Village of Lincolnwood
Plan Commission

Meeting
Wednesday, November 1, 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
   October 2, 2017 Minutes

   Request: Consideration of a Zoning Code Text Amendment to modify the permissibility and requirements for Natural Screening on residential properties and adjacent Natural Screening defined as a Special Fence due to its location on public rights-of-way and utility easements.

5. Case #PC-13-17: Public Hearing: Zoning Code Text Amendment for the Permissibility of Auto/Light Truck Sales and Service Uses as Special Uses in the O, Office District
   Request: Consideration of a Zoning Code Text Amendment to consider permitting Auto/Light Truck Sales and Service Uses as Special Uses in the O, Office District, as well as other potential regulations specifically related to Auto/Light Truck Sales and Service uses in the O, Office District that could be deemed relevant to such permissibility.

6. Approval of 2018 Plan Commission Schedule
7. Next Meeting
8. Public Comment
9. Adjournment

POSTED: October 27, 2017
MEMBERS PRESENT:
Chairman Mark Yohanna
Sue Auerbach
Steven Jakubowski
Henry Novoselsky
Anthony Pauletto
Don Sampen

STAFF PRESENT:
Steve McNellis, Community Development Director
Doug Hammel, Community Development Manager
Kathryn Kasprzyk, Community Development Coordinator
Hart Passman, Village Attorney, Holland & Knight
Mike Ziegler, Village Engineer, Christopher B. Burke Engineering
Paul Bourke, Village Engineer, Christopher B. Burke Engineering

Chairman Yohanna asked the Commissioners, staff, and members of the audience to stand for a moment of silence for the victims of the Las Vegas shooting.

Chairman Yohanna made an announcement to members of the audience that public comment will be limited to three minutes.

I. Call to Order

Chairman Yohanna noted a quorum of six members and called the meeting to order at 7:03 p.m.

II. Pledge of Allegiance

III. Approval of Minutes

Motion to recommend approval of the amended September 6, 2017 Plan Commission Minutes was made by Commissioner Sampen and seconded by Commissioner Novoselsky.
Aye: Sampen, Novoselsky, Auerbach, Jakubowski, Pauletto, and Yohanna  
Nay: None  
Motion Approved: 6-0  

IV. Case #PC-04-17: 7250 North Cicero Avenue – Rezoning, Special Uses and Variations for a New Hotel (Continued from September 6, 2017)  
Chairman Yohanna announced Case #PC-04-17 for consideration and review of Zoning Relief for a new six-story Hyatt Place Hotel and off-street parking area, including a Rezoning from the O-1, Office Zoning District to the B-2 General Business Zoning District, Special Uses to: 1) permit a hotel use in the B-2, Zoning District; 2) permit off-street parking in the front and corner side yards of the lot; and 3) allow a business within 150 feet of a residentially-zoned property to operate between 11:00 p.m. and 7:00 a.m. Also requested are Variations to: 1) allow a maximum building height that exceeds 38 feet or three (3) stories; 2) allow less than the required off-street parking for a hotel of this size; 3) allow less than the required off-street parking perimeter landscaping area along Jarlath, Cicero, and Chase Avenues; 4) allow less than the required off-street parking interior landscaping area; 5) allow a wall sign on a wall that does not face a street, but is adjacent to residential property; 6) allow wall signs that are located at a higher elevation on the hotel building than the maximum permitted 30-feet height from grade; 7) allow greater than one monument sign on a lot; 8) allow a monument sign to be located less than the minimum required setback from an exterior property line; 9) allow parking spaces and drive aisles in an off-street parking lot to be less than the minimum required size standards; and 10) allow illuminated freestanding signs within 75 feet of a residentially-zoned district.  
Development Director McNellis restated the requested zoning relief presented at the Public Hearing held on September 6, 2017. Revisions from the original plans include plant species and increased planting height for perimeter landscaping, revised sign face from black to white illumination, and provided additional information and clarification of their proposal and its impacts.  
Development Manager McNellis presented the zoning history of this property which has consistently been zoned commercial (business or office). Follow up with the Public Works Director reconfirmed there are no concerns regarding utility capacity for the proposed project and storm water backup on Cicero Avenue. IDOT notified the Village the inlet on Cicero Avenue in front of subject property was cleaned and jetted which they believe will take care of the flooding issues along Cicero Avenue.  
Development Director McNellis presented the requested Standards for Zoning Relief for review and noted that a resident provided two short videos about truck traffic for the Commissioner’s viewing if warranted.  
The Petitioner, Mr. Minhaz Lakhani, began his presentation by stating that a hotel use adjacent to residential uses is not unusual. There is an unmet demand in this area for this type of hotel and a strong occupancy rate at this site is projected from a market study done in June 2016 by Hotel Appraisers and Advisors. Franchise approval was received in September 2016 after a rigorous
seven-month process to evaluate/verify the franchisee, hotel operator, and building design. Slides of other Hyatt Place hotels were presented. Hyatt Place clientele draws busy professionals in the mid- to upper-income brackets. Over 95 percent of guests check in between 3:00 p.m. and 11:00 p.m. Hyatt Place hotels have been presented with major awards and accolades. Hyatt Place hotels are high-quality establishments attracting high-quality clientele.

Community impacts include aesthetic upgrades, increased tax revenue, a tenfold increase in the valuation of the property, as well as construction and hotel jobs. Hyatt routinely invests in the communities in which they serve.

Mr. Lakhani presented, and responded to, the following neighborhood concerns:

1. **Utility Impact:** 100% of rainwater will enter a new underground chamber which will slowly release the water into the sewer system. Water usage plans were reviewed by the Village Engineer and presented no issues.

2. **Lighting Impact:** The proposed lighting plan does meet Village Code. The lighting impact of the sign on the west elevation facing the expressway and residents is below Code. No Variation is required for the parking lot lighting plan.

3. **Traffic:** There will be a more even distribution of traffic and less overall traffic than for an office-based use due to less in and out trips. Mr. Michael Svaco of Sam Schwartz Transportation Consultants, stated the proposed project will generate 30% to 45% fewer trips compared to an office use based on national standards and rates for a hotel of this size. The majority of trips to and from the site will occur via Cicero Avenue.

