



Village of Lincolnwood Plan Commission

Meeting
Wednesday, May 5, 2021
7:00 P.M.

In accordance with the recently adopted amendments to the Illinois Open Meetings Act permitting the Plan Commission to conduct a virtual Plan Commission meeting, 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 provided to the Plan Commission in advance of the meeting, or 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 Commission to progress through the public meeting agenda. Thank you for your understanding of these guidelines.

Those unwilling or unable to appear in person but wishing to provide real-time comments to the Plan Commission may do so by participating from a remote location through GoTo Meeting. Login information for participating in this manner is as follows:

- WEB-BASED VIDEO PARTICIPATION: <https://global.gotomeeting.com/join/920056277>
- AUDIO-ONLY DIAL-IN: [\(872\) 240-3311](tel:(872)240-3311), ACCESS CODE: 920-056-277

Meeting Agenda

1. **Call to Order/Roll Call**
2. **Pledge of Allegiance**
3. **Approval of Minutes**
April 8, 2021 Meeting Minutes
4. **Case #PC-04-21: Zoning Code Text Amendment – Provisions Related to the Approval of Minor Variations**

Request: Referral by the Village Board to consider Text Amendments related to the provisions of Section 5.14 of the Zoning Code, pertaining to certain types of improvements that currently qualify as Minor Variations, and staff’s authority to improve such Minor Variations. During this Hearing, the Plan Commission may consider any additional Text Amendments related to this case.
5. **Case #PC-05-21: Zoning Code Text Amendment – Clarification of Standards in Sections 4.11 and 4.12 of the Zoning Code**

Request: Referral by the Village Board to consider Text Amendments related to the standards of Sections 4.11 and 4.12 of the Zoning Code, specifically related to clarification regarding standards pertaining to minimum interior side setbacks in residential zoning districts. During this Hearing, the Plan Commission may consider any additional Text Amendments related to this case.
6. **Case #PC-06-21: Zoning Code Text Amendment – Provisions Related to the Potential Restriction or Prohibition of Reverse Slope Garages for Residential Development**

Request: Referral by the Village Board to consider a Zoning Code Text Amendment that would restrict or prohibit the construction of reverse slope garages, or “tuck under” garages, for various forms of residential development. During this Hearing, the Plan Commission may consider any additional Text Amendments related to this case.

- 7. Discussion: Update Regarding Landscape Regulations**
Staff requests that this item be continued to the June 2, 2021 meeting of the Plan Commission
- 8. Next Regular Meeting: June 2, 2021**
- 9. Public Comment**
- 10. Adjournment**

Posted: April 30, 2021



DRAFT MEETING MINUTES
OF THE
PLAN COMMISSION
April 8, 2021 – 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 Suzanne Auerbach, Mark DeAngelis, Steven Jakubowski, Adi Kohn, Henry Novoselsky, and Don Sampen

Staff Present: Community Development Director Scott Mangum and Community Development Manager Doug Hammel

I. Call to Order

Chairman Yohanna noted a quorum of seven members and called the meeting to order at 7:08 p.m.

II. Pledge of Allegiance

III. Approval of Minutes

Motion to recommend approval of the January 7, 2020 Plan Commission Minutes was made by Commissioner Novoselsky and seconded by Commissioner DeAngelis.

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

Abstained: Auerbach

Nay: None

Motion Approved: 6-0

IV. Case #PC-03-21: 7080 North McCormick Boulevard – Approval of a Special Use to Allow the Operation of a Distribution Center

Chairman Yohanna announced Case #PC-03-21 for consideration of a request by Agudath Israel of Illinois, on behalf of New Lincoln LLC, Property Owner, to approve a Special Use to permit a “distribution center” use on a portion of the property commonly known as 7080 North McCormick Boulevard.

Development Manager Doug Hammel provided a brief presentation on the background of Case #PC-03-21. 7080 North McCormick Boulevard is located in the Town Center PUD, M-B zoning district. The property is 8.1 acres with a 230,000 square foot building subdivided into several individual tenant spaces. The property is adjacent to Lincolnwood Town Center Mall, Lincolnwood Place, and other industrial properties. The current use is a non-profit food

distribution service for families in need that occupies 13,300 square feet of the subject property. Initially the use was thought to be temporary, but use has been operating for several months as COVID restrictions require outdoor “hand-off” of meals to delivery vehicles.

Mr. Hammel provided regulatory context regarding the case. The subject use is classified as a “distribution center.” The 2020 PUD Amendment allows for “light industrial” uses at this property. A “distribution center” is considered a subclass of “light industrial.” However, Table 4.01.1 of the Zoning Code requires that “distribution centers” receive Special Use approval in the M-B District. He then provided several considerations such as the temporary nature of the use, the use of refrigerated trucks for storage/staging, and observed traffic impacts.

