Village of Lincolnwood
Plan Commission

Meeting
Wednesday, May 3, 2017
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
   April 6, 2017 Minutes

4. Case #PC-05-17: 6435 North Christiana Avenue – Reasonable Accommodation from the Strict Application of the Zoning Ordinance to Permit a Community Residence in a Residential District
   Request: Consideration of a Reasonable Accommodation to allow for the operation of a Community Residence at 6435 North Christiana Avenue.

5. Other Business

6. Next Meeting

7. Public Comment

8. Adjournment
MEMBERS PRESENT:
Chairman Mark Yohanna
Patricia Goldfein
Steven Jakubowski
Henry Novoselsky
Don Sampen

MEMBERS ABSENT:
Anthony Pauletto

STAFF PRESENT:
Steve McNellis, Community Development Director
Doug Hammel, AICP, Community Development Manager
Kathy Kasprzyk, Community Development Coordinator

I. Call to Order
Chairman Yohanna noted a quorum of five members and called the meeting to order at 7:05 p.m.

II. Pledge of Allegiance

III. Approval of Minutes
Motion to approve the March 1, 2017 Plan Commission Minutes was made by Commissioner Sampen and seconded by Commissioner Novoselsky.

Aye: Sampen, Novoselsky, Goldfein, Jakubowski, and Yohanna
Nay: None
Motion Approved: 5-0

IV. Case #PC - 03-17: 6649 North Lincoln Avenue and 6653-59 North East Prairie Road – Final Plat of Subdivision
Chairman Yohanna announced Case #PC-03-17 for consideration of a Final Plat to re-subdivide nine lots encompassing the Lou Malnati’s Restaurant, with an address of 6649 North Lincoln Avenue, and a single-family residential property at 6659 North East Prairie Road.

Development Director McNellis presented background for consideration for Final Plat approval. The proposed Plat of Subdivision showed the multiple properties to be consolidated between Lou Malnati’s and the residential property to the north. Development Director McNellis noted this Subdivision is related to the 2016 Ordinance granting Zoning relief that required a six- to seven-foot strip of land be conveyed to the residential property north of Lou Malnati’s in conjunction with an easement of five feet on the residential property to maintain the north side of the masonry screening wall, and a covenant on the Plat of Subdivision stating that the wall could not be removed without the approval of the Village. Staff recommends approval, as presented.

Chairman Yohanna asked if anyone in the audience would like to address the Plan Commission regarding this issue. Listed below are comments from the public.

Mr. Mike Stamer, 6648 North Avers Avenue, commented about the how well the work has been going, but expressed concern about the condition of the alley. Mr. Stamer asked if repaving the alley was part of the previous Village approval. He stated if it was not, he believed that Mr. Milosavljevich of Lou Malnati’s had agreed to such a condition during a meeting between Lou Manati’s and the neighbors.

Sasha Milosavljevich, Director of Facilities for Lou Malnati’s, was not aware of any agreement to repave the alley. He noted if he had stated that Malnati’s would repave the alley, he would keep his word and they would do so, but he could not recall offering such. There was discussion with Commissioner Jakubowski trying to have the two parties come to agreement on this matter. Development Director McNellis noted that this was an issue between two private parties, but that if Lou Malnati’s wished to repave the alley, they would need to work with the Village to meet Code requirements.

**Motion to approve** the Final Plat of Subdivision to consolidate and resub divide nine lots encompassing the Lou Malnati’s Restaurant at 6649 Lincoln Avenue and a single-family residential property at 6659 East Prairie Road was made by Commissioner Sampen and seconded by Commissioner Novoselsky.