4. **Building Height:** The height of the building will create a limited shadow impact. Winter and summer solstice shadow impacts were presented.

5. **Privacy:** The current landscaping is sparse, and the six-foot fence on the west property line is in various states of disrepair. The landscaping plan calls for new evergreen plantings and an eight-foot solid masonry wall along the west property line.

6. **Safety:** The doors are locked at 11:00 p.m. with access provided by key cards. There will be video surveillance at all times. Occupancy/activity adds safety compared to a deserted office building.

7. **Food Service:** There will be no restaurant or dedicated dining room. All food is prepackaged and cooked by front desk staff. There will be no exterior signage advertising food. You must be a guest to utilize the food service. Bar service will be very limited.

8. **Pedestrian Safety:** Safety will be improved due to fewer access points. Currently, the property has six access points which will be reduced to two access points. The carriage walk will be removed to install a five-foot sidewalk five feet from the property line. Commissioner Jakubowski asked if a fence or buffer will be installed that would
eliminate the chance of children using the property for access. The plan does not call for the installation of any type of fence or buffer.

9. **Property Values:** The Petitioner confirmed there would be no positive or negative impact on property values, but did not have any backup to corroborate this statement.

10. **Parking Demand:** Parking demand and supply will be reduced by usage pattern and efficient day/evening use. Business travelers and employees can or will arrive by Uber, cabs, bus, etc. Not all traffic will arrive by car.

11. **On-Street Parking:** The alternative plan will result in no on-street parking loss. Trucks will enter on Chase Avenue and exit on Jarlath Avenue. The revised plan calls for smaller delivery trucks.

12. **Building Height and Parking Variations:** The six-story, 112-room hotel is a typical Hyatt Place Hotel prototype. The amount of square footage can sustain this size hotel. Mr. Lakhani did agree that this proposal was a tight fit, but it will work and would not hinder another hotel from entering the area, but can actually spur more development.

There was much discussion as to the feasibility of this hotel if another hotel opened at the Purple Hotel site. Mr. Lakhani stated that approval from the Hyatt organization would not be granted if the project is less than what is proposed as the project would not be economically feasible. Development Director McNellis stated that he has spoken to many developers who mentioned that a hotel on this site may or may not have any impact of a hotel that may open at the Purple Hotel site.

Commissioner Sampen asked Mr. Lakhani to restate his hardship and mentioned this proposal should be based on its merits. Commissioner Auerbach’s major issue with the project is the building height. Commissioner Novoselsky agreed as to why the project needs to be six stories. Mr. Lakhani replied the Comprehensive Plan suggests a hotel use or higher intensity office at this site. Commissioner Jakubowski replied that he feels they are forcing this use into the area. Chairman Yohanna agreed the Comprehensive Plan is a guiding document and not a binding document.

Village Attorney Hart Passman stated that witnesses who did not speak at the last meeting will be heard first and given three minutes to speak.

Ms. Snezana Markovic, 6701 North LeMai Avenue, would not advocate for any business that would endanger her children. Economically, this is a great business. As a real estate professional, this hotel is good for business, and she would be proud to have this hotel in her neighborhood.

Mr. Mark Margolis, 4943 West Sherwin Avenue, stated issues with parking, traffic problems, and market devaluation. Office building zoning should stay office building zoning. This hotel should not be built here.
Mr. Martin Kopier, 4835 West Chase Avenue, cited flooding issues, lower property values, and children’s safety as his major concerns.

Mr. Stuart Plotzker, 4940 West Sherwin Avenue, Skokie, stated the Petitioners are trying to shoehorn in a building where it does not fit. As an event planner, Mr. Plotzker asked where people would park if there was an event at the hotel.

Mr. John Vranas, 6544 North Leroy Avenue, said as a licensed real estate broker, developer, and commercial property manager, a Hyatt Place Hotel would be a welcome addition to the Village, although this site is not appropriate. This project should be rejected.

Ms. Sara Younan, 4838 West Jarlath Avenue, stated there is not enough room for overflow parking. She is not comfortable with a hotel on this site.

Chairman Yohanna swore in Mr. Paul Bourke of Christopher Burke Engineering who presented his engineering credentials. Storm water requirements for the site would need to be included to be in compliance with MWRD and Village requirements, which are stricter. Currently, there are no storm water management requirements.

Commissioner Novoselsky stated that the Comprehensive Plan exhibits poor land planning to suggest such a commercially intensive use adjacent to residential uses. Low density office and limited commercial use would have a negligible adverse effect upon the surrounding area. Zoning classifications should not be changed if it adversely affects the surrounding residential area. Village Attorney Hart Passman stated property owners, per Illinois law, cannot challenge or object to the rezoning of adjacent property.

Motion to recommend denial of the proposed Rezoning, Special Uses, and Variations was made by Commissioner Auerbach and seconded by Commissioner Pauletto. Case #PC-04-17 will be heard at the October 17, 2017 Village Board meeting.

Commissioner Sampen commended the Petitioner on his presentation and stated he liked many parts of the proposal, but not at this site. Commissioner Jakubowski apologized to the Petitioners for his harshness at the last meeting, but will vote to deny this application due to the lack of any type of buffer between the hotel and adjacent residential uses. Commissioner Pauletto said this property needs to be redeveloped but asked the Petitioner to find a project amenable to the area.

Aye: Auerbach, Pauletto, Jakubowski, Novoselsky, Sampen, and Yohanna
Nay: None
Motion Approved: 6-0

V. Case #PC-10-17: Zoning Code Text Amendment – Natural Screening on Residential Properties (Continued from September 6, 2017, August 2, 2017, and July 5, 2017)

Chairman Yohanna announced Case #PC-10-17 for consideration of a Zoning Code Text Amendment to modify the permissibility and requirements for Natural Screening on residential
properties and adjacent Natural Screening defined as a Special Fence due to its location on public rights-of-way and utility easements.

**Motion to recommend approval** to continue Case #PC-10-17, without discussion, was made by Commissioner Sampen and seconded by Commissioner Auerbach.

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

**Nay: None**

**Motion Approved: 6-0**

**VI. Workshop: Potential Zoning Amendments to Permit Auto/Light Truck Sales and Service as a Special Use in the O, Office District**

Chairman Yohanna suggested that, due to the length of other proceedings, the workshop related to a potential Zoning Amendment to allow Auto/Light Truck Sales and Service uses as a Special Use in the O Office District be postponed to the next Plan Commission meeting. Other commissioners concurred.