Staff received one public comment prior to this Public Hearing. Peter Abraham, manager of the Lincolnwood Town Center Mall, stated his support for this use and willingness to allow use of the Mall’s parking area for staging. Mr. Hammel then stated the special use standards. The requested action of the petitioner is to recommend approval of a Special Use as per Table 4.01.1 of the Zoning Code to allow a “distribution center” at 7080 North McCormick Boulevard.

The petitioner stated that all deliveries are done in the parking lot located off Central Park Avenue. The area located near the mall is only used for distribution. The petitioner provided additional details on the logistics of the distribution operations. Further discussion of the delivery operations ensued. The petitioner addressed several of the items from the additional information requested portion of the presentation. The petitioner stated that 5 trucks are typically used at any given time with 3 trailers.

The petitioner’s attorney, Mr. Bauer, provided some additional details on the operation of the facility and KiwiKids. He also addressed some of the traffic concerns.

Commissioner Jakubowski asked the petitioner what steps were taken to alleviate the traffic concerns. The petitioner stated that they hired a team of traffic officers to address any concerns on the spot. Additionally, an appointment system was established. The efficiency of the operations has since increased as well. Commissioner Jakubowski asked about the number of deliveries completed in a week. The petitioner stated the variance in this figure and overviewed the qualifications of a pick-up. Further discussion on traffic concerns ensued. Discussion on the refrigerated trucks on the property then ensued.

Commissioner Sampen asked about the distribution of cars per day of the week. The petitioner stated that there was an equal distribution per day of the week. Commissioner Sampen asked if these were drive-by pick-ups. The petitioner confirmed these were indeed drive-by pick-ups. The logistics of the appointments of pick-ups was then discussed.

Commissioners Novoselsky, Auerbach, Kohn, and, DeAngelis stated they did not have any questions.

Commissioner Jakubowski provided additional comments and feedback on the case, stating that the use has demonstrated that it does not pose any impacts. Additional discussion occurred.

There was one in-person public comment regarding this case. Peter Abraham, Lincolnwood Town Center Mall Manager, stated his support of KiwiKids and of the use at this facility. He stated that the Mall supports the Village and its neighboring properties in initiatives such as these.

Chairman Yohanna asked about the length of the lease. The petitioner stated that the lease is currently month-to-month.

Motion to recommend approval of a Special Use to Allow the Operation of a Distribution Center use at the property commonly known as 7080 North McCormick Boulevard was made by Commissioner Jakubowski and seconded by Commissioner Sampen. Case #PC-03-21 will be heard at the April 20, 2021 meeting of the Village Board.

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

Nay: None

Motion Approved: 7-0

V. Discussion: Northeast Industrial District TIF Conceptual Development Plan

Mr. Hammel provided a brief presentation on the Northeast Industrial District (NEID) TIF Conceptual Development Plan. In August 2020, the Village Board approved a contract with Houseal Lavigne associates (HLA) to assist in the drafting of a plan related to the NEID TIF and surrounding areas. Mr. Hammel discussed the planning process, planning area, development framework, several of the subareas, and other concepts of the plan. He stated that the plan in its entirety and a story map can be found on the Village's website. He stated that the Plan Commission may play a role in the implementation process. No additional discussion on this item occurred at this time.

VI. Discussion: Update Regarding Landscape Regulations Staff requests that this item be continued to the May 5, 2021 meeting of the Plan Commission

Staff requested this item be continued to the May 5, 2021 meeting of the Plan Commission.

Motion to recommend continuation to the May 5, 2021 meeting of the Plan Commission was made by Commissioner Sampen and seconded by Commissioner Novoselsky.

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

Abstain: Auerbach

Nay: None

Motion Approved: 6-0

VII. Next Meeting

The next meeting of the Plan Commission is scheduled for Wednesday, May 5, 2021.

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 8:27 p.m.

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

Nay: None

Motion Approved: 7-0

Respectfully submitted,

Jake Litz
Management Analyst
Fire Department/Community Development



Plan Commission Staff Report

Case # PC-04-21

May 5, 2021

Nature of Request:

Village Board referral of a potential Zoning Text Amendment related to provisions related to the approval of Minor Variations.

Notification:

Notice was published in the Lincolnwood Review on April 8, 2021.

