



Village of Lincolnwood Plan Commission

Meeting
Wednesday, March 4, 2015
7:00 P.M.

in the
Council Chambers Room
Lincolnwood Village Hall - 6900 North Lincoln Avenue

Agenda

1. **Call to Order/Roll Call**
2. **Pledge of Allegiance**
3. **Approval of Minutes**
 - February 04, 2015 Meeting Minutes
 - February 18, 2015 Joint Meeting Minutes
 - February 25, 2015 Workshop Meeting Minutes
4. **Case #PC-03-15: Public Hearing: 6430 North Hamlin Avenue - Special Use**
 - Request:** Consideration to permit Hatzalah Chicago to operate 24 hours a day exceeding permitted hours of operation
5. **Case #PC-04-15: Public Hearing: Proposed Text Amendment**
 - Request:** Elimination of Commercial Vehicle Parking Regulations from the Zoning Code
6. **Case #PC-05-15: Public Hearing: Proposed Text Amendment**
 - Request:** Consideration of Residential Overlay Zone Along Devon Avenue
7. **Case #PC-06-15: Public Hearing: Proposed Text Amendment**
 - Request:** Review of Parking Regulations for Multi-Family Residential Uses to Consider Open-Air Guest Parking Standards
8. **Case #PC-02-15: Public Hearing: Proposed Text Amendment**
 - (Continued from February 25, 2015)*
 - Request:** Review for Possible Change the Definition Section and Fences and Natural Screening Section Concerning Open, Semi-Private, and Solid Fences; and the Bulk Regulations for Fences
9. **Next Meeting**
10. **Public Comment**
11. **Adjournment**



**DRAFT MEETING MINUTES
OF THE
PLAN COMMISSION
FEBRUARY 4, 2015 – 7:00 P.M.**

**LINCOLNWOOD VILLAGE HALL
COUNCIL CHAMBERS
6900 NORTH LINCOLN AVENUE
LINCOLNWOOD, ILLINOIS 60712**

MEMBERS PRESENT:

Chairman Paul Eisterhold
Irving Fishman
Patricia Goldfein
Steven Jakubowski (arrived at 7:18 p.m.)
Anthony Pauletto
Don Sampen
Mark Yohanna

MEMBERS ABSENT:

STAFF PRESENT:

Aaron N. Cook, AICP, Community Development Manager

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

Chairman Eisterhold noted a quorum of six members and called the meeting to order at 7:05 p.m.

III. APPROVAL OF MINUTES

Motion to approve the December 3, 2014 Meeting Minutes was made by Commissioner Fishman, and seconded by Commissioner Pauletto.

Aye: Fishman, Pauletto, Goldfein, Sampen, and Eisterhold

Abstained: Yohanna

Nay: None

Motion Approved: 5-1-0

IV. Case #PC-01-15: Public Hearing: Proposed Text Amendment

This Public Hearing is to consider a possible text amendment to review and modify the review and approval process for setback Variations of an existing setback of a nonconforming structure. There

have been several Variation requests over the past six years. The most recent request at 6755 North Kostner Avenue was unanimously approved by the Zoning Board of Appeals. The Village Board agreed with the ZBA and referred this matter to the Plan Commission to conduct a Public Hearing to review the process for reviewing Variations to match existing legal nonconforming setbacks.

Over the past five years, the Village has considered and approved ten requests for relief from side yard setback requirements which resulted primarily from the existing home encroaching into the required setback. These requests permitted a second-story addition to match the existing nonconforming first floor setback.

Instead of considering these Variations as a Major Variation, these types of requests would be included as an eligible request under the Minor Variation process. The Zoning Officer has the authority to grant, subject to certain additional criteria, the following Minor Variations: a) a reduction of up to 15 percent of the minimum required lot area; b) a reduction of up to 10 percent of the minimum required side or rear yard setback; c) a reduction of up to 10 percent of the required spacing between two or more single-family attached or multiple-family buildings in the R-4 Residential District only; and d) an increase of up to 15 percent in the finished first floor height. This process has not been utilized since the Zoning Code was updated in 2008.

A Minor Variation request would still require an application, a mailing to residents within 250 feet of the subject property, a waiting period by which staff has the plans available for review, and, after a 30-day period, it is the Zoning Officer who makes the determination based off the hardship standards which are the same as for a Major Variation. The Zoning Officer is required to provide notice of his decision. If the Plan Commission agrees with this approach, sample language was presented for review.

When asked by Commissioner Fishman if the Zoning Code could be amended so applicants do not have to go through the process at all, Mr. Cook replied that this proposed process is recommended due to the fact that this is going from a full Major Variation to a Minor Variation process and not repealing the process for setbacks; it is a lesser process. Staff stated that there are many legal nonconforming structures in the village but not every existing legal nonconforming structure should be eligible for an addition.

Commissioner Goldfein asked staff if this request changes the previous process when the straight footage requirement was changed to a percentage. Currently, the Code requires five feet or ten percent of the lot width, whichever is greater. Commissioner Goldfein reiterated that many of these legal nonconforming structures were built prior to the current Zoning Code and were in compliance at the time they were built. Commissioner Goldfein would also like to see language stating a minimum setback requirement. If the minimum is less than five feet, the Major Variation process should be utilized.

When asked by Commissioner Sampen if any requests have been denied, staff stated that no requests for an addition to match an existing legal nonconforming structure have been denied since the Zoning Code was updated in 2008.

Commissioner Pauletto believes that this amendment is long overdue. This amendment will speed up the Variation process and encourage residents to make additions to their property.

Commissioner Jakubowski inquired about the angles for second story additions. Mr. Cook replied there is a second option to comply with trying to minimize the amount of shadow that is cast on adjoining residential structures and must be in compliance with one of the following: an eave height not to exceed 23 feet or the Daylight Plane. Furthermore, you could build within the required setback and the Daylight Plane measurement is still taken at the required setback, but could still comply with the maximum eave height of 23 feet.

The Commissioners discussed the subject of neighbor opposition. A resident can appear before the Village Board while the process is taking place, but there is no formal appeal process. A complaint under the Minor Variation process does not automatically trigger a Major Variation. Commissioner Fishman asked that if a neighbor came forth, would it have heavy weight on staff's determination if this should move forward as a Minor Variation or a Major Variation. Staff stated that this would then fall to the Village Board for their review, as this should not be the Zoning Officer's sole responsibility. There should be some language drafted where the complaint would have to be on point.