**VII. Next Meeting**

The next meeting of the Plan Commission is scheduled for Wednesday, November 1, 2017.

**VIII. Public Comment**

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. Adjournment**

**Motion to adjourn** was made by Commissioner Novoselsky and seconded by Commissioner Auerbach. Meeting adjourned at 9:35 p.m.

**Aye: Novoselsky, Auerbach, Jakubowski, Pauletto, Sampen, and Yohanna**

**Nay: None**

**Motion Approved: 6-0**

Respectfully submitted,

Kathryn M. Kasprzyk
Community Development Coordinator
Subject: Continued Consideration of Text Amendments to Modify the Permissibility and Requirements for Natural Screening on and Adjacent to Single-Family Residential Properties


Petitioner: Village Board

Summary:
At the July 5, 2017 Plan Commission meeting, staff introduced background information regarding the permissibility of natural screening, both on single-family residential properties and in the adjacent right-of-way. The Plan Commission considered the location, landscape material types, and height of such materials and analyzed the anticipated impacts of possible amendments to the Zoning Code to increase the permissibility of natural screening. Following, is a list of areas for which the Plan Commission directed staff to provide additional information and follow up:

1. Ensure that landscaped areas in close proximity to the building facade are exempted from landscape screening regulations;
2. Consider more relaxed regulations in Corner Lot Side Yards (and adjacent Rights-of-Way) than Front Yards (and adjacent Rights-of-Way);
3. Provide photos depicting examples of existing natural screening in Front and Corner Lot Side Yards;
4. Consider a maximum natural screen height similar to the permitted fence height in a Corner Lot Side Yard;
5. Ensure natural screening does not obscure the house number from the street; and
6. Consider whether or not natural screening should be permitted in the Right-of-Way adjacent to the Corner Lot Side Yard by right, with no relief process required.

1. Landscaped Areas Close to Building Façade:
Several Plan Commissioners voiced concern at the July 5, 2017 meeting that landscaped hedges and plant material in a foundation landscaping bed in close proximity to building facades could be negatively impacted by new regulations. Staff further researched the Zoning Code and found that Section 3.13(1)(b)(ii), which currently excludes certain natural screening from these regulations, would apply in this case. That Code Section excludes the following:
Hedges which are adjacent to buildings and which do not act as a barrier or boundary (e.g. Foundation plantings).

While this Code section is clear that certain plantings are excluded from these regulations, it is unclear how a foundation planting is defined, and does not exempt any vegetation that is deemed to form a boundary, regardless of its proximity to a building façade. Staff believes this exemption could be revised, as follows, to allay any concerns regarding Foundation Plantings:

Landscape vegetation, whether defining a boundary or not, that is located at the base of, or within ten feet of, any façade of a single-family residential building.

2. Relaxed Setbacks in Corner Lot Side Yards versus Front Yards:
At the July 5, 2017 meeting, several Plan Commissioners stated an understanding that extending landscape screening into the Corner Lot Side Yard and adjacent Right-of-Way had some merit because corner lots often have smaller defined Rear Yards, leaving those homeowners at a disadvantage compared to other “standard” (i.e. mid-block) lots. It was also noted by several Plan Commissioners that allowing tall natural screening along front lot lines can contribute to the safety concerns of pedestrians after dark by providing a location that is obscured next to a public sidewalk. Such screens can also remove the “eyes on the street” effect that exists in most neighborhoods, where neighbors across the street may spot inappropriate activity in a front yard, of which the homeowner is unaware. Finally, at least one Plan Commissioner stated that screening the front of a residential lot with a tall solid hedge creates “bad neighbors.”

There are several potential options, in the Corner Side Yard, and/or adjacent Right-of-Way, that can provide opportunities to expand smaller Rear Yards:

A. Permit Landscape Screening of a defined height (six-feet high or taller) to extend to the Corner Side Lot Line, from the rear property line to the rear plane of the single-family home. In theory, this allows the same rear yard that a standard lot (mid-block) would be permitted.

B. Permit Landscape Screening of a defined height (six-feet high or taller) to extend to the Corner Side lot Line, from the rear property line to a line even with the edge (closest to the rear yard) of any side-facing front door. This allows the maximum Rear Yard area without obscuring the entire corner façade of the house or the front door.
C. Permit Landscape Screening of a defined height (six-feet high or taller) to extend to the Corner Side Lot Line, from the rear property line to the front plane of the single-family home, only where the main front door to the house is not located on the façade facing the Corner Lot Side Yard.

D. Permit A (above) to extend into the Right-of-Way.
E. Permit B (above) to extend into the Right-of-Way

Should the Plan Commission wish to consider limited screening for the **Front Yard**, which would define a boundary but not act as a visual barrier between the street and house, here are a few potential options:

A. Permit Landscape Screening, no taller than 36 inches or 4 inches, along the front property line.
B. Permit Landscape Screening, no taller than 36 inches in the Right-of-Way, subject to specific setbacks from sidewalks, curb lines, and above-ground utilities (including, but not limited to: light poles, utility poles, fire hydrants, signs) and 48 inches along the front lot line.

One exception in the Front Yard that staff would recommend be considered as an exception is a case where a residential Front Yard is across a street from a higher intensity use, such as an industrial or commercial property. One example is the homes shown below along the west side of Hamlin Avenue:

In these cases, the Plan Commission may wish to consider whether or not natural screening in front yards should be permitted at an increased height and opacity.
3. Photographic Examples of Existing Natural Screening in Required Yards:
Attended are photos provided by Commissioner Auerbach and staff, depicting existing natural screening at Lincolnwood homes and at homes in other North Shore communities.

4. Maximum Natural Screening Height Tied to Fence Permissibilities:
One consideration brought up as part of the July 5, 2017 discussion regarding a proposed text amendment was to treat natural screening in a Corner Side Yard similar to the requirements for a fence. However, the Fence section of the Zoning Code (Section 3.13(11)(h) regulates fences in the Corner Side Yard as follows:

(h) On a corner lot open and semiprivate fences not more than four feet in height may be erected in a corner side yard but only to a line which is perpendicular to the rear façade of the residence and shall align with the front facing façade.