Background

Section 5.14 of the Zoning Code establishes provisions that authorize staff to approve certain Variations administratively, as opposed to undertaking a public hearing process with final approval coming from the Village Board. The intent of these provisions is to reduce the procedural burden on property owners for Variations that are frequently granted and are believed to result in minimal impacts to nearby properties. Minor Variations are subject to a process that can be completed in as little as 25 business days and at a substantially lower cost to the Petitioner.

Typically, provisions related to the administrative approval of zoning relief include two key components; 1) a specific description of the characteristics of development that can receive administrative relief, and 2) certain parameters or thresholds of relief that staff can approve relief for. Section 5.14 of the Zoning Code identifies the following characteristics of development that are eligible for administrative relief through the Minor Variation process:

1. A reduction of up to 15% of the minimum required lot area;
2. A reduction of up to 10% of the minimum required side or rear yard setback;
3. A reduction of the minimum required side or rear yard setback, up to the extent of any existing encroachment into such setbacks by existing, legal nonconforming structures on the same lot;
4. A reduction of up to 10% of the required spacing between two or more single-family attached or multiple-family buildings, in the R-4 District only; and
5. An increase of up to 15% in the finished first floor height.

During past discussions with the Village Board, Trustees had commented that these provisions allow for the approval of potentially significant improvements that may go

beyond the intended authority of staff. For example, looking at provision #3 above related to side yard setback, if even a small portion of a legal non-conforming single-family home encroaches in a required side yard setback, a new addition could be added without limit to the extent of that addition. This, while meeting the allowance of the Minor Variation process, could lead to significant new impacts on neighboring properties.

Considerations

Based on these concerns, staff sought direction from the Village Board on this topic, and the Board in turn referred the matter to the Plan Commission for a Public Hearing. The following considerations summarize discussions with the Village Board related to policy questions brought forth by staff.

Are there certain eligible improvements that have a likelihood of creating impacts that go beyond the intent of the Minor Variation process?

As noted above, the impetus for this discussion is concerns that were raised related to the reduction in side or rear yard setback to the extent of existing non-conforming structures. In fact, of the 16 Minor Variations that have been granted since 2016, 11 of them related to this specific type of relief, while the other five related to finished first floor height. Unlike the other potential types of administrative relief, the provision related to side or rear yard setback based on existing non-conforming structures does not include a specific maximum threshold. Rather, it is dependent on the characteristics of a given property. As a result, Minor Variations granted through this provision have the greatest potential for impacting other properties.

Are there certain thresholds that should be put in place to ensure that the Minor Variation process does not result in improvements that create excessive impacts (i.e. a total linear footage of new structure that can be approved through the Minor Variation process)?

Two projects raised concerns regarding the setback provision included a proposed addition that would encroach on the required side yard setback based on an existing non-conforming setback of the primary structure. In the first project, a wall approximately 24 feet long was used to establish the existing non-conforming setback. This was the basis for an addition that encroached on the required side yard setback, and that addition had a length of approximately 37 feet. In the second project, the portion of the existing structure that encroached in the required setback was approximately 22 feet in length. The proposed addition that would match that setback was also approximately 22 feet in length. The concern of a Trustee was that the Minor Variation provisions should accommodate improvements with minimal or no impacts. It was thought that, despite being within the parameters of the staff's authority to approve these Minor Variations, improvements of these magnitudes could have significant impacts on neighboring properties. That Trustee recommended that the Village consider a limit on the magnitude of an improvement benefitting from this provision. For example, no portion of a building approved through the Minor Variation process could have a length greater than 50% of the existing non-conforming portion of the structure establishing the minimum required setback.

What is the appropriate process for reviewing and approving Minor Variations?

Currently, the Minor Variation process takes approximately 25 days (as opposed to 1.5-2.5 months for the public hearing process). The Minor Variation process includes the following procedures:

- The Petitioner submits an application to the Zoning Official;
- Within five days, staff mails a notice to properties within 250 feet of the subject property describing the nature of the requested relief;
- Owners of surrounding properties have ten days to seek information or provide comments;
- After the ten-day period expires, the Zoning Officer makes a determination and mails out notice of that decision;
- Owners of surrounding properties have ten days to submit comments or objections to the Zoning Officer's decision;
- After the ten-day period expires, the Zoning Officer makes a final determination. If the Zoning Official denied the Minor Variation request, the Petitioner has the right to seek approval through the regular public hearing process.