**Aye:** Sampen, Novoselsky, Goldfein, Jakubowski, and Yohanna

**Nay:** None

**Motion Approved:** 5-0

V. Case #PC - 02-17: 6755 North Cicero Avenue – Special Uses and Variations for a New Restaurant

Chairman Yohanna announced Case #PC-02-17 for consideration and review of Zoning Relief for a new Stefani’s Restaurant including Special Use approval, Special Sign approval, and Variation requests. Chairman Yohanna swore in the Petitioner and architect for the property,
Mr. Mark Knauer, President of Knauer Incorporated (Architects), 720 North Waukegan Road, Deerfield, Illinois.

Development Director McNellis presented background for the redevelopment of a restaurant building and off-street parking at 6755 North Cicero Avenue including zoning requirements, site layout, and building design plans for a new restaurant in the B-2, General Business District.

Development Director McNellis reviewed the proposed Special Uses and Variations requested. The Special Uses requested include: 1) to allow a 5,425-square-foot restaurant which is over the Permitted 5,000-square foot maximum square footage; 2) to allow parking in the Front Yard Setback on Pratt Avenue and the Corner Side Yard Setback on Cicero Avenue; and 3) to allow a business within 150 feet of a residentially-zoned property to operate after 11:00 p.m. on any day of the week, as the Petitioner is requesting to operate until 1:00 a.m. Sunday through Thursday, and 2:00 a.m. on Friday and Saturday. There are nine restaurants in the Village that operate after 11:00 p.m.

The requested Variations include the following:

- A Variation to allow a reduced Transition Yard across the east property line from thirty feet to ten feet as a portion of the existing building and a proposed walk-in cooler will be closer than the required thirty-foot required setback line;

- A Variation to allow less than the required number of off-street parking spaces from the required 55 spaces to 51 spaces;

- A Variation to allow parking spaces and parking lot drive aisles to be less than the minimum required dimensional standards as the Petitioner is proposing up to one-foot six-inches less on a drive aisle and six inches less on stall depth. It should be noted this is an existing condition;

- A Variation to allow less than the required minimum landscaped buffer along the south and east property lines. The Petitioner is proposing a five-foot landscaping buffer along the south property line where ten feet is required, and the landscaping buffer is at five feet along the east property line, in conjunction with an eight-foot masonry wall, but is not continuous;

- A Variation to reduce the required eight-foot perimeter landscaping area along Pratt Avenue to three feet. The Cicero Avenue perimeter landscaping area will be eliminated, as proposed;

- A Variation to eliminate the required interior landscape parking lot islands where they are required at the end of each parking row;

- A Variation to permit three feet of foundation landscaping instead of the required six-foot-wide foundation landscaping area on the sides of the building and no foundation landscaping on the front;

- A Special Sign Variation to permit a pole/pylon sign up to eighteen-feet tall;
• A Variation to allow a Special Sign with a sign face of 71.6-square feet which is greater than the maximum permitted sign face area of 48-square feet;

• A Variation for an illuminated freestanding sign within 75 feet of a residentially-zoned district;

• A Variation to allow a Special Sign which is approximately four feet from both the north and west property lines instead of the permitted maximum of ten feet;

• A Variation to allow a Wall Sign on the north building elevation that is greater than the maximum permitted area. The permitted maximum wall area would be 11-square feet and they are proposing 16.8-square feet in area;

• A Variation to allow less than 75 percent of each exterior building elevation to maintain required high-quality materials. The south elevation is the only elevation to meet the required percentage.

• A Variation to allow masonry stucco as more than a minor accent building material.

Development Director McNellis summarized the proposed conditions of approval should the Plan Commission be prepared to recommend approval at the end of tonight’s discussion. He noted that these conditions were a combination of those made by the Development Review Team at their February 17, 2017 meeting and others that have arisen during the review process: 1) An agreement from the Owner to maintain the hedgerow proposed in the Cicero Avenue right-of-way; 2) Painting of the proposed white masonry wall be permitted only on the west side of the wall facing into the restaurant site. The masonry wall side facing the residential properties be painted only if agreed to by all adjacent residential properties adjacent to the wall; 3) Sound from the walk-in cooler fan/motor to comply with Environmental Performance Standards for Noise and Vibration at the property line between the restaurant and residentially-zoned properties. Any testing that is necessary to be undertaken to confirm compliance is to be at the Petitioner’s expense; 4) Provide a copy of the off-site parking agreement between Stefani’s and the Korean Bethany Presbyterian Church at 4707 West Pratt Avenue; 5) Prior to issuance of a Certificate of Occupancy, a security plan for the building and property be submitted and approved by the Police Chief; and 6) Prior to occupancy, install a Fire Department Knox box at entrance(s) chosen by the Fire Department.

