

**VILLAGE OF LINCOLNWOOD
PRESIDENT AND BOARD OF TRUSTEES
MEETING OF THE COMMITTEE OF THE WHOLE
VILLAGE HALL COUNCIL CHAMBERS
AVAILABLE LIVE AT
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NOVEMBER 2, 2021**

Call to Order

President Patel called the Committee of the Whole Meeting of the Lincolnwood Board of Trustees to order at 6:02 P.M. Tuesday, November 2, 2021, in the Council Chambers of the Municipal Complex at 6900 N. Lincoln Avenue, Village of Lincolnwood, County of Cook, and State of Illinois.

Upon roll call by Village Clerk Beryl Herman the following were:

Present: President Patel, Trustees Herrera, Klatzco, Sargon, Saleem, Martel and Halevi.

Absent: None

A quorum was present.

Also present: Village Manager Anne Marie Gaura, The following were present Chuck Meyer, Assistant Village Manager; Matthew Pasquini, Management Analyst; Jon Bogue, Assistant to the Village Manager; Nadim Badran, Public Works Director; Scott Mangum, Community Development Director; Doug Hammel, Development Manager; Steven Elrod, Village Attorney

Approval of Minutes

The minutes of October 5, 2021 Committee of the Whole and the October 19, 2021 Committee of the Whole Meetings were presented for approval.

Trustee Sargon moved to approve the minutes of October 5, 2021 and the October 19, 2021 Committee of the Whole Meetings, seconded by Trustee Klatzco.

Upon Roll Call the results were:

Ayes: Trustees Herrera, Klatzco, Sargon, Saleem, Martel and Halevi.

Nays: None

Minutes Approved

Regular Business

1. Discussion Regarding Permitted Uses in the O Office District

This item was presented by Development Manager, Doug Hammel. He stated that this area focused on Cicero Avenue north of Touhy Avenue. The EDC has identified this area as a priority for economic development based on its regional access and high traffic volumes. He overviewed the recent developments in the area. In April 2021, a property owner sought the

Board's -preliminary input at a Committee of the Whole meeting regarding a community center and entertainment venue. No subsequent applications for formal approvals have been submitted by or on behalf of the property owner.

Mayor Patel provided the property owner and its representatives with an opportunity to address the Committee. The representative spoke about the potential intended use which included an elderly and child-development center. He stated that they intended to build a large gathering room in the building similar to a community center which would accommodate entertainment and other uses. He overviewed the anticipated activities that would take place in the room. He overviewed the potential costs for the project and stated he was looking for additional direction. He requested that the Committee postpone making any final decisions on the project until official plans and applications are submitted.

The President of AAF stated that this building is essential to the organization and spoke to the benefits of the development. He added that this type of development would fit in well with the other developments in that area of the Village. He stated that he hopes that a decision will be postponed.

Mayor Patel said this matter came before the Committee of the Whole to have feedback regarding the proposed use. He stated that the entertainment/community center use for the building would be difficult to be approved in the Office Zoning District. He said that this use may be appropriate in a different zoning district in the Village. He asked the other Board member if they had any disagreement with this position. No member of the Committee of the Whole expressed disagreement.

Village Attorney Elrod reminded the Committee and the members of the audience that the proposed entertainment use is not allowed under the zoning code. He overviewed the potential process of changing the zoning code to allow for this type of use. He stated that the petitioner is still allowed to submit any application for the potential change. He urged the petitioner to take careful note of what they heard this evening from the Committee of the Whole.

2. Discussion Concerning Pratt Avenue Pedestrian Bridge over Channel

This item was presented by Community Development Director, Scott Mangum. He stated that the purpose of this discussion was to provide an update on Invest in Cook (IIC) grant funding and project schedule. He overviewed the significant dates for context on this topic and reviewed the location of the proposed bridge. He overviewed the specifications of the bridge. He said the total estimated cost is \$1.8 Million. He stated various project benefits such as local economic development and livability factors. He reviewed the existing bike infrastructure map and what the proposed bridge would look like in that context. He overviewed the estimated project dates for the project. The grants received will cover 70% or more of the estimated cost.