The long-held interpretation of this requirement is that fences are essentially not permitted in a Corner Side Yard (given the requirement that they must be “perpendicular to the rear façade and aligned with the front façade”), but rather four feet open or semi-private fences are permitted along the line separating the Rear Yard from the Corner Side Yard, as seen below:

![Diagram showing fence permissibilities in Corner Side Yard](image)

Natural screening, however, is currently permitted to be located in a Corner Lot Side Yard, up to four feet in height, as long as there is “sufficient” (undefined) setback from the property line “to allow it to be maintained when in its mature state so as not to obstruct the walking and traveling public upon Village sidewalks.” Natural screening is not, however, currently permitted to be located in a Right-of-Way, without obtaining Special Fence approval, which requires a Public Hearing.

5. House Number Visibility:
At the July 5, 2017 meeting, there was discussion regarding the importance of ensuring that house numbers are visible from the street for Police and Fire emergency services. As previously discussed, staff recommends that there be a provision requiring any natural screening in a Front or Corner Lot Side Yard be permitted only if there is an appropriate visual line of sight to a house number on the outer façade of a home for identification by emergency services from the street right-of-way. Alternatively, if natural screening is not located in the public Right-of-Way but is set back from the Street Side Lot Line or Front Lot Line, a post with the address could also be placed outside of the Natural Screen “wall”, allowing the address to remain visible.
6. Natural Screening in Right-of-Way by Right:
At the July 5, 2017 Plan Commission meeting, there was discussion regarding whether or not natural screening should be permitted in the Right-of-Way adjacent to private property, by right, with no zoning relief process required. After discussion that leaned more in favor of natural screening standards being relaxed on Corner Lot Side Yards (see point #2 in this memo) rather than Front Yards, the question arose as to whether or not natural screening should be permitted by right in areas adjacent to Corner Lot Side Yards.

Since existing conditions in the field demonstrate that those with Corner Lots already typically plant natural screening into the Right-of-Way adjacent to the Corner Lot Side Yard on their property, staff believes it would be most appropriate (and eliminate the most non-conformities) if natural screening is permitted in those Rights-of-Way, with certain required setbacks, as shown below:

1. Minimum setback from a sidewalk (three feet recommended) to ensure that growth of the natural screen will not impinge on the sidewalk itself;
2. Minimum setback from a curb line (five feet recommended), where there is no sidewalk, to ensure that growth does not impinge upon the street or the ability to enter/exit vehicles parked on the street;
3. Maintain the existing line of sight triangle, as defined in attached Village Code Section 3.13(9)(g);
4. Maintain setback from an above-ground utility, such as a fire hydrant, street light pole, etc. (five feet recommended) to ensure that growth of the natural screen does not impede the ability to utilize or service those utilities; and
5. Require that any natural screening in a Front or Corner Lot Side Yard be permitted only if there is an appropriate visual line of sight to a house number on the outer façade of a home for identification by emergency services from the street right-of-way.

Staff Recommendation
Staff is seeking direction from the Plan Commission regarding the acceptability of these many potential variants of increased natural screening permissibility. With this direction, staff will prepare proposed Code Language for review by the Plan Commission at the December 6, 2017 meeting.

Documents Attached
1. Natural Screening Photos
2. July 5, 2017 Natural Screening Memo/Attachments
Natural Screening Photos
Lincolnwood Examples
Natural Screening Photos
North Shore Suburbs
Plan Commission Staff Report  
Case # PC-10-17  
July 5, 2017

Subject: Consideration of Text Amendments to Modify the Permissibility and Requirements for Natural Screening on and Adjacent to Single-Family Residential Properties

Requested Action: Text Amendments to Village Code Section 3.13, Fences and Natural Screening, to modify the permissibility of Natural Screening on Single-Family Residential Properties and adjacent Public Rights-of-Way.

Petitioner: Village Board

Summary:
Natural Screening (Definition)
The use of deciduous trees, deciduous bushes, evergreen trees, evergreen bushes, or other live plantings which are planted or grown in a manner that creates a hedge which acts as a barrier or boundary.

Natural Screening Requirements on Single-Family Residential Property:
The Zoning Code currently permits natural screening to be installed on single-family residential property in any required Yard (Building Setback) with different height permissibility for each Yard. Rear and Side (Interior and Corner Side Yards where the front door to a residence does not face that street) Yards have no restriction on the height of Natural Screening, while the maximum height is four feet (4’) in the Corner Lot Side Yard (adjacent to a street right-of-way, where the front door to the residence does face that street) and thirty inches (30”) in a Front Yard (see attached Code Sections 3.13(12)(C), 3.13(16)(b) and 3.20 (a)(ii). These requirements can be modified only through a Variation process.

The effect of the lower height permissibility in Front and certain Corner Side Yards is that those yards facing a street right-of-way are currently not permitted to install natural screening that acts as a visual “wall” from the street, obscuring the majority of the home’s façade. However, field visits of residential neighborhoods show it is clear that this restricted condition has not been uniformly followed. Whether this is through resident’s lack of knowledge regarding this requirement or simply a disregard for the Code, it is unknown. There are a number of examples throughout the Village of natural screening taller than four feet in Corner Side Yards, and fewer examples of natural screening taller than thirty inches in Front Yards. This discrepancy may often be due to Corner Side Yards being combined with Rear yards to create a larger and more usable space on corner lots. While, in general, most residents do not see the need to fully screen the front of their home from the street.
Natural Screening Requirements in Public Right-of-Way, Adjacent to Single-Family Residential Property:
The Zoning Code currently permits natural screening to be located in public rights-of-way only as what is called a “Special Fence”. Special Fences “are those which have a greater potential than permitted fences to have an adverse impact upon the surrounding neighborhood”. This same section notes that “Special Fences may be appropriate in some locations and inappropriate in other locations”. Natural Screening “on public rights-of-way, utility easements, or Village property installed and maintained by private individuals at their expense” is listed as a type of Special Fence in (Attached) Code Section 3.13(8) of the Village Code. Special Fences require a public approval process and Hearing conducted by the Zoning Board of Appeals, similar to a Variation. Similar to existing natural screening located on single-family residential properties, existing natural screening located in rights-of-way adjacent to those same single-family residential properties can be found throughout the Village’s neighborhoods. Staff has not been made aware of any concerns raised regarding this somewhat common practice.

