



Village of Lincolnwood Plan Commission

Rescheduled Meeting
Wednesday, February 8, 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**
December 7, 2016 Minutes
4. **Case #PC-01-17: Public Hearing: Proposed Text Amendment – First Floor Height Calculation for Single-Family Residential Structures**
Request: Consideration of a Text Amendment to Article IV, Sections 4.11 and 4.12, both of the Zoning Code, to consider clarifying the location from which the finished first (1st) floor height of a Single-Family Residential building is calculated in the R-1, R-2, R-3, and R4-Zoning Districts.
5. **Other Business**
6. **Next Meeting**
7. **Public Comment**
8. **Adjournment**



**DRAFT MEETING MINUTES
OF THE
PLAN COMMISSION
DECEMBER 7, 2016 – 7:00 P.M.**

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

MEMBERS PRESENT:

Chairman Mark Yohanna
Patricia Goldfein
Henry Novoselsky
Anthony Pauletto

MEMBERS ABSENT:

Irving Fishman
Steven Jakubowski
Don Sampen

STAFF PRESENT:

Aaron N. Cook, AICP, Community Development Director
Kathryn M. Kasprzyk, Community Development Coordinator

I. Call to Order

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

II. Pledge of Allegiance

III. Approval of Minutes

Motion to approve the November 16, 2016 Plan Commission Minutes was made by Commissioner Pauletto and seconded by Commissioner Novoselsky.

Aye: Pauletto, Novoselsky, Goldfein, and Yohanna

Nay: None

Motion Approved: 4-0

IV. Case #PC-18-16: School District No. 74 – Final Plat of Consolidation

Chairman Yohanna announced Case #PC-18-16 for consideration of a Final Plat to consolidate multiple lots into one lot on the school campus. This item was continued from November 16, 2016.

Development Manager Cook reviewed the action taken at the November 16, 2016 Plan Commission meeting to eliminate multiple parcels that exist on the current school campus. The property has been rezoned to a new S, Schools Zoning District. The proposed Plat of Consolidation was presented for review. Staff recommended approval of the Final Plat of Consolidation as presented.

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

Motion to approve the Final Plat of Consolidation, as presented, was made by Commissioner Pauletto and seconded by Commissioner Goldfein.

Aye: Pauletto, Goldfein, Novoselsky, and Yohanna

Nay: None

Motion Approved: 4-0

V. Case #PC-19-16: Public Hearing: 6428 North Ridgeway Avenue – Special Use And Variation

Chairman Yohanna announced Case #PC-19-16 for consideration a request for office and warehouse/distribution operation for a packaged goods liquor business. Chairman Yohanna swore in the Petitioners Mr. Harlan Powell and Mr. Michael Weiss.

Development Manager Cook outlined the request for the Special Use and Variation for a packaged goods liquor business at 6428 North Ridgeway Avenue located in the M-B, Manufacturing and Business District. The plat of survey, site plan, and floor plan was presented for review.

The business proposed is a packaged goods liquor business with sales made via an online mobile app and not by entering the subject's premises. This location will house the sales office and be the distribution point for deliveries. The facility is not open to the public. The operation will require a Village Class "B" liquor license.

The Special Use request is to allow a liquor store, packaged goods in the M-B District. The requested Variation is to allow less than the minimum off-street parking for a liquor store. The Zoning Code requires twelve off-street parking spaces. The Petitioner is proposing no exterior improvements relating to off-street parking and will use the existing ten spaces.

Mr. Weiss outlined his business plan. Orders cannot be picked up at this location nor do they plan to offer product tastings. Deliveries will be made by a third party delivery service. Their business consists of exclusively selling distilled spirits without distribution rights only in the State of Illinois.

Development Manager Cook presented draft language to prohibit walk-in traffic as an expressed condition of approval. This draft language presented was "Approval is for a business that provides direct to customer delivery with no physical customer interaction at the subject property." Mr. Weiss accepted the draft language as part of this approval.