Estimated Project Dates

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| 1. Lincolnwood to Approve IGA | October 5, 2021 |
| 2. CCDOTH to Approve IGA | December 3, 2021 |
| 3. Issue Request for Proposal | January 31, 2022 |

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| 4. Request for Proposal Due | February 28, 2022 |
| 5. Execution of Engineering Agreement | May 3, 2022 |
| 6. Draft Phase 1 Project Development Report (PDR) Submittal | May 1, 2023 |
| 7. Phase 1 (PDR) Completion | December 1, 2023 |

The Mayor spoke about the greater benefits of the project. He said he was supportive of this plan. Trustee Herrera said she heard concerns about crime and safety. She stated that additional lighting over the pedestrian bridge or the installation of call buttons might be a good addition. She also expressed concerns about garbage. The mayor also made it clear that this is not a bridge for vehicular traffic.

Police Chief Jay Parrott stated that the vast majority of overnight crime in the Village involves a vehicle of some kind. The fact that this is an exclusively pedestrian bridge lead him to believe this would not lead to a rise in crime. He also discussed some potential security and monitoring technology that could be implemented. Trustee Martel asked who would own the bridge. Public Works Director Nadim Badran stated that the Village would own the bridge. Additional discussion regarding ownership and ongoing maintenance costs occurred.

3. Discussion Regarding Consideration of Hardship Standards in Variation Requests

This item was presented by Community Development Director, Scott Mangum. He said the purpose of this discussion was to provide direction on current code language and procedures regarding Zoning Variation Standards relating to Hardships in advance of ZBA and Plan Commission trainings. He overviewed the background on minor and major zoning variances. The concept of undue hardship was discussed as it relates to variances. Mr. Mangum discussed the Village's current standards in the Zoning Ordinance. He then overviewed the strictness of other municipalities. He said that staff is requesting direction from the Village Board regarding the topics and policy questions presented in this report, including: 1) consideration of how strictly the standards should be applied (i.e. shall meet each of the individual standards, versus shall take into consideration); and 2) whether the existing standards relating to hardships themselves are sufficient, or should be revised via a referral of a Text Amendment to the Plan Commission.

Mr. Elrod stated the importance of Village Board direction on the item before training for the ZBA occurs. Trustee Sargon stated the Board should specify what hardship is found in order for a variance to be granted. Trustee Martel said hardships should be true hardships and that should be the only reason to allow a variance. Trustee Halevi concurred with Trustee Martel. She said standards should apply to everyone. Mayor Patel went through each standard of the zoning code which reads as follows.

- a. The requested major variation is consistent with the stated intent and purposes of this Zoning Ordinance and the Comprehensive Plan;
- 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 the 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;
- 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

Mayor Patel said that "a" should not be a current standard as it would not be heard by the ZBA if this condition applies. He said "b" has never really been applied. However, in a very unique circumstance it could be applied. Mayor Patel stated "c" was an important standard. He said "d" should be removed as there is always a second reason. Mr. Elrod stated that "e" is the most difficult to prove as it usually involves a story involving unfortunate circumstances. Discussion on self-created hardships occurred. Mayor Patel stated that "f" was very subjective and should remain. He said that "g" should have more effort put into it. Lastly, he said "h" should be done on the front-end by staff. Mayor Patel stated this should be remanded to the Plan Commission and there was consensus by the rest of the Trustees.

4. Discussion Concerning Village Code Update

This item was presented by Assistant Village Manager, Chuck Meyer. Mr. Meyer stated this was mostly cleaning up the existing language in the code. He highlighted one item related to the removal of snow and ice in parkways. He stated this would add language that would require property owners to remove snow and ice in front of their properties. Discussion on the walkability of sidewalks during the winter season occurred. Trustee Herrera and Mayor Patel stated their support for staff removing snow from sidewalks and parkways in the winter. Support for adding additional funding in the budget for this initiative occurred. Trustee Martel stated he is against the idea of ticketing individuals for not removing snow from sidewalks. Trustee Klatzco stated he would like to see a proposed budget for the snow removal item.

Public Forum

There was no public comment.

Adjournment

At 7:30 P.M. Trustee Martel moved to adjourn the Committee of the Whole, seconded by Trustee Herrera.

Minutes of Upon Roll Call the results were:

AYES: Trustees Herrera, Klatzco, Sargon, Saleem, Martel, Halevi

NAYS: None

Meeting Adjourned

Respectfully Submitted,

A handwritten signature in cursive script that reads "Beryl Herman".

Beryl Herman
Village Clerk