



Village of Lincolnwood

Joint Workshop Meeting

Regular Meeting of the Plan Commission

AND Special Meeting of Beautification Commission

Wednesday, October 7, 2020
7:00 P.M.

In accordance with the recently adopted amendments to the Illinois Open Meetings Act permitting the Plan Commission and Beautification Commission to conduct virtual commission meetings, members of the public are allowed to be physically present in the Village Board meeting room in Village Hall at 6900 North Lincoln Avenue, subject to room capacity and social distancing requirements. Accordingly, the opportunity to view the virtual meeting at Village Hall is available on a “first come, first-served” basis. Those members of the public present at Village Hall will be able to provide real-time comments in person on the computer available in the Council Chambers. Anyone who does not desire, or who is not able, to be physically present at Village Hall can watch the Plan Commission meeting live by visiting the Village website or by clicking www.lincolnwoodil.org/live-cable-channel/.

Those wishing to submit public comments in writing may do so by emailing comments to dhammel@lwd.org prior to the commencement of the meeting. Emails received will be read aloud during the appropriate Public Comment period for each matter on the agenda. We ask that you keep your emailed comments to under 200 words to allow time for others to be heard and for the Commissions to progress through the public meeting agenda. Thank you for your understanding of these guidelines.

Meeting Agenda

- 1. Call to Order/Roll Call: Plan Commission**
- 2. Call to Order/Roll Call: Beautification Commission**
- 3. Pledge of Allegiance**
- 4. Staff Announcement Regarding Procedures for the Joint Meeting**
- 5. Approval of Plan Commission Minutes**
August 25, 2020 Meeting Minutes
- 6. Joint Plan Commission/Beautification Commission Workshop Discussion Regarding Landscape Regulations**
- 7. Public Comment**
- 8. Adjournment: Beautification Commission**
- 9. Discussion: Update Regarding the 2018-2020 Plan Commission Biennial Report**
- 10. Next Regularly Scheduled Plan Commission Meeting: November 5, 2020**
- 11. Adjournment: Plan Commission**

Posted: October 2, 2020



DRAFT MEETING MINUTES
OF THE
PLAN COMMISSION
AUGUST 25, 2020 – 7:00 P.M.

LINCOLNWOOD VILLAGE HALL
VIRTUAL MEETING HELD VIA GOTO MEETING
6900 NORTH LINCOLN AVENUE
LINCOLNWOOD, ILLINOIS 60712

Present: Chairman Mark Yohanna, Commissioners Sue Auerbach (arrived after roll call), Steven Jakubowski, Adi Kohn, Henry Novoselsky, and Don Sampen

Absent: Commissioner Anthony Pauletto

Staff Present: Community Development Director Steve McNellis, Community Development Manager Doug Hammel, Community Development Coordinator Kathryn Kasprzyk, Public Works Manager Nadim Badran, Village Attorney Hart Passman, and Village Engineer Paul Bourke

I. Call to Order

Chairman Yohanna noted a quorum of six members and called the meeting to order at 7:10 p.m.

II. Chairman Yohanna stated there will be no Pledge of Allegiance

III. Approval of Minutes

Motion to recommend approval of the June 3, 2020 Plan Commission Minutes was made by Commissioner Sampen and seconded by Commissioner Novoselsky.

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

Nay: None

Motion Approved: 6-0

IV. Case #PC-09-20: 4500-4560 West Touhy Avenue & 7350 North Lincoln Avenue – Amendment to Ordinance # 2019-3432, Granting a Special Use Permit for a Planned Unit Development, with Modifications

Chairman Yohanna announced Case #PC-09-20 for consideration of a request by Touhy & Lincoln LLC, a Delaware Limited Liability Company and Property Owner, to amend Ordinance #2019-3432, granting a Special Use Permit for a Planned Unit Development for the property commonly known as 4500-4560 West Touhy Avenue & 7350 North Lincoln Avenue. The proposed Amendments consist of an increase of the size of the approved “Retail/Commercial Building” (aka “Building B”), located on Touhy Avenue, from a 35,123-square-foot building

that is 36-feet tall to a 35,400-square-foot building that is 49-feet tall, with the following Zoning Modifications: 1) decrease the minimum number of required off-street parking spaces for the property from 749 spaces to 721 spaces; and 2) amend the approved Unified Business Center Sign plan to permit one additional monument sign on Lot # 3. The PUD Amendment and Modifications are requested for a development known as District 1860, located at the property commonly known as 4500-4560 West Touhy Avenue & 7350 North Lincoln Avenue. During this Hearing, the Plan Commission may consider any additional relief that may be discovered during the review of this case.

Development Director McNellis provided background on the PUD timeline. On November 20, 2018, the Village Board approved a Resolution for the Preliminary PUD Development Plan and Preliminary Plat of Subdivision. The North Lincoln TIF District and associated Redevelopment Agreement was approved on February 5, 2019. In March 2019, the property was purchased by Touhy & Lincoln, LLC (Tucker Development). The Final Development Plans for the PUD were approved on November 19, 2019 for Phase 1 and February 18, 2020 for Phase 2.

This request is to amend the site plan, building elevations, and signage for an alternate design to Building B to accommodate a prospective grocery store. The Petitioner is requesting that this alternate design be approved in addition to the previously-approved design for Building B, resulting in to design options for this building. It was noted that the only matter for discussion tonight is the alternate design. The previous Building B design was approved for no specific tenant; this design is specific to a grocery store in its entirety. While Tucker Development has a Non-Disclosure Agreement with the proposed grocer and is unable to provide the name of the tenant at this time, they have confirmed that it will be “offering for sale a selection of groceries and other merchandise with a breadth, scope, and quality similar to that which is offered by Jewel, Mariano’s, and other similar grocery stores”.

Zoning relief includes an Amendment to the PUD to approve an alternate design due to design changes to the plan including grade level parking with a one-story building above instead of the previously-approved rooftop parking, a 49-foot-tall building instead of the previously-approved 36 foot-tall-building, and a 35,400-square foot building instead of the previously-approved 35,123-square foot building. The alternate building will have a more contemporary design. A Zoning Modification is requested to decrease the approved minimum number of required off-street parking spaces from 749 spaces to 721 spaces, and a Zoning Modification to amend the approved Unified Business Center Sign plan to permit one additional monument sign on Lot #3.

Chairman Yohanna swore in the witnesses remotely, all of whom were part of the Tucker development team, including their architects.

Rich Tucker explained the reasoning for the alternate design and introduced architect Keith Campbell from CallisonRTKL who outlined the changes to the proposed plan and provided side-by-side comparisons of the approved and proposed plans for review and discussion.

Mr. Campbell noted the following:

- Parking is all at grade with no ramp to the rooftop. The building footprint configuration is basically the same. The sales area is one level above the parking which is accessed by a glassed-in vestibule including both escalators and elevators.

- The Landscape Plan has been refined with new trees and shrubs along the west side of the building to screen the loading dock, as well as evergreens and shrubs around the transformers for Building A and Building B. Shade trees and continuous foundation plantings on the south side will create a more pleasant “green” pedestrian experience. Both yews and hydrangeas, along with shade trees in the parkway, form the eastern edge of the building. At the north side near the entryway of the store there will be a wider sidewalk trimmed with hostas, hydrangeas, and honeysuckle. A new pedestrian walkway in front of the store will be lined with ornamental grasses.
- The loss of a minimum of parking spaces is the result of a larger truck turning radius and slightly larger loading dock area in front of the store.
- An additional monument sign is being proposed for the grocery tenant located at the west side of the entry drive off Touhy Avenue.
- Rooftop mechanical units will be completely screened by the height of the parapet walls from the sidewalk, street, and parking areas.
- The elevation of Building B is proposed to have an overall height of 49 feet instead of the previously-approved height of 36 feet. Tucker has not received final feedback from the tenant regarding signage placement, but different sign locations were shown for review.
- Electrical transformers will be screened with dense landscaping and gated, and trash enclosures will only be visible from inside the loading dock. Screening will consist of louvered panels that are consistent with the architectural design of the building.

