denial 7-0 VB Referred for Text Amendment
4007 W Touhy	3/20/2015	New Construction - Bank (The Private Bank)	ZBA	Recommended Approval 6-0 Village Board Concurred
7350 N Keeler	6/19/2013	Single-family Residential	ZBA	Recommended Denial 6-0 Village Board Concurred

6540 N Lincoln	1/16/2013	Existing Condition/Expansion - Medical office (IL Bone and Joint)	ZBA	Recommended Approval 6-0 Village Board Concurred
3837 Sherwin	9/12/2012	Single-family Residential	ZBA	Recommended Denial 5-0 Village Board Concurred

Considerations

Recently, improvements in the Village have occurred in creating designated on-street parking spaces on major roads such as Lincoln Avenue. The Village continues to review opportunities to better identify and improve the supply of on-street parking.

In administering the current off-street parking regulation prohibiting front yard parking, staff has not found that this prohibition has been an impediment to development. Projects such as Oberweis and Meatheads have been developed in compliance with this standard while other developments such as The Private Bank have sought and received Variations for their development.

The existing prohibition on front yard parking is one that can be categorized as a community aesthetic. The issue is whether or not it is appropriate for off-street parking spaces to be located between the public right-of-way and the principal structure. Front yard parking, especially absent any landscape screening, was considered one of the visual detriments of the Lincoln Avenue corridor by the Lincoln Avenue Task Force in its review of this corridor. To address this detriment, the Task Force recommended a number of measures including requiring a build-to line and placing parking at the rear of properties for new developments and encouraging the landscape screening of existing front yard parking located in the corridor.

Attachments:

1. Zoning Ordinance Section 7.06(5)
2. Commissioner Fishman Recommended Text*

Close

Print Resize: 

Village of Lincolnwood, IL
Friday, October 9, 2015

Chapter 15. Zoning

Article VII. OFF-STREET PARKING AND LOADING

7.06. General standards for off-street parking facilities.

Off-street parking facilities shall be provided in accordance with regulations hereinafter set forth.

- (1) **Use.** Off-street parking facilities required herein listed shall be solely for the parking of automobiles of patrons, occupants, or employees. When bus transportation is provided for patrons, occupants or employees of a specific establishment, additional open or enclosed off-street parking spaces for each bus to be parked on the premises shall be provided in accordance with subsection 7.06(4) through (7) of this article.
- (2) **Computation.** When determination of the number of off-street parking spaces required by this Zoning Ordinance results in a requirement of a fractional space, any fraction of 1/2 or less may be disregarded while a fraction in excess of 1/2 shall be counted as one parking space.
- (3) **Access.** Each required off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to such parking space. All off-street parking facilities shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movement.
- (4) **Handicapped accessible spaces.** The minimum number and dimension of parking spaces set aside as handicapped spaces shall be provided in accordance with the standards of the of the Illinois Capitol Development Board, as set forth in Illinois Accessibility Code, dated April 24, 1997, as may be amended from time to time.
- (5) **In yards.** Open-air, off-street parking spaces, may be located in any yard except a front yard and a side yard abutting a street, subject however to the provisions herein.
- (6) **Design and maintenance.**
 - a. **Open and enclosed parking spaces.** Parking spaces may be open-air or enclosed in a building and shall be accessed by a private drive that meets the following minimum aisle width standards:

Table 7.06.01

Parking Angle	Width (feet)	Length (feet)	One-Way (feet)	Two-Way (feet)
Parallel	9	22	12	20
30°	9	19	12	20
45°	9	19	16	20
60°	9	18	19	20
90°	9	18	20	24
Compact	9	16	20	25

Chapter 15. Zoning

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- (5) In yards. Open-air, off-street parking spaces, may be located in any yard except a front yard and a side yard abutting a street, ^{insert A} (subject however to the provisions herein).
- (6) Design and maintenance.
 - a. Open and enclosed parking spaces. Parking spaces may be open-air or enclosed in a building and shall be accessed by a private drive that meets the following minimum aisle width standards:

Table 7.06.01

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60°	9	18	19	20
90°	9	18	20	24
Compact	9	16	20	25

Insert A

provided, however, if the permitted on site parking is inadequate to meet the business needs and if the off site parking is limited and inadequate as determined by the Lincolnwood Chief of Police, parking shall be permitted in the front and side yard,

Memorandum

To: Chair and Members
Plan Commission

From: Aaron N. Cook, AICP
Community Development Manager

Date: October 29, 2015

Subject: 2016 Meeting Schedule and Dates Reserved for Workshops

Once again, it is that time of year to consider next year's meeting dates!

Attached for your consideration is the proposed 2016 schedule of Commission meetings. These Commission meetings are primarily for the Commission to conduct public hearings on petitions made by applicants. This meeting schedule generally follows the Commission's practice of meeting on the first Wednesday of each month. For 2016, staff found no conflict with major national or religious holidays, although for April, staff proposes a meeting on the second Wednesday of the month due to the American Planning Association Conference in Phoenix held the week prior. If on review, Commissioners find no conflict with these proposed dates, staff recommends that the Commission adopt this meeting schedule as presented. This will then be used to establish submittal deadlines for petitions for public hearing.

Also attached is a list of 2016 dates proposed to be reserved by the Commission for Workshops when needed by the Commission. Dates proposed to be reserved for Workshops generally are the 4th Wednesday of the month, although none are envisioned in November or December, due to Thanksgiving and Christmas. If on review, Commissioners find no conflict with these proposed dates, staff recommends that the Commission formally reserve these dates, so that the meeting room and dates are available throughout the year when a Workshop is deemed desirable. The pragmatic difference between adopting a meeting schedule and reserving Workshop dates is that no formal cancellation notice is required for dates that are reserved but not held whereas for meetings that are scheduled but not held, a cancellation notice is required.

Recommended Motions

- 1) Move and second to adopt the 2016 Commission meeting schedule as proposed.
- 2) Move and second to reserve dates as proposed, for possible workshops in calendar year 2016.



Lincolnwood Plan Commission

Proposed 2016 Meeting Schedule

Monthly Plan Commission meetings are generally held on the first Wednesday of each month. Unless otherwise posted, all Commission meetings begin at **7:00 p.m.** and are held in the Council Chambers Room of Village Hall, 6900 North Lincoln Avenue, Lincolnwood, Illinois.

2016 Calendar of Meetings

Wednesday, January 6
Wednesday, February 3
Wednesday, March 2
Wednesday, April 13*
Wednesday, May 4
Wednesday, June 1
Wednesday, July 6
Wednesday, August 3
Wednesday, September 7
Wednesday, October 5
Wednesday, November 2
Wednesday, December 7

*Second Wednesday due to American Planning Association Conference



Lincolnwood Plan Commission

Proposed 2016 Workshop Dates

Plan Commission Workshop meetings are generally held on the fourth Wednesday of the month if needed. Unless otherwise posted, all Commission meetings begin at **7:00 p.m.** and are held in the Council Chambers Room of Village Hall, 6900 North Lincoln Avenue, Lincolnwood, Illinois.

2016 Calendar of Meetings

Wednesday, January 27
Wednesday, February 24
Wednesday, March 23
Wednesday, April 27
Wednesday, May 25
Wednesday, June 22
Wednesday, July 27
Wednesday, August 24
Wednesday, September 28
Wednesday, October 26
November – No Meeting
December – No Meeting

Workshop meetings are not scheduled in November or December due to Thanksgiving and Christmas holidays