During the discussion with the Village Board, Trustees expressed different opinions regarding staff's authority to approve Minor Variations:

- Some Trustees stated concerns with staff having the authority to approve any zoning relief. Their opinion is that the zoning regulations should establish the standards, and any relief should be granted through a public hearing process with the Village Board having the final authority.
- Some Trustees stated that the code should accommodate staff authority in granting relief as a way of easing the burden for improvements that are regularly undertaken. However, they also stated that appropriate limitation should be in place to prevent administrative approval of improvements that go above and beyond the intent of the Minor Variation provisions.
- Some Trustees discussed potential alternative processes, such as requiring a public hearing with the ZBA, but allowing the ZBA to grant the Minor Variation without it going to the Village Board. (It should be noted that, in this scenario, the Petitioner would save approximately two weeks, but would still incur costs related to the public hearing process.)

Requested Action

Staff seeks direction from the Plan Commission regarding potential Zoning Text Amendments related to:

- Thresholds for staff's authority to approve Minor Variations, specifically relating to a reduction in side or rear yard setbacks based on existing non-conforming setbacks of the primary structure; and
- Appropriate procedures and approval authority of Minor Variations.

Documents Attached

1. Relevant Regulations

Attachment #1. Relevant Regulations

5.14 Minor variations.

(1) Purpose. A variation is a grant of relief to a property owner from the exact standards of this Zoning Ordinance, issued when undue hardship would be caused by the literal enforcement of this Zoning Ordinance. Additionally, a variation is intended to provide relief where the requirements of this Zoning Ordinance render the land difficult or impossible to use because of some unique or special characteristic of the property itself. The intent is not to simply remove an inconvenience or financial burden that the requirements of this Zoning Ordinance may impose on a property owner. Conditions existing prior to adoption of this zoning ordinance shall not require a variation.

(2) Definition. Only those variations specifically listed in Section 5.14(3) shall be classified as minor variations, and may be approved in accordance with this Section 5.14 only for single- or multiple-family residential uses.

(3) Authorized minor variations. The Zoning Officer shall have the authority to grant the following minor variations for single- or multiple-family residential uses:

- a. A reduction of up to 15% of the minimum required lot area;
- b. A reduction of up to 10% of the minimum required side or rear yard setback;
- c. A reduction of the minimum required side or rear yard setback, up to the extent of any existing encroachment into such setbacks by existing, legal nonconforming structures on the same lot;
- d. A reduction of up to 10% of the required spacing between two or more single-family attached or multiple-family buildings, in the R-4 District only; and
- e. An increase of up to 15% in the finished first floor height.

(4) Initiation. An application for a minor variation may be made by the owner of the subject property or an authorized representative thereof.

(5) Criteria. 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, the Zoning Officer shall take into consideration the extent to which the following facts are established:

- a. The requested minor variation is consistent with the stated intent and purposes of this Zoning Ordinance;
- b. The particular physical surroundings, shape or topographical conditions of the subject property would bring a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of this Zoning Ordinance is enforced;
- c. The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district;
- d. The variation is not solely and exclusively for the purpose of enhancing the value of or increasing the revenue from the property;

- e. The alleged difficulty or hardship has not been created by any person presently having an interest in the property;
- f. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located;
- g. The variation granted is the minimum change to the Zoning Ordinance standards necessary to alleviate the practical hardship on the subject property; and
- h. The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.

(6) Processing. An application for a minor variation shall be filed with the Zoning Officer. After receipt of all required information and payment of all required fees, the application will be reviewed and decided in accordance with the following procedure:

a. Notice and opportunity to comment. Within five days after submission to the Zoning Officer of a completed application for a minor variation, the applicant shall give notice in writing to property owner(s) of each lot lying within 250 feet, including streets, of the property lines of the subject property for which the minor variation is sought. The notice shall indicate that the application shall be available for review and comment at Village Hall for at least 10 days following the date of the notice. Any interested party may submit written comments concerning the application to the Village Zoning Officer.

b. Zoning Officer's decision. Within 30 days after receipt of a completed application for a minor variation, the Zoning Officer shall, by written order, either approve, approve with conditions, or deny the requested minor variation. Upon denial by the Zoning Officer of the requested minor variation, the applicant shall have the right, but not the obligation, to resubmit its request as a major variation pursuant to Section 5.15 of this Zoning Ordinance.

c. Notification and record of decision. The Zoning Officer shall send his or her decision within 30 days after the date thereof to the applicant and to all other persons previously notified pursuant to Section 5.14(5)a of this Zoning Ordinance. At least once per calendar year, the Zoning Officer shall provide to the Plan Commission and to the Zoning Board of Appeals a listing of his or her decisions, by address, regarding each application for a minor variation.

d. Appeal. The applicant, or any person to whom notice of the minor variation was sent pursuant to Section 5.14(5)a of this Zoning Ordinance, may appeal the decision of the Zoning Officer to the Zoning Board of Appeals within 10 working days after the date of the notice issued pursuant to Section 5.14(5)c of this Zoning Ordinance.

