



# Village of Lincolnwood Plan Commission

*Meeting*  
**Wednesday November 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**  
October 22, 2014 Meeting Minutes
4. **Public Hearing: Residential Uses in Lincoln Avenue Corridor – Zoning Code Text Amendment**  
**Request:** Text Amendment to Land Use Table Concerning Residential Uses Within the Lincoln Avenue Corridor as a Special Use and Alternatively to Consider Residential Uses Within the Lincoln Avenue Corridor South of Pratt Avenue on the East Side of Lincoln Avenue as a Prohibited Use
5. **Approval of Revised 2015 Plan Commission Workshop Dates**
6. **Next Meeting**
7. **Public Comment**
8. **Adjournment**



**DRAFT MEETING MINUTES  
OF THE  
PLAN COMMISSION  
OCTOBER 22, 2014 – 7:00 P.M.**

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

**MEMBERS PRESENT:**

Chairman Paul Eisterhold  
Irving Fishman  
Patricia Goldfein  
Steven Jakubowski  
Anthony Pauletto  
Mark Yohanna

**MEMBERS ABSENT:**

Don Sampen

**STAFF PRESENT:**

Aaron N. Cook, AICP, Community Development Manager

**I. CALL TO ORDER**

**II. PLEDGE OF ALLEGIANCE**

Chairman Eisterhold noted a quorum of six members and called the meeting to order at 7:00 p.m.

**Motion to approve** the September 3, 2014 Meeting Minutes was made by Commissioner Yohanna, and seconded by Commissioner Fishman.

**Aye: Yohanna, Fishman, Goldfein, Jakubowski, Pauletto, and Eisterhold**

**Nay: None**

**Motion Approved: 6-0**

Chairman Eisterhold announced that the Conceptual Plan Review for 6653 East Prairie Road will be heard first. Chairman Eisterhold stated that the review will be a public meeting for the purposes of a workshop review of a concept plan. Chairman Eisterhold indicated that no action will be taken on the matter.

### **III. Workshop: Conceptual Plan Review: 6653 East Prairie Road**

Commissioner Eisterhold summarized that the Petitioner, Lou Malnati's, appeared before the Zoning Board of Appeals on October 15, 2014 relative to their requested Variations. After that ZBA meeting, it was evident that there were some requests that could be considered by the Plan Commission and not the ZBA relative to solutions to the problems they are trying address. After talking with the Petitioner, they asked if they could appear at this Workshop to present their concepts and get the Plan Commission's feedback on the concept.

Mr. Cook briefly provided background on the specific reasons as to why this concept plan is before the Plan Commission as these requests would involve a Map Amendment to rezone the residential property into the Business District for the use of the property as off-street parking. The Plan Commission cannot take any action as no application has been filed. The existing property includes a residential lot north of the restaurant. The concept plan involves the demolition of the single-family home for the purposes of installing off-street parking. Mr. Cook presented the concept plan for the Plan Commission member's review.

The representative speaking for Lou Malnati's was Mr. Sasha Milosavljevich. Chairman Eisterhold cautioned the members of the audience wishing to speak at tonight's Workshop that any comments provided are not part of a Public Hearing. If this action goes further, any Village resident would then be able to make their comments official at a Public Hearing. In the event a Public Hearing is scheduled, the Village will send notices in the mail to the surrounding neighbors advising them of this meeting.

Chairman Eisterhold briefly outlined the history of this property. To the north of the restaurant is a single-family home and freestanding garage. It was originally a home for a Malnati family member, but then was converted into some office space which was not allowed as it is located in a residentially-zoned district. The Malnati organization was not considering utilizing this piece of property in their expansion plans, but would possibly consider including this lot to the north for parking to help alleviate concerns.

Lou Malnati's has entered into an agreement to lease parking in the lot across the street in the evenings and on weekends. However, the Zoning Code does not allow Lou Malnati's to post a sign in this lot advertising that parking is available for their customers.

Mr. Milosavljevich presented the concept plan to add approximately 1,400-square feet to the restaurant for carryout expansion. Based on responses received from the neighbors and from the ZBA regarding the parking that was being eliminated with this addition, subsequently the property to the north would involve a total demolition of the single-family home and garage to add asphalt parking for twelve parking spots which would alleviate some of the parking congestion that the neighborhood is feeling.