Staff Analysis:
The arguments in favor of easing the restrictions on natural screening height and location relate primarily to the provision of options to increase the usable outdoor space on smaller lots, especially corner lots, and/or a desire for privacy. It is clear that corner lots generally have less usable space, given the larger setbacks along the Corner Lot Side Yard. This can severely limit the opportunities for a true “private” backyard, shielded from the public roadways, which midblock lots enjoy. Further, there are residents who would rather remove any perceived intrusion into the privacy of their front yards by installing a natural screen. Village Code does not permit a fence to be located anywhere in the Front Yard setback, and further requires that fences in the Interior Side Yard be setback a minimum of three feet behind the front façade of the residence. Therefore, a natural screen would be the only option to screen a single-family residential lot from view of the street.

Should the Plan Commission wish to consider increased permissibility of natural screening on, and adjacent to, single-family residential properties, there are several options in various combinations that could be considered:

A) Location On-site/Off-site – Currently, Natural Screening is permitted on residential property and by special approval (Special Fence) in the public right-of-way. Therefore, locational permissibility can be increased only by permitting natural screening in the public right-of-way by right (with no Special fence approval required). There is also the option of permitting natural screening in the public right-of-way only for that area adjacent to a Corner Lot Side Yard. That area is typically connected to the rear yard of the property which is an area that is most likely to be utilized as private space, as it is not entered through the main front entrance of a residence.

Positive Aspects: Permitting natural screening on and off residential property (with specific limitations to be considered and discussed later in this memo), by right, is to allow what is already occurring in Village neighborhoods to legally continue.
**Negative Aspects:** Typical wider, more-open street cross-section may end up significantly reduced in many locations.

**B) Plant Material Height in Front Yard/Corner Side Yard** – Currently, natural screening height is limited in a Corner Lot Side Yard if the front facing design façade (the façade which incorporates the front door – see attached Code Section 2.02) of the house faces that property line. In addition, natural screening currently has the most restrictive height (30” maximum) in the Front Yard. It appears this is at least partially due to the need for emergency service responders to have the ability to see street addresses on homes. However, Code requirements could be amended to remove different permissibilities for a front yard or front façade of a building versus a Corner Side Yard with no front door.

**Positive Aspects:** The removal of a limitation on natural screening height, tied solely to a front door location or Code designation of a Front Yard, allows flexibility and is not arbitrary. This allows residents the opportunity to determine functionally where the usable part of their yard is located and screen accordingly.

**Negative Aspects:** The front facades of homes could begin to disappear behind evergreen privacy walls, potentially drastically altering the street cross-section.
C) **Seasonal Opacity** – This refers to whether or not natural screening is opaque year-round, which would be achieved through installation of evergreens, or is opaque only in the spring-fall, which would suggest only deciduous bushes be permitted. There is also the option of permitting a maximum percentage of evergreen plant material in a screen to provide diversity and break up the visual barrier in the colder months when yards are less utilized. So, the options would be as follows:

1) Evergreens permitted for 100% of natural screen;
2) Prohibition on evergreen plant material in a natural screen; or
3) Maximum percentage of evergreens in a natural screen (i.e. 50% or less, 66% or less, etc. with remainder as deciduous).

**Positive Aspects:** Would allow residents an opportunity to install a “privacy wall” of plant material in conjunction with taller plant material height (see below).

**Negative Aspects:** The front facades of homes could begin to disappear behind evergreen privacy walls, potentially drastically altering the street cross-section.
D) Maximum Plant Material Height – This refers to the maximum permissible height for plant material in a natural screen at any time, regardless of location. In other words, if heights are to be limited, then plant material must either take a form in which it can be trimmed (hedges) or must be of a shorter species that grows no taller than the maximum height set. So, the options would be as follows:

1) No limitation on natural screen height in any Yard;
2) Maintain low natural screen maximum height in Front and/or Corner Lot Side Yards (i.e. 30”, 36” or 48”); or
3) Maintain mid-size natural screen maximum height in Front and/or Corner Lot Side Yards (i.e. 6’ or 8’).

Positive Aspects: Allows evergreen trees or upright hedges (such as Arborvitae) to be planted, and there would be no need to maintain those trees/hedges.

Negative Aspects: The front facades of homes could begin to disappear behind evergreen privacy walls, potentially drastically altering the street cross-section.

The attached checklist has been prepared to help the Plan Commission begin to look at these options and determine if and where limitations on natural screening should be lessened.

Regardless of the options that could be considered in amending the Village Code regarding the permissibility of natural screening, staff recommends the Plan Commission consider requiring the following specific setbacks:

1. Minimum setback from a sidewalk (3’ recommended) to ensure that growth of the natural screen will not impinge on the sidewalk itself;

2. Minimum setback from a curb line (5’ recommended), where there is no sidewalk, to ensure that growth does not impinge upon the street or the ability to enter/exit vehicles parked on the street;

3. Maintain the existing line of sight triangle, as defined in attached Village Code Section 3.13(9)(g);
4. Maintain setback from an above-ground utility, such as a fire hydrant, street light pole, etc. (5’ recommended) to ensure that growth of the natural screen does not impeded the ability to utilize or service those utilities; and

5. Require that any natural screening in a Front or Corner Lot Side Yard be permitted only if there is an appropriate visual line of sight to a house number on the outer façade of a home for identification by emergency services from the street right-of-way.

Conclusion
Staff supports an overhaul of certain requirements limiting natural screens on and adjacent to single-family residential properties. Specifically, staff supports additional permissibility for natural screens in Corner Lot Side Yards, including permitting such screens to encroach into the public right-of-way, with the caveat that the four specific setbacks and additional requirement regarding visibility of house numbers noted above be maintained. Staff would not propose limiting these natural screens in the Corner Lot Side Yard, even if the front door of the home is located on that façade. Given that Corner Lot Side Yards on corner lots are back-to-back with other corner lots, these “short blocks” could maintain a smaller street cross-section without compromising the overall character of neighborhoods. Staff would also recommend that natural screening in these Corner Lot Side Yards be permitted to be 100 percent opaque year-round, and that there be no maximum height limitation. Staff would not support extending these permissibilities to Front yards, however. We believe that in order to maintain the open street cross-section and openness between neighbors, the Front Yard is a “public space” of sorts and should be maintained free of natural screening which acts as a barrier.