Director McNellis completed his presentation, noting that Building B was originally intended as a multi-tenant building with commercial service, retail and/or medical office tenants. However, since Final PUD approval, Tucker Development has entered into a Non-Disclosure Agreement with a proposed grocer which is desirable not only to the development, but to the Village as a whole. The building’s footprint, parking, and design concept does not deviate substantially from what was previously approved. Surface parking is substantially similar, with a newly-added protected pedestrian walkway through to the north parking field. The minor changes to the Landscape Plan allows added foundation landscaping on the east and north sides of the building. Building materials are consistent with the same palette which was approved for the other two buildings. Staff finds the proposed PUD Amendment meets the spirit and intent of both the previously-approved PUD and the Village Code.

As for the proposed parking modification, the previously-approved PUD Plan permitted a reduction in required parking from 988 spaces to 749 spaces. The alternate plan asks for a further reduction of 28 spaces to 721 spaces due to an under-building parking area providing less square footage for parking than the rooftop design. An additional change in Code-required parking requirements from 3.3 spaces per 1,000-square feet for general commercial to 4.5 spaces per 1,000-square feet for a grocery store result in an additional deficit of 34 spaces. In considering this deficit, it is important to note the following:

- The accepted peak parking demand for this development is 687 spaces. That scenario included a grocery store, approximately 1,200-square feet larger than the current proposal. The revised plan provides 721 spaces, which is at least 34 spaces greater than the peak demand would require;
- The “grocery store model”, which was changing prior to the pandemic to a greater number of delivery and pick-up orders, has seen that change accelerate, and industry expectations are this will remain the case, even after the pandemic ends;

- Lincolnwood's parking standard is inconsistent with surrounding communities. Skokie and Niles both have the same 3.3 per 1,000-square feet parking requirement for both general commercial and grocery stores. Des Plaines has a parking requirement of 3.3 parking spaces per 1,000-square feet for grocery stores. These comparisons demonstrate that Lincolnwood's higher parking requirement is inconsistent with surrounding communities; and
- Grocery Stores determine their own parking needs, based on research data and company experience. In this case, the number of parking spaces and layout meets the store requirement.

Staff does not find the modification for off-street parking to be detrimental to the operation of the site.

As for the proposed sign modification, the previous Unified Business Center Sign Plan approval permitted three monument signs for the development; two nineteen-foot-tall multi-tenant signs with four tenants on each sign and one four-foot, eight-inch-tall main development identification sign). The new proposed monument sign would be the same design as the main identification sign located at the corner of Lincoln and Touhy Avenues with development identification (District 1860) being replaced by the grocery tenant name only. Staff believes the requested sign modification meets the spirit and intent of the Code without creating visual sign pollution.

Staff recommends approval of the PUD Amendment and Zoning Modifications for this alternate design, as presented, with no recommended conditions or further revisions.

Requested Action is for approval of an Amendment to Ordinance No. 2019-3432, Granting a Special Use Permit for a Planned Unit Development for District 1860, to permit an "Alternate" design, in addition to the previously-approved design for the 35,123-square-foot, 36-foot-tall "Retail/Commercial Building" (aka "Building B"), for a building that is increased in size to 35,400-square feet and 49-feet tall, with Zoning Modifications to permit a reduction in parking provided for the site and an Amendment to the Unified Business Center Sign Plan for the addition of a low-rise monument sign.

Chairman Yohanna polled the Commissioners for comment. The Commissioners all agreed they are very pleased and excited about the proposed plan.

Chairman Yohanna asked if there was anyone from the audience who would like to address the Plan Commission on any subject. Let the record state no one came forward.

With no further discussion, Chairman Yohanna requested a motion.

Motion to recommend approval of an Amendment to the approved PUD to increase the size of the "Retail/Commercial Building" (aka "Building B") from a 35,123-square-foot building that is 36-feet tall to a 35,400-square-foot building that is 49-feet tall and a Modification to decrease the approved minimum number of required off-street parking spaces for the property from 749 spaces to 721 spaces and a Modification to amend the approved Unified Business Center Sign plan to permit one additional monument sign on Lot # 3 was made by Commissioner Sampen and seconded by Commissioner Auerbach.

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

Nay: None

Motion Approved: 6-0

Case #PC-09-20 will be heard at the September 1, 2020 meeting of the Village Board.

V. Discussion: Upcoming Workshop Regarding Landscape Regulations

Sections 6.10-6.18 of the Zoning Code includes regulations relating to standards for the size and location of landscape areas, triggers for the applicability of landscape standards, and guidelines for relief from landscape standards. Since 2017, twelve properties have been granted landscape Variations. Staff has received comments regarding both the challenges of meeting the landscaping standards and the importance of landscaping in maintaining an attractive community.

The Village Board referred the matter to the Plan Commission for consideration of potential Text Amendments on June 2, 2020. The Village Board suggested the Beautification Commission provide input regarding landscaping regulations and their impact on community aesthetics.

Mira Mazur, Chairman of the Beautification Commission, was unable to attend tonight's meeting so Development Manager Hammel provided background on her personally and the accomplishments of the Beautification Committee.

The proposed timeline includes:

- September 14, 2020: Staff introductory presentation to the Beautification Commission to describe the nature of the topic and role of that Commission in the process (no substantive discussion of regulations or standards would take place during this discussion);
- October 7, 2020: Joint Plan Commission/Beautification Commission Workshop to discuss policy questions related to landscape standards, triggers of applicability, and means of relief;
- November 5, 2020: Plan Commission Public Hearing to discuss proposed Text Amendments related to landscape regulations; and
- November 17, 2020: Village Board consideration of the Text Amendments recommended by the Plan Commission.

Technical considerations include dimensional standards design requirements, applicability of those standards based on triggers established in the Zoning Code, and potential means of relief when certain regulations cannot be met. There is a provision in our Code that states if the interior portion of a building is renovated to more than fifty percent of the floor area, the interior renovation triggers external landscaping requirements. Potential means of relief can mirror that of the Minor Variation process with Zoning Manager approval only instead of the Public Hearing process.

VI. Discussion: 2018-2020 Plan Commission Biennial Report

In summary, there were no membership changes since March 2018, 30 public meetings held, with 42 cases heard. Development Manager Hammel reviewed the goals for 2020-2022 which

include amending the Zoning Ordinance to improve the general clarity and presentation of various Code requirements, receive direction from the Village Board regarding Zoning Code standards related to Variations, Special Use and Text/Map Amendments, and deliberate on various Zoning Code Text Amendments as brought forth by staff and referred by the Village Board. Commissioner Jakubowski requested additional information regarding the actions taken at the Village Board level following public hearings by the Plan Commission. Commissioner Sampen requested information regarding the number of cases heard over the past several years. Development Manager Hammel stated that such information would be provided at a subsequent meeting.

VII. Next Meeting

Development Manager Hammel stated that the regular meeting scheduled for September 2, 2020 will be cancelled. The next meeting of the Plan Commission is scheduled for Wednesday, October 7, 2020.

VIII. Public Comment

Chairman Yohanna asked if there was anyone from the audience who would like to address the Plan Commission on any subject. Let the record state no one came forward.

