Village of Lincolnwood
Plan Commission

Meeting
Wednesday February 5, 2014
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
   January 22, 2014 Meeting Minutes
   (Continued from November 6, 2013, September 11, 2013 and Remanded by Village Board and Committee on Ordinances, Rules, and Buildings)
   Request: Text Amendment to Modify the Commercial Design Standards Relative to Masonry Requirements and to Consider Definition of “Masonry”
5. Public Hearing: Health Club or Private Recreation and Firearms Shooting Ranges - Zoning Code Text Amendment
   (Continued from November 6, 2013, September 11, 2013, July 10, 2013, May 1, 2013, March 6, 2013 and February 6, 2013)
   Request: Text Amendment to Definition Section to Consider Establishing or Modifying Certain Definitions Including But Not Limited to Health Club or Private Recreation, Firearms Shooting Ranges, or Similar Terms; Consideration of Firearms Shooting Ranges as a Special Use in M-B District Subject to Certain Restrictions; and, Establishing or Modifying Off-Street Parking Requirements for Firearms Shooting Ranges, Commercial Recreation Facility, or Other Similar Uses
   (Continued from January 22, 2014, December 4, 2013 & November 6, 2013)
   Request: Text Amendment to Consider Unacceptable Fence Materials and Fence Design Requirements

7. Next Meeting

8. Public Comment

9. Adjournment
MEETING MINUTES OF THE  
PLAN COMMISSION  
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 rooftop 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.
VI. NEXT MEETING:

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

VII. 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. Kasprzyk
Community Development Coordinator
MEMORANDUM

TO: Chairman Eisterhold  
Members of the Plan Commission  

FROM: Aaron N. Cook, AICP  
Development Manager  

DATE: January 31, 2014  

SUBJECT: Remanded Zoning Code Text Amendment: Commercial, Institutional and Civic Building Design Standards and the Lincoln Overly District

At the November 6, 2013 meeting, the Plan Commission reviewed the remanded zoning code text amendment relative to commercial, institutional and civic building design standards. More specifically, at the Plan Commission considered:

1. Review and enhance proposed definitions related to building materials,
2. Review pre-cast stone to determine if it is an acceptable material,
3. Review and possibly develop administrative process for approving other alternative “high quality materials” not identified in the Zoning Code, and
4. Reconfirm the remaining elements of the Plan Commission’s recommendation made at the March 6, 2013 PC Meeting.

Summary of November 6, 2013 Plan Commission Discussion

1. Proposed Definitions
The Commission was generally supportive of the definitions presented. The Plan Commission continued the review of the definitions subject to more specific discussion relative to “high quality materials”. Attached are these proposed definitions.

2. Pre-Cast Stone
The Commission previously agreed that pre-cast stone is not appropriate for inclusion as a “high quality material”. Such material however is appropriate as a minor accent. That previous discussion led the Plan Commission to review and consider panel construction. To assist with this discussion, the Plan Commission reviewed photographs of this material/construction type. The Plan Commission considered permitting pre-cast panel materials in industrial areas. The discussion identified differences in character of properties and construction between industrial and commercial districts. Accordingly, the Commission discussed expanding the list of permitted materials in industrial districts to include pre-cast concrete and stone panels. The Commission was unable to reach a consensus on this matter. As a result, this remains an open
item for discussion. To assist this discussion below are definitions/descriptions or precast concrete and precast stone:

**Precast concrete** is a construction product produced by casting concrete in a reusable mold or "form" which is then cured in a controlled environment, transported to the construction site and lifted into place. In contrast, standard concrete is poured into site-specific forms and cured on site.

**Precast stone** is distinguished from precast concrete by using a fine aggregate in the mixture, so the final product approaches the appearance of naturally occurring rock or stone.

### 3. Administrative Approval Process

At the September 11, 2013 Plan Commission meeting staff presented research of other communities in the region and nationally regarding administrative review of materials. The Plan Commission generally agreed that the intent of an administrative review may be positive; creating and implementing such a process would be difficult.

At the November 6th meeting, the Plan Commission expanded the discussion to a review of possible modifications to the review process of alternative materials. The Plan Commission discussed consideration of such alternative materials as a Special Use rather than a Variation. Several members expressed concern with the Special Use review as this process may lead to additional conditions placed on an applicant that may not be imposed as part of a Variation process. The Plan Commission gave staff and the Village Attorney direction to consider an alternative process and present the information at the February 5, 2014 meeting.

At the February 5th meeting, staff and the Village Attorney will be present to discuss in more detail the desired review process and possible restrictions/limits of such a review. Staff offers as a possible review process an “Alternative Design Review” that is limited to consideration of alternative materials only. To assist staff and the Village Attorney in crafting the desired process the Plan Commission shall consider the following:

- Does the Plan Commission have final authority or is the Plan Commission a recommending body?
- Is the review by the Plan Commission at a Public Meeting or a Public Hearing (fully noticed)?
- What standards should the Plan Commission review an application for relief from the design requirements?
- What limits should be placed on the review of an application for relief (i.e. no conditions, limited conditions, etc.)?

