MEETING MINUTES OF THE
PLAN COMMISSION WORKSHOP
JANUARY 22, 2014 – 7:00 P.M.

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

MEMBERS PRESENT:
Chairman Paul Eisterhold
Sue Auerbach
Irving Fishman
Patricia Goldfein
Don Sampen (arrived at 7:06)
Mark Yohanna

MEMBERS ABSENT:
Steve Jakubowski

STAFF PRESENT:
Aaron N. Cook, AICP, Community Development Manager

I. CALL TO ORDER

Chairman Eisterhold noted a quorum of six members and called the meeting to order at 7:04 p.m.

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES

Motion to approve the January 8, 2014 Plan Commission minutes was made by Commissioner Fishman, and Seconded by Commissioner Auerbach.

Aye: Fishman, Auerbach, Goldfein, Sampen, and Eisterhold
Abstained: Yohanna
Motion Approved 5-0.

IV. PUBLIC HEARING: Accessory Structures – Zoning Code Text Amendment

Request: Text Amendment to Permitted Obstructions in Required Yards Section of Code to Consider Modifying Regulations Pertaining to and Including But Not Limited to Open Balconies, Porches, and Open Patios or Terraces
Mr. Cook presented the three separate Accessory Structures under discussion. They include Open Balconies, Porches, and Open Patios/Terraces. Mr. Cook showed the Commissioners examples of open patios. The Zoning Code regulation pertaining to open patios is referring to raised open patios; they are not at grade. At-grade patios are not as obtrusive and may not merit the same regulations as raised or elevated patios. That’s an important features of the draft language. Open patios or terraces in excess of one foot (1’) above grade is defining what feature that Section is going to be regulating. In Residential Districts, this Section parenthetically excludes at-grade patios provided they are at least four feet (4’) from all side and rear property lines, not over four feet (4’) above average level of the adjoining ground to control the bulk of these features, and do not project over ten feet (10’).

Mr. Cook pointed out that a main weakness in the current Code’s language is that it doesn’t address ten feet from what or to where? In previous Commission meetings, it was determined it is important to regulate how far the projection is in front yards in that it shall not project ten feet (10’) from the front façade.

The advantages and aesthetics of adding landscaping beds around patios or terraces, even though bulk is added to these structures, were discussed.

The Commissioners discussed the meaning and/or definition of the current draft language in regards to at-grade patios. At the present time, it is unclear as to size and location of at-grade patios. The Commissioners agreed to delete (excludes at-grade patios) from the draft language proposed. The Commissioners all agreed that removing the at-grade exclusion from the definition constitutes a clearer definition.

After a suggestion by a member of the audience, Mr. Cook concurred that maybe patios and terraces should have separate definitions. A patio can be defined as one foot (1’) above ground or at grade and would be regulated as patios should be. A terrace would be defined as an above ground feature and will be regulated as such. Moving forward, a patio will be treated as lot coverage compliance only, the same as driveways and sidewalks.

The Commissioners all agreed with the above-mentioned change in language.

Chairman Eisterhold requested Staff to rework the draft language and bring it back once more before the Plan Commission for approval.

The next item discussed pertained to balconies. Mr. Cook reiterated the requirements in that balconies are permitted in the rear yard only and require Special Use Approval for front yards. A balcony cannot exceed four feet (4’) from the building.

There was a discussion as to the exact definition of a balcony and whether rooflop decks could be included in this definition.

Mr. Cook responded that lacking a specific definition, a balcony can be described as a protrusion and does not have supports anchored into the ground.

Mr. Jesal Patel of 6733 North St. Louis asked for a clarification of the balcony definition as well.
Commissioner Fishman inquired as to the four-foot requirement for balconies?

Mr. Cook speculated that, to some extent, it does have to do with aesthetics. If a balcony is built too large, it can become an obstruction that needs regulating. Secondly, that while there are overlapping features between balconies, decks, and porches, a balcony can be defined as intended more for an individual or two people to gather rather than a place for many to gather.

There was a discussion regarding the aesthetics of balconies and why they need Special Use Approval.

Commissioner Sampen asked if the protrusion does not exceed any setback requirements, why do they need Special Use Approval?

Commissioner Fishman doesn’t believe it’s the job of the Plan Commission to control how things look to satisfy individual aesthetic viewpoints.

Commissioner Goldfein believes that Special Use Approval should be required since it is so hard to define what is permitted or not.

Commissioner Sampen added that there should be a clearer definition of a balcony and then make it a Permitted Use.

Chairman Eisterhold and Commissioner Fishman asked Staff to find out some other definitions used to help clearly define what constitutes a balcony.

The next item Mr. Cook presented dealt with Porches. Porches are permitted in the front, side, corner side, and rear yards. Porches are attached and covered and provided they are at least four feet (4’) from all side and rear property lines. These are not at-grade features; these are structures. According to the current standard, covered porches are a Permitted Use. By using this standard, you can build a covered porch over your entire rear yard which cannot be the intention of the regulation.