Chairman Yohanna asked Mr. Knauer to begin his presentation. Mr. Knauer reviewed all of the pertinent design plans for the site. He stated that the site has many existing nonconforming issues due to the narrowness of the site which requires having to request many of the landscaping and parking Variations. The foundation and parking will stay as is, but they plan on enhancing the site as much as possible. This restaurant will be a fine dining establishment with one of Chicago’s greatest restauranteurs, who is also a life-long resident of Lincolnwood.

The plans for a new 170-seat (approximate) upscale casual dining restaurant includes tearing down the porte-cochere in the front section of the building and keeping the masonry structure in the back of the building that will house the kitchen. They propose to tear down the front section of the
building and use the foundation wall and add two small additions which will be used for seating. The third curb cut in front of the restaurant (on Cicero Avenue) will be abandoned. They plan on enhancing the landscaping as much as possible and presented a landscaping plan for review. The eight-foot-wall will not be included along the south property line due to the mature trees that are present. The addition of a wall could damage these trees. Commissioner Novoselsky inquired about what action would Stefani’s take if the screening along the south property line were to die or be removed, would Stefani’s be willing to add an eight-foot-tall masonry wall. Commissioner Goldfein questioned if there was even enough room for screening along the south property line if something did happen to the trees.

Mr. Knauer explained that the building will have 68 percent premium materials including a combination of brick veneer on the twenty-six-foot tower element, black granite stone around the bottom of the building, black aluminum painted frames for the windows, and the balance of the building will be painted cementitious masonry stucco. There was a lengthy discussion as to whether cementitious masonry stucco could be considered a premium material. A four-season outdoor dining patio with lighting and music will be located at the southwest corner of the property. The windows can be opened weather permitting.

A new service court in the back of the building will be used for deliveries and include an exterior walk-in cooler. This area will also house a gated dumpster area. Trucks will enter this service court off of Pratt Avenue.

There was a lengthy discussion as to hours of operation. Commissioner Jakubowski asked if Stefani’s is receiving an unfair advantage over other restaurants in the Village. Chairman Yohanna swore in Mr. Phil Stefani, 6555 North Le Mai Avenue. Mr. Stefani stated the business hours are for the protection of their liquor license. Mr. Stefani explained that even though he is asking for a 1:00 a.m. and 2:00 a.m. closing time, the reality is that they do not foresee people dining that late. In his experience, food is typically served until 10:00 p.m. during the week and 11:00 p.m. on the weekends. The stated late hours is in case customers come in later in the evening for a meal, they would be covered by their liquor license to serve alcohol. The Commissioners asked for clarification regarding the time the kitchen will close. Mr. Stefani reiterated his experience that the kitchen will probably close at 10:00 p.m. on weeknights and 11:00 on weekends. The customers dictate how late the kitchen actually closes.

Commissioner Sampen asked if any neighbors had expressed any concerns about this project. Mr. Stefani stated that comments have been very positive. They have been in business for thirty-seven years, and many of his restaurants are adjacent to residential properties.

Chairman Yohanna asked if anyone in the audience would like to address the Plan Commission regarding this issue. Listed below are comments from the public.

Mr. Irving Fishman, 6642 North Kolmar Avenue, stated that he is very excited about this new business and since the Village does not have a “white linen” restaurant and looks forward to this opening. He believes this approval is in the best interest of the Village.
Ms. Karen Stefano, 6555 North Le Mai Avenue, stated that there are not enough restaurants in the Village where you could go for a drink or a meal late in the evening. She voiced her support.