Staff would recommend that if natural screening that defines a boundary is still desirable in a front yard or on the right-of-way adjacent to a Front Yard, such natural screening should be no taller than thirty inches in height. The one exception staff would recommend is in those locations where the Front Yard of a single-family residential property is across a street right-of-way from a non-residential zoning district. In those instances, an evergreen screen of a greater height could be permitted, with the caveat that an appropriate visual line of sight to a house number on the outer façade of a home for identification by emergency services from the street right-of-way be provided.

Staff Recommendation
Staff is seeking direction from the Plan Commission regarding the acceptability of these many potential variants of increased natural screening permissibility. With this direction, staff will prepare proposed Code Language for review by the Plan Commission at the August 2, 2017 meeting.

Documents Attached
1. Pertinent Village Code Sections
2. Checklist
Pertinent Village Code Sections

Natural Screening

(12)

Natural screening in residential districts.

a.
Natural screening may be installed in rear and side yards, without restriction to height, provided such screening does not obstruct the Village line of sight distance regulations.

b.
Natural screening may be installed on a corner lot side yard, but shall be set back a sufficient distance from the side lot line to allow it to be maintained when in its mature state so as to not obstruct the walking and traveling public upon Village sidewalks.

c.
Natural screening may be installed on a corner lot side yard, where the front facing design facade of the residence (the side containing the main entrance) faces the corner lot side yard (as opposed to the front yard), but shall be restricted and maintained to no more than four feet in height.

(8)

Special fences

Special Fences; preexisting masonry fences; landscape terrace walls; decorative wrought iron fences, through lot fences. Special fences are those which have a greater potential than permitted fences to have an adverse impact upon the surrounding neighborhood. Special fences may be appropriate in some locations and inappropriate in other locations. The following fences may be allowed by special fence authorization in accordance with this Section 3.13 where the Zoning Board of Appeals finds that a special fence is appropriate at the location requested. The Zoning Board of Appeals may recommend, and the Board of Trustees may impose conditions, terms and restrictions in addition to those set forth herein as a condition of granting special fence authorization.

a.
The following types of fences shall be special fences:

i.
Brick walls, masonry fences, and stone walls.

ii.
Masonry enclosures.

iii.
Landscape terrace walls of stone or masonry construction, over 30 inches in height.

iv.
Decorative wrought iron fences.

v.
Through lot fences.
vi. Natural screening on public rights-of-way, utility easements, or Village property installed and maintained by private individuals at their expense.

(9) Location and orientation of fences and natural screening.

a. Line of sight distance required. Any person erecting, constructing, installing, or replacing a fence and planting or replacing a natural screen shall ensure that adequate sight distance is provided at the intersection of two alleys, or a street and an alley, or the intersection of two streets. (See Figures x and xx following.)

**Figure 3.x**
Line of Sight Triangle for Shrubbery, Hedges and Tree Ordinance at Intersection of Two Streets

**Figure 3.y**
Line of Sight Triangle for Shrubbery, Hedges and Tree Ordinance at Intersection of a Street and the Alley
Natural screening in manufacturing districts.

**a.** Natural screening is encouraged in front yard locations, when screening parking areas on a lot from public view, but such screening shall be restricted to not more than four feet in height. Any such screening shall not create a safety hazard for either drivers or pedestrians, shall comply with the Village line of sight regulations, and shall not obscure sight lines at ingress and egress points, and drive aisles of any lot.

**b.** Natural screening may be installed in rear, side, and corner lot side yards without restriction to height except that such natural screening shall not create a safety hazard, shall comply with the Village line of sight regulations, and shall not obscure sight lines at the ingress and egress point of any lot. The Zoning Officer shall determine the safety of the location of such screening and a permit shall be obtained prior to installation of natural screening in these locations.
(20)
Natural screening material.

a. Natural screening in front yards.

i. In residential districts bushes in excess of 30 inches in height comprising a hedge forming a natural screen as of the effective date of this Zoning Ordinance and which are located in the front or side corner lot, may remain so long as the bushes do not violate the safety visibility triangle, are in a healthy condition, and are kept maintained. Bushes which are dead, diseased, unsightly or create a safety hazard must be removed from such a hedge, and once removed may not be replaced.

ii. Following the effective date of this amendment, natural screening hedges may be planted so long as they do not obstruct sidewalks, are planted on private property, not the public parkway, do not exceed 30 inches in maintained height, and are not a safety hazard.

2.02 Definitions:
Front Facing (Design) Facade

Any facade of the principal building which approximately parallels the front lot line and exceeds eight feet in length. (See Diagram E following.)

Diagram E (See Section 3.13)  Diagram F (See Section 3.13)
## Natural Screening Checklist

<table>
<thead>
<tr>
<th>Location</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>On Private Property Only</td>
<td>✓</td>
</tr>
<tr>
<td>On Private Property and in the Public Right-of-Way (adjacent to Corner Lot Side Yard Only)</td>
<td></td>
</tr>
<tr>
<td>On Private Property and in the Public Right-of-Way (adjacent to Front Yard &amp; Corner Lot Side Yard)</td>
<td></td>
</tr>
</tbody>
</table>

### Natural Screening Height Restrictions in Front Yard/Front Design Façade (Corner Lot Side Yard with the front door of the house)

<table>
<thead>
<tr>
<th>Restriction</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Lower Height for Front Yard or Corner Lot Side Yard with a Front Door</td>
<td></td>
</tr>
<tr>
<td>Same Height for Yards regardless of Front façade or front door location</td>
<td></td>
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</tbody>
</table>

### Natural Screen Opacity

<table>
<thead>
<tr>
<th>Requirement</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Evergreen permitted for 100% of natural screen</td>
<td></td>
</tr>
<tr>
<td>No Evergreen permitted in Natural Screen</td>
<td></td>
</tr>
<tr>
<td>Institute a maximum percentage (i.e. 50%, 66%, etc.) of Evergreen versus Deciduous plantings in natural screen</td>
<td></td>
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</tbody>
</table>