(7) Exemptions. Notwithstanding any provision of this Zoning Ordinance to the contrary, no variation shall be required for any structure that is existing, under construction, or for which a building permit had already been applied as of the effective date of this Zoning Ordinance, for which: (a) all interior side yards are at least five feet in width; (b) any proposed addition will not violate the applicable side-yard requirement set forth in Article IV of this Zoning Ordinance; and (c) the structure will otherwise conform with all applicable requirements set forth in this Zoning Ordinance.



Plan Commission Staff Report

Case # PC-05-21

May 5, 2021

Nature of Request:

Village Board referral of a potential Zoning Text Amendment related to Tables 4.11 and 4.12 of the Zoning Code.

Notification:

Notice was published in the Lincolnwood Review on April 8, 2021.

Background

Sections 4.11 and 4.12 of the Zoning Code establish standards for residential development related to lots, building and lot coverage, setbacks, and development intensity. In each of these sections, the standard for minimum interior side setback is established as “5 feet, or 10% of lot width*”. However, the asterisk included in these provisions has no corresponding note or reference. Staff has reviewed the noted amendments to these sections, but none appear to refer to these standards or explain why the asterisk exists.

In practice, these provisions have been interpreted to require that side yard setbacks be *the greater of* 5 feet, or 10% of the lot width, despite this not being clearly stated. This is consistent with the general zoning practice that when two standards are applicable, the more restrictive standard shall apply.

Based on these observations, staff recommends the following text amendments in order to clarify the standards already being applied in practice:

- Removal of the unreferenced asterisks from Tables 4.11 and 4.12 as they relate to minimum interior side setbacks; and
- Insertion of “the greater of” prior to “5’ or 10% of lot width” in Tables 4.11 and 4.12 as they relate to minimum interior side setbacks.

Requested Action

Staff seeks a recommendation of approval of the proposed Zoning Text Amendments noted above.

Documents Attached

1. Relevant Regulations

Attachment #1. Relevant Regulations

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

		Residential Zones		
Use Category		R-1	R-2	R-3
Lot Standards (single-family dwelling units)				
Minimum lot size (square feet)		9,000 SF	7,000 SF	5,400 SF
Maximum impervious coverage: %		60%	60%	60%
Maximum building coverage (%)		35%	35%	35% (Note 4)
Minimum Ground Floor Area Per Dwelling				
SF detached 1-story dwelling without basement		1,700 SF	1,400 SF	1,300 SF
SF detached 1-story dwelling with basement		1,500 SF	1,200 SF	1,100 SF
SF detached dwellings with (1 + stories)		1,000 SF	800 SF	700 SF
Building Standards				
Maximum building height (feet) peaked roof SF detached measured to roof peak		35 feet	35 feet	35 feet
Maximum building height (feet) flat roof SF detached measured to the highest point of the flat roof		22 feet	22 feet	22 feet
Finished 1st floor height limit SF residential (elevation at top of curb to the top of the finished first floor)		Max. 3 feet	Max. 3 feet	Max. 3 feet
Maximum building height (feet) nonresidential		40 feet	40 feet	40 feet
Maximum FAR				
SF detached, lot size > 6,000 SF		0.6	0.6	0.6
SF detached, lot size < 6,000 SF or total floor area < 3,600 SF		0.66	0.66	0.66
Nonresidential permitted or special uses		0.5	0.5	0.5
Yard Standards				
Minimum front setback (feet) (Note 3)		25 feet	25 feet	25 feet
Minimum front yard coverage with landscaping (%)		50%	50%	50%
Minimum interior side setback (feet) single-family detached dwellings		5 feet or 10% of lot width*	5 feet or 10% of lot width*	5 feet or 10% of lot width*

		Residential Zones		
Use Category		R-1	R-2	R-3
	Minimum interior side yard setback (feet) nonresidential uses	15 feet each side yard	15 feet each side yard	15 feet each side yard
	Minimum corner side setback (feet)	10 feet	10 feet	10 feet
	Minimum rear setback (feet)	30 feet	30 feet	30 feet
Note 1	See Section 2.02, Definitions, of this Zoning Ordinance for further clarification on how standards are defined.			
Note 2	SF detached = single-family detached dwelling unit			
Note 3	See Section 4.10(2)b for an additional requirement concerning minimum front yard setbacks.			
Note 4	In the R-3 District, the Zoning Administrator may approve a building coverage of up to 40% to accommodate the construction of a one- or two-car garage that meets the following standards: <ul style="list-style-type: none"> a) The garage does not exceed 500 square feet in floor area: b) The total building coverage of all other structures on the lot does not exceed 35%, unless otherwise authorized through a variation granted in accordance with Section 5.15 of this Zoning Ordinance: and c) The proposed garage is compliant with all other requirements set forth in this Zoning Ordinance, except as otherwise authorized through a variation granted in accordance with Section 5.15 of this Zoning Ordinance. 			