### 4. Reconfirm Other Recommendations

The Plan Commission did not discuss any other items of the prior recommendation. Below is a summary of the prior recommendation.

1. Eliminating “Masonry Only” requirement from the Lincoln Avenue Overlay District;
2. Establish that the exterior walls of non-residential buildings be constructed with a minimum of 75% “high quality materials”. This includes a requirement that from the
ground level to the top of the first floor windows must be constructed entirely of “high quality materials”;
3. Establish a list of permitted “high quality materials” which includes: 1) brick with a minimum thickness of 2.25 inches, 2) natural stone, 3) sandstone, 4) other native stone, and 5) glass;
4. Add definitions for Brick, Decorative Concrete Block, Masonry, and Stone; and
5. Add Exterior Insulation Finishing Systems (“EIFS”) and metal and vinyl lap board siding as specifically prohibited materials.

As a reminder, except for refinements to the definitions and its recommendation to remand back for consideration whether pre cast stone is an acceptable high quality material and consideration of an administrative approval process for alternative high quality material, CORB and COTW was supportive of the remainder of the Plan Commission recommendation and recommends that it be approved by the Village Board. As part of any motion the Plan Commission should include affirmation of the previous recommendation made on March 6, 2013.

Attachments
1. Excerpt of November 6, 2013 Plan Commission Minutes
2. Proposed Definitions
Mr. Cook presented the special use request for wireless communication facility at 3700 West Devon Avenue. Mr. Cook stated that the request by Verizon Wireless is to replace one antenna per array on an existing wireless site. Mr. Cook stated that the existing antenna and replacement antenna are located on an existing freestanding tower. Mr. Cook added that Verizon seeks to add equipment to the tower immediately below the existing array. Mr. Cook added that staff was unable to find any prior Special Use approval granted to Verizon for the existing array.

Mr. Bill Schrader, authorized agent for Verizon, testified that the new antennas would comply with the required maximum antenna height of six feet.

Commissioner Goldfein asked who the owner is. Mr. Cook stated that the tower is owned by Crown Castle.

Commissioner Auerbach asked when the tower was constructed. Mr. Cook explained that staff could not find any records on the construction of the tower. Mr. Schrader stated that he searched certain documents and recalls seeing that the tower was built approximately 30 years ago.

Commissioner Goldfein asked why the Village doesn’t have records. Mr. Passman stated that 30 years ago municipalities often didn’t have Special Use requirements for communication facilities. Mr. Passman recalled that there have been several cases recently where replacement antennas were proposed at sites that did not have Special Use approval. Mr. Passman stated that those sites are non-conforming.

Commissioner Goldfein asked for the percentage of power increase. Mr. Schrader stated that he’s unsure but the addition equipment is low voltage. Commissioner Goldfein asked if the replacement and new equipment is needed to increase coverage. Mr. Schrader explained that the service would be improved within the existing coverage area.

Chairman Eisterhold asked if there was anyone in the audience who wanted to comment. There was none.

**Motion to Approve** the matter to the December 4, 2013 regularly scheduled meeting by Commissioner Fishman and Seconded by Commissioner Auerbach.

_Aye: Fishman, Auerbach, Goldfein, Jakubowski, Sampen and Eisterhold_  
_Nay: None_  
_Motion Carried 6-0._

**IV. Public Hearing: Commercial Masonry Requirements – Zoning Code Text Amendment**

Chairman Eisterhold indicated that the matter had been continued most recently from the September 11, 2013 Plan Commission meeting. Chairman Eisterhold indicated that at the last meeting the Commission continued the discussion.
Mr. Cook indicated that the only new information are images presented by the Chairman as well as an image from an existing building in the community at 3924 Devon Avenue. Chairman Eisterhold indicated that the examples provided are structure panels with exterior finishes. Chairman Eisterhold indicated that they are commonly used in industrial construction. Chairman Eisterhold added that the pictures he provided are pre-cast panels that are being used to construct a Walgreens. The Chair indicated that the panels do not have exterior finishes to them.

The Commission discussed the pre-cast panels and the appropriateness in various types of construction. Mr. Cook stated that the matter under review is not a construction method but exterior finishes. Mr. Cook stated that the matter for discussion is whether or not pre-cast panels with a final exterior finish qualifies as a high quality material.

The Commission generally concluded that pre-cast panels may be appropriate in industrial areas but not in other non-residential areas. Commissioner Goldfein however stated that the pre-cast panels are a divergence in appearance from brick construction.

Commissioner Auerbach indicated that she may be open to most materials as long as the Plan Commission can review. Mr. Cook indicated that one of the remanded items for the Plan Commission consideration is determining if there is an administrative approval process.