IX. Adjournment

Motion to recommend adjournment was made by Commissioner Sampen and seconded by Commissioner Kohn. Meeting adjourned at 8:30 p.m.

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

Nay: None

Motion Approved: 6-0

Respectfully submitted,

Kathryn Kasprzyk
Community Development Coordinator



Plan Commission/Beautification Commission Staff Report Workshop Discussion Regarding Landscape Regulations October 7, 2020

Background

Sections 6.10 through 6.18 of the Zoning Code include regulations related to landscaping. These sections include provisions related to the nature of landscaping that is required, under what circumstances such landscaping is required, and certain considerations when determining the appropriateness of Variations requests related to landscaping. (These sections are supplemented by regulations found elsewhere in the Zoning Code. For example, Article 9 Signs includes regulations related to landscaping around the base of freestanding signs.) Recently, owners or tenants of several commercial properties have sought Variations from the landscape regulations included in these sections. These requests demonstrates one of the most consistent challenges related to the physical design of commercial properties in the Village – meeting all of the zoning requirements related to setbacks, transition or buffer yards, parking, and landscaping. In many instances, landscaping relief is granted in order to maximize compliance with other regulations.

Recently, commercial property owners, tenants, and some Village officials have expressed frustration with the inability to meet landscape standards and the length of the process required to seek relief through a Zoning Variation. In fact, since the start of 2017, ten properties have been granted Variations related to landscaping. At the same time, residents and some Village officials have expressed the importance of landscaping and its benefits to the character of the Village.

This memorandum explores three aspects of the current landscape regulations:

- Standards related to the location and size of required landscaped areas;
- The circumstances under which those standards are applied; and
- The process for seeking relief if standards cannot be met.

At the conclusion of the sections related to each aspect noted above are the following:

- A series of policy questions aimed at guiding discussion regarding that aspect of the landscape regulations; and
- A summary of the Village Board Committee of the Whole discussion that took place on June 16, 2020 related to that aspect of the landscape regulations.

This information is intended to support a policy discussion among the Plan Commission and Beautification Commission in an effort to determine what Text Amendments, if any, would be appropriate in order to balance goals and objectives for the development of commercial properties in the Village.

Zoning Standards for Landscaping

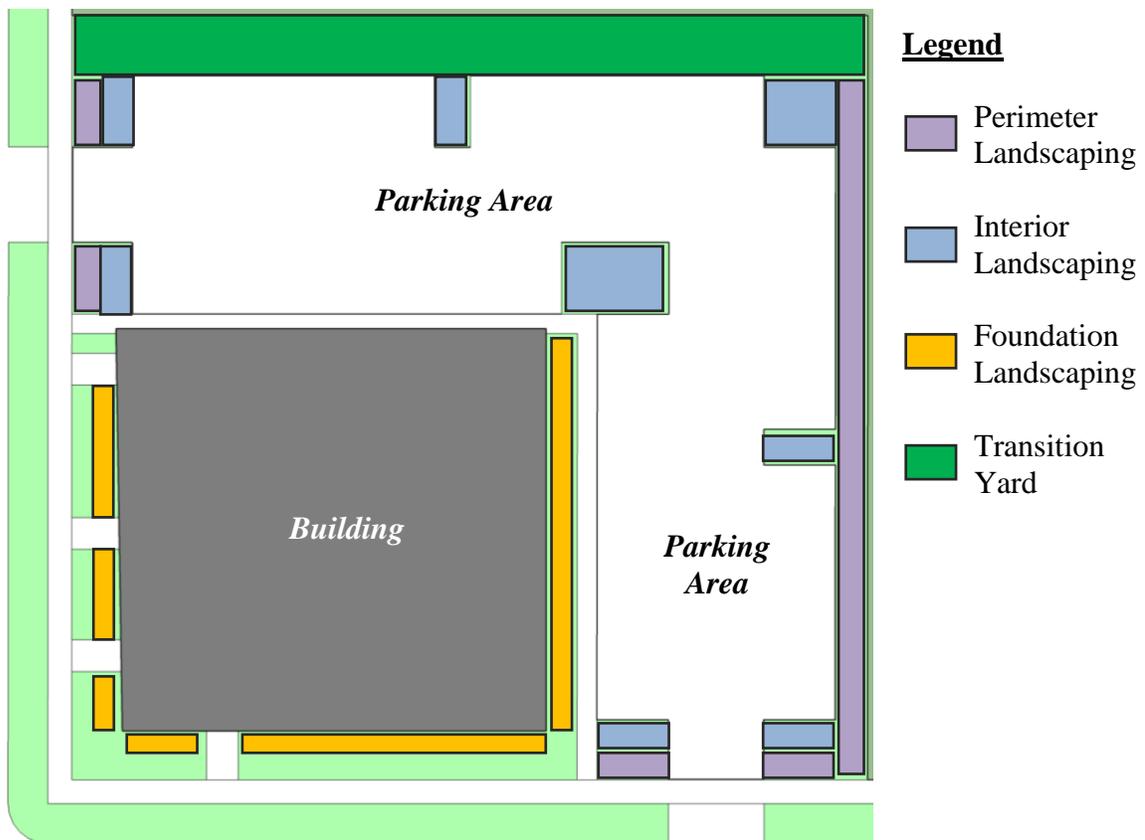
This section of the report focuses on specific regulations and standards related to landscaping. Since Variations generally relate to the location and dimensions of required landscape areas, other details, such as specific landscape materials, are not specially addressed.

Sections 6.14 through 6.16 establish the following requirements:

Section	Location of Required Landscaping	Dimension of Required Landscaping	Landscape Specifications
6.14(1)	Perimeter Screening around parking lots with five or more spaces	<ul style="list-style-type: none"> 8 feet in width, or 5 feet in width if a short masonry wall with a height between 30 and 36 inches 	<ul style="list-style-type: none"> Must create continuous screening except when disrupted by driveways, sidewalks, or sight triangles Shrubs must be at least 3 feet in height at the time of planting Landscape areas must be contained by a curb with a height of 6 inches Can be substituted with a berm by recommendation of the ZBA
6.14(2)	Interior parking lot landscaping (landscape islands)	<ul style="list-style-type: none"> At least the area of a legal parking space (162 square feet) One island at the end of each parking row, and after each 20 spaces in a parking row 	<ul style="list-style-type: none"> One tree per landscape island is required Other permitted materials include grasses and groundcover Landscape areas must be contained by a curb with a height of 6 inches
6.15	Building foundation landscaping	<ul style="list-style-type: none"> 6 feet in width immediately adjacent to all sides of a building 	<ul style="list-style-type: none"> Not required when a sidewalk or building entrance is present Landscape areas must be contained by a curb with a height of 6 inches when abutting a parking lot or drive aisle Permitted materials include trees, hedges, shrubs, evergreens and ground cover

6.16	Landscape buffer and screening between zoning districts	<ul style="list-style-type: none"> • Minimum 10-foot setback and contiguous landscape area abutting residential districts or uses, or a 5-foot-wide landscape area with an 8-foot-tall masonry wall 	<ul style="list-style-type: none"> • Screening height of 6 feet at the time of planting • Landscape area cannot be used for parking, loading, servicing, or storage • Impervious surfaces are prohibited
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Typical Commercial Site Plan Showing Location of Required Landscaping



The following bullet points summarize how many Variations have been granted related to each of these requirements since the beginning of 2017 years:

- Section 6.14(1), perimeter landscape screening: 9 Variations
- Section 6.14(2), interior landscape islands: 6 Variations
- Section 6.15, foundation landscaping: 6 Variations
- Section 6.16, transition yard setback and screening: 2 Variations

In these cases, the ZBA, Plan Commission and Village Board have often considered the fact that meeting the landscape requirements would require the reduction in on-site parking capacity. The Village has generally supported the Variation of landscape standards instead of a reduction in parking requirements, though the Zoning Code provides no direct guidance to that effect.