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

Motion to approve, with the draft language "Approval for a business that provides direct to customer delivery with no physical customer interaction at the subject property," the Special Use and Variation requested for a liquor store, packaged goods at 6428 North Ridgeway Avenue was made by Commissioner Pauletto and seconded by Commissioner Novoselsky.

Aye: Pauletto, Novoselsky, Goldfein, and Yohanna

Nay: None

Motion Approved: 4-0

VI. Case #PC-10-16: Public Hearing: 4320 West Touhy Avenue – Special Uses and Variations

Chairman Yohanna announced Case #PC-10-16 for consideration for a Special Use and Variations for a multi-tenant retail building with drive-through and off-street parking area. This Public Hearing has been continued since July 6, 2016. Chairman Yohanna swore in the Petitioners Mr. John Hague and Mr. Javier Millan.

Development Manager Cook outlined the requested Special Use and Variations for a new multi-tenant retail building and off-street parking area. The new development is in the B-2 General Business Zoning District and has frontage on Touhy, Kildare, and Lowell Avenues. This Public Hearing was continued from July 6, 2016 to allow the Petitioners to complete a traffic study to be reviewed by the Village Engineer due to concerns expressed with traffic exiting the site into the residential neighborhood, garage, and noise.

In the revised site plan, the building has been shifted to the east to provide additional exit stacking on Lowell Avenue due to the concerns and findings by the Village Engineer as a result of the traffic study. This revised site plan also allows increased landscaping from 3 feet to 7 feet 2 inches along the eastern perimeter of the site. A revised landscape plan has not been submitted for review at this time. Commissioner Goldfein asked to review the landscape plan before approval by the Village Board. Other revisions include pavement markings and signage to allow left hand turns only on Lowell Avenue to Touhy Avenue. The same signage will be included for right hand turns only on Kildare Avenue to Touhy Avenue. These steps would help minimize traffic into residential areas.

Commissioner Novoselsky questioned Staff as to the recommended language to allow the Village to analyze the traffic operations after the development has been fully built out and occupied and to require the owner to make physical changes to the entrances at no expense to the Village. If going forward, the Village Attorney would need to identify the specific physical changes be included in the proposed Ordinance. This condition would allow the Village to go forward and assess the situation upon completion.

Chairman Yohanna asked if there was anyone in the audience who would like to address the Plan Commission regarding this Public Hearing. Listed below are comments from members of the audience.

Mr. Mike Toth, 7240 Lowell Avenue, commented on the traffic situation. He is happy with the left turn only proposal on Lowell Avenue.

Before going ahead with the landscape plan, Staff thought it appropriate to receive comments on the modified site plan before moving forward with the landscape plan. The landscape plan would be consistent with the plan previously presented except for the proposed increased eastern perimeter landscaping. This was achieved by decreasing the foundation plantings on the east side. A recommendation can be made subject to the Petitioner completing the landscape plan prior to review by the Village Board or subject to Staff approval.

There was a lengthy discussion whether or not the site has enough space for adequate car stacking and the exiting issues on Lowell Avenue and the installation of a pork chop on Kildare Avenue. Mr. Millan stated that the drive-through would see about a ten percent increase in the volume of customers currently seen at the Starbucks at David Square. Mr. Millan said that this site has sufficient space to accommodate

this increased traffic. A gap study was conducted and the results showed that the wait time to turn right onto Touhy Avenue was approximately 10-15 seconds. Mr. Hague stated that any plan modification examples could be submitted along with the drawings for review and approval. Mr. Cook stated that ingress/egress from Touhy Avenue was explored internally. Mr. Hague said a Touhy Avenue entrance/exit was not considered and there was no guarantee that IDOT would approve these curb cuts on Touhy Avenue. There was also discussion as to what would trigger a traffic review for any modifications to the site in the future.