Trustee Patel stated that CORB remanded to the Commission consideration of determining criteria to authorize alternative products. Mr. Cook explained that the matter has been previously discussed by the Commission. Mr. Cook stated that most communities handle a review of alternative materials by either Design Review Boards or as variations. The Commission discussed possible options for administrative review without establishing a Design Review Board.

The Plan Commission discussed modifying the approval process for alternative materials. Rather than requiring a variation which would be reviewed by the Zoning Board of Appeals alternative materials could be brought to the Plan Commission as a Special Use or an alternative process.

Commissioner Fishman expressed concern with the Village getting involved in determining high quality materials. Commissioner Fishman indicated that the discussion involves individual preferences and tastes. Commissioner Fishman stated that he wants the Village to have the attitude to welcome developers and to not establish barriers including material requirements. Commissioner Fishman stated that the standards should not prevent development and elimination of vacancies. Commissioner Fishman does not want the community to regulate appearance.

Chairman Eisterhold stated that staff does not want to be the authority to approve alternative materials. Chairman Eisterhold indicated that the review may not need to be a Special Use but something similar that would be reviewed by the Plan Commission.
The Commission discussed that the Village may desire to allow a wider range of permitted materials in the industrial districts. Commissioner Auerbach asked staff what the most common materials requested by developers that are not included on the list of high quality materials. Mr. Cook indicated that cementitious fiber board is becoming more popular.

The Commission continued to deliberate appropriate material types and concluded that it may be appropriate to permit a wider range of materials within the industrial districts. Mr. Cook indicated that the two industrial districts do have properties which front onto major streets. Mr. Cook stated that the wider use of materials may not be appropriate even in an industrial district if that property fronts on a major street. The Commission generally agreed that additional materials may be appropriate in industrial areas but not in retail areas.

Commission Goldfein asked if additional standards should be placed on the acceptable materials beyond what has been established. Mr. Cook stated that he does not believe additional standards are needed.

Commissioner Sampen recommended that the Commission discuss in a separate session what materials are appropriate in industrial districts.

Mr. Passman summarized the consensus of the Plan Commission discussion: 1) List of materials is acceptable, 2) Review alternative materials as a special use, 3) Hold the matter to review additional materials within industrial zone only.

Commissioner Auerbach stated that there may be a concern that requesting a Special Use may open a developer to additional requirements such as more landscaping. Mr. Passman indicated that the Village can tie their own hands if desired.

The Commission directed staff to prepare a process for limited review of alternative materials by the Plan Commission similar to a Special Use but not subject to the range of conditions. The Plan Commission also indicated a desire to ask the Village Board to direct the Plan Commission at a later date to review alternative materials for industrial districts.

Chairman Eisterhold asked if there was anyone in the audience who wanted to comment. There was none.

Motion to Continue the matter to the February 5, 2013 regularly scheduled meeting by Commissioner Fishman and Seconded by Commissioner Sampen.

Aye: Fishman, Sampen, Jakubowski, Goldfein, Auerbach, and Eisterhold
Nay: None
Motion Carried 6-0.
Proposed Definitions

BRICK: A molded rectangular block primarily comprised of clay and/or shale, fired with natural gas or coal at approximately 2000 degrees to fuse the shale or clay into a durable building unit that is laid contiguously with joints between the units filled with mortar and either: (i) kiln fired clay or shale brick that is not underfired and is manufactured to ASTM C216 or C652, Grade SW; or (ii) concrete brick with integral coloration, manufactured to ASTM C1634. Brick shall not be painted, and shall have a minimum thickness of two and one quarter inches when applied as a veneer.

DECORATIVE ARCHITECTURAL CONCRETE MASONRY UNIT BLOCK: Either architectural concrete block or brick. Architectural concrete block and concrete brick have highly-textured finishes, in a variety of styles such as indented, split, hammered, fluted, or ribbed or similar architectural finish. Natural or synthetic pigmentation is added during the manufacturing process to produce color variations.

MASONRY: Clay brick, stone, rock, or other substantially similar materials, laid contiguously with joints between installed-up units by unit set in filled with mortar.

NATURAL STONE: Naturally-occurring granite, marble, limestone, slate, river rock, sandstone, other native stone and other similar hard and durable all weather stone that is customarily used in exterior building construction.

MANUFACTURED STONE may also include cast, pre-cast decorative or manufactured simulated stone product, provided that such product is not painted, yields a highly textured stone-like appearance, with coloration that is added during the manufacturing process to produce color variations, integral to the masonry material, and is highly durable and maintenance free. Manufactured Natural or man-made stone shall have a minimum thickness of two and five eighths inches when applied as a veneer.

Strikethrough: Deleted Language

Red Text: Added Language
Agenda Item #5

Staff Report
Plan Commission
February 5, 2014


Subject Property: N/A (Text Amendment)

Zoning District: Requested action is applicable to the B1, B2, B3, O-1, and M-B Districts.