### Maximum Natural Screen Height

<table>
<thead>
<tr>
<th>Height Requirement</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>No Limitation on Height in any Yard</td>
<td></td>
</tr>
<tr>
<td>Maintain low height (i.e. 30”, 36” or 48”) in Front and/or Corner Lot Side Yard</td>
<td></td>
</tr>
<tr>
<td>Permit “mid-size” height (i.e. 6’ or 8’) in Front and/or Corner Lot Side Yard</td>
<td></td>
</tr>
</tbody>
</table>
Plan Commission Staff Report  
Case # PC-13-17  
November 1, 2017

**Subject:** Consideration of Text Amendments to Modify the Permissibility and Requirements for Auto/Light Truck Sales and Service Uses in the O, Office District

**Requested Action:** Text Amendments to Zoning Code Table 4.01.1 Permitted and Special Uses in All Zoning Districts, to modify the permissibility of Auto/Light Truck Sales and Service uses in the O, Office District, and new regulations specifically related to Auto/Light Truck Sales and Service uses in the O, Office District as deemed appropriate through the course of Plan Commission Public Hearings related to this case.

**Petitioner:** Village Board (referred on September 5, 2017)

**Background**
The Village’s Zoning Map designates a number of parcels, generally located north of Chase Avenue and between Cicero Avenue and Lincoln Avenue, as being in the “O” Office District. The Zoning Ordinance states that the O, Office District has been established to “provide an environment for low-density offices and office parks, as well as limited warehousing, commercial, and industrial uses, that have negligible adverse effects upon the environment and surrounding areas.”

Based on several factors outlined in this memorandum, staff feels it is appropriate to consider amending the permitted uses in the O, Office District to include Auto/Light Truck Sales and Service as a Special Use.

This memorandum includes the following information:

- A summary of six factors that provide the rationale for discussion related to a potential zoning amendment;
- A description of considerations to be discussed as part of the formal amendment process; and
A description of potential impacts that could be addressed through the amendment process.

**Rationale for the Proposed Zoning Amendment**

There are several factors that staff believes warrant discussion of Auto/Light Truck Sales and Service being permitted as a special use in the O, Office District. They include:

1. **Similarity to Current Permissibility**
   
   Table 4.01.1 of the Zoning Ordinance currently identifies the following non-residential uses as permitted by right or as a Special Use in the O, Office District:

   **Permitted Uses:**
   - Office, general or professional
   - Open-air parking lot
   - Parking garage
   - Light manufacturing
   - Child/elderly development center
   - Municipal facility
   - Parks and playground
   - Postal services
   - Medical clinic
   - Office, medical, outpatient only

   **Special Uses:**
   - Commercial recreational facility
   - Health club
   - Catering
   - Research laboratory
   - Support laboratory
   - Wholesale establishment
   - Warehouse
   - College and university
   - Trade, music or dance school
   - Hospital
   - Utilities

   Several of these uses have impacts similar to what would be present in an Auto/Light Truck Sales and Service use. If referred to the Plan Commission, discussion of this potential amendment should consider what specific impacts may exist and how they can be mitigated.

2. **Relationship to the Comprehensive Plan**
   
   The Village’s Comprehensive Plan, adopted in 2016, identifies parcels in this area of the Village as either Regional Commercial, Light Industrial, or Local/Corridor Commercial future land uses. This mix of uses generally reflects the intent of the permitted uses in the O, Office District. Auto/Light Truck Sales and Service uses would be generally compatible with the uses intended by the Comprehensive Plan, especially when considering the additional factors listed below.

3. **Location Along Prominent Arterials**
   
   The O, Office District includes property frontage along North Cicero Avenue and North Lincoln Avenue, and is located as close as one quarter-mile from the I-94 Touhy Avenue interchange. This locational advantage is well-suited for Auto/Light Truck Sales and Service uses that rely on a market area that extends beyond the Village boundaries. This would also...
support the Village’s economic development goal of aligning viable sites with appropriate uses in order to strengthen the community’s sales tax revenue base.

4. Relationship to Adjacent Uses
The O, Office District is adjacent to the R-3, Residential District to the west and east, and the B-2, General Business, R-3, Residential District, and B-3, Village Center PD Districts to the south. (The Comprehensive Plan shows the current R-3, Residential District on Keating Avenue and Kilpatrick Avenue as “Regional Commercial” in the future land use plan.) Current and potential future uses in the B-2 and B-3 Districts would be compatible with Auto/Light Truck Sales and Service uses. When discussing potential code amendments, specific impacts and potential required buffers may be considered adjacent to the R-3 District.

5. Size of Existing Lots
Existing parcel sizes in the O, Office District vary, but several are more than 2.5 acres in area. The largest lot is more than 5.25 acres. The size of these parcels can accommodate auto sales and service uses without relying on extensive land acquisition and assembly. Code amendment discussions may consider what size lots are appropriate for Auto/Light Truck Sales and Service uses, and determine if a minimum lot size requirement would be appropriate to ensure they are not developed on parcels that cannot adequately accommodate inventory, access, buffering, and other site characteristics.

6. Greater Flexibility for Sales Tax Generating Uses
An important goal of the Village is to ensure there is adequate land to accommodate uses that generate sales tax revenue. To that end, the current Zoning Ordinance permits Auto/Light Truck Sales and Service uses as a Special Use in the B-1, Traditional Business and B-2, General Business Districts. Recently, however, several office or service uses have been established along Lincoln Avenue, Touhy Avenue, and other corridors envisioned as retail streets. Allowing auto sales and service in the O, Office District would provide the opportunity for additional properties that could accommodate revenue generating uses on appropriately sized parcels.

Planning/Zoning Considerations
Staff has identified the following considerations that should be discussed as a part of the amendment process:

Potential minimum lot size requirement for auto sales and service uses. A minimum lot size requirement for Auto/Light Truck Sales and Service uses could be an effective way of ensuring they occupy sites that can accommodate parking, screening, and buffering. The map to the right demonstrates how a minimum lot size requirement of 2.5 acres would limit such uses to larger properties between Cicero Avenue and Lincoln Avenue, where few residential properties would be impacted.