Policy Questions

Policy questions related to landscape standards are as follows:

- ***Are the current landscape requirements appropriate for commercial properties in Lincolnwood?***

Peer community research shows that Villages vary in how they regulate landscaping.

- Comparatively speaking, Lincolnwood's requirement of an eight-foot-wide landscape perimeter screening area goes beyond what many other communities require. Other communities require screening with a width of five to seven feet and do not require a masonry wall for areas with a width less than eight feet.
 - For parking lot interior landscaping, some communities require a percentage of the parking area to be covered by landscaping. This allows the amount of landscaping to be dictated by the size of the lot or parking area, and does not specify certain locations (such as at the end of parking rows) where the landscaping is to be provided.
 - Foundation landscaping is often regulated in a manner similar to Lincolnwood, though some communities waive the requirement for building facades located less than ten feet from a lot line.
 - In terms of transition yards and buffers adjacent to residential districts, several communities have similar standards as Lincolnwood. However, some specifically waive the requirement of a transition yard when an alley separates commercial and residential properties.
- ***Do the Commissions feel certain zoning requirements (i.e. landscaping, parking, setbacks, etc.) are more important to enforce than others when Variation requests are considered?***

The Zoning Code does not establish priorities or which regulations ought to be varied instead of others. As previously noted, the Village has typically granted Variations related to landscaping when complying with those regulations would result in the loss of on-street parking.

- ***Are there certain landscape materials or species that are either most appropriate or inappropriate for use in commercial site design when variations are requested?***

Section 6.13 of the Zoning Code establishes standards related to permitted or recommended landscape materials. The standards speak to quality, resiliency to local climate and contextual factors, and compatibility of design with the development site. This section also references a Schedule of Recommended Plants that is to be maintained by the Community Development Department. In practice, Landscape Plans are reviewed by the Village Engineer consultant, who regularly monitors and relies on best practices in the landscape design field. Staff recommends that landscape improvements not requiring special approval or zoning relief be subject to the current

standards. However, in the event of a requested landscape Variation, are there certain plant materials that should be prohibited or required in order to ensure a higher level of quality?

Village Board Committee of the Whole Summary regarding Landscape Standards

Trustees made the following comments regarding landscape standards:

- Seasonal/removable flower boxes with a consistent design them should be considered as a substitute for permanent landscaping.
- Landscape requirements should focus more on quality than quantity, as current standards don't always result in the desired aesthetics.
- Current regulations don't match the characteristics of Lincolnwood commercial lots, which is resulting in the need for so many Variations.
- The Village should continue to support granting landscape Variations to accommodate parking in order to avoid imposing other impacts on surrounding residential areas.
- The history of repeating Variations should give clues as to what regulations should be subject to administrative relief. (A summary of recent landscape Variations granted by the Village is provided as an attachment to this report.)

Applicability of Landscape Standards

An important consideration in the administration and enforcement of zoning regulations is understanding when they are applicable. Section 6.11 of the Zoning Code establishes the following types of improvements as triggering the regulations described earlier in this report:

- Development that includes the construction of a new building;
- Properties developed as a Planned Unit Development;
- When a property is damaged and replaced to the extent that the improvement is greater than 50% of the replacement cost of the original structure;
- When the intensity of a use increases such that additional parking is required;
- When the gross floor area of the building is increased;
- When the exterior of the building is expanded or added to;
- When an existing parking area is expanded or reconstructed (as opposed to maintained); or
- When an interior renovation occurs that impacts more than 50% of the gross floor area of the building.

It should be noted that this section of the Zoning Code was amended in 2009. That amendment, approved through Ordinance No. Z2009-368, had the following effects:

- Differentiated between "pavement maintenance" and "pavement reconstruction";
- Clarified that landscape regulations are applicable in instances of "pavement reconstruction" but not "pavement maintenance";
- Revised site plan submittal requirements;
- Removed the applicability of landscape regulations for properties seeking Special Use or Variation approvals;
- Clarified the applicability of landscape regulations after damage or reconstruction of a property; and
- Removed the applicability of landscape regulations when there is a change in ownership of a property.

Policy Questions

Policy questions related to the applicability of the landscape standards are as follows:

- ***Are there any additional circumstances or types of improvements that should trigger the landscape requirements?***

Peer community research shows that Villages address the applicability of landscape standards in different ways. Some use any expansion of a building as a trigger for landscape regulations, while others require that the building be expanded by a certain amount (25% or 50%) before landscape regulations apply. Generally, all researched communities rely on exterior improvements to the site or expansions of the building to trigger landscape regulations. Lincolnwood is the only community, among those researched, that identifies interior renovation of any magnitude as a trigger for landscape regulations.

- ***Are any of the current triggers problematic or overly burdensome?***

As previously noted, the 2009 zoning Text Amendment removed triggers related to Special Use or Variation approvals, and change in ownership of a property. Minutes of those Plan Commission/Zoning Board hearings and Village Board meetings do not provide detail regarding discussions related to these amendments. Also noted in the report is the interior renovation of an existing building has been the trigger for zoning regulations that have ultimately led to requests for zoning relief.

Village Board Committee of the Whole Summary Regarding the applicability of Landscape Standards

Trustees made the following comments regarding the applicability landscape standards:

- Regulations should not impose excessive limitations on investment in commercial properties.
- The provision triggering landscape regulations when a building undergoes a renovation of 50% of the interior gross floor area is unique to Lincolnwood and doesn't seem appropriate.

Relief from Landscape Standards

When landscape standards are deemed to be applicable and a property subject to them cannot provide landscaping in a manner that meets the standards, relief is then required in order to allow a project to move forward. Section 6.18 of the Zoning Ordinance states that relief must be sought according to the regular Variation process involving 1) a Public Hearing in front of the Zoning Board of Appeals and 2) final approval from the Village Board. Through that process, the Village can consider Variations to required landscaping and conditions aimed at meeting the intent of those regulations. However, the number of Variations sought related to landscape regulations may indicate that there is some level of misalignment between the standards, applicability, and configuration of properties to which those standards are applied.

Policy Questions

Policy questions related to zoning relief from landscape standards are as follows:

- ***Should there be an opportunity for administrative relief from landscape standards?***
Some of the communities researched have provisions that allow for administrative relief from landscape standards. In those communities, the administrative authority is

granted to the Director of Community Development or Zoning Officer. This reduces the amount of time and expense a property owner may have to spend seeking approval for certain improvements.

- ***If so, what components of landscaping and/or what thresholds of relief should be subject to administrative determinations?***

In communities where administrative relief is authorized, it is usually done so with certain parameters and/or for certain aspects of landscaping. For example, Morton Grove allows landscaping to be waived when it would result in the reduction of existing parking of more than five percent. In Skokie, the Director of Community Development may approve an alternative landscape design when meeting the standards of the code would result in interference with parking, loading, or drive aisles, or if the site is otherwise “dimensionally deficient” to accommodate landscaping. Niles authorizes the Director of Community Development to reduce the size of a buffer yard when a hardship is demonstrated.

Village Board Committee of the Whole Summary Regarding Relief from Landscape Standards

Trustees made the following comments regarding means of attaining relief from landscape standards:

- Existing procedures impede investment in commercial properties and foster extended vacancies.
- Trustees were generally in favor of some level of administrative relief and staff discretion in approving certain Variations.
- Administrative relief should be limited to certain provisions or threshold, such as 10% of the amount of required landscaping.