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

Use Category		Residential Zone
		R-4
<i>Lot Standards</i>		
	Minimum lot size (square feet)	5,400 SF
	Minimum lot area all non-SF dwelling types (per unit)	3,000 SF
	Minimum lot width (feet) detached single-family with attached garage	60 feet
	Maximum impervious coverage single-family (%)	60%
	Maximum building coverage single-family (%) (Note 6)	35%
<i>Minimum Coverage Floor Area Per Dwelling</i>		
	SF detached 1-story dwelling without basement	1,100 SF
	SF detached 1-story dwelling with basement	1,000 SF
	SF detached dwellings with (1 + stories)	650 SF
	SF semidetached dwelling (1 story)	1,000 SF
	SF semidetached dwelling (1 + stories)	650 SF
	Two-family detached dwellings	1,000 SF
<i>Building Standards</i>		
	Single-family attached or detached maximum building height for pitched roofs (Note 1)	35 feet or 2 stories
	Single-family maximum building height for flat roofs	22 feet
	Finished 1st floor height limit single-family detached; (elevation at top of curb to the top of the first floor)	Maximum 3 feet

Use Category	Residential Zone
	R-4
Multifamily or nonresidential maximum building height (feet)	45
Maximum FAR	
SF detached, lot size \geq 6,000 SF	0.6
SF detached, lot size $<$ 6,000 SF or total floor area $<$ 3,600 SF	0.66
Multifamily residential	0.6
Non residential permitted or special uses	0.6
Yard Standards (Note 2)	
Minimum front setback (feet) (Note 5)	25
Minimum front yard coverage with landscaping (%)	50%
Min. interior side setback (feet) single-family detached dwellings	5 or 10% of lot width*
Min. interior side setback (feet) single-family semidetached dwellings (one yard only)	5
Min. interior side yard (single-family attached)	None
Min. interior side yard setback (feet) multifamily dwellings and nonresidential uses	5
Min. corner side yard setback (feet)	10
Min. rear setback (feet)	30
Min. rear setback (feet) where alley exists (measured from center line of alley)	38
Spacing between buildings (2 or more SF attached or multifamily)	
Front wall of building to front or rear	50 feet
Rear wall of building to rear wall	40 feet
Side wall of building to front or rear (Note 3)	20 feet
Side wall of building to side wall (Note 4)	10 feet
Wall with no windows or doors facing wall with no windows or door	10 feet
Notes:	
<ol style="list-style-type: none"> 1) Height does not apply to multifamily dwellings or nonresidential structures/35 feet or 2 stories, whichever is less 2) Yards general, for buildings more than 30 feet in height, each front, side and rear yard as required above shall be increased in width or depth by two feet for each additional one foot of building height over 30 feet 3) Where a side wall faces a front or a rear wall, and there are more than 4 windows per floor, 2 of which are bathroom or storage, then the building separation shall not be less than 40 feet or 50 feet where one of the walls contains an entrance door. 4) Where a side wall faces another side wall, and there are more than 4 windows per floor, 2 of which are bathroom or storage, then the building separation shall not be less than 40 feet or 50 feet where one of the walls contains an entrance door. 5) See Section 4.10(2)b for an additional requirement concerning minimum front yard setbacks. 6) In the R-4 District, the Zoning Administrator may approve a building coverage of up to 40% to accommodate the construction of a one- or two-car garage that meets the following standards: <ol style="list-style-type: none"> a) The garage does not exceed 500 square feet in floor area: b) The total building coverage of all other structures on the lot does not exceed 35%, unless otherwise authorized through a variation granted in accordance with Section 5.15 of this Zoning Ordinance; and c) The proposed garage is compliant with all other requirements set forth in this Zoning Ordinance, except as otherwise authorized through a variation granted in accordance with Section 5.15 of this Zoning Ordinance. 	



Plan Commission Staff Report

Case # PC-06-21

May 5, 2021

Nature of Request:

Village Board referral of a potential Zoning Text Amendment related to reverse-slope garages.

Notification:

Notice was published in the Lincolnwood Review on April 8, 2021.