To address the question whether this Variation process should include detached garages, the Commissioners agreed to change the proposed language to say "existing legal nonconforming principal structures".

Chairman Eisterhold asked if anyone in the audience would like to address the Plan Commission regarding this Public Hearing. Let the record show that no one came forward.

Motion to recommend approval to amend a revision to the authorized Major Variation Section (3)c. to read as follows: A reduction of the minimum required side or rear yard setback to match existing legal nonconforming principal structures was made by Commission Sampen, and seconded by Commissioner Fishman.

Aye: Sampen, Fishman, Goldfein, Jakubowski, Pauletto, Yohanna, and Eisterhold

Nay: None

Motion Approved: 7-0

V. Case #PC-02-15: Public Hearing: Proposed Text Amendment

This Public Hearing is to address the current weakness in the Zoning Code in relation to fencing. This text amendment is due to a specific Variation request at 6529 Central Park Avenue. The Zoning Board of Appeals recommended denial of their fence request by a 5-1 vote. The Village Board continued this case, but concurred with the ZBA's general comments that the semi-private fence definition lacks clarity and should be reviewed by the Plan Commission.

The current definition for semi-private fence definitions reads: "*A fence which is not a solid fence nor an open fence. These types of fences are restricted to board-on-board fences (also known as "shadow box types"). The open space between vertical fence boards shall not exceed 85% of the width of the boards on the same side of the fence.*" [Amended June 3, 2014 by Ordinance No. 2014-3102]"

Staff highlighted the four basic issues concerning this definition which lacks clarity and is confusing. The definition states that a semi-private fence is not a solid fence nor an open fence. A definition should not be defined by what it is not.

The term board-on-board fences is used inconsistently throughout the fence industry. Board-on-board and shadowbox are not the same type of fencing. Board-on-board fences have no gaps and are basically a solid fence and, therefore, should not be included in the semi-private fence definition. Examples of board-on-board and shadowbox fence designs were shown. Shadowbox fences have gaps which you can see through from a 90-degree angle which lets in light and air.

Staff's research of ten neighboring communities found that they do not have definitions for semi-private, board-on-board, or shadowbox fences.

Board-on-board style fences are solid in design and character, but are permitted in areas that prohibit solid fences. Solid fences are highly regulated. The Zoning Code does not allow for solid fences except for immediately surrounding and enclosing a water tub or pool, abutting an alley or business district, abutting a lot in a residential district used for nonresidential use, or in a rear or side yard along a lot line which abuts a lot in a manufacturing district. Solid fences are not allowed between residentially-zoned properties. Along residential side lot lines, open fences and semi-private fences are allowed. There are no restrictions on open fences.

The current definition makes reference to vertical fence boards. This definition restricts the design of semi-private fences. The proposed fence at 6529 North Central Park has a horizontal fence design.

The Commissioners agreed that the words "board-on-board" should be eliminated from the current fence definition.

The last item in the current definition to be discussed is the "not exceed 85% of the width of the boards on the same side of the fence". This is a counter-intuitive regulation to regulate the maximum open space rather than minimum open space between boards. The Commissioners discussed the use of louvered fences and how to define the openness of this style of fence.

Chairman Eisterhold indicated that he would like to keep the semi-private fence types. For the time being, the three fence types will not be changed. The use of horizontal fencing will be discussed as well. Fence design types that have a screening and open concept will be researched and presented at a future meeting.

Chairman Eisterhold asked if anyone in the audience would like to address the Plan Commission regarding this Public Hearing. Let the record show that no one came forward.

Motion to continue to the February 25, 2015 Plan Commission Workshop was made by Commissioner Pauletto, and seconded by Commissioner Fishman.

Aye: Pauletto, Fishman, Goldfein, Jakubowski, Sampen, Yohanna, and Eisterhold

Nay: None

Motion Approved: 7-0

Staff provided an update regarding the Shoppes at Lincoln Pointe. The North Capital Group made a presentation to the Village's Committee of the Whole meeting on February 2, 2015. They provided the status of the project and presented renderings of their revised plan. There are changes to the previously-approved preliminary PUD. These changes constitute a significant enough change that North Capital Group will need preliminary PUD approval for the revised plan. Some of the changes include the elimination of underground parking and the space previously designed as a grocer has now changed to a medical office use. They are still viewing this as a one-phase project. The hotel would be the first to break ground. North Capital Group did ask the Village Board if the preliminary and final plan approval can be a combined process with the approval of the Plan Commission. The Village Board agreed with this request. When asked for a guess of the timeline, Mr. Cook estimated that they could come before the Plan Commission in late March or April at the earliest. North Capital Group would like to start the hotel ground-breaking in late summer/early fall.

Chairman Eisterhold announced that the Comprehensive Plan Committee has been formed and he has met with the consultants. The first meeting is tentatively scheduled for Thursday, March 12, 2015 at 7:00 p.m. in the Council Chambers.

VI. NEXT MEETING

Chairman Eisterhold announced that the next Plan Commission meeting will be held on Wednesday, February 25, 2015.

VII. ADJOURNMENT

Hearing no further business, **motion to adjourn** was made by Commissioner Sampen, and seconded by Commissioner Pauletto. Meeting adjourned at 9:15 p.m.

Aye: Sampen, Pauletto, Fishman, Goldfein, Jakubowski, Yohanna, and Eisterhold

Nay: None

Motion Approved: 7-0

Respectfully Submitted,

Kathryn M. Kasprzyk
Community Development Coordinator



MEETING MINUTES
OF JOINT MEETING
PLAN COMMISSION
ZONING BOARD OF APPEALS

DRAFT

FEBRUARY 18, 2015 – 7:00 P.M.

at

LINCOLNWOOD VILLAGE HALL
COUNCIL CHAMBERS
6900 NORTH LINCOLN AVENUE
LINCOLNWOOD, ILLINOIS 60712

PLAN COMMISSION

MEMBERS PRESENT:

Chairman Paul Eisterhold
Patricia Goldfein
Steven Jakubowski (arrived at 7:17 p.m.)
Anthony Pauletto
Don Sampen
Mark Yohanna

MEMBERS ABSENT:

Irving Fishman

ZONING BOARD OF APPEALS

MEMBERS PRESENT:

Chairman Herb Theisen
Paul Grant
Jean Ikezoe-Halevi
Martina Keller
Christopher Nickell
Kathy O'Brien
Kirill Vorobeychik

MEMBERS ABSENT:

None

STAFF PRESENT:

Aaron N. Cook AICP, Community Development Manager
Timothy M. Clarke AICP, Community Development Director
Steven Elrod, Village Attorney
Hart Passman, Village Attorney

I. CALL TO ORDER

Noting the presence of quorums of both recommending bodies, Chairman Eisterhold of the Plan Commission and Chairman Theisen of the Zoning Board of Appeals called the joint meeting to order at 7:11 p.m.