Requested Action: Text Amendment to Various Sections of the Zoning Ordinance including but not limited to the Definitions Section, Land Use Table, Off-Street Parking Schedule, etc. relative to modifying the definition of Health Club or Private Recreation, Firearms Shooting Ranges.

Nature of Request: Consideration to Modify and/or add certain definitions including but not limited to Health Club or Private Recreation and Firearms Shooting Ranges; Consideration of Firearms Shooting Ranges as a Special Use in the M-B District subject to certain restrictions; and the Addition or Modification of Off-street Parking Requirements for Firearms Shooting Ranges, Commercial Recreation Facility, or Other Similar Uses

Petitioner: Village Board

Summary
At the November 6, 2013 Plan Commission meeting, the Commission reviewed the initial draft text amendments as prepared by staff and other related items for discussion relative to text amendments concerning firearms shooting ranges. At this meeting the Plan Commission gave general direction to the Village Attorney to prepare for review more detailed draft language based on the discussion at the November 6th meeting.

The Plan Commission items for discussion include but are not limited to: 1) modification of the definition of “Firearms Shooting Range” and other definitions as needed, 2) consideration of appropriate off-street parking standards; and 3) consideration of additional standards.

Previous Action: On November 9, 2012, the Village Board adopted Resolution No R2012-1710, initiating a referral to the Plan Commission for text amendments to the Zoning Ordinance. These proposed text amendments concern Firearms Shooting Ranges
and the existing definition found in the Zoning Ordinance for “Health Clubs and Private Recreation”. The purpose of these text amendments is to:

1. Specifically exclude from the definition of “Health Clubs and Private Recreation”, Firearms Shooting Ranges, and
2. Establish in the Zoning Ordinance, “Firearms Shooting Ranges” as a Special Use in the M-B Zoning District.

The adopted Village Board Resolution suggests, but does not identify, that other restrictions may be determined to be necessary and desirable in establishing Firearms Shooting Ranges as a Special Use in the M-B Zoning District.

**Attachments**

1. Draft Zoning Ordinance Text Amendments
2. Separation Maps
   a. Distance Map from Residential Property
   b. Distance Map from Park Property
3. Resolution No. R2012-1710
Section 2.02 Definitions:

Add the following new definitions:

COMMERCIAL RECREATIONAL FACILITY: A privately-owned for-profit commercial facility designed and equipped to provide customary leisure time or recreational activities, such as bowling, swimming, miniature golf, paintball, indoor go-karts, ice skating, tennis, racquetball and similar activities. For purposes of this Ordinance, a Firearms Shooting Range is not a Commercial Recreational Facility.

FIREARMS SHOOTING RANGE: A specialized indoor facility used in whole or in part for the safe shooting practice of firearms (as that term is defined pursuant to the Illinois Firearm Owners Identification Card Act, 430 ILCS 65/0.01 et seq., as may be amended).1

HEALTH CLUB: A business establishment which: (i) promotes physical fitness; (ii) contains equipment and gymnasia for body exercising or other facilities intended to improve physical fitness, diet, weight control and/or health; and (iii) is generally utilized by members who pay a periodic fee for facility access and use. For purposes of this Ordinance, a Firearms Shooting Range is not a Health Club.

Delete the following existing definition:

HEALTH CLUB or PRIVATE RECREATION: A building or portion of a building designed and equipped for the conduct of sports, exercise, leisure time activities, or other customary or usual recreational activities, operated for profit or not-for-profit and which can be open only to members and guests of the organization or open to the public for a fee.

1 See Appendix for the FOID Act definition of "Firearm".
Table 4.01.1 Permitted and Special Uses in All Zoning Districts:

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Section 4.07 Additional Use Standards for Business and Office Districts:

“4.07. Additional Use Standards for Business and Office Districts:

* * *

(15) **Firearms Shooting Ranges.** Firearms Shooting Ranges located in any Business or Office District are subject to the standards set forth in Section 4.08(5) of this Zoning Ordinance."
Section 4.08 Additional Use Standards for M-B Light Manufacturing/Business District:

“4.08. Additional Use Standards for M-B Limited Light Manufacturing/Business District:

*  *  *

(5) Firearms Shooting Ranges.

(a) Restricted Locations. The Village shall not issue a special use permit for a firearms shooting range on any lot that is less than 800 feet (measured from lot line to lot line) from: (i) any lot located in a Residential Zoning District; (ii) any lot located in the P Public Open Space - Recreation - Park Zoning District; or (iii) any other existing and operating firearms shooting range, measured from lot line to lot line.

