

**VILLAGE OF LINCOLNWOOD
PRESIDENT AND BOARD OF TRUSTEES
REGULAR MEETING
VILLAGE HALL COUNCIL CHAMBERS
APRIL 5, 2016**

Call to Order

President Turry called the Regular Meeting of the Lincolnwood Board of Trustees to order at 7:30 P.M., Tuesday, April 5, 2016, in the Council Chambers of the Municipal Complex, 6900 North Lincoln Avenue, Village of Lincolnwood, County of Cook, and State of Illinois.

Pledge to the Flag

The Corporate Authorities and all persons in attendance recited the Pledge of Allegiance to the flag of our country.

Roll Call

On roll call by Village Clerk Beryl Herman the following were:

PRESENT: President Turry, Trustees Spino, Patel, Klatzco, Elster, Cope, Bass

ABSENT: None

A quorum was present. Also present: Timothy Wiberg, Village Manager; Douglas Petroschius, Assistant Village Manager; Charles Meyer, Assistant to the Village Manager; Steven Elrod, Village Attorney; Steve McNellis, Community Development Director; Aaron Cook, Community Development Manager; Amanda Pazdan, Management Analyst; Charles Greenstein, Village Treasurer.

Approval of Minutes

The minutes of the March 15, 2016 Village Board Meeting were distributed and examined in advance. Trustee Bass moved to approve the minutes as presented. The motion was seconded by Trustee Spino. The motion passed by voice vote.

Warrant Approval

Trustee Klatzco moved to approve warrants in the amount of \$675,846.36. The motion was seconded by Trustee Elster.

Upon a Roll Call by the Village Clerk the results were:

AYES: Trustees Bass, Klatzco, Cope, Spino, Elster, Patel

NAYS: None

The motion passed.

Village President's Report

1. Proclamation Regarding National Fair Housing Month

President Turry read the proclamation, which speaks of the rights of individuals to choose where they live. It also reminds that every person has the right to fair housing and that fair housing is a community goal.

He proclaimed the month of April 2016 as National Fair Housing Month in the Village of Lincolnwood.

2. Proclamation Regarding Arbor Day

President Turry read this proclamation which speaks of the value of trees in our environment. He stated Lincolnwood continues to increase its urban tree canopy with the intent of guaranteeing the benefits of trees to current and future residents of Lincolnwood.

He proclaimed Friday, May 13, 2016 as Arbor Day in Lincolnwood.

The Board concurred. Mr. Meyer accepted this proclamation.

3. Appointment of Michael Bartholomew to the Board of Trustees of Police Pension Fund

President Turry announced this appointment and asked for the concurrence of the Board.

The Board members had reviewed Mr. Bartholomew’s resume.

The Board concurred.

4. Upcoming Village Meetings

Meeting dates may be found on the Village Website.

Consent Agenda

President Turry introduced the Consent Agenda which was presented by PowerPoint as follows:

1. Approval of a Resolution Authorizing the Purchase of a 2016 Ford Police Utility Interceptor Vehicle from Currie Motors of Frankfort, Illinois in the amount of \$28,297.00

2. Approval of a Recommendation by the Park and Recreation Board to Adopt a Revised Policy for the Naming of Park Land, Buildings and Facilities

A resolution to be included.

Trustee Klatzco moved to approve the Consent Agenda as presented. The motion was seconded by Trustee Patel.

Upon Roll Call the Results were:

AYES: Trustees Elster, Patel, Cope, Klatzco, Spino, Bass

NAYS: None

The motion passed

Regular Business

3. Consideration of an Ordinance in Case #PC-02-16 to Approve the Rezoning of 6653 East Prairie Road to the Business/Residential Transition Area of the B-1 Traditional Business Zoning District and Approve an Ordinance Granting Special Uses and Certain Variations of the Zoning Code Needed to Allow an Addition to the Existing Restaurant (Lou Malnati’s) at 6649 North Lincoln Avenue

This item was presented by Mr. McNellis with use of PowerPoint.

Scope of Proposed Work

- *Approximate 1,100 square foot addition to north of existing building.
 - Purpose to separate dine-in and carry-out lobbies.
- *New off-street parking area to be used by carry-out customers
 - Includes delivery driver staging area
- *Eight foot masonry screening wall along north and most of east property lines
- *New trash enclosure
- *Existing home at 6653 North East Prairie Road to be demolished
 - Necessary in order to expand restaurant and install new off- street parking area

Map Amendment Request

Rezone 6653 North East Prairie Avenue from R3 Residential to the Business/Residential Transition Area of the B1 Traditional Business District

Special Use Request

1. Allow a Restaurant greater than 5,000 square feet:
 - 1,100 square foot addition
 - Total area approximately 9,500 square feet
2. Allow off-street parking to front of building

Commercial Variations

- *Minimum rear yard building setback
- *Off-street parking variation
- *Permit a commercial use in the B-1 Business/Residential Transition area to exceed 2,500—square feet
- *Permit the addition and existing building to not be constructed at the 10-foot build-to-line with a wrought iron fence and hedgerow between the building and right-of-way
- *Permit the existing off-street parking lot not include the minimum perimeter and interior landscape
- *Minimum drive aisle width
- *Permit the addition and existing building to not include the required landscape buffer and screening between the property within the B-1 District and adjacent residential zoned property

Sketches of Plat of Survey, Site Plan, Proposed Landscape Plan, Proposed Building Elevations and an aerial view were exhibited.