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

Motion to approve the requested Special Use and Variations for a multi-tenant retail business with a drive-through and off-street parking area with the condition that a landscape plan be approved by Village Staff. The Petitioner will also be required to provide a traffic study one year after completion and be required, if necessary, to make changes to the east and west entrances to the site with any internal flow markers and signage and directional arrows required at the entrances, including, but not limited to, physical changes to those entrances and exits. Additionally, include the recommendation of Staff as to signage being placed at the exit of the drive-through to direct westbound Touhy traffic to exit on Lowell Avenue to direct two-way traffic onto Kildare Avenue. Directional signs will also be required on Kildare Avenue to indicate right hand turns only out of the site and left-hand turn only onto Lowell Avenue.

Other recommended conditions would include the replacement of the ADA ramp to provide a tactile surface for pedestrians traveling in all directions at the northeast corner of Lowell and Touhy Avenues, installation of a Fire Department Knox Box, and a security plan approved by the Police Chief prior to occupancy was made by Commissioner Pauletto and seconded by Commissioner Novoselsky.

Draft language to be incorporated into the Ordinance would include “After a period of one year upon completion of the project, the Petitioner is required to submit a traffic study for review by the Village Engineer to determine if improvements are necessary. Such improvements include, but not limited to, physical changes to ingress/egress points to the property, modified/increased directional signage within the property, and alternative internal vehicular movements to the property.”

Aye: Pauletto, Novoselsky, and Yohanna

Nay: Goldfein

Motion Approved: 3-1

VII. Approval of 2017 Plan Commission Schedule

Motion to approve the 2017 Plan Commission schedule was made by Commissioner Pauletto and seconded by Commissioner Goldfein.

Aye: Pauletto, Goldfein, Pauletto, and Yohanna

Nay: Nay

Motion Approved: 4-0

VIII. Other Business

No other business was presented for discussion.

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.

IX. Next Meeting

The next meeting of the Plan Commission is scheduled for Wednesday, January 4, 2017.

X. Adjournment

Motion to adjourn was made by Commissioner Pauletto and seconded by Commissioner Novoselsky. Meeting adjourned at 9:26 p.m.

Aye: Pauletto, Novoselsky, Goldfein, and Yohanna

Nay: None

Motion Approved: 4-0

Respectfully submitted,

Kathryn M. Kasprzyk
Community Development Coordinator



Plan Commission Staff Report

Case # PC-01-17

February 8, 2017

Subject: Consideration of a Text Amendment to Clarify First Floor Height Calculation for Single-Family Residential Structures

Requested Action: Text Amendment to Article IV, Sections 4.11 and 4.12, both of the Zoning Code, to consider clarifying the location from which the finished first (1st) floor height of a Single-Family Residential building is calculated in the R-1, R-2, R-3, and R-4 Zoning Districts.

Petitioner: Village Board

Summary:

Over the past year, Public Works staff has reviewed the Village Code for potential updates to improve clarity relating to a variety of engineering issues. One issue that has arisen in the Zoning Code relates to a calculation of maximum permissible finished first floor height in the Area, Bulk, Density, and Setback Standards (aka "Bulk Regulations") for single-family residential uses in the R-1, R-2, R-3, and R-4 Zoning Districts.

Bulk Regulations tables were added to the Zoning Code in 2013 and defined the limitations on various aspects of residential construction, including the footprint and height of structures. Specifically, the Bulk regulations tables stated that the height of the finished first floor for single-family detached dwelling units shall not be greater than three (3') feet from the top of curb. The tables do not delineate the point from which this "top of curb" calculation shall be measured. The topography of a lot may vary by up to one or two feet (often less) across the frontage of a residential lot, providing no clarity when trying to measure the maximum allowable height of the finished first floor and compliance with the Zoning Code. In addition, if a residential property constructs a garage and driveway, there is often a depressed curb, creating an even greater variation in curb height.

With no clarity in the Zoning Code, staff has had to determine the most appropriate interpretation of this requirement which would best meet the spirit of the enacted code. That interpretation has been that the top of curb shall be measured from the highest point along the curb line adjacent to the residential property. This "standard" has served the Village well and provides maximum flexibility for residential properties. While this interpretation is obvious to staff, it is not always clear to architects and engineers developing plans for residential building permits. Therefore, clarification of the parameters for measuring this "baseline" elevation would be beneficial to residents, their designers and the general public.