(b) Additional application requirements. In addition to the requirements set forth in Article V of this Zoning Ordinance for special use permits, applicants for a special use permit for a firearms shooting range must submit the following additional documents and information:

i. A statement containing the name, address, driver's license number, and telephone number of all officers, directors, partners, managers, and owners of at least 25% of the stock of the applicant;

ii. A statement of the structure of ownership and governance of the applicant; and

iii. A statement of whether the applicant, or any of the persons identified in the statement required pursuant to Section 4.08(5)(b)(i) of this Zoning Ordinance, have operated or are currently operating any firearms shooting ranges, and if so:

A. The location(s) of those facilities;

B. A statement of whether the operator or any of the persons identified have been cited or found liable by any unit of government for any violations of law in connection with the operation of those facilities; and

C. A statement of whether any license or certification issued for those facilities to the operator or any of the persons identified has been suspended or revoked.
(c) Design Standards. The Village shall not issue a special use permit for a firearms shooting range that does not satisfy the following design standards:

i. The range must be designed in conformance with the United States Department of Energy Range Design Criteria dated June 4, 2012, as may be amended;

ii. The range must conform to the requirements of the United States Occupational Safety and Health Administration;

iii. The range must conform with a safety plan approved in advance by the Village Chief of Police, which plan must include, without limitation, specific range safety requirements and safety procedures for employees and customers;

iv. The range, and the lot on which the range is located, must comply with a security plan approved in advance by the Village Chief of Police;

v. Noises generated by the shooting activity on the range must be imperceptible from all locations exterior to the building in which the range is located, and must comply with all applicable federal, State, or Village noise laws and regulations; and

vi. The range must comply with all applicable United States Environmental Protection Agency and Illinois Environmental Protection Agency regulations concerning the use and possession of lead.

(d) Insurance Required. The Village shall not issue a special use permit for a firearms shooting range unless the applicant has procured comprehensive general liability and property insurance policies, in minimum amounts of ________________, which policies must name the Village as an additional insured party.

(e) Supervision. At all times during which the firearms shooting range is in operation, the range must be supervised by a Range Safety Officer duly certified by the [National Rifle Association].

(f) Assault Weapons Prohibited. No assault weapon, as that term is defined in Section 9-1-2 of the Municipal Code of Lincolnwood, as amended, may be used within any firearms shooting range.
Minors Prohibited. No person under the age of 18 may be permitted within any firearms shooting range, except when in the custody and control of his or her parent or legal guardian.

Table 7.10.01 Off-street parking schedule:

<table>
<thead>
<tr>
<th>Use Category</th>
<th>Required Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Commercial Uses</strong></td>
<td></td>
</tr>
<tr>
<td>Entertainment and recreation</td>
<td></td>
</tr>
<tr>
<td><strong>Commercial Recreational Facility</strong></td>
<td>1 space per 3 persons plus 1 space per 2 full-time employees</td>
</tr>
<tr>
<td>Health club or recreation facility, private</td>
<td>1 space per 3 persons plus 1 space per 2 full-time employees</td>
</tr>
<tr>
<td><strong>Firearms Shooting Range</strong></td>
<td>2 spaces per shooting range station, plus 3 spaces per 1,000 square feet of floor space not devoted to indoor shooting ranges.</td>
</tr>
</tbody>
</table>
APPENDIX

The FOID Act defines "Firearm" as follows:

"Any device, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas or escape of gas; excluding, however:

(1) any pneumatic gun, spring gun, paint ball gun, or B-B gun which expels a single globular projectile not exceeding .18 inch in diameter or which has a maximum muzzle velocity of less than 700 feet per second;

(1.1) any pneumatic gun, spring gun, paint ball gun, or B-B gun which expels breakable paint balls containing washable marking colors;

(2) any device used exclusively for signalling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission;

(3) any device used exclusively for the firing of stud cartridges, explosive rivets or similar industrial ammunition; and

(4) an antique firearm (other than a machine-gun) which, although designed as a weapon, the Department of State Police finds by reason of the date of its manufacture, value, design, and other characteristics is primarily a collector's item and is not likely to be used as a weapon."
Non-Residential Parcels Beyond 500ft of Residential Properties

Non-Residential Parcels Beyond 250ft of Residential Properties

Residential Parcels

Village Boundary

Distance from Residential Property

- 250
- 500

Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, IPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013
Non-Residential Parcels Beyond 500ft of Park
Non-Residential Parcels Beyond 250ft of Park
Park
Village Boundary
Distance from Park

Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013
WHEREAS, the Village of Lincolnwood is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; and

WHEREAS, Section 2.02 of "The Village of Lincolnwood Zoning Ordinance," as amended ("Zoning Ordinance"), defines "Health Club or Private Recreation" as "A building or portion of a building designed and equipped for the conduct of sports, exercise, leisure time activities, or other customary or usual recreational activities, operated for profit or not-for-profit and which can be open only to members and guests of the organization or open to the public for a fee."; and

WHEREAS, The Zoning Ordinance allows health clubs and private recreation facilities as a permitted use in the B-2 and B-3 Districts of the Village, and as a special use in the B-1, O-1, and M-B Districts of the Village; and

WHEREAS, the Village Staff has historically and consistently interpreted the term "Health Club or Private Recreation" to exclude firearms shooting ranges; and