Commissioner Fishman asked Mr. Milosavljevich what was the net gain in parking spots. He replied that with the loss of the employee parking, the net gain in parking is four spots. He further explained that there are some other things they could do such as designating the first four spots for carryout only and could double park the employee cars to add additional parking. They

feel the net gain is more than four spots. The US Bank parking lot can accommodate 90 parking spots and they have 39 parking spots in front of their building. Additionally, they were asked why all the employees don't park across the street to free up spaces for customer parking. Mr. Cook replied that the parking agreement is for parking after 5:00 p.m. on weekdays. The restaurant's general manager, Mr. Hugo Ramos, answered that 60 percent of their employees do use public transportation.

Commissioner Yohanna asked Mr. Milosavljevich if they could enter into another parking agreement with the triangular property to the south and if this could be striped to add more parking spaces. He stated that this is something that could be considered.

Chairman Eisterhold reiterated that this addition is to separate the carryout and the dine-in space. Lou Malnati's also requires additional storage and to increase their efficiency in the kitchen area with cooler space and a better refuse area. This addition will also alleviate their foundation seepage and HVAC issues.

There was a discussion as to what uses this new parking area would encompass with regards to deliveries and trash pickup.

Commissioner Jakubowski asked for a projection of how many customers use the carryout. They estimate that there are 50 to 75 carryout orders per hour during their rush which is between 5:30 p.m. to 7:30 p.m.

Commissioner Goldfein asked if they would be willing to put up a masonry fence or wall between their business and the residents which could alleviate some of the restaurant and traffic noise. Commissioner Goldfein mentioned some examples, such as Walgreens, where this concept has worked out well for the residents bordering commercial uses.

With regards to alley congestion, Chairman Eisterhold touched on the subject of not allowing delivery drivers or non-delivery drivers to use the alley which would go a long way to helping the neighbors or even entertain the idea of one-way traffic.

Lou Malnati's would like to improve the signage to show the additional parking across the street, but their request was denied. Mr. Cook replied that the sign code would not allow a banner or a lighted sign be installed. The Commissioners discussed whether the sign code should be revised.

Chairman Eisterhold asked if any of the audience members had comments or questions.

Mrs. Dolly Stamer of 6648 North Avers Avenue said that she thought this plan is actually worse than the first plan. She does not want to live next to a parking lot. Commissioner Jakubowski asked Mrs. Stamer how she would feel about a solid masonry wall to block the traffic from the restaurant. The Commissioners asked Mrs. Stamer to listen to the ideas that have been brought forth which might actually be an enhancement instead of a detriment.

Ms. Pam Lefkowitz of 6725 North East Prairie Road spoke of the parking and traffic control problems on her street. She would hope that the new parking lot would help with people parking in front of her house. She would like to see a meeting happen between Lou Malnati's and the

residents to collectively find a solution. The parking situation the last few years have been really bad.

Mr. Mike Stamer of 6648 North Avers Avenue said that with the restaurant being busier than ever, he believes the restaurant is too big already and the potential is there for even more traffic. The restaurant needs more parking, even without the addition. He would like to see the signage on the bank parking lot. Mr. Stamer spoke about people loitering in the alley. The bank should be utilized for restaurant parking instead of demolishing the home and making it a parking lot. The pictures that Mr. Stamer presented to the ZBA were discussed. Commissioner Goldfein asked Mr. Stamer what he thinks would work. He believes the bank parking lot sign is a crucial component to alleviate the parking situation and would be open to the solid eight-foot masonry wall to restrict alley access.

Ms. Damira Jakupovic of 3851 West North Shore Avenue said the front and back sides of her house are impacted by the restaurant. She does have residents-only parking in front of her house, but people ignore the signs and park there anyway. Ms. Jakupovic did admit that she has not called the police to complain about the parking violators. Chairman Eisterhold suggested that the village relook at the neighborhood parking signs to be more in line with the City of Chicago's resident parking requirements. Commissioner Yohanna suggested no stopping/no standing parking signs in the alley.

Mr. Emil Neliente of 6659 North East Prairie Road doesn't believe demolishing the house will solve the parking situation. His property is less than three feet from the proposed parking lot. The noise is bad now, especially in the summer months, and having this right next to his property will be worse and repeatedly speaking to management has not done any good. Mr. Neliente also stated that the garbage is being picked up earlier than 7:00 a.m., which is prohibited.

When asked if Lou Malnati's would be interested in moving to the old Purple Hotel site, Mr. Milosavljevich replied that idea is highly unlikely and is not under consideration.

Staff restated the findings of the ZBA and their denial of the six Variations that Lou Malnati's sought. This Workshop was to help alleviate the neighbor's concerns. The loss of the employee parking was the reason for denying these Variations. All six Variations were voted on and denied unanimously by the ZBA. Lou Malnati's thought was that by demolishing the house, it would at least alleviate some of the problems. It doesn't change the "big picture" of what needs to be done. A Map Amendment and Consolidation would have to occur for Lou Malnati's to use the property to the north.