Conclusion

Staff recommends that the Zoning Code be amended to state that the top of curb shall be measured from its highest point along the curb line abutting a property when determining the allowable height of the finished first floor. This amendment to the Zoning Code will provide clarity to both staff and residential developers.

Documents Attached

1. Article IV, Sections 4.11 & 4.12 of the Zoning Code
2. Legal Notice, published on January 19, 2017

4.11 Area, bulk, density and setback standards: R-1, R-2, and R-3 Districts.

[Amended 2-5-2013 by Ord. No. 2013-3039]

Use Category	Residential Zones		
	R-1	R-2	R-3
Lot Standards (single-family dwelling units)			
Minimum lot size (square feet)	9,000 SF	7,000 SF	5,400 SF
Maximum impervious coverage: %	60%	60%	60%
Maximum building coverage (%)	35%	35%	35%
Minimum Ground Floor Area Per Dwelling			
SF detached 1-story dwelling without basement	1,700 SF	1,400 SF	1,300 SF
SF detached 1-story dwelling with basement	1,500 SF	1,200 SF	1,100 SF
SF detached dwellings with (1 + stories)	1,000 SF	800 SF	700 SF
Building Standards			
Maximum building height (feet) peaked roof SF detached measured to roof peak	35 feet	35 feet	35 feet
Maximum building height (feet) flat roof SF detached measured to the highest point of the flat roof	22 feet	22 feet	22 feet
Finished 1st floor height limit SF residential (elevation at top of curb to the top of the finished first floor)	Max. 3 feet	Max. 3 feet	Max. 3 feet
Maximum building height (feet) nonresidential	40 feet	40 feet	40 feet
Maximum FAR			
SF detached, lot size ≥ 6,000 SF	0.6	0.6	0.6
SF detached, lot size < 6,000 SF or total floor area < 3,600 SF	0.66	0.66	0.66
Nonresidential permitted or special uses	0.5	0.5	0.5
Yard Standards			
Minimum front setback (feet) (Note 3)	25 feet	25 feet	25 feet
Maximum front yard coverage with impervious surface (%)	50%	50%	50%
Minimum interior side setback (feet) single-family detached dwellings	5 feet or 10% of lot width*	5 feet or 10% of lot width*	5 feet or 10% of lot width*
Minimum interior side yard setback (feet) nonresidential uses	15 feet each side yard	15 feet each side yard	15 feet each side yard
Minimum corner side setback (feet)	10 feet	10 feet	10 feet
Minimum rear setback (feet)	30 feet	30 feet	30 feet

Note 1

See Section 2.02, Definitions, of this Zoning Ordinance for further clarification on how standards are defined.

Use Category	Residential Zones		
	R-1	R-2	R-3
Note 2	SF detached = single-family detached dwelling unit		
Note 3	See Section 4.10(2)b for an additional requirement concerning minimum front yard setbacks.		

4.12 Area, bulk, density and setback standards: R-4 - General Residence District.

[Amended 2-5-2013 by Ord. No. 2013-3036; 2-5-2013 by Ord. No. 2013-3039]

Use Category	Zoning District Residential Zone R-4
Lot Standards	
Minimum lot size (square feet)	5,400 SF
Minimum lot area all non-SF dwelling types (per unit)	3,000 SF
Minimum lot width (feet) detached single-family with attached garage	60 feet
Maximum impervious coverage single-family (%)	60%
Maximum building coverage single-family (%)	35%
Minimum Coverage Floor Area Per Dwelling	
SF detached 1-story dwelling without basement	1,100 SF
SF detached 1-story dwelling with basement	1,000 SF
SF detached dwellings with (1 + stories)	650 SF
SF semidetached dwelling (1 story)	1,000 SF
SF semidetached dwelling (1 + stories)	650 SF
Two-family detached dwellings	1,000 SF
Building Standards	
Single-family attached or detached maximum building height for pitched roofs (Note 1)	35 feet or 2 stories
Single-family maximum building height for flat roofs	22 feet
Finished 1st floor height limit single-family detached; (elevation at top of curb to the top of the first floor)	Maximum 3 feet
Multifamily or nonresidential maximum building height (feet)	45
Maximum FAR	
SF detached, lot size \geq 6,000 SF	0.6
SF detached, lot size < 6,000 SF or total floor area < 3,600 SF	0.66
Multifamily residential	0.6
Non residential permitted or special uses	0.6
Yard Standards (Note 2)	
Minimum front setback (feet) (Note 5)	25
Max. front yard coverage with impervious surface (%)	50%
Min. interior side setback (feet) single-family detached dwellings	5 or 10% of lot

Use Category	Zoning District Residential Zone R-4 width*
Min. interior side setback (feet) single-family semidetached dwellings (one 5 yard only)	
Min. interior side yard (single-family attached)	None
Min. interior side yard setback (feet) multifamily dwellings and 5 nonresidential uses	
Min. corner side yard setback (feet)	10
Min. rear setback (feet)	30
Min. rear setback (feet) where alley exists (measured from center line of 38 alley)	
Spacing between buildings (2 or more SF attached or multifamily)	
Front wall of building to front or rear	50 feet
Rear wall of building to rear wall	40 feet
Side wall of building to front or rear (Note 3)	20 feet
Side wall of building to side wall (Note 4)	10 feet
Wall with no windows or doors facing wall with no windows or door	10 feet

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Preview

Notice of Lincolnwood Public Hearing

Notice is hereby given that on **Wednesday, February 8, 2017 at 7:00 p.m.**, the Plan Commission will conduct a Public Hearing on the following matter in the Council Chambers Room of Village Hall, 6900 North Lincoln Avenue, Lincolnwood, Illinois:

Case #PC-01-17

Text Amendment - Clarification of First Floor Height Calculation for Single-Family Residential Structures

A proposed Zoning Code Text Amendment, referred by the village Board, to consider clarifying the location from which the finished first (1st) floor height of a Single-Family Residential building is calculated in the R-1, R-2, R-3, and R-4 Zoning Districts and any additional limitations or parameters that may be discovered during the review of this case.

At this Public Hearing, the Plan Commission will accept and consider all testimony and evidence pertaining to these requests. Persons desiring to comment or present evidence or testimony on any of these matters should appear at this Public Hearing or submit written comments in advance for consideration at the Hearing. Written comments, addressed to the village Zoning Officer in the Community Development Department of Village Hall, 6900 North Lincoln Avenue, Lincolnwood, Illinois 60712, must be received no later than 4:00 p.m. on the day of the Hearing. Information concerning these requests is available for inspection in the Community Development Department during normal business hours.

Dated: January 11, 2017
1/19/2017 4710971

PERMIT SUMMARY REPORT

NOVEMBER 2016 THROUGH JANUARY 2017

January	Issued Permits	Building Value	Permit Fees
2017	23	\$701,256	\$12,901
2016	39	2,431,607	49,439
2015	27	1,151,620	15,929
2014	32	1,633,722	25,644
2013	43	376,772	24,194
2012	32	1,660,536	51,925
2011	28	502,443	11,010
2010	20	54,524	4,959
2009	22	167,799	8,612
2008	27	1,018,530	32,774

December	Issued Permits	Building Value	Permit Fees
2016	36	\$1,238,161	\$22,820
2015	88	1,294,578	33,540
2014	43	387,987	12,753
2013	50	1,355,490	33,431
2012	54	484,024	18,880
2011	42	337,308	9,580
2010	45	336,140	22,005
2009	37	420,371	16,589
2008	35	1,414,024	35,483

November	Issued Permits	Building Value	Permit Fees
2016	83	\$71,794,749	\$1,127,733
2015	115	1,248,957	24,949
2014	71	906,364	26,223
2013	64	2,540,236	52,636
2012	60	1,289,512	29,258
2011	65	1,063,540	27,712
2010	84	4,458,466	85,894
2009	68	775,765	20,213
2008	71	312,316	13,629