II. TRAINING SESSION ON VARIATION HARDSHIPS

Village Attorney Elrod began by welcoming both recommending bodies to the training workshop. After a few introductory remarks, he noted that he will be seeking continuing legal education credit for tonight's training and encouraged any attorney member of either body to provide information to obtain this credit on the sign-in sheet available at tonight's meeting for this purpose.

Attorney Elrod continued by noting the specific purpose of Variations, that they are specifically related to an unusual characteristic or feature of a specific parcel of land, which poses a practical difficulty or particular hardship in complying with the Zoning Code. It was noted that Variations, once granted, run with the land and are not personal and, therefore, should not be granted based on an applicant's personal situation such as health, disability, or economic wherewithal.

Attorney Elrod continued by noting that for claims of health or disability by the applicant, a different procedure, that for Reasonable Accommodation, consistent with the US Fair Housing Act, has been established. Discussion ensued concerning this process and how it differs from the Variation process. During this discussion, it was noted that requests for Reasonable Accommodation are handled by the Plan Commission, and that there is a separate application for an applicant to request a Reasonable Accommodation.

Attorney Elrod continued by noting that Variations cannot be granted to allow a use that is not permitted in a zoning district, or for multiple principal buildings on one lot or for multiple principal uses in residential districts. He also noted that Variations cannot be granted by the Village to allow for signs noted as prohibited in the Zoning Code nor for signs which encroach into the rights-of-way. He stated that Variations could be granted for all other provisions of the Zoning Code if a hardship was found.

Various questions were raised by members of the recommending bodies. In responding to questions, Attorney Elrod indicated that precedence or prior cases has no place in considering whether a Variation should be granted, since the basis for granting a hardship is specifically in finding the practical difficulty of the specific property to conform to the Zoning Code. It was indicated that if several Variations from a code provisions have been granted, then a change in the Code to eliminate the need for such Variations should be considered. It was also noted that an economic hardship claim or a claim that a project doesn't make economic senses without the requested Variation being granted is not a valid factor in determining whether a Variation should be granted.

III. ADJOURNMENT

Hearing no other questions or comments, or members of the public desiring to comment, by consensus of the recommending bodies, the joint training Session was adjourned at 8:27 p.m.

Respectfully Submitted,

Timothy M. Clarke, AICP
Community Development Director



DRAFT MEETING MINUTES
OF THE
PLAN COMMISSION WORKSHOP
FEBRUARY 25, 2015 – 7:00 P.M.

LINCOLNWOOD VILLAGE HALL
COUNCIL CHAMBERS
6900 NORTH LINCOLN AVENUE
LINCOLNWOOD, ILLINOIS 60712

MEMBERS PRESENT:

Chairman Paul Eisterhold
Irving Fishman
Patricia Goldfein
Steven Jakubowski (arrived at 7:32 p.m.)
Don Sampen
Mark Yohanna

MEMBERS ABSENT:

Anthony Pauletto

STAFF PRESENT:

Timothy M. Clarke, AICP, Community Development Director
Aaron N. Cook, AICP, Community Development Manager
Hart Passman, Holland and Knight, Village Attorney

DEVELOPMENT TEAM PRESENT:

Neal A. Stein, Principal, North Capital Group
Emerick Corsi, Managing Partner, Fairmont Properties
J. Brice Hamill, Development Manager, Fairmont Properties
Gregory S. Gorski, Principal, Antunovich Associates
Tony Gosetti, Architect, Antunovich Associates
Jeffrey P. Mason, AIA, Architect, Antunovich Associates
Gerald P. Callaghan, Attorney, Freeborn & Peters LLP
Joel T. Cooper, Attorney, Freeborn & Peters LLP

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

Chairman Eisterhold noted a quorum of five members and called the meeting to order at 7:05 p.m.

III. APPROVAL OF MINUTES

The minutes from the February 5, 2015 Plan Commission meeting will be presented for approval at the March 4, 2015 Plan Commission Meeting.

IV. Case #PC-02-15: Public Hearing: Proposed Text Amendment

Motion to continue the Proposed Text Amendment Public Hearing to the March 4, 2015 Plan Commission meeting was made by Commissioner Fishman, and seconded by Commissioner Goldfein.

Aye: Fishman, Goldfein, Sampen, Yohanna, and Eisterhold

Nay: None

Motion Approved: 5-0

V. Workshop: Planned Unit Development Conceptual Plan Review: 4500 West Touhy Avenue

Mr. Neal Stein, Principal of North Capital Group, presented the changes and modifications to the new plan. Mr. Stein and the development team were appreciative of tonight's Workshop meeting to review the Plan Commission's feedback as the plan moves forward. Mr. Stein commented that previous Village meetings were helpful and the feedback received on the project and timing were beneficial.

Mr. Stein introduced their new joint venture partner, Fairmont Properties of Cleveland, Ohio. Fairmont Properties has extensive experience in building mixed-use developments on a large scale with high levels of expertise.

Mr. Emerick Corsi, Managing Partner at Fairmont Properties, presented the company's background. Mr. Corsi explained that every project is a partnership between public and private entities. Mr. Corsi presented a PowerPoint of current mixed-use projects in Cleveland, Hudson, Kent, and Toledo, Ohio, as well as Rochester, New York. Mr. Corsi introduced the project development team that will be involved in the Shoppes at Lincoln Pointe.

Mr. Gregory Gorski, Principal at Antunovich Associates, presented some of the new changes. There are two principal changes to the plan. The first was the elimination of the below-grade parking to at-grade parking. The other principal change takes place to Building D, which is the largest building in the center of the project. This is the area that replaces the underground parking. This area was made bigger and will be screened on all sides by retail development. A full second floor is being added to surround the parking area. This will be a four-story parking garage with parking on top as well. The parking structure is four to five feet above the roof of the retail structures. Mr. Gorski further stated that the parking spots available are almost the same in both previous and current plans.

Commissioner Goldfein spoke about her worries that the outdoor amenities and landscaping plans are being scaled back. Mr. Stein answered that there is only a small change to the outdoor amenities and the landscape plan has not been finalized. The development team believes that the pedestrian experience will be enhanced. There have been no changes to the hotel component of the plan.