Requested Action

Staff requests that the Plan Commission and Beautification Commission entertain discussion related to the issues and policy questions presented in this report. Based on that discussion, staff anticipated bringing potential Text Amendment language back to the Plan Commission for a formal Public Hearing during the November 5, 2020 Plan Commission meeting.

Documents Attached

1. Relevant Regulations
2. Summary of Recent Variations Related to Landscaping

Chapter 15. Zoning

Article VI. SITE DEVELOPMENT STANDARDS

Part D. Landscaping

6.10. Intent and purpose.

The intent and purpose of these landscape requirements is to promote, protect and preserve the general health and safety of the people of Lincolnwood and as part of the general welfare, ensure pedestrian safety and aesthetic compatibility among land uses. These regulations are intended to minimize the harmful or nuisance effects resulting from noise, dust, debris, motor headlight glare, the use of impervious ground material, artificial light intrusion, objectionable sights or activities, or similar incompatible impacts conducted or created by adjoining or nearby land uses.

6.11. Scope of regulations.

Except for residential dwellings, the regulations set forth in this Part D of Article VI shall apply as follows:

- (1) New development: when any development involves the construction of a new building.
- (2) Planned unit developments: when property is developed as a planned unit development.
[Ord. No. Z2009-368]
- (3) Property damage: when a structure, building, or use is redeveloped, restored or reconstructed after the destruction or damage, by fire, collapse, explosion or other casualty or act of God, of the structure, building or use exceeding at least 50% or more of the cost of replacement of the structure, building, or use, as determined by the Zoning Officer.
[Ord. No. Z2009-368]
- (4) Intensity of use increases: when the intensity of use of any existing building, structure or premises is increased through the addition of: one or more dwelling units; the gross floor area of a building is increased, such as to require the construction of one or more additional off-street parking spaces to meet the off-street parking requirement; when there is an exterior addition or enlargement of the building, structure or premises; or interior renovation to more than 50% of the floor area of a building, structure or premises.
[Ord. No. Z2009-368]
- (5) Expansion or reconstruction of parking areas: when any existing off-street parking area is expanded or undergoes pavement reconstruction.
[Ord. No. Z2009-368]

6.12. Landscape plans required.

For each property subject to these regulations the property owner shall submit a landscape plan to the Zoning Officer for his review with the building or other permit application, or at the time zoning relief is applied for, whichever is earlier. All landscape plans so submitted shall be at an appropriate scale, not smaller than one inch equals 50 feet. Completed landscape plans shall contain all information required on the application form, including but not limited to: ownership of the property in question; detailed landscape site plan information; detailed schedule of landscape materials; and, irrigation plans.

(1) Title block.

- a. Name and address of the property owner/petitioner.
- b. Name of registered landscape architect/contractor.
- c. Landscape architect's/contractor's firm name and address.
- d. Scale data, North arrow and date and date of any revisions.

(2) Landscape site plan information; location of existing conditions and proposed improvements.

- a. Property lines.
- b. Building outlines, with entry and exit points.
- c. Existing tree survey (six-inch caliper and above, with dripline), noting trees proposed for removal and planned for preservation.
- d. Identification of all proposed plant materials with planting bed locations and dimensions.
- e. Treatment of all ground surfaces (ground covers, sod, seed, seasonal beds, paving, impervious and pervious materials).
- f. Location of water detention sites.
- g. All utilities and lighting.
- h. Walls and fences (indicating height and material).
- i. Parking spaces and driveway aisles (spaces delineated including dimensions, curbing and handicapped spaces).
- j. Shopping cart collection points.
- k. Spot elevations and/or contours, existing and proposed.
- l. Berms, with one-foot-interval contours indicated.
- m. Sidewalks.
- n. Sign locations.
- o. Refuse/recycling disposal areas.
- p. Public rights-of-way/easements, including street widths/drives/approaches.
- q. Planters or planting boxes.
- r. Trash cans.

- s. Other exterior landscape amenities including exterior tables and benches and trash receptacles.
- (3) Schedule of proposed and existing landscape material.
- a. List of all proposed plantings, indicating common and botanical names, caliper, height or size and quantity.
 - b. List of all existing trees proposed for removal, six-inch caliper or greater, indicating caliper, common and botanical names.
 - c. List of all existing trees, six-inch caliper or greater, planned for preservation, indicating caliper size, common and botanical names.
- (4) Miscellaneous.
- a. Irrigation plan, including system details and sprinkler head locations, providing for underground irrigation of planting beds or a water supply outlet no greater than 150 feet from planting beds, if required.
 - b. Product or technical information, samples and/or photographs indicating color, texture or style of: lighting standards; benches, tables, trash receptacles; walls, and planter boxes.
 - c. Methods proposed to protect plants and plant beds.
 - d. Plan for erosion control during construction.
 - e. The estimated cost of the proposed landscaping.

6.13. Design planting and preservation criteria.

The landscape design, scale and nature of landscape material for any given site, shall be appropriate to the specific site and structures, and shall take into account the location of underground and above ground utilities. Earthen berms and existing topography shall, whenever practical, be incorporated into the landscape treatment of the site.

- (1) Landscape design and selection of plant material. New planting materials used in conformance with the provisions of this section, shall be:
- a. Of good quality of species normally grown in Northeastern Illinois.
 - b. Capable of withstanding the extremes of individual site microclimates.
 - c. Selected for interest in its structure, texture, color and for its ultimate growth.
 - d. Harmonious to the overall design and of good appearance.
 - e. In conformance with the American National Standards for nursery stock as approved by American National Standards Institute and issued as ANSI 2601, 1986.
 - f. In conformance with the Schedule of Prohibited Trees maintained by the Village Arborist.
 - g. In conformance with the Schedule of Recommended Plants maintained by the Community Development Department.
[Amended 3-2-2013 by Ord. No. 2013-3044]
- (2) Existing trees with a six-inch caliper or greater shall be preserved on the property as determined by the Zoning Officer. Trees that are preserved shall be counted toward compliance of the

requirements of this section.

- (3) Evergreens shall be incorporated into the landscape plan and treatment of a site, where appropriate to the site as determined by the Zoning Officer, particularly in required buffers for property zoned residential, the screening of refuse holding areas, and critical points of required parking lot screening.
- (4) Shrubs shall be used whenever possible. Shrubs used in sight triangles shall be low growth shrubs that do not exceed 30 inches in height at maturity.
- (5) Plant materials shall be placed against long expanses of building walls, fences and other barriers to soften their effect.
- (6) Where site characteristics or property dimensions limit the use or survivability of live landscaping as an effective screen, masonry walls shall be used for required screening subject to the regulations set forth in this Zoning Ordinance, Article III, Section 3.13, Fences and natural screening.
- (7) All masonry walls or decorative fencing which may be approved shall be constructed and installed in a durable fashion and shall have the finished side facing the street or property line subject to the regulations set forth in this Zoning Ordinance, Article III, Section 3.13, Fences and natural screening.
- (8) Installation of plant materials.
 - a. Plant materials of all types and species shall be installed in accordance with the minimum technical specifications of the Illinois Chapter of Landscape Contractors, including the guarantee and replacements sections.
 - b. Minimum plant sizes at time of installation shall be:
 - i. Shade trees: two-and-one-half-inch caliper.
 - ii. Ornamental trees: two-inch caliper or if in clump form, six feet in height.
 - iii. Evergreen trees: five feet in height.
 - iv. Shrubs required for screening: three feet in height; shrubs used for other purposes: 18 inches in height.
 - v. Ground cover: spaced no less than 12 inches on center.
 - vi. Perennials: spaced no less than is recommended for the particular species.
- (9) Tree preservation during construction.
 - a. Trees required or scheduled to be preserved shall be protected during construction as follows:
 - i. A protective barrier such as a snow fence, brightly colored plastic construction fencing, or chain link fencing, shall encircle and be erected one foot beyond the periphery of the dripline, or farther as site conditions may dictate necessary for tree protection during construction.
 - ii. Protective barriers shall be in place prior to the issuance of any building or development permit and shall remain in place until construction and site work is completed.
 - iii. No materials, construction equipment or vehicles shall be stored, driven upon or parked within any dripline.