Background

Throughout the Village, there are approximately 90 single-family residences that have reverse-slope garages, or garages that are substantially below the grade of the adjoining public right-of-way. About one half of these are located in the area bound by Lincoln Avenue, Pratt Avenue, McCormick Boulevard, and Devon Avenue, where smaller lot sizes led to the use of reverse-slope garages in order to maximize habitable area. The remainder are scattered throughout the Village, and are often clustered in areas where a builder installed several homes during the same period of time. The vast majority of these homes were built several decades ago, with only a few having been built since 2000.

This type of garage design presents several impacts in terms of engineering and safety:

- The Village is in the process of implementing stormwater improvements that include the use of public streets as areas of short-term retention while sewers transmit water after significant rain events. Any homes built in the future with reverse-slope driveways along these streets will not have driveway berm protection, and therefore, could get flooded by stormwater being stored in the public right-of-way.
- Below-grade driveways require some means of controlling stormwater, whether it be a dedicated drainage system or connected to the home's drain tile, that provide a failure point that result in significant flood damage and sewer backups. This has resulted in a history of flooding issues for these types of configurations.
- A driveway drain connected to the home's drain tile can overburden the sump pump, which can lead to basement flooding and foundation damage.
- Snow removal from the driveway is difficult.
- Ice buildup is more likely and can cause a safety hazard.
- Visibility is decreased for vehicles backing out of the garage toward the public sidewalk and street.

Based on these impacts, staff brought this topic to the Village Board Committee of the Whole for discussion. That discussion included the following staff recommendations and direction from the Board.

Staff recommendation #1: Establish a definition for reverse-slope garages so any regulations related to them can be clearly applied.

Trustees were supportive of this recommendation. For the purposes of consideration by the Plan Commission, staff recommends the following definition:

REVERSE-SLOPE GARAGE: a garage whose point of access is below the grade of the public street from which driveway access to the garage is provided.

Staff recommendation #2: Prohibit reverse-slope garages for single-family detached and single-family attached development.

Trustees had varying opinions regarding staff's recommendation to prohibit reverse-slope garages:

- Some Trustees concurred with staff's recommendation, but encouraged the Plan Commission to deliberate as to whether there are some instances or locations where permitting reverse-slope garages would be appropriate.
- One Trustee was in favor of discouraging reverse-slope garages, but not necessarily prohibiting them.
- Some Trustees were in favor of designating reverse-slope garages as a Special Use, which would require them to be vetted by a public hearing process and a technical review by staff to identify potential concerns or negative impacts.

Based on this feedback from the Village Board, staff presents the following options for consideration by the Plan Commission:

1. Prohibit reverse-slope garages;
2. Permit reverse-slope garages as a Special Use, making them subject to the public hearing process and staff's technical assessment of impacts related to stormwater and safety; or
3. Permit reverse-slope garages, but adopt zoning standards that aim to address the concerns noted in this report. (If those standards cannot be met, a Variation would be necessary.) Such standards could include:
 - A minimum distance of 15' from public right-of-way in which the driveway must be at-grade, with the intent of providing enhanced visibility as the vehicle approaches the public sidewalk and street;
 - A finding by the Village Engineer that appropriate design solutions are in place as part of the private development to protect the property from any stormwater impacts generated by the existing or future grading of the public street, curb and parkway, and the use of the public street as a stormwater retention area; and
 - A demonstration by the Applicant, to the satisfaction of the Village Engineer and Zoning Officer, that all other alternative design solutions have been exhausted.

Staff recommendation #3: Consider permitting reverse-slope garages for some or all multi-family projects.

Reverse-slope garages may be more appropriate for some multi-family projects based on the following factors:

- Multi-family projects are often on properties that are large enough to accommodate driveway circulation patterns and grading that can more effectively separate them from the public right-of-way;
- The economics of developing larger projects may support underground parking;
- Larger-scale developments are more likely to implement significant engineering or infrastructure solutions that can effectively address stormwater management; and
- Multi-family properties are more likely to be maintained on a regular basis through professional services that may more effectively minimize safety concerns.