Ms. Jennifer Spino, 4646 West North Shore Avenue, has spoken to her neighbors and they are excited about having a restaurant to go to that is open later in the evening. Ms. Spino is not aware of any concerns about the restaurant being too noisy or open too late.

Mr. Jim Persino, 6700 North Sauganash Avenue, read the Economic Development Commission’s “white paper”, supporting the redevelopment project, into the record. Mr. Persino said that Mr. Stefani runs a first-class operation and stated that the Economic Development Commission recommends approval of this proposal.

Ms. Georjean Nickell, 6733 North Kedvale Avenue, expressed concern with the white color of the building, and inquired if the color could be toned-down, perhaps to a cream color. Ms. Nickell agreed with Commissioner Jakubowski regarding uniformity with the hours of operation of other restaurants.

Chairman Yohanna read a letter into the record from Mr. John Vranas, 6544 North Leroy Avenue, stating his support for this project.

Commissioner Novoselsky asked if the Petitioner agrees with the Recommended Conditions presented. Mr. Knauer stated they would comply with all Recommended Conditions. Mr. Knauer said they are ready to begin the building permit and engineering process as soon as approval is granted. They anticipate opening by the end of this year.

Motion to recommend approval of the requested relief set forth regarding the Special Uses and Variations subject to the various Recommended Conditions including: 1) An agreement from the Owner to maintain the hedgerow proposed in the Cicero Avenue right-of-way; 2) Painting of the proposed white masonry wall be permitted only on the west side of the wall facing into the restaurant site. The masonry wall side facing the residential properties be painted only if agreed to by all adjacent residential properties adjacent to the wall; 3) Sound from the walk-in cooler fan/motor to comply with Environmental Performance Standards for Noise and Vibration at the property line between the restaurant and residentially-zoned properties. Any testing that is necessary to be undertaken to confirm compliance is to be at the Petitioner’s expense; 4) Provide a copy of the off-site parking agreement between Stefani’s and the Korean Bethany Presbyterian Church at 4707 West Pratt Avenue; 5) Prior to issuance of a Certificate of Occupancy, a security plan for the building and property be submitted and approved by the Police Chief; and 6) Prior to occupancy, install a Fire Department Knox box at entrance(s) chosen by the Fire Department was made by Commissioner Sampen and seconded by Commissioner Novoselsky.

Commissioner Sampen added an amendment to his motion with respect to restaurant hours.

Motion to recommend approval to close at 1:00 a.m. on Sunday through Thursday and 2:00 a.m. on Friday and Saturday. Motion seconded by Commissioner Novoselsky.

Aye: Sampen, Novoselsky, Jakubowski, and Yohanna
Nay: Goldfein
Motion Approved: 4-1
Chairman Yohanna asked if there was anyone in the audience who would like to address the Plan Commission. Let the record state that no one came forward.

V. Other Business

No other business was discussed. Chairman Yohanna asked if there was anyone in the audience who would like to address the Plan Commission. Let the record state that no one came forward.

VI. Next Meeting

The next meeting of the Plan Commission is scheduled for Wednesday, May 3, 2017.

X. Adjournment

Motion to adjourn was made by Commissioner Sampen and seconded by Commissioner Jakubowski. Meeting adjourned at 9:35 p.m.

Aye: Sampen, Jakubowski, Goldfein, Novoselsky, and Yohanna
Nay: None
Motion Approved: 5-0

Respectfully submitted,

Kathryn M. Kasprzyk
Community Development Coordinator
Plan Commission Staff Report
Case # PC-05-17
May 3, 2017

**Subject Property:**
6435 North Christiana Avenue (mid-block between Devon Avenue and Arthur Avenue)

**Zoning District:**
R-4, General Residence

**Petitioner:**
Andreea Bordeianu, Diane Home Care, Inc., on behalf of Virgil Tiran (owner)

**Nature of Request:**
Approval of a Reasonable Accommodation to allow for a Community Residence use in a residential district (see detail below)

**Notification:**
Notice in Lincolnwood Review on April 13, 2017, Public Hearing sign installed at 6435 North Christiana Avenue, and mailed Legal Notices Dated April 13, 2017 to properties within 250 feet.