WHEREAS, the Village Board of Trustees concurs with the interpretation by Village Staff of the term "Health Club or Private Recreation"; and

WHEREAS, in connection with a recently withdrawn application for zoning relief for the operation of a firearms shooting range, the Village Board had the occasion to consider the issue of shooting ranges, and the appropriate location and zoning of such uses in the Village, and determined that further deliberation and action on this issue is necessary; and

WHEREAS, the Village Board now desires to initiate an amendment to the Zoning Ordinance to: (i) formally codify the Village's determination that "Health Club or Private Recreation" excludes firearms shooting ranges; and (ii) establish that firearms shooting ranges may be allowed as a special use in the M-B District of the Village, subject to distance, location, and other restrictions that may be determined to be necessary and desirable during the public hearing, report and recommendation process (collectively, the "Proposed Amendment"); and
WHEREAS, pursuant to Sections 5.16(2) and (3) of the Zoning Ordinance, the Village Board has determined that it is appropriate and in the best interest of the Village to initiate the Proposed Amendment and forward it to the Plan Commission for a public hearing and a report and recommendation back to the Village Board;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LINCOLNWOOD, COOK COUNTY, ILLINOIS, as follows:

SECTION 1. RECITALS. The facts and statements contained in the preamble to this Resolution are found to be true and correct and are hereby adopted as part of this Resolution.

SECTION 2. INITIATION AND REFERRAL OF PROPOSED AMENDMENT TO PLAN COMMISSION. Pursuant to Sections 5.16(2) and (3) of the Zoning Ordinance, the Village Board shall, and does hereby, initiate the Proposed Amendment and refer it to the Plan Commission for a public hearing and a report and recommendation back to the Village Board.

SECTION 3. EFFECTIVE DATE. This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED this 9th day of November, 2012.

AYES: Trustees Patel, Swanson, Heidtke, Elster, Sprogis-Marohn

NAYS: None

ABSENT: Leftakes

ABSTENTION: None

APPROVED by me this 9th day of November, 2012.

Gerald C. Turry, President
Village of Lincolnwood, Cook County, Illinois

ATTESTED and FILED in my office this 9th day of November, 2012

Beryl Herman, Village Clerk
Village of Lincolnwood, Cook County, Illinois
Subject Property: N/A (Text Amendment)

Requested Action: Text amendment to Section 2.02 of the Zoning Code pertaining to definition of “Fence Material, Unacceptable” and Section 3.13 of the Zoning Code relative to fence design.

Petitioner: Village Board

Summary

Note: Below is the summary provided at the January 22, 2014 Plan Commission meeting. This matter was continued.

At the December 4th meeting, the Plan Commission received testimony from Zoning Board of Appeals member Paul Gordon. Mr. Gordon recommended the Plan Commission adopt an amendment to permit the use of polyvinyl chloride (PVC) fencing. At the conclusion of the hearing, the Plan Commission continued the matter to January 22nd to allow staff additional time to research and provide fence material comparisons.

Research

Staff notes an error in the summary review of the Zoning Code requirements of neighboring communities as previously presented. Staff stated that two communities do not permit PVC fences however, in speaking with representative from Glenview and Park Ridge PVC fences are permitted. Please find below the corrected summary research of neighboring communities:

1. Three communities (Evanston, Glenview, and Park Ridge) permit PVC fences subject to certain criteria,
2. Seven communities do not clearly restrict PVC fences, therefore presumed to permit.

As per the direction of the Plan Commission at their December 4th meeting, staff continued to search for information on what if any improvements to PVC materials have been made in the past 10-15 years. Unfortunately, staff has been unable to find any detailed information on improvements to the material other than anecdotal testimonials largely made by homeowners.
Staff researched industry experts and spoke with representative from Tru-Link Fence & Products Company, 5440 W. Touhy Ave. Skokie, IL. Various articles, online reviews, and Tru-Link representatives indicate the longevity of any fence mainly depends on the installation. Other factors that may speak to longevity and durability/quality of a fence may include manufacturer’s warranties as well as material cost.

**Durability/Quality – Warranty:** Tru-Link warranties all fences for three years however, of the most common fence materials (aluminum, ornamental steel, copperwood, chain link, wood, and vinyl) only the manufacturers of the aluminum and vinyl fences carried by Tru-Link include a lifetime manufacturer warranty. Wood fences carried by Tru-Link do not include any manufacturer’s warranty. In addition to the manufacturer of vinyl fences sold by Tru-Link, staff found that the overwhelming majority of other vinyl fence manufacturers at a minimum offer limited lifetime warranties.

**Durability/Quality – Cost:** According to Tru-Link while there are differing levels of vinyl materials, the initial cost of vinyl fences are typically 33% to 50% more expensive than wood fences. Other industry experts agree that vinyl fences are initially greater in cost however because they are maintenance free and generally carry lifetime warranties they are appealing to property owners.