When asked why the underground parking was eliminated, Mr. Gorski explained that pedestrians feel there is a safety issue with parking underground and would rather park in an open parking area. The proposed parking area now has a direct connection to the stores.

From a design perspective, the architectural and landscape feel of the property will likely be unchanged. They are also encouraging each retailer to have a unique look for their stores. Office

space is being reduced from 30,000-square feet to 15,000-square feet. They are not going to fully commit to a grocer at this point. Due to the saturation of new grocery and retail outlets that have opened in the vicinity, they feel another grocer would not be a good fit. Mr. Stein indicated that they have 15 retailers on board and have received letters of intent for 40 percent of the property. They would like to see a specialty entertainment retailer as the anchor for this property. The team would like to see a good mix of different types of retailers without being too heavy with one type of retailer. The ideal mix would have retailers that have day and night traffic.

Mr. Gorski explained that the outside walkability concept is very desirable. Their experience is that most of the new malls are built with an outside concept, even in areas that have inclement weather. The garages are distanced far enough apart so that the whole shopping area is accessible. This is a very manageable and walkable area. The circular design makes it easy to maneuver.

Springhill Suites will be the operator of the hotel which includes banquet space to accommodate up to 250 people. They believe this is a good location for a hotel as it is halfway between downtown Chicago and the northern suburbs and is easily accessible off the Edens Expressway. The team believes that the hotel component will enhance the evening experience of the property with entertainment, restaurants, and lush green spaces. They compare this development to the MB Park in Rosemont. The team will work with the Park District and mall management to develop events during the day and in the evening stating that restaurant and entertainment venues drive sales and repeat business.

The next discussion centered around the proposed restaurants and Village Codes pertaining to hours of operation and obtaining liquor licenses. Mr. Hart Passman explained that within 150 feet of residentially-zoned properties, the establishments are limited to an 11:00 p.m. closing time. Mr. Passman further stated that there are only a limited number of liquor licenses available. An amendment would have to be drafted to amend these Codes. Liquor licenses are under the purview of the Mayor and Village Board.

Chairman Eisterhold asked the Commissioners if they had any specific concerns with the changes presented. Commissioner Sampen had no detailed comments, but was pleased with the proposed plan. Commissioner Yohanna said he was glad that the underground parking structure was being eliminated. Commissioner Yohanna believes this is a vast improvement over the previous plan. Commissioner Fishman said he was comfortable with the new plan, but did raise some concern about the traffic on Chase Avenue. Mr. Stein said that this situation will be monitored by traffic counts and they will remedy the situation if the need arises. Mr. Stein also mentioned that the plans for off-site improvements, traffic signals, and intersection signals have not changed. Commissioner Goldfein believes that the site is overcrowded and the landscaping is not sufficient. Commissioner Goldfein also mentioned the expense of maintaining the property and inquired if they were willing to reduce the size of the project by twenty percent. Commissioner Jakubowski asked about perimeter fencing to address pedestrian crossing concerns. Commissioner Jakubowski believes that we need to market this project to young people to keep it vibrant and is in favor of this project. Mr. Stein answered that the proposed bike path and overpass across Touhy Avenue will help with pedestrian traffic.

Chairman Eisterhold said that he would prefer that the development team have two separate meetings instead of combining the preliminary plan approval and final plan approval. Chairman Eisterhold mentioned that it would be advantageous if members of the Village Board attended the Plan Commission hearings to expedite the process. This would give the development team the ability to

get specific feedback at the preliminary level and make any changes early in the process. Mr. Passman stated that the Village Code states that if a combined review process is desired, it would need to be addressed at the time of application.

VI. NEXT MEETING

Chairman Eisterhold announced that the next Plan Commission meeting will be held on Wednesday, March 4, 2015.

VII. ADJOURNMENT

Hearing no further business, **motion to adjourn** was made by Commissioner Yohanna, and seconded by Commissioner Jakubowski. Meeting adjourned at 8:40 p.m.

Aye: Yohanna, Jakubowski, Fishman, Goldfein, Sampen, and Eisterhold

Nay: None

Motion Approved: 6-0

Respectfully Submitted,

Kathryn M. Kasprzyk
Community Development Coordinator



Plan Commission Staff Report

Case #PC-03-15

March 4, 2015

Subject Property:
6430 North Hamlin Avenue

Zoning District: M-B Light
Manufacturing/Business District

Petitioner: Hatzalah Chicago,
Contract Purchaser and 6430 North
Hamlin LLC

Nature of Request: The Petitioner
seeks Special Use approval to permit an
emergency medical service business to
operate 24 hours a day.



Notification: Notice of the March 4, 2015 meeting was published in the Lincolnwood Review on February 12, 2015. One Public Hearing Sign was installed at 6430 North Hamlin Avenue, and Mailed Legal Notices dated February 11, 2015 to Properties within 250 Feet.

Summary of Request

The Petitioner, Hatzalah Chicago, seeks Special Use authorization to permit an emergency medical services business to operate 24 hours a day at the subject property. The subject property is within the M-B Light Industrial/Business District and the use is a Permitted Use other than the hours of operation. The Zoning Code requires Special Use approval for any business operating before 7:00 a.m. and after 11:00 p.m. on a property within 150 feet of a residentially zoned or residentially used property.

As proposed, the subject property will be used for storing and warehousing equipment and two emergency vehicles. When a member of the organization receives an emergency call, the technician will arrive at the building and respond to the call in the ambulance stored at the site. The Petitioner indicates that the property is improved with an overhead garage door for easy access into and out of the building.

6430 North Hamlin Avenue and Proximity to Residential Property



Relevant Village Action

A search of Village records reveals that several Special Uses have been approved by the Village dating back to 1992.

- 4368 West Touhy Avenue – Coffee Shop to open at 5:30 a.m. Monday through Friday
- 3950 West Devon Avenue – Drug Store open 24 hours a day
- 6599 North Lincoln Avenue – Gas Station open 24 hours a day for a period of one year
- 6801 North Cicero Avenue – Gas Station to open at 5:30 a.m.
- 6829 North Lincoln Avenue – Kinko’s to open 24 hours a day
- 6829 North Lincoln Avenue – Video store to be open until midnight
- 7225 North Cicero Avenue – Automobile dealership to open at 6:00 a.m.
- 6850 McCormick Boulevard – Grocery store to open at 6:00 a.m.
- 3946 West Devon Avenue – Ice cream/candy shop to be open 24 hours a day for a period of one year

Conclusion

Hatzalah Chicago seeks to operate an emergency medical services response business out of the subject property at 6430 North Hamlin Avenue. In order to operate 24 hours a day as proposed, the Petitioner must first receive Special Use approval as the subject property is within 150 feet of a residentially used and zoned property. No other relief is required.