There was a lengthy discussion as to what the purview of the ZBA and the Plan Commission can do to satisfy the concerns of the neighbors. The purpose of this meeting is for the concept of converting the residential use for off-street parking. This meeting was for Lou Malnati's benefit for them to hear the concerns of the neighbors and for the neighbors to hear what plan Lou Malnati's came up with since the Zoning Board meeting last week. It is up to them to take the next step to ask for a Public Hearing to go forward with their plans.

**Motion to close** the Workshop was made by Chairman Eisterhold and thanked the audience for their participation.

Chairman Eisterhold called the Public Hearing to order at the conclusion of the Workshop discussion.

#### **IV. Approval of 2015 Plan Commission Schedule**

**Motion to approve** the 2015 Plan Commission Schedule was made by Commissioner Fishman, and seconded by Commissioner Jakubowski.

**Aye: Fishman, Jakubowski, Goldfein, Pauletto, Yohanna, and Eisterhold**

**Nay: None**

**Motion Approved: 6-0**

#### **V. Public Hearing: Lincoln Avenue Plan – Amendment to Comprehensive Plan**

Chairman Eisterhold asked if anyone in the audience would like to address the Plan Commission regarding this Public Hearing. Let the record state that no one came forward.

**Motion to continue** the Lincoln Avenue Plan Public Hearing to the December 3, 2014 Plan Commission meeting was made by Commissioner Yohanna, and seconded by Commissioner Pauletto.

**Aye: Yohanna, Pauletto, Fishman, Goldfein, Jakubowski, and Eisterhold**

**Nay: None**

**Motion Approved: 6-0**

#### **VI. NEXT MEETING**

Chairman Eisterhold announced that the next Plan Commission meeting will be held on Wednesday, November 5, 2014.

#### **VII. ADJOURNMENT**

Hearing no further business, **motion to adjourn** was made by Commissioner Pauletto, and seconded by Commissioner Yohanna. Meeting adjourned at 9:35 p.m.

**Aye: Pauletto, Yohanna, Fishman, Goldfein, Jakubowski, and Eisterhold**

**Nay: None**

**Motion Approved: 6-0**

Respectfully Submitted,

Kathryn M. Kasprzyk  
Community Development Coordinator



## Staff Report Plan Commission November 5, 2014

**Subject Property:** N/A (Text Amendment)

**Requested Action:** Text Amendment to the Zoning Code to consider Residential Uses (Townhouse, Multi-family dwelling, and Residential Units, above 1<sup>st</sup> floor commercial) as a Special Use in the Lincoln Avenue Corridor and alternatively to consider said uses South of Pratt Avenue on the East side of Lincoln Avenue as Prohibited Uses.

**Petitioner:** Village Board

### **Summary**

As part of its consideration of the Lincoln Avenue Task Force (LATF) Report, the Plan Commission reviewed the recommendations made relative to residential uses within the corridor. The LATF Report “Executive Summary” and “Vision for the New Lincoln Avenue Corridor” contain statements encouraging the development of residential along Lincoln Avenue.

At the April 23, 2014 meeting, the Plan Commission continued deliberation of the LATF Report and generally found that residential uses along Lincoln Avenue could have merit. The Commission did not find a basis to outright reject the vision of the LATF for the corridor or to recommend the outright prohibition of this land use in the corridor. At this meeting the Commission first discussed the possibility of recommending all residential uses along Lincoln Avenue be Special Uses rather than Permitted Uses.

At the July 23<sup>rd</sup> meeting, the Plan Commission concluded that residential uses should be considered Special Uses within the Lincoln Avenue Corridor, rather than as Permitted Uses as is the current case for portions of the Corridor.

At its October 7, 2014 meeting, the Village Board concurred with the amendment to the Comprehensive Plan as recommended by the Plan Commission and referred to the Plan Commission a public hearing of a proposed Text Amendment to the Zoning Code to make residential uses along Lincoln Avenue a Special Use. The Village Board also included as part of a referral an alternative consideration to consider a prohibition on residential uses south of Pratt Avenue on the East side of Lincoln Avenue.

