MEETING MINUTES OF THE
PLAN COMMISSION
JUNE 11, 2014 – 7:00 P.M.

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

MEMBERS PRESENT:
Chairman Paul Eisterhold
Irving Fishman
Patricia Goldfein
Steven Jakubowski
Don Sampen
Mark Yohanna

MEMBERS ABSENT:
Suzanne Auerbach

STAFF PRESENT:
Aaron N. Cook, AlCP, Community Development Manager
Hart Passman, Village Attorney, Holland & Knight

I. CALL TO ORDER

Chairman Eisterhold noted a quorum of five members and called the meeting to order at
7:05 p.m. Commissioner Jakubowski arrived at 7:10 p.m.

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES

Motion to recommend approval of the modified May 7, 2014 meeting minutes was made by
Commissioner Fishman, and seconded by Commissioner Goldfein.

Aye: Fishman, Goldfein, Jakubowski, Sampen, Yohanna, and Eisterhold
Nay: None
Motion Approved: 6-0

IV. Public Hearing: 6700 North Lincoln Avenue – Special Use and Variation

Chairman Eisterhold swore in the Petitioners, Mike Kolodny of Hallmark & Johnson Property
Management, and Abraham Berkman of Pearls of Chicago.

Mr. Cook began his presentation with slides of the vacant property at 6700 North Lincoln
from the north, south, and rear of the property. The current available parking does not meet
the minimum requirements for off-street parking spaces. The entirety of the parking spaces
and access aisle must be completely located on private property per the current Code. The plat of survey showed that the lot line runs through the drive aisle and, therefore, cannot be counted as legal off-street parking. At the present time, zero legal off-street parking spaces are provided on the property.

The proposed floor plan was presented and showed the delineation of the two interior spaces. The majority of the use will be utilized by the beauty salon, and the photo studio will occupy the rear of the property. Properties categorized as Personal Service Establishments in the B-1 District greater than 2,000-square feet require Special Use approval. The existing parking calculations for salons and beauty/barber shops or spas require 4 spaces per 1,000-square feet of space. The proposed photo studio will require 3.3 spaces per 1,000-square feet of space.

The proposed new uses would require a total of 12 off-street parking spaces. There are currently 10 on-street parking spaces on Lincoln Avenue. To calculate the correct number of legal parking spaces, staff included all existing uses for the building. The building’s other occupant, Forever Young, is an elderly development center requiring 48 off-street parking spaces. The existing and proposed new uses together would require 60 total off-street parking spaces.

Staff indicated two telephone calls were received that were opposed to the proposed zoning relief.

There was discussion if it would be prudent to retroactively look at existing uses and make adjustments to conform with current Village Codes. Staff explained that the off-street parking requirements for this use is specific to Pearls of Chicago and not an existing business.

The Commissioners inquired about parking problems for the existing use. There are general concerns with traffic and parking behind the building in the alley. Chairman Eisterhold asked if the rear of the property could be striped for additional parking. Staff responded that it would add volume, but would not change the required number of spaces from a zoning perspective. The back of the property is considered a loading berth. Even if the loading berths are closed off, they cannot be obstructed by required parking according to the Village Code. If this area was to be considered as legal parking, there are additional design requirements that would be applicable, including perimeter and foundation landscaping, parking islands, minimum stall widths, etc.

Mr. Kolodny told the Commission that this property has been vacant since 2006. The hours for the current tenant, Forever Young, are 9:00 a.m. to 2:00 p.m. Their customers are bussed in so the parking can be used for another use even during the hours that Forever Young is open. There are ten spaces in front of 6700 Lincoln Avenue and five spaces in front of Meatheads that can be used. Mr. Kolodny said that there are usually only two or three cars parked on Lincoln Avenue during the day and after 2:00 p.m., there is usually about a dozen spaces available. He doesn’t believe there will be an issue with parking.

Mr. Kolodny indicated that he would be willing to close two of the loading docks for additional parking, with the building owner’s approval, to facilitate another tenant. The
loading area now is primarily used for bus parking. There is also the possibility of using the Brickyard Bank parking lot for overflow parking.

The Petitioner, Abraham Berkman of Pearls of Chicago, told the Commission that due to the off-street parking requirements, they feel this is the best space for them due to the fact that there are very few overlapping hours between them and Forever Young. They plan on being open from 12:00 p.m. to 8:00 p.m. most days. They will be closed on Saturday and open all day Sunday which they envision being their busiest day. Forever Young is not open on Sunday. They will be starting out with a four-chair salon with two nail stations. The photography studio is by appointment only. The employees are willing to park a block or two away so as not to use the limited parking that is available.