No inquiries were received and no written comments were submitted relative to this request.

Documents Attached

1. Special Use Public Hearing Application
 - a. Project Description
 - b. Title Commitment
 - c. Plat of Survey



VILLAGE OF LINCOLNWOOD
Community Development Department

Public Hearing Application
Special Use & PUD

SUBJECT PROPERTY

Property Address: 6430 N. Hamlin, Lincolnwood, IL

Permanent Real Estate Index Number(s): ~~110-35-325-0001-0000~~ 10-35-325-024-0000

Zoning District MB Lot Area: Lot 12 - John Pasel Estate Partition (See Attached legal)

List all existing structures on the property. Include fencing, sheds, garages, pools, etc.

Single story manufacturing/warehouse building (9,461 sq. ft.)
sitting on approx. 12,000 sq. ft., with 15 assigned parking spaces

Are there existing development restrictions affecting the property? Yes No
(Examples: previous variations, conditions, easements, covenants)

If yes, describe: _____

REQUESTED ACTION

- Special Use - Non-Residential Planned Unit Development (PUD)
 Special Use - Residential Other

PROJECT DESCRIPTION

Describe the Request and Project: See Attached

PROPERTY OWNER/PETITIONER INFORMATION

Property Owner(s): 6420 N. Hamlin LLC / Special Assets as agent
Name: (List all beneficiaries if Trust): _____

Address: 7370 N. Cicero Ave, Lincolnwood, IL

Telephone: (847) 675-8700 Fax: (847) 675-7704 E-mail Address: info@specialassets.com

Petitioner (if different from owner):

Name: Hatzalah Chicago Relationship to Property: Buyer

Address: 8170 McCormick Blvd, Suite 96, Skokie IL 60076

Telephone: (847) 454-0800 Fax: (847) 324-4077 E-mail Address: info@hatzalahchicago.org

REQUIRED ATTACHMENTS *

Check all documents that are attached:

- Plat of Survey X
- Site Plan
- Proof of Ownership X
- Floor Plans
- Elevations
- Applicable Zoning Worksheet
- Photos of the property
- PDF files of all drawings

For Office Use Only

Fee: _____ Deposit: _____

Date Received: _____

Checked By: _____

The article(s), section(s) and paragraph(s) of the Village of Lincolnwood Zoning Ordinance from which the Action is being sought:

**The above documents are required for all applications. The Zoning Officer may release an applicant from specific required documents or may require additional documents as deemed necessary.*

COST REIMBURSEMENT REQUIREMENT

The Village requires reimbursement of certain out-of-pocket costs incurred by the Village in connection with applications for zoning approvals and relief. These costs include, but are not limited to, mailing costs, attorney and engineer costs, and other out-of-pocket costs incurred by the Village in connection with this application. In accordance with Section 5.02 of the Village of Lincolnwood Zoning Ordinance, both the petitioner and the property owner shall be jointly and severally liable for the payment of such out-of-pocket costs. Out-of pocket costs incurred shall be first applied against any hearing deposit held by the Village, with any additional sums incurred, to be billed at the conclusion of the hearing process.

Invoices in connection with this application shall be directed to:

Name: Hatzeluh Chicago

Address: 8170 McCormick Blvd, Suite 96

City, State: Skokie, IL

ATTESTMENT AND SIGNATURE

I hereby state that I have read and understand the Village cost reimbursement requirement, as well as the requirements and procedures outlined in Article V of the Village Zoning Ordinance, and I agree to reimburse the Village within 30 days after receipt of an invoice therefor. I further attest that all statements and information provided in this application are true and correct to the best of my knowledge and that I have vested in me the authority to execute this application.

PROPERTY OWNER

 AS [Signature] as agent 2-2-15

Signature Date

 Ari Shulman

PRINT NAME

PETITIONER (If different than property owner)

 Tzvi Montrose 02/02/15

Signature Date

 Tzvi Montrose

PRINT NAME



VILLAGE OF LINCOLNWOOD

COMMUNITY DEVELOPMENT DEPARTMENT

SPECIAL USE STANDARDS

To be approved, each special use request must meet certain specific standards. These three standards are listed below. After each listed standard, explain how the special use request satisfies the listed standard. Use additional paper if necessary.

1. Please explain how the use is necessary for the public convenience at this location, and the subject property is deemed suitable for the use. (Please explain in detail)

The public convenience will be served by having ambulances, capable of providing care to residents of Lincolnwood (and surrounding areas) with timely medical care on an emergency basis by housing a fully equipped ambulance.

The subject property is suitable as it has a garage bay and ample space for the ambulances and equipment.

2. Please explain how the use is so designed, located and proposed to be operated that the public health, safety and welfare will be protected.

All personnel involved in the operation are properly trained to operate the ambulances in a proper and professional fashion, thus ensuring that the public will not be harmed by the operation of the ambulances. All traffic laws will be followed and all ambulances are equipped with safety devices to ensure their safe operation.

3. Please explain how this use would not cause substantial injury to the value of other property in the neighborhood in which it is located.

The area in question is a neighborhood designed for ingress and egress of commercial vehicles. Thus, it is an ideal location for these ambulances.

4. The special use is consistent with the goals and policies of the Comprehensive Plan.

Agreed. The special use being requested is for use between 11PM and 7AM. At the point that the ambulances leave the garage, no lights or sirens will be activated until they reach a major throughfare.

5. The special use would not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the underlying zoning district.

Agreed. The ambulances will operate only on existing roadways.

6. Please explain how the special use is so designed to provide adequate utilities, access roads, drainage, or necessary facilities.

This is not an issue. The subject property is adequate for the intended purposes of the organization and the existing roadways are more than adequate for the organization's purposes.

7. Please explain how the special use is so designed to provide ingress and egress to minimize traffic congestion on public streets.

The "special use" being requested is for times when there is little to no traffic in the area. There should be no effect on existing traffic, other than the need for vehicles moving aside if an ambulance is running with its lights and sirens. Further, the property is designed for ingress and egress.

Hatzalah Chicago

Project Description

Hatzalah Chicago is a non for profit organization providing emergency medical services to Lincolnwood, Skokie and surrounding areas. The project in question involves the purchase of a building located at 6430 N. Hamlin, Lincolnwood, Illinois, which will be utilized for storing and warehousing equipment and two emergency vehicles.