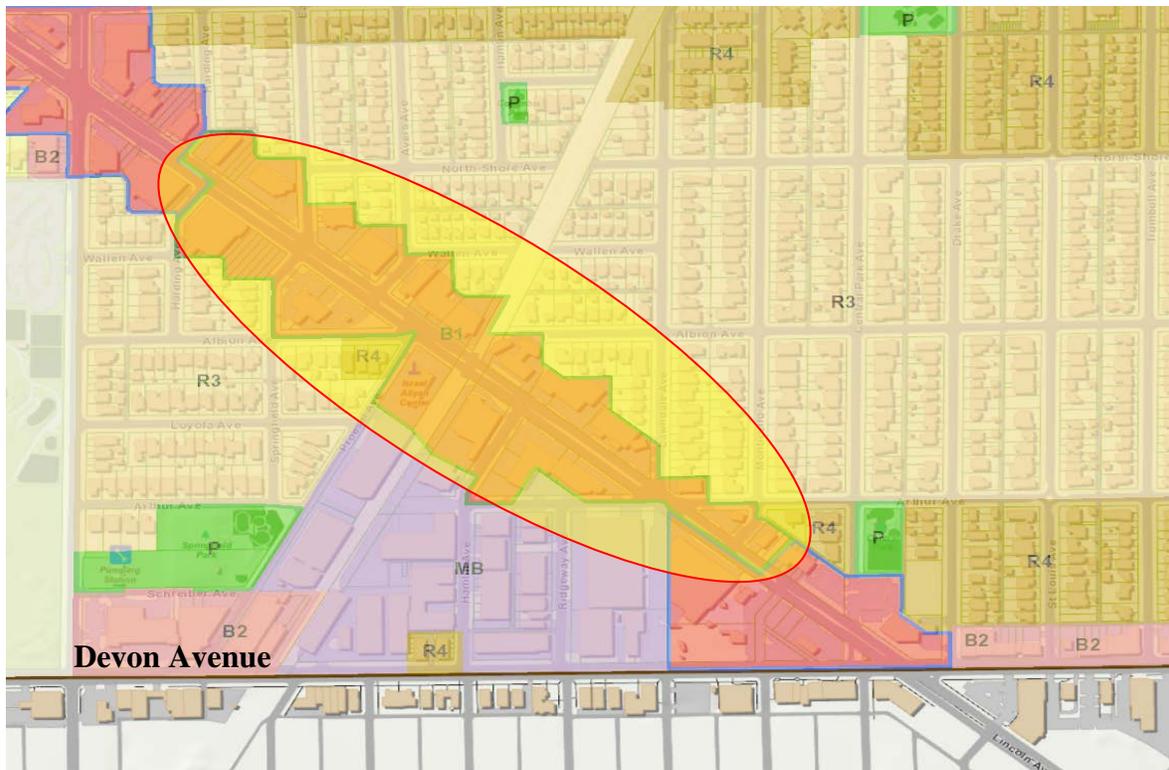
### **Review of Zoning Code**

Below are the definitions of the residential uses that are currently permitted by the Zoning Code within the Lincoln Avenue Corridor.

“TOWNHOUSE An attached single-family residential housing design which typically contains three or more dwelling units having one or more walls abutting with another dwelling and designed to have all exits open directly to the outside.

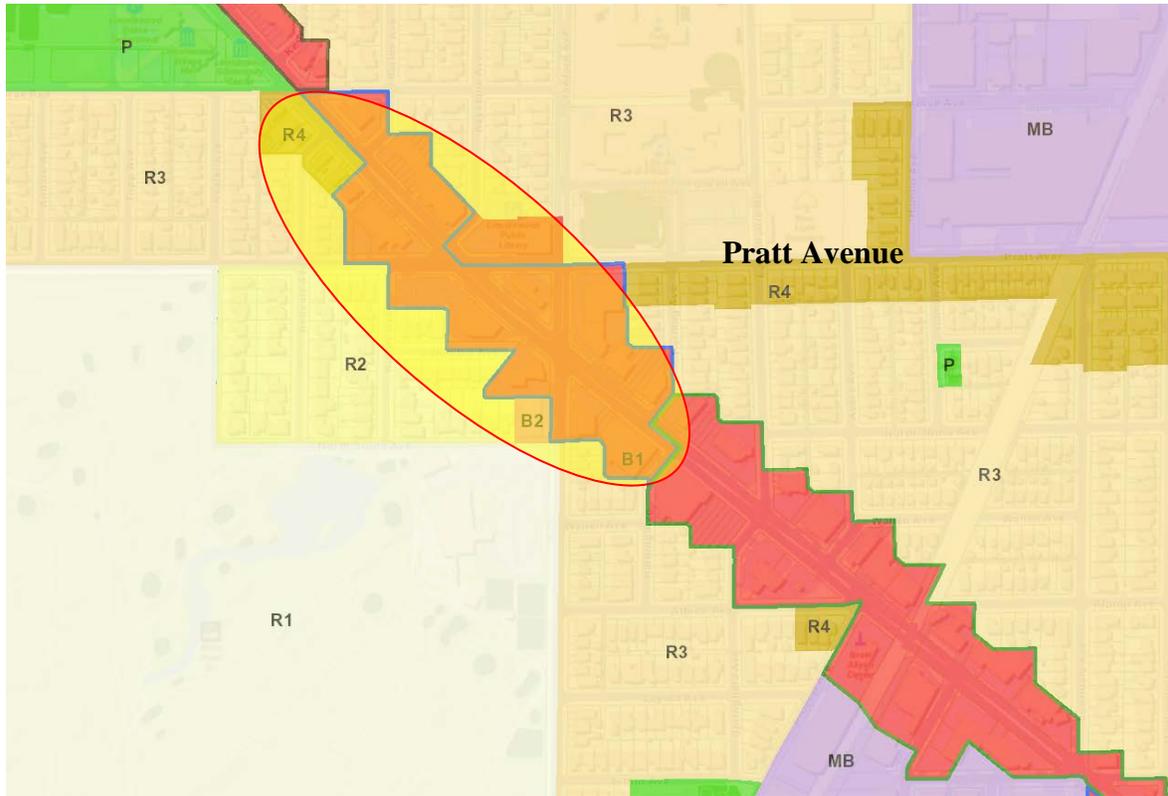
MULTIPLE-FAMILY DWELLING A building containing three or more dwelling units.”