**Disadvantages of Vinyl Fences:** Many of the negatives to vinyl fences appear to relate more to aesthetics than durability. However, in the attached, “A Comparison of Fencing Materials” from the Landscaping Network, the author notes, “Low grade vinyl is vulnerable to degradation from exposure to high UV light and extreme temperatures.” Other negatives include limited color options, limited number of styles, and without proper reinforcement vinyl fences may sag.

**Related Village Action**

Earlier this year, the Zoning Board of Appeals (ZBA) considered an application for a Variation to permit a replacement fence manufactured from custom-blended polyvinyl chloride (PVC). This type of fence would be considered a plastic and/or synthetic fence and is therefore not permitted by the Zoning Code. The ZBA recommended, by a 3-2 vote, approval of the requested Variation. The Village Board during deliberation could not reach a consensus on the requested Variation. The Board referred to the Plan Commission consideration of a possible Text Amendment relative to the list of Unacceptable Fence Materials.

As a reminder, the Board continued the Variation request to April 1, 2014 to allow the Plan Commission an opportunity to conduct the public hearing to consider appropriate fence materials. If this matter is again continued by the Plan Commission, the Village Board may not have adequate opportunity to conclude the Text Amendment consideration prior to re-hearing the Variation request on April 1st.

**Conclusion**

The Plan Commission has been directed to consider a text amendment to modify the “Unaccepted Fence Material” definition and associated fence design requirements. More specifically, the Plan Commission is tasked with consideration of plastic or synthetic
materials. The Plan Commission has discussed the appropriateness of plastic or synthetic materials based on two primary factors: 1) aesthetics and 2) durability.

Based on the majority of the information gathered by staff, the question of durability may apply to all fence material types. Durability factors include quality of material and perhaps most importantly proper/quality installation. Staff believes the consideration of PVC fencing can be reduced to one of community aesthetics; “Are vinyl fences appropriate in the community based on appearance?”

If the desire is to continue prohibiting such fence materials the motion to the Village Board is to recommend no change; if however, the desire is to permit plastic and synthetic materials the Plan Commission should discuss if all synthetic materials should be allowed or if a limitation on specific materials should be made (i.e. PVC only).

**Attachments:**

1. December 4, 2013 Plan Commission Minutes (Excerpt)
Village of Lincolnwood Plan Commission Meeting Minutes          December 4, 2013

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

Motion to approve the October 23, 2013 Plan Commission minutes was made by Commissioner Yohanna and seconded by Commissioner Auerbach.

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

Motion to approve the November 6, 2013 Plan Commission minutes was made by Commissioner Sampen and seconded by Commissioner Auerbach as amended. Motion approved 6-0.

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

Chairman Eisterhold, with the concurrence of the Plan Commission, moved to reorder the agenda and the Plan Commission began discussion of item VII Fence Material Regulations.

VII. PUBLIC HEARING: Fence Material Regulations – Zoning Code Text Amendment (Continued from September 11, 2013)

Mr. Cook provided some additional information, but still needs more time on this issue. There was nothing further, and this matter will be continued to a future Plan Commission meeting. Chairman Eisterhold recognized Zoning Board Member Paul Gordon, 6515 North Drake, who would like to approve PVC fencing in the Village. Mr. Gordon indicated that PVC is more durable than fencing made from Trex and would like to have the Ordinance amended.

Commissioner Fishman agreed with Mr. Gordon on his findings. He also inquired about what other neighboring communities use PVC fencing.

Commissioner Sampen asked Mr. Gordon to elaborate on his findings.

Commissioner Goldfein asked Mr. Gordon if he recommends that the Village remove Trex as a permitted fence material and include PVC fencing. Mr. Gordon agreed. Commissioner Goldfein and Mr. Gordon discussed the appropriate usage of the Trex material including decks. Commissioner Goldfein indicated that Trex may have been allowed in the community previously because of its wide use in decks, it’s a recycled material, and is available in different finishes. Commissioner Goldfein indicated that she believes white vinyl fences are not appropriate for the community identifying appearance and durability. Mr. Gordon disagreed and stated that his experience with PVC fences are quite durable.
Commissioner Yohanna inquired about several staff presented issues with PVC fencing. Mr. Gordon disagreed with several of the issues.

Chairman Eisterhold continued the matter until January 22, 2014. Staff will find information of PVC manufacturing processes used now versus the past 10-15 years.

Chairman Eisterhold asked if there was anyone else in the audience who wanted to comment. There was none.

Motion to Continue the matter to the January 22, 2014 regularly scheduled meeting by Commissioner Yohanna and seconded by Commissioner Goldfein.

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

VIII. PUBLIC HEARING: Preliminary Planned Unit Development, Map Amendment, Preliminary Plat of Consolidation – 4500 Touhy Avenue, 4560 Touhy Avenue, 7350 Lincoln Avenue, 7358 Lincoln Avenue, and 7366 Lincoln Avenue (The Shoppes at Lincoln Pointe)

Chairman Eisterhold swore in the Petitioners. All presenting parties introduced themselves to the Plan Commission.