Hatzalah Chicago requests a special use permit to allow use of the building, between the hours of 11pm and 7am, when there is a need to respond to an emergency call. The use will involve a member Emergency Technician arriving at the building and leaving in an emergency vehicle. The vehicle will then be returned to the building at the completion of the call.

There will be no routine maintenance or other commercial activity being conducted during the hours of 11pm and 7am. At all other times, all routine maintenance and other commercial activity will only be performed in conjunction with applicable zoning guidelines and per all applicable regulations.

CHICAGO TITLE INSURANCE COMPANY
COMMITMENT FOR TITLE INSURANCE
SCHEDULE A (CONTINUED)

ORDER NO.: 1401 SA3807006 D1

5. THE LAND REFERRED TO IN THIS COMMITMENT IS DESCRIBED AS FOLLOWS:

THAT PART OF LOTS 3 AND 4 IN FREDERICK W. SHEPTE'S SUBDIVISION OF LOT 12 IN JOHN PROESSEL ESTATE PARTITION BEING A SUBDIVISION OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

NOTE: THE SOUTH LINE OF LOT 4 IS ASSUMED "DUE EAST-WEST" FOR THE FOLLOWING COURSES

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF AN EXISTING 1 STORY BRICK BUILDING (WHOSE SOUTH WALL IS 0.43 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF AFORESAID LOT 4) EXTENDED EAST TO THE EAST LINE OF AFORESAID LOT 4 FOR THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND;

THENCE DUE WEST, IN AFORESAID SOUTH LINE OF 1 STORY BRICK BUILDING AND ITS EXTENSION EAST, A DISTANCE OF 150.13 FEET TO THE SOUTHWEST CORNER OF THIS BRICK BUILDING; THENCE NORTH 0 DEGREES 08 MINUTES WEST BEING ALONG THE WEST FACE OF AFORESAID 1 STORY BRICK BUILDING, 70.00 FEET TO THE NORTHWEST CORNER OF SAID BUILDING; THENCE DUE EAST ALONG THE NORTH FACE OF SAID BUILDING 7.20 FEET TO THE WEST FACE OF ANOTHER EXISTING 1 STORY BRICK BUILDING; THENCE DUE NORTH ALONG SAID LINE, 100.60 FEET TO THE SOUTH LINE OF SAID LOT 3; THENCE DUE WEST ON SAID LINE, 78.43 FEET TO THE EAST FACE OF AN EXISTING FENCE; THENCE NORTH 01 DEGREE 14 MINUTES 40 SECONDS EAST ALONG AFORESAID EXISTING FENCE, BEING PARALLEL WITH THE EAST LINE OF SAID LOTS 3 AND 4, 92.90 FEET TO A POINT IN A LINE THAT IS 15 FEET SOUTH, BY RIGHT ANGLE MEASURE, OF AND PARALLEL WITH THE NORTH LINE OF SAID LOT 3; (BEING A POINT IN THE SOUTH LINE OF A 15 FOOT BASEMENT AS PER DOCUMENT NUMBER 19635472) THENCE DUE EAST ON LAST DESCRIBED LINE, 225.22 FEET TO THE SAID EAST LINE OF SAID LOT 3; THENCE SOUTH 1 DEGREE 14 MINUTES 40 SECONDS WEST, ALONG THE EAST LINE OF SAID LOTS, 263.54 FEET TO THE PLACE OF BEGINNING

ALTA/ACSM LAND TITLE SURVEY

THAT PART OF LOTS 3 AND 4 IN FREDERICK W. SHEPHERD'S SUBDIVISION OF LOT 12 IN JOHN PROKSEL ESTATE PARTITION BEING A SUBDIVISION OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 35, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