Special Use Request

1. Allow a Restaurant greater than 5,000 square feet:
 - ,100 square foot addition
 - Total area approximately 9,500 square feet
2. Allow off-street parking to front of building

Sketches of Special Use Plan and Rear Yard Building Setback were exhibited

Off-Street Parking Variation

- *Zoning Code Requires 10 spaces/1000 square feet
 - Existing restaurant would require 84 off-street spaces
 - Main customer parking area – 39 spaces

*Expansion of Restaurant

- Total Area Approximately 9,500 square feet (1,100 square foot addition)
- Require 95 off-street parking
- New off-street parking adds 10 parking spaces for a total of 49 (plus delivery driver staging area)

Maximum Ground Floor Area Variation

*Business/Residential Overlay District

- Limits ground floor of commercial uses to not exceed 2,500 square feet
- Likely intended to apply to multi-tenant buildings

Front Yard Wrought Iron Fence Variations

*Business/Residential Overlay District

- New construction and development requires 10 foot build-to line and wrought iron fence, plus a hedgerow behind the fence
- Likely intended to apply to residential development within the overlay district

Minimum Perimeter and Interior Landscape Variations, Drive Aisle Width Variation and B1 and R3 District Buffer Variation were exhibited

Plan Commission Deliberations

March 2 Public Hearing Held

*Lincolnwood Residents Mike Stamer, Dolly Stamer, Susan Fosco, Damira Jakupovic, Emil Neliente and Senad Jakupovic spoke regarding:

- Concerns of the neighbors with the existing restaurant operation
- Sought certain guarantees regarding the proposed plan more specifically that the masonry wall will not be removed in the future

*Commission discussed potential site plan modifications

- Widening drive aisle for safety purposes and for garbage truck access within the site
- Majority were not in favor of modification

Plan Commission Recommendation

*Plan Commission by 5-0 Vote, Recommends Approval of the Zoning Map Amendment changing 6653 East Prairie Road from the R-3 Residential District to the B-1 Business/Residential Transition Area District

*Plan Commission by 4-1 Vote, Recommends Approval of Special Uses and Variations subject to certain conditions

Commissioner Goldfein cast the dissenting vote

Conditions of Recommendation

*The new off-street parking lot is to include signage indicating its use for carry-out customers and restaurant drivers and employees only

*The new off-street parking lot may not be used for recreational purposes by restaurant employees or drivers

*The property is to be developed, consistent with the Site Plan and Geometric Plan with revised date of January 29, 2016

*No additional seating is permitted as part of the addition

*A rolling gate with a maximum width of 12 feet is to be constructed as part of the trash enclosure along the alley

- *Once constructed, the new brick wall separating the restaurant property from the residential property, will not be removed
- *The petitioner must deed the northernmost six to seven feet of the 6653 East Prairie property to the owner of 6659 East Prairie
- *No outdoor activity that is not customary to the carry-out and delivery associated with the restaurant is permitted
- *No outside dining will be allowed at the restaurant
- *The Village Board is requested to consider establishing a one-way alley to the rear of the existing restaurant (*Petitioner and neighbors were not in favor of establishing a one-way alley*)
- *The brick wall is to be constructed with materials and of a design similar to the screening wall at the Walgreens at Lincoln and Prat Avenues

Photographs of the area were exhibited (these photos were provided by Mike and Dolly Stamer of 6648 North Avers) as well as an existing site plan/demo plan and a rendering of truck turning movement.

Sasha Milosalavic, Director of Facilities for Lou Malnati's addressed the Board, thanking Board and Staff for the work which they put into this project.

It was stated that the Ordinance reflects the concerns of the neighbors and the Malnati's organization.

Resident Mike Stamer addressed the Board. Mr. Stamer provided the Board and Mr. Elrod with a paper identifying his concerns regarding the language of the Ordinance.

Discussion ensued regarding the individual concerns listed. Mr. Elrod and Mr. Wiberg provided clarification.

Trustee Patel moved to approve the Ordinance with three amendments (1. To require that employees only are allowed to park in the area designated "staging area". 2. The Screening wall must start at 12 feet north of the wall of the addition. 3. If the petitioner is non-compliant with any sections of the Ordinance, 6653 East Prairie reverts to B1, Business/Residential Transitional.) Trustee Cope seconded the motion.