Mr. Cook provided a summary of the property components. Mr. Cook indicated that the B3 Planned Development District was established to serve as the focal point of the Village and presented the following three specific requests: 1) Plat of Consolidation; 2) Map Amendment; and 3) Preliminary and Final PUD Approval.

Commissioner Yohanna questioned if the northernmost office building is being proposed for demolition as well. Staff indicated that it will not.

Gerald P. Callaghan, Attorney with Freeborn & Peters, presented the principals involved and an overview of the project known as the Shoppes at Lincoln Pointe. Mr. Callaghan provided a summary on the retail space, office space, health club, hotel, and parking spaces.

Neal A. Stein, Principal of North Capital Group, thanked the Commission and Village Staff for their time and hard work. He also wanted to thank the neighbors for their input and have incorporated many of their suggestions into the project. Mr. Stein indicated that Mr. Ross Glickman of Urban Retail Properties is not longer involved with this project and are looking for a new joint venture partner. He would have more information at the next meeting.

Joseph M. Antunovich, President of Antunovich Associates, presented the Site Plan and their uses as well as streetscapes and hardscapes. Retail, parking, and landscaping plans were
A Comparison of Fencing Materials

Compare the pros and cons, cost, style & durability of wood, vinyl, iron & more

There are a wide variety of material choices for residential fences. Your climate, the style of your home and the purpose of the fence will all play a role in selecting the best material. Whether you choose wood, vinyl, wrought iron or another fencing material, you'll want to understand the basics of fence installation so you can ensure it is designed and built correctly. With quality materials and proper construction your new fence will last for years to come.

<table>
<thead>
<tr>
<th>TYPE OF MATERIAL</th>
<th>PROS</th>
<th>CONS</th>
<th>COST</th>
<th>STYLE</th>
<th>DURABILITY</th>
</tr>
</thead>
</table>
| WOOD             | • Can be used to create curves  
• Natural appearance  
• Can be finished with stain or paint | • May rot & have problems with pests  
• Costs of lumber are rising making manufactured products more considerable | Between $13-$19 per linear foot | Versatile - many design & style options | Depends on  
• Type of post  
• Type of lumber  
• Waterproofing  
• Upkeep |
| VINYL            | • Reliable products known to last for 10+ years without fading  
• Adaptable to many architectural styles | • Color is limited to white, light tan and dark tan  
• For wide spaced areas reinforcement is needed to prevent sagging | About $25 per linear foot  
• No-core vinyl installation costs the same as wood fencing with less maintenance issues | Natural stone varies by color and style but table's important to match the stone on existing architecture | Low grade vinyl is vulnerable to degradation from exposure to high UV light and extreme temperatures |
| WROUGHT IRON     | • Today mainly made of modern steel which is better than cast and is much more flexible  
• Less expensive than traditional wrought iron | • Iron is the traditional product due to its strength, however rusts quickly if scratched | Residential grade at 6' height runs $22 per linear foot  
• Residential grade at 3' height runs $14 per linear foot | Wrought iron is typically used in traditional homes such as colonial or Victorian | Forms have to be precise to reduce chances of a wave or a bulge |
| ALUMINUM         | • Strong  
• Long lasting  
• Usually diverse & widely available | Doesn't rust but is not as strong as iron | Between $24-$32 per linear foot | • Modern architecture  
• Ideal for straight lines | Some aluminum fencing is more durable than steel, but not as stiff |
| BAMBOO           | • Perfect for decorative screens and privacy fencing  
• Easy installation  
• Environmentally friendly | May rot  
• Expensive compared to other fencing options  
• Needs occasional maintenance to keep tidy | Between $5-$11 per linear foot | • Asian inspired gardens  
• Urban or city rooftop gardens | Some are carbonized for richer color, others are burned to give a light and dark tonal shell effect |
| CHAIN LINK       | • Strong  
• Long Lasting  
• Great for sports courts | Not the most attractive looking fencing type  
• Mash or slats must be added for privacy | Between $12-$14 per linear foot | Used in gardens with sport courts, dog areas, or any area needing a temporary fence or boundary fence | A thicker galvanization means a stronger fence overall which is more resistant to rust and corrosion |
| PICKET           | • Now offered in vinyl, picket fencing is a long lasting alternative  
• Vinyl means long lasting, low maintenance, and money-saving | Wood picket fencing has problems with the contact of the wood with the earth, and usually needs to be replaced after a short time | Between $11-$14 per linear foot | Colonial, traditional, rustic and country style homes can be accented with a picket fence | • Depends on the material of wood or vinyl  
• Vinyl will last much longer, but will be a little more costly in the beginning |

Contributing Author:

Maureen Gilmer, contributing writer for Landscaping Network, author and syndicated columnist

Related Reading: