



**MEETING MINUTES
OF THE
November 4th, 2024
ZONING BOARD OF APPEALS

LINCOLNWOOD VILLAGE HALL
Gerald C. Turry Village Board Room**

Zoning Board of Appeals Members Present: Chairman Bruce Heller, Commissioners Martin Youkhanna, Rizwan Hussain, Anna Velasquez and Meldina Dervisevic

Absent: Commissioner Aida Cantic

Staff Present: Community Development Director Scott Mangum

I. Call to Order/Roll Call

Chairman Heller noted a quorum of four members and called the meeting to order at 7:02 p.m.

II. Pledge of Allegiance

III. Approval of September 18th, 2024, ZBA Meeting Minutes

Commissioner Hussain mentioned having the spelling of his name corrected throughout the previous meeting Minutes

Motion: Commissioner Hussain made a motion to accept the minutes with corrections.

The motion was seconded by Commissioner Youkhanna.

Aye: Chairman Heller and Commissioners Hussain, Youkhanna and Dervisevic

Nay: None

Abstain: None

Motion Approved: 4-0

Commissioner Velasquez arrived at 7:05pm

IV. Case #ZB-09-24: 7125 North Kilbourn Avenue – Special Fence for Natural Screening in the Public Right-of-Way

Community Development Director Scott Mangum presented information regarding the case. The petitioner is looking for relief of a Special Fence to increase privacy for his home. Director Mangum also provided an overview of this case's discussion at the previous meeting noting

important points. The petitioner no longer requires a Setback Variation as a suitable location of the natural screening fence was determined. Additionally, the petitioner clarified that he would be compliant in removing his non-compliant wood fence when a motion is decided. The petitioner originally proposed a natural screening fence made of utilizing the current landscaping and supplementing with bushes. The Board suggested removing the already established landscaping to create a new row of natural screening to maintain an aesthetic appearance.

Director Mangum discussed the petitioners “new proposal” for this meeting, stating the petitioner is seeking his original request.

Chairman Heller called the petitioner forward for his testimony.

Petitioner:
Salman Khan

Mr. Khan discussed his cost concerns with removing the current landscaping and inserting new natural screening. He stated that since the last meeting he was able to go over the logistics of natural screening including cost breakdowns to present to the Board. He also clarified that while he hopes the Board will vote in his favor, he will be removing the non-permitted fence regardless of outcome but seeks ample time to do so.

Chairman Heller asked for clarification on what exactly the petitioner wants to do with the space once the fence is removed.

The petitioner restated he wants to plant landscaping between the already standing natural screening.

Commissioner Dervisevic asked for an update on the landscaping company and price of work.

Mr. Khan presented the information from his meeting with a landscape company, stating that removing the already existing trees and replanting would be quite costly and the company said planting between the existing landscaping (about 15-16 shrubs) would be easily doable and more cost effective.

Chairman Heller asked a clarifying question about the plan to replant landscaping where initial landscaping had been before the petitioner removed it for the non-permitted fence.

Commissioners Hussain and Dervisevic clarified key points from the last meeting, citing the two different conditions that were discussed: removing the current landscaping to build a new row of natural screening or solely maintaining the trees with no additional filling. There was also previous discussion about allowing the new natural screening to be supplemented between existing trees.

Commissioner Velasquez sought further clarification about the proposed plan.

Commissioner Hussain and Chairman Heller went over key aspects of the proposed plan, summarizing the previous discussion about the overgrown trees, the logistics of having two rows of

natural screening from an aesthetic point, the non-permitted fence, and setback requirements. Also noting that the Board asked the petitioner to consult with a landscaping company prior to this meeting which the petitioner did.

Commissioner Youkhanna brought up a concern from the previous meeting regarding the health and life of shrubs that would be planted in the proposed location between the trees.

Mr. Khan stated that the shrubs would be planted in the Spring and that the landscaping company would make it as uniform as possible. This is also a reason the petitioner is seeking an extended period to remove the fence.

Motion: Commissioner Hussain motioned to deny the request as presented.

Director Mangum clarified that for the bushes to be planted between the trees in the right of way, the petitioner needs special approval, however, if the bushes are planted where the non-permitted fence currently is then they would meet the setback requirement.

Commissioner Hussain withdrew motion.

Mr. Khan clarified that the shrubs will be planted behind the current trees in the gaps.

Director Mangum, Commissioner Youkhanna and Chairman Heller discussed the variation standards for natural screening in the public right of way and if one would be necessary in this case.

Commissioners Velasquez and Hussain clarified measurements and distances with the petitioner.

Variation to waive required setback is not needed.

Motion: Commissioner Velasquez made a motion to recommend approval of the Special Fence with the conditions of removing the non-permitted fence, keeping and maintaining existing trees, and natural screening would be allowed 3 feet from the inside of the sidewalk, so they are located behind the current tree line with work being completed in the Spring by May 1st, 2025.

The motion was seconded by Commissioner Dervisevic.

The Language was amended in the Motion to include the maintenance of existing trees to prevent interference in the right-of-way sidewalk.

Motion seconded by Commissioner Hussain.