**Zoning Action Requested:**
Approval of a Reasonable Accommodation pursuant to provisions set forth in Section 4.06(3) of the Village’s Zoning Ordinance with the intent of operating a Community Residence in a residential zoning district.
Summary of Request:

Andreea Bordeianu of Diane Home Care (“Petitioner”) seeks approval of a Reasonable Accommodation in order to operate a Community Residence at 6435 North Christiana Avenue. If approved, the Community Residence would be used to provide 24-hour care to two adults with developmental disabilities that qualify under the Fair Housing Act’s definition of “handicapped.”

Regulatory Context:

The Petitioner is seeking approval to operate a Community Residence in the R-4, General Residence Zoning District. Section 2.02 of the Zoning Ordinance defines “community residence” as “a group home or specialized residential care home, the residents of which do not constitute a family, that: (a) serves persons with disabilities, as defined in the Fair Housing Act, 42 U.S.C. § 3602(h)(1), as may be amended; and (b) does not serve persons as an alternative to incarceration for a criminal offense or persons whose primary reason for placement is treatment of a communicable disease.” Based on the information provided in the application, the proposed facility, and the services provided therein, meets this definition. (For Plan Commission reference, FHA’s definition of “handicap” is “with respect to a person, or mental impairment which substantially limits one or more major life activities; a record of such an impairment; or being regarded as having such an impairment.”)

Based on Table 4.01.1 Permitted and Special Uses in All Zoning Districts, “community residence” is a permitted use in the R-4, General Residence District “only in compliance with, and pursuant to, the reasonable accommodation provisions and procedures set forth in Section 4.06(3) of this Zoning Ordinance.”

The purpose of Section 4.06(3) as stated in the Zoning Ordinance is “to provide a procedure to request reasonable accommodation from the strict application of the regulations of this Zoning Ordinance for persons seeking equal access to housing under the Fair Housing Act, 42 U.S.C. § 3602(h)(1), as may be amended ("FHA"), and who have disabilities or handicaps as defined by the FHA.” Included in Section 4.06(3) is a series of standards that are to be used in assessing whether a reasonable accommodation ought to be granted. The full set of standards is included as Attachment #3 to this report. Compliance with some of these standards cannot be determined based on the information provided in the Petitioner’s original application. These are identified in the “Conclusion” section of this report.

Public Comment:

Since the public notice of this case on April 13, 2017 and prior to the drafting of this Staff Report, the Community Development Department received two inquiries regarding this application. Upon reviewing the application, one resident had no concerns about the proposed use. Another resident, Alice Shant from 6451 North Christiana Avenue, expressed concerns over parking, as she stated this block is already impacted by customers parking for nearby businesses.
Conclusion

Diane Home Care, Inc. seeks approval of a Community Residence, under the Village’s provisions of a reasonable accommodation, for the property located at 6435 North Christiana Avenue, which is in the R-4, General Residence Zoning District. Based in information provided in the original application, as well as additional information provided on April 27, 2017 (included as Attachment 2 of this report), staff feels the Petitioner has provided adequate information for the Plan Commission to discuss the appropriateness of the Reasonable Accommodation being sought.

Documents Attached

1. Reasonable Accommodation Public Hearing Application
2. Additional Information Provided by the Petitioner After the Public Review Period Beginning April 13, 2017
3. Considerations for Approval of a Reasonable Accommodation
4. On-going Maintenance and Reporting Requirements for a Community Residence
5. List of Required Documentation Provided by the Petitioner for the Community Residence Service Provider
VILLAGE OF LINCOLNWOOD  Public Hearing Application
Community Development Department  Reasonable Accommodation

SUBJECT PROPERTY

Property Address: 6435 N CHRISTIANA AVE, LINCOLNWOOD, IL 60712
Permanent Real Estate Index Number(s): 10-35-423-035-0000
Zoning District: Lot Area: 5,580 SQUARE FEET
List all existing structures on the property. Include fencing, sheds, garages, pools, etc.
FENCE AROUND THE BACKYARD, 1-CAR DETACHED GARAGE

Are there existing development restrictions affecting the property?  □ Yes  ☑ No
(Examples: Previous Variations, Conditions, Easements, Covenants) If yes, describe:

REQUESTED ACTION(S)

☒ Reasonable Accommodation: CILA Community Residence
☐ Reasonable Accommodation: Non-CILA Community Residence
☐ Other Reasonable Accommodation

Identify the specific zoning regulation(s) for which this Reasonable Accommodation is requested.

DESCRIPTION

Describe the Request: Occupancy permit for CILA homes that will serve 2 individuals with developmental disabilities.

PROPERTY OWNER/PETITIONER INFORMATION

Property Owner(s): (List all Beneficiaries if Trust)
Name: VIRGIL TIRAN
Address: 4401 CHASE AVE,
Telephone: (773) 418-2392  Fax: (847) 675-6093  E-mail: VIRGIL@DIANEHOMEincare.US

Petitioner: (If Different from Owner)
Name: DIANE HOME CARE, INC.  Relationship to Property: LESSOR
Address: 4121 OAKTON ST, SKOKIE, IL 60076
Telephone: (847) 6756093  Fax: (847) 6756092  E-mail: DHC@dianehomecare.us
REQUIRED ATTACHMENTS

BELOW IS A LIST OF DOCUMENTS WHICH MUST BE ATTACHED TO THIS APPLICATION. CHECK THE BOX FOR EACH DOCUMENT THAT IS ATTACHED. The Zoning Officer may require additional documents as deemed necessary to your request.

I. FOR ALL APPLICATIONS, the following documents are required:

☑ Plat of Survey/Legal Description
☑ Proof of Ownership
☑ Statement identifying/desccribing the disability or disabilities of the individual(s) for whom this request is made and the basis for the claims that the disability/disabilities are subject to the federal Fair Housing Act.
☑ Statement and supporting documentation as to why this request is financially, therapeutically, or otherwise necessary to afford a disabled person(s) an equal opportunity to use and enjoy housing in the Village.

II. FOR ALL COMMUNITY RESIDENCE REQUESTS, the following additional documents are required:

☑ Operating Organization: Provide a statement listing the name, address, and telephone number of the organization that will operate the residence and identifying the structure of ownership and governance of the organization.

☑ Disclosure Statement: Provide a statement containing the name, address, driver’s license number, and telephone number of ALL officers, directors, partners, managers, and ALL owners of at least 25% of the stock of the proposed operator.

☑ Operator Experience: Provide a statement as to whether the proposed operator or any persons required to be identified on the required Disclosure Statement have operated or are currently operating any housing facilities for disabled persons. If there is such experience, further provide:
  a. the name/address of each facility location;
  b. a statement whether the operator/persons identified have been cited or found liable by any unit of government for any violations of law in connection with the facility; and
  c. a statement whether any license or certification issued for any facility has ever been suspended or revoked.

☑ Distance Separation: Provide a statement certifying that there are no existing community residences in the Village located within 800 feet of the proposed community residence.

☑ Maximum Occupancy: Provide a statement identifying the total maximum occupancy proposed for residence at the subject property (including full-time residents and caregivers).

☑ Operations Statement: Provide a statement identifying the typical services to be provided on site, the number of employees, anticipated number of vehicles, deliveries, and any other general operating practices or standards; and

☑ License or Certification: Attach either the CILA license or other license or certification issued for the proposed residence.
III. **FOR ALL OTHER REASONABLE ACCOMMODATION REQUESTS**, the following additional documents are required:

- [ ] Site Plan
- [X] Floor Plan
- [ ] Building Elevations
- [ ] Photos of the Property
- [ ] Pdf Files of all Drawings

**COST REIMBURSEMENT REQUIREMENT**

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

Invoices in connection with this application shall be directed to:

**Name:**
**4401 CHASE AVE,**
**LINCOLNWOOD, IL 60712.**

**ATTESTMENT AND SIGNATURE**

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

**PROPERTY OWNER:**

**PETITIONER:** (If Different Than Property Owner)

**Signature**

**VIRGIL TIRAN**

**ANDREEA BORDEIANU**

**Print Name**

**02/21/2017**

**Date**

**02/21/2017**

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

1. Whether the housing that is the subject of the request will be used by an individual or a group of individuals considered disabled or handicapped under the federal Fair Housing Act.

   The house will be used to provide 24-hour CILA services to 2 adults with developmental disabilities.

2. Whether the requested Reasonable Accommodation is financially, therapeutically, or otherwise necessary to make specific housing available to the individual or group of individuals with a disability or handicap under the federal Fair Housing Act.

   The 2 individuals that would be moving in this home are considered crisis cases. The home will be providing therapeutical services in a home-like environment.

3. Whether there are alternative Reasonable Accommodations available that would provide an equivalent level of benefit.

   This home will provide 24-home CILA services to 2 individuals with developmental disabilities.

4. Whether alternative accommodations would be suitable based on the circumstances of the particular application.

   The 2 individuals that will be residing in this home require 24-hour staff supervision.
5. Whether the requested Reasonable Accommodation would be consistent with the general purpose and intent of the Zoning District in which the property is located.

6. Whether the requested Reasonable Accommodation would impose an undue financial or administrative burden on the Village.

   All expenses to maintain this home will be supported by Diane Home Care.

7. Whether the requested Reasonable Accommodation will adversely affect vehicular traffic or parking on the subject property or on the streets adjacent to the subject property, or in the neighborhood in which the subject property is located.

   The home is equipped with a 1-car garage. The operation of this home will not affect the vehicular traffic in the area and will not affect street parking more than any other residential house will.

8. Whether the requested Reasonable Accommodation would require a fundamental alteration in the nature of the regulations set forth in the Village Zoning Ordinance.

   No alteration in the nature of the regulations established by Village of Lincolnwood will be required.
9. Whether the requested Reasonable Accommodation substantially affects the physical attributes of the subject property.

There will be no physical changes done to this property that will negatively affect the neighborhood.
## PUBLIC HEARING FEES AND DEPOSIT SCHEDULE

### Plan Commission

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<th>Hearing Type</th>
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### Zoning Board of Appeals

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* Hearing fees are non-refundable.

** Hearing deposits shall be applied to out-of-pocket expenses incurred by the Village as the result of the Public Hearing process. If additional costs are incurred, or if no deposit is provided, such out-of-pocket expenses will be billed directly to the applicant.
04/27/2017

Dear Mr. Hammel,

Per our phone conversation, please see below clarification on the items that were not explained properly on our application for Reasonable Accommodation for 6435 N Christian Ave, Lincolnwood, IL 60712.

3. Whether there are alternative Reasonable Accommodations available that would provide an equivalent level of benefit.

This home will provide 24-hour CILA services to 2 individuals with developmental disabilities. We offer the following supports:
- safe and stable community integrated housing, in the least restrictive environment
- training in self-sufficiency and economic independence.
- an array of trainings and supports geared for helping our clients develop realistic goals and acceptable attitudes for independence and integrated community living skills.

The clients would not be able to receive similar type services in any other type of setting.