NOTE: THE SOUTH LINE OF LOT 4 IS ASSUMED "DUE EAST-WEST" FOR THE FOLLOWING COURSES

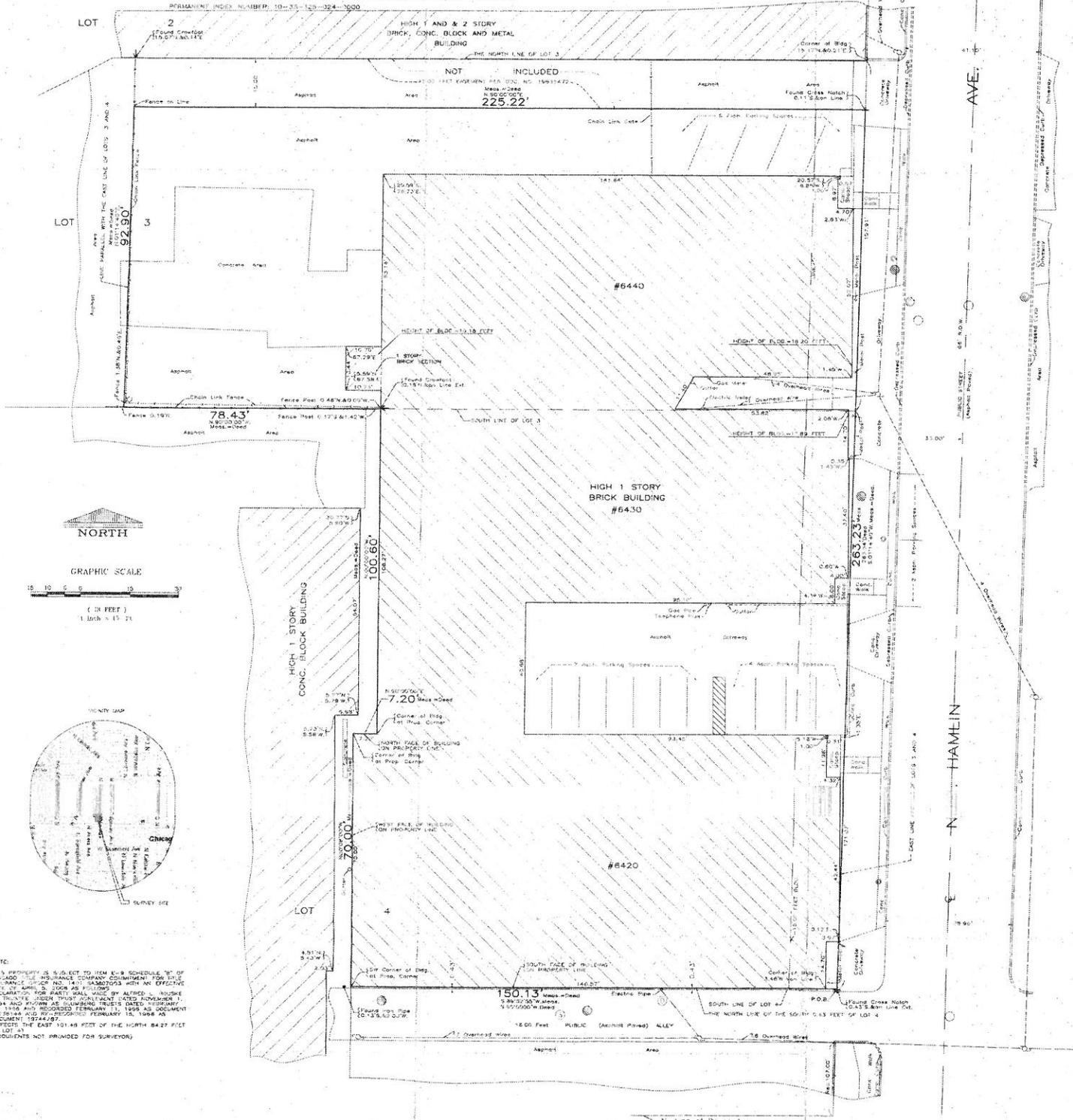
COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF AN EXISTING 1 STORY BRICK BUILDING (WHOSE SOUTH WALL IS 0.43 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF APPLICABLE LOT 4) EXTENDED EAST TO THE EAST LINE OF APPLICABLE LOT 4 FOR THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND: THENCE DUE WEST IN APPLICABLE SOUTH LINE OF 1 STORY BRICK BUILDING AND ITS EXTENSION FACIL A DISTANCE OF 159.11 FEET TO THE SOUTHWEST CORNER OF SAID BUILDING; THENCE NORTH 00 DEGREES 08 MINUTES WEST BEING ALONG THE WEST FACE OF APPLICABLE 1 STORY BRICK BUILDING 70.00 FEET TO THE SOUTHWEST CORNER OF SAID BUILDING; THENCE DUE EAST ALONG THE NORTH FACE OF SAID BUILDING 100.60 FEET TO THE WEST FACE OF AN EXISTING FENCE; THENCE NORTH 01 DEGREES 40 SECONDS EAST ALONG APPLICABLE EXISTING FENCE BEING PARALLEL WITH THE EAST LINE OF SAID LOTS 3 AND 4 52.30 FEET TO A POINT IN A LINE THAT IS 15 FEET SOUTH OF RIGHT ANGLE MEASURE ON AND PARALLEL WITH THE NORTH LINE OF SAID LOT 3 (USING A POINT IN THE SOUTH LINE OF A 15 FOOT EASEMENT AS PER DOCUMENT NUMBER 1963872); THENCE DUE EAST ON LAST DESCRIBED LINE TO THE SAID EAST LINE OF SAID LOT 3; THENCE SOUTH 1 DEGREES 14 MINUTES 40 SECONDS WEST, ALONG THE EAST LINE OF SAID LOTS, 282.94 FEET TO THE PLACE OF BEGINNING. ALL IN COOK COUNTY, ILLINOIS.

LAND TOTAL AREA 48,119.365 SQ. FT. = 1.098 ACRES

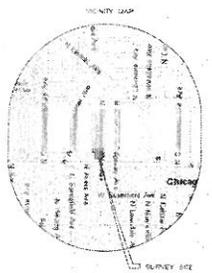
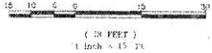
EXTERIOR FOOT PRINT AREA OF BUILDING 21,046.810 SQ. FT.

COMMONLY KNOWN AS: 6420, 6430 AND 6440 NORTH HAMLIN AVENUE, LINCOLNWOOD, ILLINOIS.

PERMANENT INDEX NUMBER: 10-35-125-324-3000



GRAPHIC SCALE



NOTE:
THIS PROPERTY IS SUBJECT TO ITEM K-9 SCHEDULE "B" OF CHICAGO TITLE INSURANCE COMPANY'S COMMITMENT FOR THE CHICAGO TITLE INSURANCE COMPANY'S POLICY NO. 141-1480764 WITH AN EFFECTIVE DATE OF 01/15/2008. THIS COMMITMENT IS SUBJECT TO THE DECLARATION FOR PARTIAL WAIVER MADE BY ALBERT L. ROUSSEAU, PRESIDENT OF CHICAGO TITLE INSURANCE COMPANY, DATED NOVEMBER 1, 1994 AND KNOWN AS "BURNING TRUSTS" DATED FEBRUARY 10, 1998 AND RECORDED FEBRUARY 11, 1998 AS DOCUMENT 1974487.
APPROXIMATELY THE EAST 101.48 FEET OF THE NORTH 84.27 FOOT OF LOT 1.
(DOCUMENTS NOT PROVIDED FOR SURVEYORS)

REVISED: April 14, 2008 (Certify Names added)

THE LEGAL DESCRIPTION SHOWN ON THIS PLAN HAS BEEN DRAWN TO A COPY OF THE INSTRUMENT AND THE ACCURACY SHOULD BE COMPARED WITH THE TITLE OF DEED.
DIMENSIONS ARE NOT TO BE INFERRED FROM SCALE.
OWNER NO. 08-79824
SCALE: 1" = 15'-0" FEET
DATE: MARCH 26, 2008
ORDERED BY: Holtmark & Johnson
Attorneys at Law

- LEGEND:
- - SURVEY MANHOLE
 - - STORM MANHOLE
 - - CATCH BASIN
 - - MANHOLE
 - - UTILITY POLE
 - - LIGHT POLE
 - - WATER METER



THE ENGINEER HAS HEREBY CERTIFIED TO TERRIS, INC., CHICAGO TITLE INSURANCE COMPANY, FREDERICK TRANK AND PAUL HANDEL, L.L.O. THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THE INFORMATION AND BELIEF THE MAP OR PLAN AND THE SURVEY FOR WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "STANDARD" STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS' JOINTS ESTABLISHED AND ADOPTED BY AIA AND ASPIE IN 2002 AND INCLUDES THE STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS' JOINTS ESTABLISHED AND ADOPTED BY AIA AND ASPIE IN 2002. I AM NOT PROVIDING A THOROUGH VERIFICATION OF THE ACCURACY OF THE INFORMATION, UNDERSTOOD FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR, THE ACCURACY OF THIS SURVEY DOES NOT EXCEED THE ALTA/ACSM LIMITS SPECIFIED THEREON.
DATE: April 14, 2008
Willis W. Donohue
LICENSED PROFESSIONAL ENGINEER, ILLINOIS NO. 121202
Dated: 11/20/02



Plan Commission Staff Report

Case # PC-04-15

March 4, 2015

Subject Properties: N/A (Text Amendment)

Petitioner: Village Board

Nature of Request: Consideration of eliminating the commercial and recreation vehicle regulations from the Zoning Code.