Ground Floor residential uses are *only permitted* within the Business/Residential Transition Area (GIS Image of the Overlay Area Below).

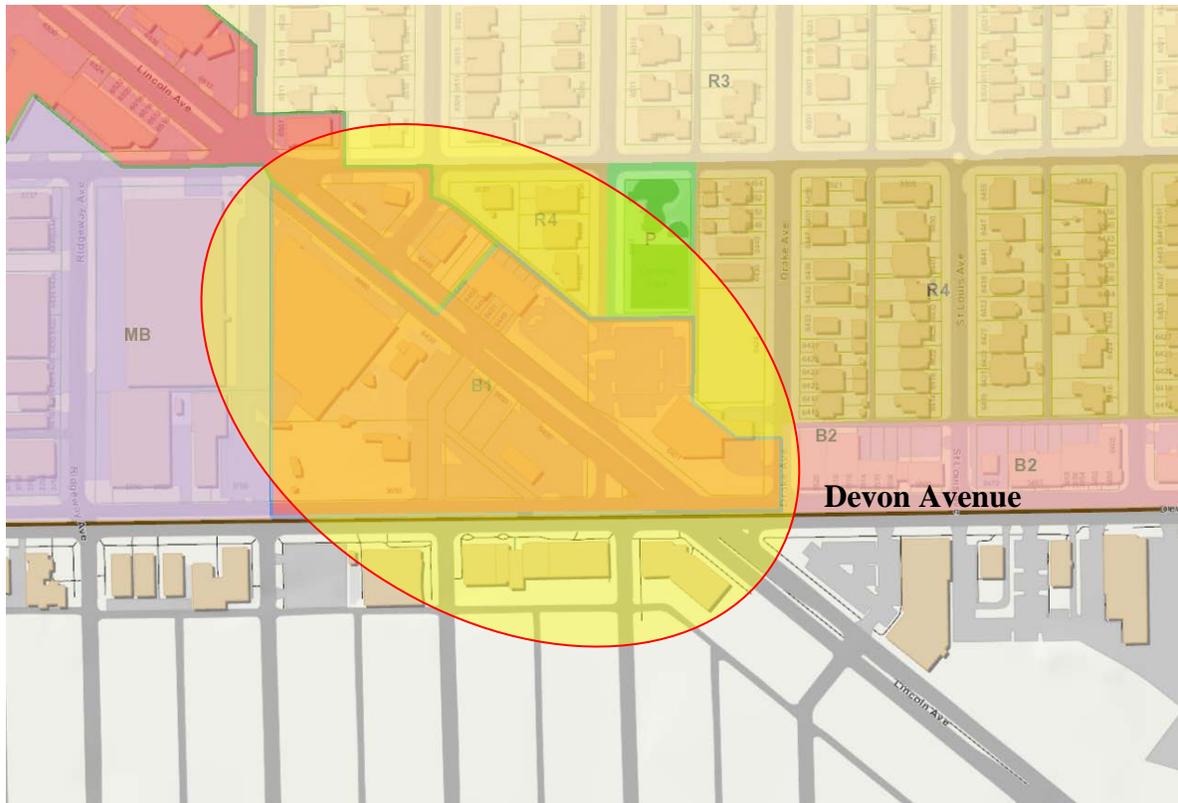


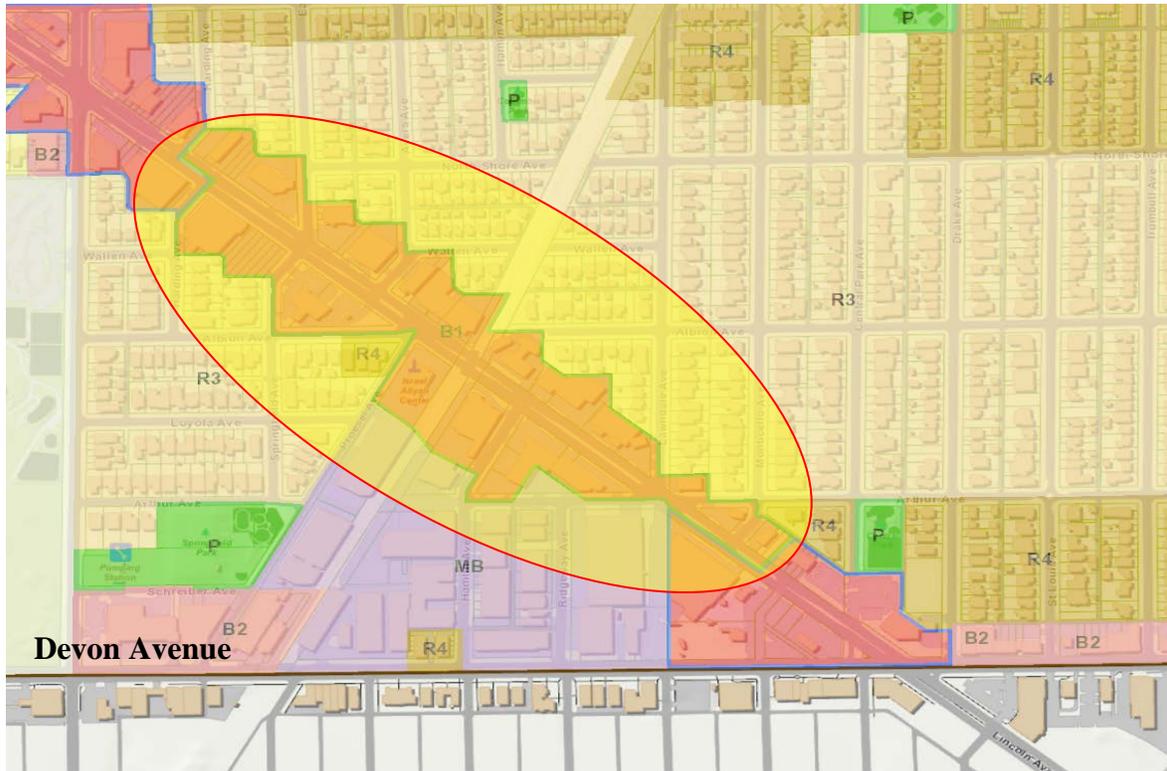
Upper Floor residential uses are *only permitted* within the Lincoln-Pratt-Crawford hub, Devon-Lincoln hub and the Business/Residential Transition Area. (GIS Images of Overlay Areas Below).

**Lincoln-Pratt-Crawford Hub**



**Devon-Lincoln Hub**



**Business/Residential Transition Area**

The Plan Commission indicated a preference to amend the Zoning Code to reclassify residential uses as Special Uses. For reference, below is the definition of a Special Use.

“USE, SPECIAL A use which, because of its unique characteristics, cannot be properly classified as a permitted use in any particular district or districts but may be authorized, as provided in Article IV of this Zoning Ordinance.”

In determining whether to approve or deny an application for Special Use, there shall be taken into consideration the extent to which the following facts are established:

- a) The special use is necessary for the public convenience at that location, and the subject property is deemed suitable for the use;
- b) The special use is so designed, located and proposed to be operated that the public health, safety and welfare will be protected;
- c) The special use would not cause substantial injury to the value of other property in the neighborhood in which it is located;
- d) The special use is consistent with the goals and policies of the Comprehensive Plan;
- e) The special use would not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the underlying zoning district;
- f) The special use is so designed to provide adequate utilities, access roads, drainage, or necessary facilities; and
- g) The special use is so designed to provide ingress and egress to minimize traffic congestion on public streets.

The Plan Commission has been referred this public hearing to consider residential uses within the Lincoln Avenue corridor. The Commission has previously indicated a desire to possibly amend the Zoning Code to consider residential uses as a Special Use. The Commission should consider an amendment to the Land Use Table as well as possible amendments to Overlay Standards applicable to residential.