Upon Roll Call the Results were:

AYES: Trustees Bass, Spino, Patel, Elster, Cope, Klatzco

NAYS: None

The motion passed

4. Consideration of a Recommendation in Case #ZB-01-16 by the Zoning Board of Appeals to Deny a Building Coverage Variation to Allow a Rear Yard Addition to the Existing Single-Family Home at 3738 West Columbia Avenue

This item was presented by Mr. McNellis using PowerPoint.

Aerial Photographs and a site plan were exhibited.

Variation Requested

Building Coverage Variation (Section 4.11)

- *Maximum coverage 1,706 square feet (35% of lot area)
- *Initially proposed 1,966 square feet (40.3%)
- *Revised plan reduces area by 92 square feet
 - Variation to allow less than the minimum 15-foot building separation is no longer needed and was withdrawn by Petitioner after ZBA meeting
- *Revised building coverage: 1,874 square feet (38.4%)

Minor Variation

Side Yard Setback Variation (Section 4.11)

- *Proposed to match existing non-conforming structure at 4 feet 2 inches
- *Zoning Code requires minimum of 5 feet

Eligible for Minor Variation

- *Process completed and setback variation approved
- *No action needed by Village Board or Zoning Board of Appeals

ZBA Deliberations

- *Public Hearing held on February 7, 2016
- *Building Coverage Variation
 - Petitioner indicated reasons for Variation request:
 - Existing home layout is obsolete
 - Proposed one-story addition best meets needs
 - ZBA generally agreed that the proposed addition could be redesigned to comply with Zoning Code
 - Two story addition equal in area would likely comply with Zoning Code

ZBA Recommendation

- *By 5-1 vote, recommends denial of requested 40.3% building coverage

Dissenting vote cast by Commissioner O'Brien indicating that by modern standards, existing home is obsolete and addition is appropriate

After recommendation of the ZBA, the petitioner revised plans and reduced proposed Variation to 38.4%

Variation Requested

- *Building Coverage Variation (Section 4.11)
 - Requested Building Coverage of 38.4%
 - Greater than Code-permitted maximum coverage of 35% of lot area
 - Initially proposed 40.3%
 - ZBA recommended denial of initial 40.3% request

Variation to allow propose building addition to result in less than the minimum 15 foot building separation is no longer needed and was withdrawn by petitioner

Discussion ensued regarding the size of the building's footprint.

Trustee Bass moved to direct preparation of an Ordinance including items discussed. Trustee Patel seconded the motion.

Upon Roll Call the Results were:

AYES: Trustees Bass, Patel, Cope, Klatzco, Spino, Elster

NAYS: None

The motion passed

5. Consideration of a Request from School District 74 for a Zoning Code Text Amendment to Create a new "S" School Zoning District; and a Zoning Code Map Amendment to Remove the School District Campus from the Current R3 Zone to a New S Zone; for the Property Located at 6855 N. Crawford Avenue, 6850 and 6950 N. East Prairie Road; and 3925 W. Lunt Avenue

This item was presented by Mr. McNellis.

An aerial photograph of the school property was exhibited.

Plan Commission Recommendation
Creation of New "S" School Zoning District
&
Zoning Code Map Amendment

Staff has worked with District 74 to create this "S" Zone.

On March 2, 2016 the Plan Commission held a Public Hearing, Text and Map Amendment changes were discussed.

Village Manager Wiberg, Attorney Elrod and Trustees Patel and Elster met with District 74 representatives to reach this agreement.

Trustee Cope commended the District 74 attorney on excellent intergovernmental cooperation. Trustee Patel stated that this represents several years of work.

Some discussion ensued.

Trustee Elster moved to direct the Village Attorney to create the "S" Zone District, seconded by Trustee Patel.

Upon Roll Call the Results were:

AYES: Trustees Elster, Patel, Klatzco, Spino, Bass, Cope

NAYS: None

The motion passed

School Board President Scott Anderson thanked all parties involved for the cooperation.

Manager's Report

None

Board and Commissions Report

President Turry announced that he was sending letters to Board and Commission members whose terms are expiring, to determine if they wish to consider remaining in their positions.

Village Clerk's Report

None

Trustees Reports

Trustee Klatzco announced a meeting of the Human Relations Commission on April 11 at 7PM. Trustee Cope wished to know when discussions will be scheduled to address the O'Hare noise issue. When data is gathered, President Turry stated that someone will be needed to interpret the data.

Public Forum

None

Adjournment to Closed Session

At 9:15 P.M., Trustee Patel moved to adjourn the Village Board Meeting to Closed Session for purpose of discussion of Employment matters Section 2(c)(1) The motion was seconded by Trustee Spino.

Upon Roll Call the Results were:

AYES: Trustees Patel, Spino, Cope, Elster, Bass, Klatzco

NAYS: None

The motion passed

Reconvention

At 9:51 PM President Turry reconvened the Village Board meeting.

Adjournment

At 9:51 PM Trustee Patel moved to adjourn, seconded by Trustee Cope

The motion passed with a Voice Vote

Respectfully Submitted,



Beryl Herman
Village Clerk