- iv. Crushed limestone or other material detrimental to trees shall not be dumped, placed, or stored within any dripline or at a higher elevation where drainage could affect the health of the tree(s).
 - v. The existing grade within the dripline shall not be modified and shall be maintained to the fullest extent possible. Where grade changes of four inches or more are required surrounding the dripline, a low retaining wall or other permanent tree protection technique, as may be approved by the Zoning Officer, shall be used to ensure the long-term health of the tree designated for preservation.
 - vi. In the event an underground utility line is to be located within five feet of a tree designated for preservation, said utility line shall be augured to prevent damage to the tree's root system.
- b. Methods for tree protection shall be clearly specified prior to the issuance of a building permit. If, in the opinion of the Village Arborist, such methods are not adequate to protect trees designated for preservation, a building permit shall not be issued. If during construction, adequate methods are not employed so as to protect designated trees, the Zoning Officer may issue a stop order until such time as adequate preservation methods are employed.
 - c. If a deciduous tree designated for preservation is damaged, razed or removed as a result of construction, such tree shall be replaced with new trees at a rate of three inches in caliper of replacement trees to each one inch in caliper of damaged or removed tree. The Zoning Officer shall approve in writing a replacement tree plan that indicates the installation location and specific size and specie of such replacement trees.
 - d. If an evergreen tree designated for preservation is damaged, razed or removed as a result of construction, such tree shall be replaced with new evergreen trees at a rate of three vertical feet of replacement evergreen tree for each vertical foot of damaged or removed tree. The Village Arborist shall approve in writing a replacement tree plan that indicates the installation location, specific size and specie of such replacement trees.
 - e. Replacement trees shall only be of a species approved by the Village.
 - f. Alternative tree replacement location:
 - i. If the Village Arborist, determines that full tree replacement pursuant to Subparagraphs (9)c or d above will result in the unreasonable crowding of trees on the lot where construction activity is taking place, or would be otherwise inconsistent with current best practices, the Zoning Officer may designate that some or all of the replacement trees required be planted in the public right-of-way immediately adjacent to the lot where the construction activity is taking place.
 - ii. If the Village Arborist determines that the alternative tree replacement required in Subsection (i) above will result in the unreasonable crowding of trees upon the public right-of-way in accordance with current best practices, the Zoning Officer may reduce the number of replacement trees to be planted immediately adjacent to the public right of way, and require that replacement trees be located on other nearby public rights-of-way, or other suitable locations.
 - iii. All replacement trees designated for the public right-of-way or Village property shall only be of those species permitted by the Village, and shall be installed by the Village and not by the permittee.
 - g. In the event that the Village Arborist determines that the full replacement of protected trees as required by Subparagraphs c, d, and f above would result in unreasonable crowding of trees upon the lot where construction activity will occur, or on the immediately adjacent public right-of-way, a permittee may be allowed to pay the Village a fee in lieu of making such

replacement in kind. Upon collection of the tree replacement fee the Village shall deposit this fee into a special Village fund established and used to plant trees elsewhere in the Village. The Village has no obligation to grant such a request. If the request is granted, the following regulations shall apply:

- i. This fee shall equal the tree replacement value based upon the average cost per tree inch of trees planted by the Village during the previous fiscal year;
 - ii. The tree replacement fee must be received by the Village within 30 days after the date of the damage or removal for which the replacement is required;
 - iii. The Zoning Officer may issue a stop-work order if a permittee fails to pay the tree replacement fee within 30 days after the date of the damage or removal for which the replacement is required. No certificate of occupancy for the property in question shall be issued until the tree replacement fee has been received by the Village.
- h. For any tree designated for preservation that is damaged, razed or removed without the prior written approval of the Zoning Officer, a fine (as scheduled in the Village's Fee Ordinance) shall be assessed upon the owner of the property on which the trees were damaged or removed. All building permits or licenses for the property shall be revoked or suspended until said charge is paid and a replacement tree plan is prepared and approved by the Zoning Officer.

6.14. Minimum landscape requirements for off-street parking lots.

- (1) Perimeter screening required. Every off-street parking lot or parking area containing, five or more parking spaces shall be set back, buffered and screened from public view and adjacent property by a perimeter landscaped area having a minimum width of eight feet, or, where screening shall consist of a masonry wall, a minimum width of five feet.
 - a. The minimum width for the perimeter screening area shall be measured from the property line and shall not include any parking overhang.
 - b. Screening within the perimeter setback area shall consist of a masonry wall, densely planted hedge or massing of shrubs resulting in a 75% semi-opaque screen within one year of installation, installed in a manner so as to inhibit public views of the parking area.
 - c. Perimeter screening shall be continuous, except for breaks as may be permitted for sidewalks, driveways and sight triangles.
 - d. Masonry walls used for perimeter screening shall have a minimum height of 30 inches and a maximum height of 36 inches. Such walls shall have a finished surface which is the same or closely similar to the masonry of the principal building.
 - e. Shrubs planted as perimeter screening shall be at least three feet in height at time of installation.
 - f. The surface of the perimeter setback area shall be suitably covered with grass, ground cover or similar vegetation and periodically mulched. Impervious materials such as asphalt, concrete or a layer of stone is prohibited.
 - g. A six-inch continuous poured-in-place concrete curb shall separate all drive and parking surfaces from landscape areas.
 - h. Upon petition, the ZBA may recommend a creative alternate perimeter screening plan of berms, walls, shrubs, trees or other material, which has the effect of providing a minimum three-foot high visual screen of parking areas.

- (2) Interior landscaping requirements.
 - a. A planting island equal in area to a parking space shall be located at each end of a parking row and after each 20 parking spaces within a parking row.
 - b. One tree shall be required for each planting island required in Section 6.14(2)(a) above.
 - c. The surface of the planting island shall be suitably covered with grass, ground cover or similar vegetation and periodically mulched. Impervious materials such as asphalt, concrete or a layer of stone is prohibited.
 - d. A six-inch continuous poured in place curb shall separate and surround all interior landscape island areas.
 - e. All areas within or at the edges of parking lots which are greater than 50 square feet and not designed for parking stalls, drive aisles or shopping cart collection points, shall be curbed and landscaped with sod, ground cover, bushes or trees.
 - f. All landscaped islands shall have a minimum topsoil depth of three feet and mounded to a center height of six to 12 inches above top of curb height.

6.15. Minimum landscape requirements for foundation plantings.

- (1) A minimum setback and landscape area of six feet in width shall be located immediately along the front and sides of all buildings.
- (2) Except for building entryway areas and sidewalks as may be permitted, the surface of the required foundation landscape area shall be free of paving or other impervious surfaces and shall be landscaped.
- (3) A six-inch curb shall separate all foundation landscape areas from drive aisle and parking areas.
- (4) Foundation landscaping shall include shade trees, ornamental trees, hedges, shrubs, evergreens and ground cover in a manner which accents building entranceways and architectural features, softens large expanses of building walls, and screens mechanical equipment.