Development Site Areas in the O Office District:

<table>
<thead>
<tr>
<th>Area 1</th>
<th>Area 2</th>
<th>Area 3</th>
<th>Area 4</th>
<th>Area 5</th>
<th>Area 6</th>
<th>Area 7</th>
<th>Area 8</th>
<th>Area 9</th>
<th>Area 10</th>
</tr>
</thead>
<tbody>
<tr>
<td>.72 acres</td>
<td>.80 acres</td>
<td>1.63 acres</td>
<td>5.19 acres</td>
<td>2.52 acres</td>
<td>3.92 acres</td>
<td>1.26 acres</td>
<td>3.78 acres</td>
<td>2.38 acres</td>
<td>1.35 acres</td>
</tr>
</tbody>
</table>
The location of service functions related to surrounding uses. The Zoning Ordinance currently defines “auto service” as “any building or land used primarily for the dispersal, sale, or offering for sale of automotive fuels, oils or accessories, including lubrication of automobiles and replacement of minor parts and accessories, but not including major repair work such as motor replacement or rebuilding.” While “auto body and repair” and “automobile wrecking yard” are distinctly different and more intensive uses that would not be permitted in the O, Office District, “auto service” uses still have the potential to have noise, aesthetic and odor impacts on surrounding properties. The permissibility of auto service facilities could be conditional based on their location of the lot relative to major arterials and residential uses, and additional screening that would protect adjacent properties closest to the auto service operations.

Permitting auto service operations only as an accessory use to auto sales. The intent of the proposed amendment is to permit regional commercial uses as described in the Comprehensive Plan. To that end, the proposed amendment could stipulate that auto service operations only be permissible as an accessory use to auto sales. This would ensure that resulting developments reflect the intent of the Comprehensive Plan.

Traffic and parking management. The traffic impacts caused by the regional market and number of employees associated with Auto/Light Truck Sales and Service uses warrant careful consideration. A zoning amendment permitting Auto/Light Truck Sales and Service uses could include requirements related to restricted access from residential streets, on-site employee parking, and/or internal circulation and connections to shared access points.

Recommendation
Staff is recommending Text Amendments to the Village Zoning Code necessary to permit Auto/Light Truck Sales and Service uses in the O, Office District, and to appropriately regulate certain characteristics of such uses according to matters described in this staff report and deliberated as a part of Public Hearings regarding this case. Based on the direction provided by the Plan Commission, and assuming there is consensus regarding this direction, staff will prepare proposed Code Language for review by the Plan Commission at the December 6, 2017 regular Plan Commission meeting.

Documents Attached
1. Map of Existing O, Office District Boundaries
Memorandum

To: Chair and Members
   Plan Commission

From: Steve McNellis
       Community Development Director

Date: November 1, 2017

Subject: 2018 Meeting Schedule and Dates Reserved for Workshops

Once again, it is that time of year to consider next year’s meeting dates!

Attached, for your consideration, is the proposed 2018 schedule of Commission meetings. These Commission meetings are primarily for the Commission to conduct public hearings on petitions made by applicants. This meeting schedule generally follows the Commission’s practice of meeting on the first Wednesday of each month. For 2018, Staff found only one conflict with a major national holiday, July 4, 2018, so that meeting date is moved back a day to Thursday, July 5, 2018. In addition, in October the proposed meeting date is Thursday, October 4, 2018 in order to avoid conflict with the first Village Board meeting of October which has been scheduled for Wednesday October 3, 2018 due to a religious holiday. If upon review Commissioners find there are no conflicts with these proposed dates, Staff recommends the Plan Commission adopt this meeting schedule as presented. This will then be used to establish submittal deadlines for petitions for Public Hearings.

Also attached is a list of 2018 dates proposed to be reserved by the Plan Commission for Workshops, as needed. Dates proposed to be reserved for Workshops generally fall on the fourth Wednesday of the month, although none are envisioned in March, November, or December due to Spring Break, Thanksgiving, and Christmas. If, upon review, Commissioners find there are no conflicts with these proposed dates, Staff recommends the Plan Commission formally reserve these dates, so that the meeting room can be reserved, should they be necessary. 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 Motions**

1) Move and second to **Adopt** the 2018 Plan Commission meeting schedule as proposed.

2) Move and second to **Reserve** proposed dates for possible workshops in calendar year 2018.
Lincolnwood Plan Commission

2018 Meeting Schedule

Monthly Plan Commission meetings are generally held on the first Wednesday of each month with the fourth Wednesday of each month reserved for Workshops. Unless otherwise posted, all Commission meetings begin at 7:00 p.m. and are held in the Council Chambers Room of Village Hall, 6900 North Lincoln Avenue, Lincolnwood, Illinois.

<table>
<thead>
<tr>
<th>2018 Calendar of Meetings</th>
<th>2018 Calendar of Workshops</th>
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<tbody>
<tr>
<td>Wednesday, January 3</td>
<td>Wednesday, January 24</td>
</tr>
<tr>
<td>Wednesday, February 7</td>
<td>Wednesday, February 28</td>
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<tr>
<td>Wednesday, March 7</td>
<td>March – None</td>
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<tr>
<td>Wednesday, April 4</td>
<td>Wednesday, April 25</td>
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<tr>
<td>Wednesday, May 2</td>
<td>Wednesday, May 23</td>
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<td>Wednesday, June 6</td>
<td>Wednesday, June 27</td>
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<td>Thursday, July 5*</td>
<td>Wednesday, July 25</td>
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<tr>
<td>Wednesday, August 1</td>
<td>Wednesday, August 22</td>
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<tr>
<td>Wednesday, September 5</td>
<td>Wednesday, September 26</td>
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<tr>
<td>Thursday, October 4**</td>
<td>Wednesday, October 24</td>
</tr>
<tr>
<td>Wednesday, November 7</td>
<td>November – None</td>
</tr>
<tr>
<td>Wednesday, December 5</td>
<td>December – None</td>
</tr>
</tbody>
</table>

* First Thursday due to conflict with July 4<sup>th</sup> Holiday
** First Thursday due to conflict with Village Board meeting

Workshop meetings are not scheduled in March, November, or December due to Spring Break, Thanksgiving, and Christmas holidays.