Aye: Chairman Heller and Commissioners Hussain, Youkhanna, Dervisevic and Velasquez

Nay: None

Abstain: None

Motion Approved: 5-0

This item will go to the Village Board on November 19th, 2024.

V. Case # ZB-10-24: 6503 North Le Mai Avenue – Special Fence for Natural Screening – Applicant requests continuance to November 20th, 2024

Community Development Director Scott Mangum introduced the case and the petitioners request for a continuance to the November 20th meeting.

Motion: Commissioner Hussain made a motion that this case be continued at the next scheduled meeting on Monday, November 20th, 2024.

The motion was seconded by Commissioner Youkhanna

Aye: Chairman Heller and Commissioners Hussain, Youkhanna, Dervisevic, and Velasquez

Nay: None

Abstain: None

Motion Approved: 5-0

VI. Case # ZB-11-24: 7215 North District Avenue – Amendment to the Unified Sign plan and Zoning Variations Pertaining to Signage

Community Development Director Scott Mangum introduced the case. District 1860 development was approved in 2019 with the Unified Sign plan being approved subsequently which governs signage at the development. The petitioner is seeking approval of revisions to the unified center sign plan at the subject property including additional zoning variations related to the number of permitted wall signs, the size of permitted window signs, the allowance for temporary banner signs, and other proposed signage at the development.

Director Mangum discussed the regulatory context of Unified Sign plans within the Village's Zoning Code, specifically Section(s) 11.07(8) and 11.08(16). He further discussed the required variations to the site plan as follows:

- Variations Related to Wall Signs
 - Section 11.4(02)i allows for one wall sign per tenant per street frontage. The following requested signs require relief from that provision:
 - Additional wall sign on the south façade of the mixed-use building near Lincoln Avenue and Touhy Avenue
 - Additional wall sign on the north façade of the grocery building
 - Painted murals at parking garage entrances
- Variations Related to Monument Signs
 - Section 11.04(1)i.3 states that “sign copy for a multi-tenant monument sign shall contain a maximum of a combination of 24 words and graphic elements no greater than two inches in height.”
 - Petitioner seeks approval for text and logos with a height of nine inches
- Variations Related to Window Signs

- Section 11.04(6) states that “permanent window signs may be affixed or applied to window glass, provided that the area of permanent window signs does not exceed 20% of the window surface area.”
 - The Petitioner has been temporarily granted approval to install window wraps that cover the entirety of windows for tenant spaces that are either vacant or under interior build-out. That temporary allowance expires on December 6, 2024. The Petitioner is seeking a Variation from that provision to essentially make permanent the temporary allowance previously granted
- Variations Related to Temporary Signs and Banners
 - Section 11.04(8) establishes regulations related to temporary signs. (States that signs can only be considered temporary if they are displayed for no more than 20 days, except for signs advertising a grand opening or anniversary, which can be displayed for up to 30 days:
 - Petitioner seeks relief from the previous provision for three types of signs:
 - **“Now Leasing”**
 - The intent appears to be to take advantage of the high level of visibility offered from westbound Touhy Avenue, eastbound Touhy Avenue, and northbound Lincoln Avenue. The petitioner’s application does not specify the number, locations, or sizes for these signs.
 - **Retail Tenant Advertising**
 - The Petitioner is proposing signs for individual tenants that could identify businesses coming soon, now open, or special offers. The request specifies that these signs could be installed for a period of up to 90 days
 - **Village Green temporary signs and banners**
 - The Petitioner is proposing banners and temporary signs for events being held in the Village Green

Director Mangum discussed proposed revisions to the Unified Center Sign Plan stating that they do not require variations, just approval to adopt these changes into the plan.

- **Maximum Permitted Height and Offset of Tenant Walls**
 - Decrease in the required offset between tenant wall signs and architectural elements on the mixed-use building from three feet to one foot
 - Increase the maximum permitted wall sign height for tenants in the mixed-use building from 36 inches to 48 inches
- **Pole Banner Sign Content**
 - Clarification that the content of the pole banner signs can be changed at the discretion of the owner
- **Wayfinding Signage**
 - Clarification that tenant wayfinding signs in the interior of the parking garage in the mixed-use building are not subject to Village regulations or approval
- **Awnings and Awning Signs**
 - Clarification that awnings and awning signs are permitted, subject to generally applicable regulation on the Zoning Ordinance
- **Deletion of Reference Table on Pages 8-11**

Director Mangum discussed considerations as follows:

- **Relevant Regulations Related to Signage**
 - Levels of illuminations for different types of signage
 - Glare reduction for illuminated signs adjacent to residential uses
 - Hours of Illumination
 - Compliance with sight triangle requirements
- **Character and Scale of Development**
 - Traffic and Visibility Concerns
- **Parameter Regarding Temporary Signs**
 - Section 11.04(8) establishes regulations for temporary signs related to the number permitted on a multi-user property, the maximum permitted areas of a temporary sign, maximum height above grade, the duration and frequency at which temporary signs can be installed, and that they generally be freestanding signs

Director Mangum noted variation standards.