Requested Action

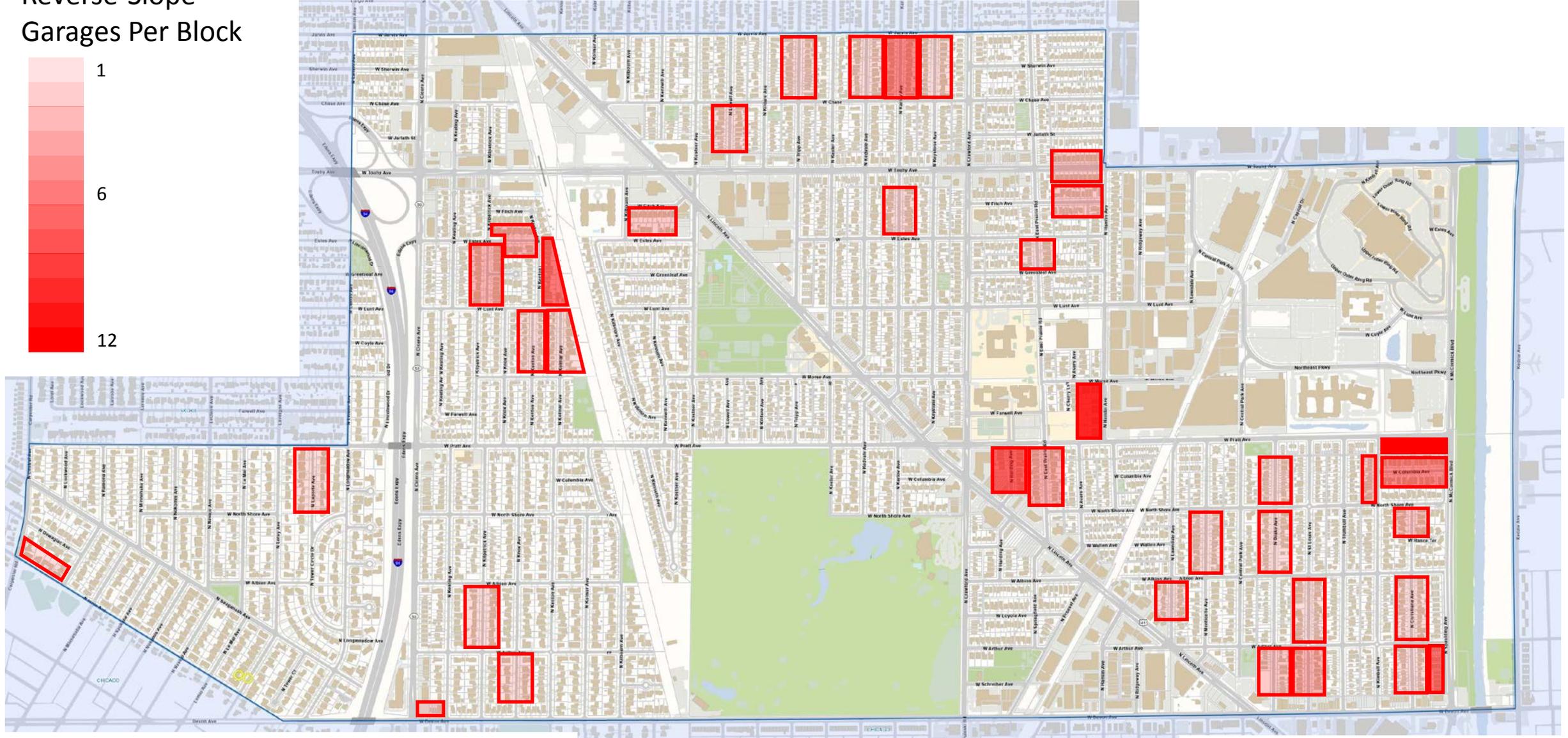
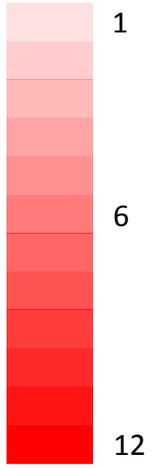
Staff seeks the Plan Commission's direction regarding the following:

1. The proposed definition of "reverse-slope garage";
2. The preferred means of regulating the development of reverse-slope garages; and
3. Whether reverse-slope garages should be permitted for multi-family development, as if lot size or the number of units should be used to establish such permissibility.

Documents Attached

1. Map showing the distribution of reverse-slope garages in the Village

Reverse-Slope Garages Per Block





MEMORANDUM

TO: Chairman Yohanna
Member of the Plan Commission

FROM: Doug Hammel, AICP
Development Manager

DATE: May 5, 2021

SUBJECT: Discussion Regarding Landscape Regulations

On December 2, 2020, the Plan Commission held a discussion regarding landscape regulation in the Zoning Code. At the end of that discussion, the matter was continued to the January 7, 2021 meeting. The matter was automatically continued in February and March 2021, due to the cancellation of those meeting. Given the fact that staff is anticipating a joint Village Board/Plan Commission workshop relating to certain aspects of this topic, staff requests that the Plan Commission continue this matter to its June 2, 2021 regular meeting.

RECOMMENDED MOTION:

Move to continue, without discussion, the Workshop related to landscape regulations to the June 2, 2021 regular meeting of the Plan Commission.