6.16. Landscape buffer and screening requirements between zoning districts.

- (1) A minimum ten-foot landscaped setback and screening area shall be located along the length of any property line located in the B-1, B-2, B-3, O, or M-B Zoning Districts when adjacent to property zoned residential.
 - a. Required screening shall be a minimum height of six feet at time of installation and may be comprised of berms, masonry walls, a double row of densely planted landscaping, or a combination thereof.
 - b. Screening shall be continuous along the property line.
 - c. Berms shall be utilized to the maximum extent feasible.
 - d. Evergreen trees and shrubs shall be used to the greatest extent feasible in a fashion so as to inhibit views from residential property.
 - e. The surface of the setback area shall be suitably covered with grass, ground cover or similar vegetation and periodically mulched. Impervious materials such as asphalt, concrete or a

layer of stone is prohibited. The landscape buffer shall not be used for the purposes of parking, loading, servicing, or storage.

- f. An eight-foot high masonry wall within a five-foot landscape setback area may be utilized as an alternative to meeting the minimum ten-foot width requirement. Masonry walls are subject to the regulations set forth, Article III, Section 3.13, Fences and natural screening, of this Zoning Ordinance.

6.17. Miscellaneous landscape requirements.

[Ord. No. Z2009-368]

- (1) Parkway landscaping requirements. Installation and maintenance of parkway landscaping within the public rights-of-way adjoining a property is governed by the Parkway Landscape Ordinance (Article 5 of Chapter 6 of the Village Code), as may be amended from time to time.
[Ord. No. Z2009-368; amended by 12-6-2011 by Ord. No. 2011-2979]
- (2) Landscaping of monument and pole/pylon signs required. Installation of landscaping surrounding monument and pole/pylon freestanding signs is required pursuant to Article XI of this chapter, as may be amended from time to time.
[Ord. No. Z2009-368; amended by 12-6-2011 by Ord. No. 2011-2979]
- (3) Water supply; underground irrigation. A water supply to irrigate landscaping is required within 150 feet of all landscaped areas. Installation of an underground irrigation system is recommended.
- (4) Changes to approved landscape plan. Any change to an approved landscape plan shall require the prior approval of the Zoning Officer.
[Ord. No. Z2009-368]
- (5) Landscape maintenance required. When landscaping is required pursuant to Part D of this article:
 - a. Property owners shall be responsible for ongoing maintenance, fertilization, repair and replacement of all vegetation, barriers and landscape planting materials.
 - i. Replacement plantings shall be no less than the minimum required size indicated in this Section Part D or the size indicated in the approved landscape plan, whichever is greater.
 - ii. The property owner shall make replacement plantings promptly after any plant has died but no later than 120 days after notification by the Village of violation of this ordinance, unless a time extension for inclement weather is given.
 - b. Planting beds shall be initially, and thereafter periodically, filled with soil and mulched in their entirety, with shredded bark or other organic equivalent.
 - c. Grass, sod and lawn areas shall be periodically and routinely mowed during the growing season. The grass height of any lawn area shall be as required by the Village Code.

6.18. Variations.

- (1) Application. When compliance with the requirements of this section for a preexisting building or use will reduce or interfere with the number of existing off-street parking spaces, parking and driveway aisle requirements, or off-street loading requirements, or when compliance is not feasible because of property configuration, a property owner may file an application for a variation from these requirements. The application shall be processed in accordance with Article V, Section 5.15 of the Zoning Ordinance.

- (2) Conditions. If the ZBA determines that a need for a variation exists, the ZBA may recommend, and the Board of Trustees may impose, any one or more of the following conditions and restrictions on the property benefited by a variation as may be deemed necessary to assure compliance with the purposes of this section, to reduce or minimize the effect of such variation upon other property in the neighborhood, or to implement the general purpose of this section.
- a. Additional or substitute landscape plantings or areas on-site.
 - b. Construction of masonry walls for screening.
 - c. Installation of decorative wrought iron fencing.
 - d. Removal of excess pavement areas.
 - e. Rearrangement or removal of on-site parking spaces and drive aisles.
 - f. Other conditions as determined by the ZBA or the Board of Trustees.
- (3) Zoning relief for other conditions affecting the property. In order to eliminate or minimize the degree of relief determined necessary from these landscape requirements, the ZBA may recommend, and the Board of Trustees may approve, relief from certain conditions affecting the property including, but not limited to: a) off-street parking requirements; b) driveway and walkway aisle dimensions; c) fencing and screening.

Consideration of such relief from these requirements shall not require any additional or separate public hearings on the matter, provided that notice thereof shall have been given in accordance with the requirements of Article V, Section 5.15(3)(c) of this Zoning Ordinance. In considering relief from the off-street parking requirement or required driveway aisle dimensions, the ZBA and the Board of Trustees shall consider the actual need and demand for off-street parking generated by the property.

- (4) Findings required. In determining whether in a specific case there are practical difficulties or particular hardships in the way of carrying out the strict letter of this Zoning Ordinance, there shall be taken into consideration the extent to which the following facts are established. In recommending or providing any relief, the ZBA and the Board of Trustees shall make the following findings:
- a. That the relief granted has been minimized to the greatest extent feasible.
 - b. That appropriate remedies have been employed as conditions so as to mitigate or compensate, to the greatest extent feasible, for the relief.
 - c. That the use of impervious surfaces on the property has been minimized to the greatest extent feasible.
 - d. That a physical separation exists between off-street parking areas and public sidewalks, which at a minimum shall mean a six-inch continuous poured in place nonmountable concrete curb, so as to create a barrier between public sidewalks and off-street parking and drive aisle areas.
- (5) Required conditions affecting the duration of a variation. A variation approved under this section Part D: Landscaping Standards shall contain the following conditions:
- a. That the owner of the property subject to the variation has an affirmative obligation to notify the Zoning Officer as set forth below.
 - b. If the property to which the variation applies becomes subject to: new development; application for a variation; increase in the intensity of use; or substantial building renovation;

or, expansion or reconstruction of parking areas the variation(s) previously granted pursuant to this section shall become null and void.

- (6) Certificate of occupancy. No certificate of occupancy for the property in question shall be issued until the all required landscaping has been installed satisfactorily, as determined by the Zoning Officer or his/her authorized designee. A temporary occupancy permit may be authorized by the Zoning Officer or his/her designee, due to weather conditions, provided a written commitment is provided by the property owner stating the completion date of the landscape installation. The Zoning Officer or his/her authorized designee may require a cash escrow deposit or performance bond equal to 100% of the cost of the landscaping prior to issuance of such temporary certificate of occupancy.