He presented that staff received inquiries from the public and met with a resident of Barclay Condominiums but did not result in written public comments.

The petitioner seeks revisions to the previously approved unified center sign plan, including additional variations.

Petitioner: Richard Tucker

Mr. Tucker stated that all requests for revisions came from tenants at the development to increase visibility and promote the success of the mixed-use development.

Commissioner Hussain asked the petitioner his opinion on relief within a certain time frame or if he is solely seeking permanent relief.

The petitioner does not believe a trial period of revisions is necessary or productive as the revisions are necessary while the development is operating, and he does not foresee the development going anywhere or stopping soon.

Commissioner Velasquez asked a question about the grounds for an offset variation from 3 feet to 1 foot.

Mr. Tucker stated that some tenant names are longer and with small letters, they become illegible. At the time of initial provisions, the development did not know the tenants that would be there so they could not preemptively choose an appropriate measure. Mr. Tucker clarified they are not seeking to change panels, only to fit names to current panels.

Commissioner Dervisevic asked about other properties with this type of signage. Mr. Tucker gave examples in Chicago along with noting that their website has more examples.

Commissioner Velasquez proposed talking about each variation separately and then at the end, depending on discussion, make one or more motions.

Commissioner Hussain asked Director Mangum if he foresees any issues with these revisions. Director Mangum discussed that this commercial development is different in scale from others in the Village and that can be considered when deciding variations.

The Commissioners started discussing the first variation relief related to Wall Signs

Motion: A motion was made by Commissioner Youkhanna to approve the variations related to wall signs.

Commissioner Hussain seconded the motion.

Prior to voting on the motion, the Commissioners decided to discuss all variations due to lack of objection. The Commissioners continued discussing the variations related to monument signs, window signs, and temporary signs. There were no differences in opinion but Chairman Heller sought further clarification about the precedent approving the temporary sign variation would set. Director Mangum brought up the fact that no size of temporary signs was listed in proposal.

Chairman Heller called the petitioner back to the podium.

Mr. Tucker clarified that there would only be the three current temporary signs on the building, but that he does not know the exact size of these signs. Mr. Tucker also discusses that the point of these signs is not just for leasing space at the development, but for advertising community activities at the space.

Chairman Heller sought more information about the location of a Now Leasing sign.

Mr. Tucker stated that all three signs would be at the top of the building.

Commissioner Hussain brought up aesthetic concerns related to permanent leasing signs.

Mr. Tucker stated that year-round Now Leasing signs are common and that due to the first class quality of the development, all signs will remain in good condition. If they start to deteriorate or become unsightly they will be changed.

Commissioners moved to discuss the revisions to the Sign Plan.

Chairman Heller asked about an awning ordinance and Director Mangum clarified that the current Unified Sign Plan does not allow for awnings but if approved they would be subject to other regulations in the Zoning Ordinance.

Commissioner Hussain proposed a motion to approve all variations and revisions with the condition that the Village could revoke any item if an issue arises or if there is public opposition.

Commissioners Velasquez and Hussain along with Chairman Heller and Director Mangum discussed what introducing a time frame for “Now Leasing” signs in order to maintain image could offer. Director Mangum stated that the concerns about sign quality align with a style regulation more than a time frame.

Commissioner Dervisevic highlighted the benefit of having these signs year around on the top of the building to draw businesses into the Village.

Motion: Commissioner Velasquez made a motion to approve the proposed zoning variations and revisions to the Unified Center Sign Plan with the caveat that under the temporary sign variation, the “now leasing” banner variation have the standard that signs must maintain quality to avoid deterioration, number of banners not to exceed the three current ones, and the size of the banners to be maintained.

Commissioner Dervisevic seconded the motion.

Aye: Chairman Heller and Commissioners Hussain, Youkhanna, Dervisevic, and Velasquez

Nay: None

Abstain: None

Motion Approved: 5-0

This case will go to the Village Board in December due to a scheduling conflict with the petitioner.

V11 Case # ZB-12-24: 3332 West Columbia Avenue – Approval of Variation Regarding Permitted Obstructions

Petitioner requests continuance to November 20th, 2024.

Motion: Commissioner Youkhanna motioned to continue this case to the November 20th meeting.

Commissioner Hussain seconded the motion.

Aye: Chairman Heller and Commissioners Hussain, Youkhanna, Dervisevic, and Velasquez

Nay: None

Abstain: None

Motion Approved: 5-0

VIII. Public Comment

The public was asked if anyone participating in the meeting would like to address the Zoning Board of Appeals. Let the record state that no one came forward.

VIII. Next Meeting

The next meeting of the Zoning Board of Appeals is scheduled for November 20th, 2024.

VIII. Adjournment

Motion to adjourn was made by Commissioner Youkhanna

The motion was seconded by Commissioner Velasquez.

Aye: Chairman Heller and Commissioners Hussain, Youkhanna, Dervisevic, and Velasquez

Nay: None

Abstain: None

Motion Approved: 5-0

The meeting was adjourned at 8:35pm.

Respectfully submitted,

Abigail Honeycutt
Community Development Intern