Chairman Eisterhold asked if anyone in the audience would like to speak on this proposal.

Mr. Ionesco, of 6657 North Crawford, stated he lives off the alley to the west and is glad that there will be another tenant for this building. There are some issues with Forever Young employees parking in the alley. Usually one bus and the minivan are parked behind the building overnight. There are visibility problems as well. They have inquired as to the installation of speed bumps as a way to slow down traffic. Mr. Ionesco indicated that there was a mirror on the back of the building to help with the visibility issue, but it has not been there for some time. A concept of a one-way alley was also introduced.

Mrs. Geraldine Kesselman, of 3939 Wallen Avenue, voiced her objection. With Crawford being closed, the parking situation is even worse. Bank and golf club employees use the street for parking which makes getting in and out of her driveway difficult. Chairman Eisterhold told Mrs. Kesselman that the Crawford Avenue construction is temporary and when it is finished, the parking should be even better than before.

Motion to recommend approval of a Special Use and Variation for a Personal Service Establishment Greater than 2,000-Square Feet in Area and an Off-Street Parking Variation was made by Commissioner Jakubowski, and Seconded by Commissioner Yohanna with the following conditions:

A mirror will be installed and maintained by the property owner, with the location and proper angle of the mirror as directed by the Police Department, and the removal of the tree within a reasonable timeframe. The property manager will additionally stripe the northeast corner of the property to delineate where the alley and private property are divided.

Aye: Jakubowski, Yohanna, Fishman, Goldfein, Sampen, and Eisterhold
Nay: None
Motion Approved: 6-0

V. Public Hearing: 7366 North Lincoln Avenue – Special Use and Variation for a Wireless Communication Facility

Chairman Eisterhold swore in Ray Shinkle and Shane Hennessy-York, representatives for Sprint, the Petitioner. Staff told the Commissioners that there is no need for a variation for
panel height so only the proposed Special Use will be discussed. All new wireless sites require Special Use approval. A rooftop plan was presented and three raised panels are proposed. The building elevations and renderings have been submitted, and the antennas are on slide mounts which are affixed to the roof. They are set back 15 feet from the building’s edge. Mr. Cook noted that he received questions from Commissioner Light, who is a member of the Telecommunications Commission, and that the Telecommunications Commission has recently begun reviewing these applications and would like the applicants to provide comments to their questions.

1) What is the coverage area for this wireless communication site? Mr. Shinkle stated that in 2011, they were unable to relocate the facilities previously located atop the Purple Hotel to the Republic Bank building. They have been using a temporary facility ever since. The current proposal is the best and only option to cover the area.

2) How are these areas currently served? Mr. Shinkle explained that they have been operating a temporary facility when they relocated off the Purple Hotel. It is currently located in the back parking lot of the hotel property.

3) Has the applicant taken into consideration that the Purple Hotel development plans indicate a high rise hotel to the south of this location which would impact their southern coverage area? Mr. Shinkle explained that there will be no disruption or interference and that they have a signed lease with Neal Stein of North Capital Group, owner of the development site for the new hotel.

4) Has the applicant considered locating the facility within the ComEd right-of-way? Mr. Shinkle said that ComEd will not grant the consents required by the Village, and therefore, that the right-of-way has not been considered.

5) What other alternate sites were considered by the applicant and why are those other sites not viable? Mr. Shinkle explained that this is the closest spot to their previous tower that is not residentially zoned, and that he believes this site to be their best and only option.

Mr. Shinkle was asked if it is aesthetically possible to position the antenna farther back on the roof. Mr. Shinkle responded that the farther back you go, the higher the antenna has to be. The placement of the antenna is very important. Mr. Shinkle responded to Commissioner Yohanna’s question about whether the antennas could be painted to make them less noticeable. Mr. Shinkle stated that Sprint would be willing to paint them any color that the Village wanted but noted that neutral colors work best and would be less obtrusive.

Chairman Eisterhold asked if anyone in the audience would like to speak on this Special Use. He noted that no one came forward.

Mr. Passman, the Village attorney, asked Mr. Shinkle if Sprint’s proposal includes the repeal of their Special Use permit for the Republic Bank site. Mr. Shinkle confirmed that Sprint intends that the previously-issued approval for the Republic Bank site be repealed as part of the approval of the Special Use permit for the current proposal.
Motion to recommend approval of a Special Use for a New Wireless Communications Facility on an Existing Office Building and Variation to Exceed Maximum Permitted Panel Height was made by Commissioner Yohanna, and seconded by Commissioner Fishman.