**Attachments:**

1. Zoning Code Section Ordinance: Excerpt of Article IV Table 4.01.1 & Section 4.07(12)

# ZONING

## 15 Attachment 1

### Village of Lincolnwood

**Table 4.01.1**  
**Permitted and Special Uses in All Zoning Districts**  
**[Amended 12-3-2009 by Ord. No. 2009-2867; 5-5-2011 by Ord. No. 2011-2948;**  
**3-20-2012 by Ord. No. 2012-2993; 2-5-2013 by Ord. No. 2013-3038;**  
**5-7-2013 by Ord. No. 2013-3051; 5-20-2014 by Ord. No. 2014-3096]**

Procedure for determining permitted and special uses in each district: Below is a use table for all zoning districts. For a property located in an Overlay District additional restrictions and standards may apply.

**Step 1)** Check the Lincoln Avenue Overlay District (§ 8.2 of this Zoning Ordinance), See the Boundary Map § 8.02.

**Step 2)** If your property falls within the Lincoln Avenue Overlay District, see Table 4.01.1 below for permitted or special uses and § 8.03-8.08 for additional design standards.

**Step 3)** If your property does not fall within the designated Overlay Boundary, refer to Table 4.01.1 below for permitted and special uses in each district.

Use Category	Zoning Districts										
	Residential				Business			Office	Manufacturing/ Business	Public	Standard
	R-1	R-2	R-3	R-4	B-1	B-2	B-3 PD	O-1	M-B (Note 8)	P	
<b>RESIDENTIAL</b>											
Household living											
Single-family dwelling	P	P	P	P	—	—	—	—	—	—	
Duplex (sf semi-attached)	—	—	—	P	—	—	—	—	—	—	
Townhouse	—	—	—	P	Note 1	—	—	—	—	—	§ 4.0712
Multi-family dwelling	—	—	—	P	Note 1	—	P	—	—	—	§ 4.0712
Residential units, above 1st floor commercial	—	—	—	—	Note 3	—	P	—	—	—	§ 4.0712

LINCOLNWOOD CODE

Use Category	Zoning Districts										
	Residential				Business			Office	Manufacturing/ Business	Public	Standard
	R-1	R-2	R-3	R-4	B-1	B-2	B-3 PD	O-1	M-B (Note 8)	P	
Health services											
Hospital	—	—	—	S	—	S	—	S	—	—	
Massage therapy	—	—	—	—	S	S	P	—	—	—	
Medical clinic	—	—	—	—	—	S	—	P	P	—	
Office, medical, outpatient only	—	—	—	—	P	P	P	P	P	—	
Planned development	S	S	S	S	S	S	P	S	S	—	
Religious use											
Cemetery	S	S	S	S	—	—	—	—	—	—	
Religious institution, on a lot less than 1/2 acre	S	S	S	S	—	P	—	—	—	—	
Religious institution, on a lot 1/2 acre or greater	P	P	P	P	—	P	—	—	—	—	
Utilities	S	S	S	S	S	S	P	S	S	S	

Note 1: Ground floor residential uses (multi-family or townhomes) are only permitted within the Business/Residential Transition Area of the Lincoln Avenue Overlay District. See Section 8.06 Additional Standards for the Business/Residential Transition Area of the Overlay District.

Note 2: Restrictions on commercial uses within the Business/Residential Transition Area may apply (See Section 4.07(2) and 8.06 of the Lincoln Avenue Overlay District for additional standards).

Note 3: Upper floor residential uses are only permitted within the Lincoln-Pratt-Crawford hub, Devon-Lincoln hub and the Business/Residential Transition Area of the Lincoln Avenue Overlay District. See Section 8.13 and Section 8.14 of the Overlay District.

Note 4: An Assisted Living Facility use cannot be established on a lot not less than 100 feet in width and one acre in area.

Note 5: A Nursing and Personal Care Facility use cannot be established on a lot of less than five acres in area.

Note 6: A Catering business or activity may hold on-premise “open house” or special event tasting which do not exceed 12 per year. If such “open house” or special event tasting (or any other activity of the Caterer, Catering Establishment or Catering Service) involve the serving of alcoholic beverages, the business or activity must be licensed by the Village as an alcoholic liquor retailer and must comply with all state statutes, state regulations, Village Ordinances and regulations, and the rules and regulations established by the Local Liquor Control Commissioner governing the dispensation of alcoholic beverages.

Note 7: Community Residences are allowed in all Residential Zoning Districts only in compliance with, and pursuant to, the reasonable accommodation provisions and procedures set forth in Section 4.06(3) of this Zoning Ordinance.