[Ord. No. Z2009-368]

Attachment #2 Summary of Recent Commercial Landscape Variations Granted by the Village of Lincolnwood (2017-2020)

Property Address	Nature of Landscape Variations Granted	Nature of Property Improvement	Relevant Conditions of Approval
6755 Cicero (Stefani's)	<ul style="list-style-type: none"> • Reduction in transition yard setback along the east lot line from 30' to 10' • Reduction in the landscape buffer along the south lot line from 10' to 5' • Reduction in perimeter landscaping along Pratt Avenue from 8' to 3' • Waive the requirement for interior parking lot islands • Reduction in width of foundation landscaping from 6' to 3' 	Renovation/redevelopment of existing building	
7110 Lincoln (L Woods)	<ul style="list-style-type: none"> • Waiver of foundation landscaping around a new outdoor dining area 	Installation of a new outdoor dining area	<ul style="list-style-type: none"> • Seasonal planter boxes required along the top of the new outdoor dining area
3900 Devon (Sacred Learning Center)	<ul style="list-style-type: none"> • Waiver of parking lot screening along the west lot line of a new parking lot 	Installation of a new parking lot	<ul style="list-style-type: none"> •
7373 Cicero (Zeigler Cadillac, under construction)	<ul style="list-style-type: none"> • Reduction in the width of parking lot screening along the south lot line from 8' to 3' • Waiver of the requirement for trees in three parking lot islands • Reduction in the required landscape screening along the north lot line to allow for a single row of evergreens 	Development of a new car dealership	<ul style="list-style-type: none"> • Screening wall must be installed along the north lot line in a small segment where head light glare would otherwise impact residential property to the north
3757 Touhy (approved but never built)	<ul style="list-style-type: none"> • Reduction in the width of some planting islands from 9' to 5.5' • Reduction in the width of foundation landscaping from 6' to 3.3' 	Reuse of the existing building as a health club (project never built)	<ul style="list-style-type: none"> • Landscaping screening along the west lot line adjacent to residential properties
6424 Drake (approved, not yet developed)	<ul style="list-style-type: none"> • Waiver of required landscape screening along the west lot line 	Development of a vacant lot as a religious institution	

3300-310 Devon (Libanais)	<ul style="list-style-type: none"> • Waiver of required landscape screening along the south and east lot lines • Waiver of required parking lot islands 	Expansion of an existing restaurant use	<ul style="list-style-type: none"> • Landscaping required in an unused portion of the property at the southeast corner of the lot (near Devon and McCormick)
3750 Devon	<ul style="list-style-type: none"> • Waiver of required landscape screening along the south lot line • Waiver of required parking lot islands 	Reuse of a vacant space as a restaurant	
4711 Touhy (Psistaria, approved but not implemented)	<ul style="list-style-type: none"> • Reduction in the required transition yard setback from 10' to 2' 	Installation of a small addition to accommodate a fire sprinkler room	<ul style="list-style-type: none"> • Landscaping required along the south façade of the building, to the extent feasible to be determined by the Village Arborist and landscape reviewer
6699 Lincoln (under construction)	<ul style="list-style-type: none"> • Waiver of required landscape screening along the northwest and southwest lot lines • Waiver of one required landscape island • Waiver of landscaped buffer yard along the north lot line abutting residential uses 	Reuse of a vacant building for new commercial tenants (under construction)	<ul style="list-style-type: none"> • Landscaping required on portions of the property along the Lincoln Avenue frontage
7225 Kostner (under construction)	<ul style="list-style-type: none"> • Waiver of required landscape screening around the property • Waiver of all required landscape islands • Waiver of required foundation landscaping • Waiver of landscaped buffer yard along the north lot line abutting residential uses 	Reuse of a vacant commercial building as a new child care facility (under construction)	<ul style="list-style-type: none"> • Planter boxes to be provided along the north lot line abutting residential use • 6' tall solid fence to be constructed along the east lot line as part of the initial build-out
3921 Touhy (formerly Decorator Hardware, under construction)	<ul style="list-style-type: none"> • Reduction in the width of the perimeter landscaping along Touhy avenue frontage from 8' to 3' • Waiver of three required parking lot islands • Waiver of required foundation landscaping • Waiver of landscape buffer along the south lot line abutting residential uses 	Reuse of a vacant building for new commercial tenants (under construction)	<ul style="list-style-type: none"> • Façade enhancements to the west façade to mitigate the blank façade • Landscape screening to be installed along the south lot line once the location of dumpsters in determined (based on tenants yet to be identified)



MEMORANDUM

TO: Chairman Yohanna
Members of the Plan Commission

FROM: Jake Litz, Management Analyst

DATE: October 7, 2020

SUBJECT: 2018-2020 Plan Commission Biennial Report: Additional Requested Information

On August 25, 2020, Staff presented the draft 2018-2020 Plan Commission Biennial Report. That report included information regarding the membership of the Commission, the number of cases heard, and the nature of zoning and subdivision requests deliberated by the Commission over the past two-plus years. In response to staff's presentation, Commissioners requested two additional items of information:

- A summary of the amount of cases heard by the Plan Commission over the past several years; and
- Information regarding cases where the Village Board's final action on a request deviated from the recommendation of the Plan Commission.

This memorandum provides that information.

Summary of Plan Commission Meeting Activity: 2016-2020

The Village of Lincolnwood's Plan Commission has held 56 meetings since 2016. In that time period, the Plan Commission has heard over 70 cases. Ninety-seven percent of their recommendations were approved by the Village Board during that time period.

Plan Commission Information				
Year	# of meetings	# of cases	# of cases approved by VB	% of cases approved by VB
*2020	7	8	8	100%
2019	13	21	19	90.48%
2018	14	14	14	100%
2017	11	11	11	100%
2016	12	18	18	100%
Last 5 years	56	71	69	97.18%

**2020 data only includes January-August*

It is worth noting that withdrawn or currently pending cases were not included in this data. Eight such cases occurred over the course of the five-year time period summarized in this report.

An annual snapshot of Plan Commission activities is as follows:

- In the first eight months of 2020, the Plan Commission held seven meetings and heard eight cases. All seven of their recommendations have been approved by the Village Board this year.
- In 2019, the Plan Commission held thirteen meetings and heard twenty-one cases. Nineteen of their twenty-one recommendations were approved by the Village Board in 2019. The two cases that were not approved were #PC-15-19 and #PC-16-19 (details provided later in this report).
- In 2018, the Plan Commission held fourteen meetings and heard fourteen cases. All fourteen of their recommendations were approved by the Village Board that year.
- In 2017, the Plan Commission held eleven meetings and heard eleven cases. Every Plan Commission recommendation was approved by the Village Board in 2017.
- In 2016, the Plan Commission held twelve meetings and heard eighteen cases. All eighteen recommendations were approved by the Village Board.

Village Board deviations from Plan Commission Recommendations

In two instances, the Plan Commission forwarded recommendations to the Village Board, and the Board substantially deviated from the Commission's recommendation. Those cases are described below.

Case #PC-15-19: Zoning Code Text Amendment—Permissibility of Recreational Cannabis Businesses

On August 7, 2019, the Plan Commission heard Case #PC-15-19. The case dealt with the permissibility of recreational cannabis. The Cannabis Regulation & Taxation Act allowed each municipality in Illinois to determine whether or not recreational cannabis businesses should be permitted in their jurisdiction. Additionally, the Act allowed municipalities to determine reasonable regulations should they decide to permit these businesses. The Plan Commission voted unanimously to approve specific regulations for the Village Board to consider. The main consideration was to permit dispensaries in the B-1, B-2, B-3, and M-B Zoning Districts as a Special Use.

On September 3, 2020 the Village Board met to address the "Consideration or Approval of a Recommendation by the Plan Commission Regarding a Text Amendment for Specific Regulations Related to Recreational Cannabis Businesses." Ultimately, the Village Board unanimously chose to adopt an Ordinance prohibiting the selling of recreation cannabis in the Village of Lincolnwood altogether.

Case #PC-16-19: 3952 West Lunt Avenue—Special Use for a Daycare/Nursery

On August 7, 2019, the Plan Commission heard Case #PC-16-19. The case dealt with a consideration of a Special Use for a daycare/nursery at 3952 West Lunt Avenue. The Plan Commission recommended to approve an Ordinance approving the request.

On August 20, 2019, the Village Board met to discuss the case. Several trustees expressed concerns regarding traffic. Additionally, some trustees stated that because there is already a daycare across the street, with space available for additional enrollment, an additional daycare facility would be redundant. A motion was made to adopt the Plan Commission's recommended Ordinance. However, the motion failed on a 4-3 vote by the Village Board.