Aye: Yohanna, Fishman, Goldfein, Jakubowski, Sampen, and Eisterhold
Nay: None
Motion Approved: 6-0

VI. Public Hearing: Accessory Structures – Zoning Code Text Amendment

Mr. Cook commenced the presentation by noting that the draft language presented does summarize and capture the direction provided by the Plan Commission at the prior hearing, and that Staff recommends that the Commission vote upon the language proposed.

The Commission discussed the proposed text amendments, and noted that, currently, terraces and open patios are defined and regulated together but should be treated differently. There was much discussion as to the definition of a terrace and what should and shouldn’t be allowed. It was the Commission’s consensus to direct staff to come up with a clearer terrace definition. Front yard patios were also discussed. Currently, front yard patios are allowed. Staff will rework the language for terraces and patios per the Commission’s suggestions.

The draft language for balconies was presented. The policy direction for balconies are as follows: 1) balconies shall be permitted on front and rear elevations; 2) they shall not exceed three feet from the front building elevation and four feet from the rear building elevations; 3) balconies shall not extend more than four feet into the required front and rear yards; and 4) the elimination of balconies as a Special Use.

Draft language of porches remains intact. Porch will be defined as an unenclosed structure that projects from the exterior wall of a building, has direct access to the street level, and is covered by a roof or eaves. Currently, porches are allowed at least four feet from a side and rear property lines.

Chairman Eisterhold asked if anyone in the audience would like to speak on this Special Use. He noted that no one came forward.

Motion to continue the public hearing to the Plan Commission meeting scheduled for Wednesday, June 25, 2014 was made by Commissioner Fishman, and seconded by Commissioner Goldfein.

Aye: Fishman, Goldfein, Jakubowski, Sampen, Yohanna, and Eisterhold
Nay: None
Motion Approved: 6-0

VII. Public Hearing: Medical Cannabis Dispensaries and Cultivation Centers – Zoning Code Text Amendment
Staff presented a basic agenda to include a policy discussion, to deliberate which Zoning Districts are appropriate for cultivation centers and dispensaries, and the approval process to consider whether these should be a Permitted or Special Use. Staff presented example ordinances from Lake Bluff, Des Plaines, and Lake County. The Lake County Operational Standards were presented to provide a model of how other forms of government are regulating this matter.

State law on medical marijuana use is already in effect. There are no cultivation centers or dispensaries yet, but the first such businesses are expected to open no later than the early part of 2015. The statute states that local government may not unreasonably prohibit these uses; a blanket prohibition would not be compliant with this statute. The Plan Commission needs to contemplate these uses somewhere in the Village. There is a 2,500-foot distance requirement from residentially-zoned areas for cultivation centers. Since Lincolnwood is almost entirely residential, under state law, a cultivation centers could not be placed in the Village. According to the statute, there will only be one cultivation center in all of Cook County.

The proposed statute calls for 60 dispensaries to be dispersed around the state. There will be one dispensary in either Evanston Township or Niles Township. There are no residential distance requirements for dispensaries; the only distance requirement pertains to schools and day care centers. There are many potential locations around the Village where a dispensary could be situated. This should be the Village’s focus. Mr. Passman’s recommendation is to get some regulations on the books in the next few months to close any unintended loopholes in the current Zoning Ordinance.

The Commissioners discussed at great length whether this is a use that should be allowed in the Village given the size and density of the community. Commissioner Sampen questioned if this use should be regulated the same as drug stores and liquor stores.

There was a discussion as to the appropriateness of this use in great detail with some Commissioners opposed to this use and some Commissioners feel it is a medical need that should be available. By making it a Special Use and within a specific Zoning District, that would enable the Village to review each specific application.

Mr. Ionesco of 6657 North Crawford addressed the Commission with the statement that he doesn’t believe that these uses will be problematic.

Commissioner Yohanna left the meeting at 10:10 p.m.

**Motion to continue the public hearing** to the Plan Commission meeting scheduled for Wednesday, June 25, 2014 was made by Commissioner Sampen, and seconded by Commissioner Fishman.

**Aye:** Sampen, Fishman, Goldfein, Jakubowski, and Eisterhold  
**Nay:** None  
**Motion Approved:** 5-0
VIII. NEXT MEETING:

Chairman Eisterhold declared that the next Plan Commission meeting will be held on Wednesday, June 25, 2014.

IX. ADJOURNMENT:

Hearing no further business, motion to adjourn was made by Commissioner Fishman, and seconded by Commissioner Goldfein. Meeting adjourned at 10:15 p.m.

Aye: Fishman, Goldfein, Jakubowski, Sampen, and Eisterhold
Nay: None
Motion Approved 5-0

Respectfully Submitted,

Kathryn M. Kasprzyk
Community Development Coordinator