4. Whether alternative accommodation would be suitable based on the circumstances of the particular application.

A CILA setting is the least restrictive and most appropriate living arrangement for individuals with developmental disabilities. There are no alternative reasonable accommodations available for our clients.

5. Whether the requested Reasonable Accommodations would be consistent with the general purpose and intent of the Zoning District in which the property is located.

We will be offering 24-hour CILA services to two individuals with developmental disabilities. While in our program all clients are provided with training services designed for each one of them to develop skills in the following area:
- performing activities of daily living, including self-help skills, motor skills, and communication skills,
- enhancing emotional personal development,
- providing experiences conducive to the acquisition of a positive self-concept and desire to learn,
- providing experiences for gainful useful occupational and prevocational skills.

7. Whether the requested Reasonable Accommodation will adversely affect vehicular traffic or parking on the subject property or on the streets adjacent to the subject property, or in the neighborhood in which the subject property is located.
The house has with a 2-car garage. The operation of this home will not affect the vehicular traffic in the area and will not affect street parking any more than any other residence in the neighborhood. Our clients do not drive or own vehicles. Our staff will come to work either by public transportation or personal.

If you have any questions or require additional information, please do not hesitate to contact me. I can be reached at (847) 675-6093.

Sincerely,

Andreea Bordeianu
Director of Residential Services
Zoning Code Considerations for a Reasonable Accommodation

The following standards are taken from Section 4.06(3) of the Village’s Zoning Ordinance. These are intended to be used when determining the appropriateness of a Reasonable Accommodation. The Petitioner is asked to demonstrate whether:

- The housing that is the subject of the request will be used by an individual or a group of individuals considered disabled or handicapped under the FHA;
- The accommodation requested is financially, therapeutically, or otherwise necessary to make specific housing available to the individual or group of individuals with a disability or handicap under the FHA;
- There are alternative reasonable accommodations available that would provide an equivalent level of benefit;
- Alternative accommodations would be suitable based on the circumstances of the particular application;
- The requested Reasonable Accommodation would be consistent with the general purpose and intent of the zoning district in which the property is located;
- The requested Reasonable Accommodation would impose an undue financial or administrative burden on the Village;
- The requested Reasonable Accommodation will adversely affect vehicular traffic or parking on the subject property or on the streets adjacent to the subject property, or in the neighborhood in which the subject property is located;
- The requested Reasonable Accommodation would require a fundamental alteration in the nature of the regulations set forth in this Zoning Ordinance; and
- The requested Reasonable Accommodation substantially affects the physical attributes of the subject property.
On-Going Maintenance and Reporting Requirements for a Community Residence

Section 4.06(3) of the Village’s Zoning Ordinance requires the following as a part of operating a community residence under an approved Reasonable Accommodation:

• **On-going Maintenance:** Each community residence for which a Reasonable Accommodation has been approved pursuant to this Section 4.06(3) shall be operated and maintained in accordance with all conditions imposed by the Village in accordance with the ordinance approving the Reasonable Accommodation.

• **Reporting:** Not less than once per year, each community residence for which a Reasonable Accommodation has been approved pursuant to this Section 4.06(3) shall deliver to the Village Director of Community Development a written report that provides evidence of continued compliance with the certification standards and conditions set forth in the ordinance approving the Reasonable Accommodation for the community residence.
List of Required Documentation Provided by the Petitioner for a Community Residence Service Provider

In accordance with Section 4.06(3) of the Village’s Zoning Ordinance, the Petitioner submitted the following required documents:

- A legal description of the subject property;
- Proof of ownership of the subject property;
- Statement describing the disabilities of individuals for whom the request is made;
- Statement and supporting documentation as to why this request is financially, therapeutically, or otherwise necessary to afford disabled persons an equal opportunity to use and enjoy housing in the Village;
- Information related to the qualifications of the operating organization;
- A statement of distance separation of at least 800 feet from other documented community residences;
- A statement of the maximum occupancy of the facility;
- A statement of the typical services to be provided; and
- CILA License.