Note 8: For properties located within the MBROZ Overlay Zone, uses shall be permitted, restricted, or prohibited as provided in this Table 4.01.1 for the B-2 Zoning District; provided, however, that in the event of a conflict between the regulations set forth in this Table 4.01.1 for the B-2 Zoning District and for the M-B Zoning District, the less restrictive regulation shall control.

commercial lot nearest any other bar, tavern or lounge.

(11) Animal shelter/kennel. Animal shelter/kennels as defined in this ordinance, shall be subject to the following standards:

- a. Such use shall be limited to the treatment or care of domestic pets and animals only;
- b. Kennels shall be located entirely within the building and soundproofed to meet the standards of established by the Illinois Pollution Control Board of the Environmental Protection Agency, as may be amended from time to time.

**SECTION 4.07(12)**

(12) Residential uses. Any residential use permitted in the business districts shall comply with the Lincoln Avenue Overlay District (Article VIII, Part B), and the Village Center Planned Development District (Article VIII, Part C) and the following additional standards:

- a. Ground floor dwelling units are prohibited in all business districts, unless otherwise permitted in the residential infill area, Section 8.14, (Recommended Standards for the Business/Residential Infill Area) of the Lincoln Avenue Overlay District;
- b. B-1, and B-3 residential uses shall comply with all standards of Article VIII, Parts B and C, of this ordinance: Lincoln Avenue Overlay District, and Village Center Planned Development District.
- c. Any form of residential parking is prohibited in all portions of the front yard and individual garage doors shall not face the public street; and
- d. Any form of residential parking is prohibited in any portion of the corner side yard.

(13) Additional standards for the Lincoln Avenue corridor. Properties within the Lincoln Avenue Overlay District are subject to additional standards as stated in Article VIII, Part B of this Zoning Ordinance.

[Amended 2-5-2013 by Ord. No. 2013-3037]

(14) Site plan review, landscape and parking standards. Site plan approval shall be required for all new construction and additions to existing structures. Site plan, site design and landscape standards are required as enumerated in Article V of this Zoning Ordinance. Off-street parking shall be provided for each use shown in Table 4.01.1, as required or permitted in Article VII (Off- Street Parking and Loading).

[Ord. No. Z2009-368]

# Memorandum

To: Chair and Members  
Plan Commission

From: Aaron N. Cook, AICP  
Community Development Manager

Date: November 5, 2014

**Subject: Revised 2015 Dates Reserved for Workshops**

Attached for your consideration is a revised list of 2015 dates proposed to be reserved by the Commission for Workshops when needed by the Plan Commission. The proposed Workshop dates offered by staff at the October 22, 2014 Plan Commission Meeting were erroneous because the dates provided were Thursdays. Dates proposed to be reserved for Workshops generally are the 4<sup>th</sup> Wednesday of the month.

Based on staff's review of the 4<sup>th</sup> Wednesday of each month, no Workshop dates are reserved in March (spring break), April (National APA Conference), September (Yom Kippur), November (Thanksgiving), or December (Christmas) of 2015. If on review, the Commissioners find no conflict with these proposed dates, staff recommends that the Commission formally reserve these dates so that the meeting room and dates are available throughout the year when a Workshop is deemed desirable.

The pragmatic difference between adopting a meeting schedule and reserving Workshop dates is that no formal cancellation notice is required for dates that are reserved but not held whereas for meetings that are scheduled but not held, a cancellation notice is required.

**Recommended Motion**

Move and second to reserve dates as proposed, for possible Workshops in calendar year 2015.



# Lincolnwood Plan Commission

## 2015 Dates Reserved for Workshops

In addition to scheduled meetings for Public Hearings, the Plan Commission convenes Workshops when needed to discuss specific topics. When held, Workshops are generally convened on the fourth Wednesday of the month and, unless otherwise posted, begin at **7:00 p.m.** in the Council Chambers Room of Village Hall, 6900 North Lincoln Avenue, Lincolnwood, Illinois. When held, an agenda is issued and posted not less than 48 hours prior to the Workshop. Below are the dates reserved by the Commission for potential Workshops.

## 2015 Dates Reserved for Workshops

Wednesday, January 28  
Wednesday, February 25  
March – No Workshop  
April – No Workshop  
Wednesday, May 27  
Wednesday, June 24  
Wednesday, July 22  
Wednesday, August 26  
September – No Workshop  
Wednesday, October 28  
November – No Workshop  
December – No Workshop

Workshop dates are not reserved in March, April, September, November, or December due to spring break, the National APA Conference, Yom Kippur, Thanksgiving and Christmas holidays.