The Commissioners discussed the differences between patios and covered porches. What merits regulating them differently is the fact that a porch with a roof will create greater obtrusiveness than a patio or terrace.

Chairman Eisterhold brought up the fact that covered porches may turn into an added permanent room of a house without obtaining the required building permits.

Staff will do more research regarding enhancing the definition in regards to how other villages regulate locations and setbacks of covered patios.

Commissioner Goldfein agreed that porches need to be defined differently.

Motion to Continue to February 26, 2014 by Commissioner Goldfein, and Seconded by Commissioner Fishman.
Aye: Goldfein, Fishman, Auerbach, Sampen, Yohanna, and Eisterhold
Nay: None
Motion Carried 6-0
V. PUBLIC HEARING: Definitions – Zoning Code Text Amendment  

Request: Text Amendment to Definition Section to Consider Modifying and Adding Certain Definitions Including But Not Limited to Banquet Facility, Banquet Hall, Façade, Fence, Semi-Private or Semi-Private Fence, Restaurant and Restaurants, Fast Food or Carryout

Staff presented the Recommended Draft Definitions (based on the Village of Skokie) for Carryout Restaurants, Limited Service Restaurants, and Full Service Restaurants. Carryout Restaurants are defined as an establishment where there is limited to no seating. However, up to five seats may be provided, whether inside or outside. A Full-Service Restaurant is defined as an establishment that provides food services to patrons while seated and pay after eating. A third “catch-all” category is called a Limited Service Restaurant. This includes restaurants where you pay before eating.

Commissioner Sampen inquired as to why we need three different restaurant classifications.

Mr. Cook explained that the three categories were devised to incorporate off-street parking requirements as well as Trustee Cope’s desire to review of the appropriateness of the restaurant types per Zoning District.

Commissioner Goldfein asked if it was appropriate to expand upon Skokie’s definition and feels the five-seat limit on carryout is confining and probably hard to enforce.

Mr. Cook agreed that any standard that is predicated on seats is very difficult to administer.

Using floor area to determine off-street was discussed in detail, especially in regards to Carryout Restaurants. Drive-thrus were discussed for all restaurant definitions and any drive-thru would require a Special Use. Parking standards for Carryout and Limited Service Restaurants will be further researched and discussed.

Chairman Eisterhold asked for a consensus to use the Skokie model of one parking space for each 300-square feet for Carryout Restaurants for off-street parking requirements.

Commissioner Goldfein asked for 250-square feet and eight seats instead of five. The Commissioners agreed with the new requirements.

For Banquet Seating or Banquet Hall, there was no need to review or modify at this time.

Regarding Fence, Semi-Private, or Semi-Private Fence, it was a review to potentially eliminate redundant references.

In regards to Façade, this was an effort to improve an existing definition to avoid confusion or an undesired application of our Code. Definitions were presented to define façade and elevations. Chairman Eisterhold would like to add parking lots to the façade definition. A higher expectation is needed for those facades that are viewed by the public. What kind of material would we allow for the back of buildings or alleyways?

Motion to Continue to February 26, 2014 by Commissioner Auerbach, and Seconded by Commissioner Goldfein.
Aye: Auerbach, Goldfein, Fishman, Sampen, Yohanna, and Eisterhold
Nay: None
Motion Carried: 6-0

VI. PUBLIC HEARING: Lincoln Avenue Plan – Amendment to Comprehensive Plan
(Continued from December 4, 2013 & October 23, 2013)
Request: Moratorium and Amendment to Comprehensive Plan Concerning the Lincoln Avenue Subarea Including but Not Limited to Multi-Family Housing

Motion to Continue to February 26, 2014 by Commissioner Auerbach, and Seconded by Commissioner Goldfein.
Aye: Auerbach, Goldfein, Fishman, Sampen, Yohanna, and Eisterhold
Nay: None
Motion Carried 6-0

VII. PUBLIC HEARING: Fence Material Regulations - Zoning Code Text Amendment
(Continued from December 4, 2013 & November 6, 2013)
Request: Text Amendment to Consider Unacceptable Fence Materials and Fence Design Requirements

Motion to Continue to February 5, 2014 by Commissioner Auerbach, and Seconded by Commissioner Goldfein.
Aye: Auerbach, Goldfein, Fishman, Sampen, Yohanna, and Eisterhold
Nay: None
Motion Carried 6-0

VIII. NEXT MEETING:

Chairman Eisterhold declared the next Plan Commission meeting will be held on Wednesday, February 5, 2014.

IX. ADJOURMENT:

Hearing no further business, Motion to Adjourn made by Commissioner Fishman, and Seconded by Commissioner Goldfein. Meeting adjourned at 9:36 p.m.

Aye: Fishman, Goldfein, Auerbach, Sampen, Yohanna, and Eisterhold
Nay: None
Motion Carried: 6-0

Respectfully Submitted,

Kathryn M. Kaspryzk
Community Development Coordinator