Notification: Notice of the March 4, 2015 Public Hearing was published in the Lincolnwood Review on February 12, 2015.

Summary of Request

Attached is a memorandum from Robert LaMantia, Chief of Police, regarding discussions by the Traffic Commission and Village Board on the subject of commercial and recreational vehicle parking. These discussions began in October 2013 with the Traffic Commission providing initial direction to restrict boats, boat trailers, recreational vehicles, snow mobiles, livery vehicles, and commercial vehicles on all residential streets and driveways. A full summary can be found in the attached memorandum outlining discussions and recommendations up to the Committee of the Whole (COTW) discussion on January 20, 2015.

At the January 20th meeting, the COTW discussed several specific commercial and recreational vehicles to be regulated. The COTW also identified challenges in regulating based on the class of a vehicle. However, the COTW was unanimous in referring to the Plan Commission for public hearing, the elimination of commercial and recreational vehicle parking regulations from the Zoning Code.

The COTW was clear that the regulations were not to be eliminated altogether, but rather regulating commercial and recreational vehicles would be made part of the Village Code rather than the Zoning Code. The purpose of eliminating the regulations for commercial and recreational vehicles from the Zoning Code and place them within the Village Code is to establish a single location for all regulations governing commercial and recreational vehicles.

Documents Attached

1. Memorandum from Chief LaMantia dated January 20, 2015
 - a. July 8, 2014 CORB Minutes
 - b. August 26, 2014 Draft CORB Minutes
2. Memorandum from Chief LaMantia dated December 17, 2013
3. Zoning Code Section 7.11: Parking and storage of commercial vehicles and trailers in Residential Districts
4. Zoning Code Section 7.12: Parking and storage of recreational vehicles, recreational vehicle trailers, and mobile homes in all Zoning Districts



LINCOLNWOOD POLICE DEPARTMENT

INTER-OFFICE MEMO

Robert LaMantia
Chief of Police

To: Timothy C. Wiberg, Village Manager

From: Robert LaMantia, Chief of Police

Date: January 20, 2015

Subject: Summary of Commercial and Recreational Vehicle Parking Discussions

The Village Code currently prohibits the on-street parking of commercial vehicles between 7:00 p.m. and 7:00 a.m. Commercial vehicles are defined as vehicles over 12,000 pounds, and/or vehicles bearing commercial markings and/or equipment. The Zoning Code also prohibits parking any commercial vehicles over 12,000 pounds on a residential driveway, or more than one commercial vehicle less than 12,000 pounds on a private residential driveway.

The Zoning Code requires boats and trailers to be parked in a fully enclosed structure from October 31st to April 1st, each year. It also requires snow mobiles and similar type vehicles to be parked in an enclosed structure from April 1st through November 30th each year.

By way of background, the following is a summary of various recommendations by the Traffic Commission and direction provided by the Village Board.

On October 24, 2013, the Traffic Commission unanimously voted to recommend the Board adopt an Ordinance "restricting boats, boat trailers, recreational vehicles, snow mobiles, livery vehicles, and commercial vehicles on all residential streets and driveways between 7:00 p.m. and 7:00 a.m., except with temporary permission from the Police Department."

On December 17, 2013, at the Committee of the Whole, the Village Board discussed the Traffic Commission's recommendation to restrict commercial vehicles on the public roadways and commercial and recreational vehicles on private driveways. The Village Board remanded the matter back to the Traffic Commission to seek input from the public.

On February 20, 2014, the Traffic Commission held a public meeting to discuss commercial and recreational vehicle parking. Eight residents spoke at the meeting; two

spoke in favor of restricting commercial and recreational vehicles and six spoke in opposition to stricter regulations.

Following input from the community, review and discussion, the Commission recommended the Village Board adopt the following changes to the Code:

1. *Allow passenger vehicles, motorcycles, passenger vans with RV license plates, and noncommercial vehicles weighing less than 8,000 pounds with passenger or class B license plates to park on residential roadways and private residential driveways.*
2. *Prohibit parking of any commercial truck, trailer, semi-trailer, bus, or commercial vehicle on any residential roadway or residential driveway between 7:00 p.m. and 7:00 a.m.*
3. *Define taxi and livery vehicles as commercial vehicles.*
4. *Define non-commercial vehicles as having single rear wheels only, no signs, no advertisements, no business identifications, no business license plates, no attached auxiliary equipment, no snow plows, no equipment racks, and/or no storage boxes or lockers.*
5. *Prohibit debris, construction materials and/or equipment intended for commercial or business use from being present in a non-commercial vehicle, whether open or covered.*
6. *Require non-commercial cargo and panel vans to have side and rear windows and seating behind the driver's seat.*

On April 17, 2014, at the Committee of the Whole, the Village Board discussed the Traffic Commission's recommendation and the consensus was to review the item at a later date.

On May 20, 2014, the Village Board considered the Traffic Commission's recommendation and postponed it until June 3, 2014 to allow two trustees who were absent to participate in the discussion.

On June 3, 2014, the Village Board considered the Traffic Commission's recommendation and referred it to the Committee on Ordinances, Rules, and Buildings (CORB) for further review, with the intent to have it appear before the Board, at a later date.

On July 8, 2014, the CORB reviewed the item and proposed an amendment to the Code, redefining and restricting commercial and recreational vehicles on private driveways.

On August 26, 2014, the CORB reviewed the minutes from July 8, 2014 and agreed on several additional revisions.

The Committee's proposed amendments include the following restrictions regarding commercial and recreational vehicle parking on private driveways:

One commercial vehicle is allowed in a residential driveway between 7:00 p.m. and 7:00 a.m. on Monday through Saturday, with the following restrictions:

1. Advertising space is restricted to three square feet on each side of the vehicle. Advertising on the front or rear of the vehicle is prohibited.
2. Roof top advertising is prohibited, except in the case of taxi vehicles. Taxi vehicles may display a standard sized taxi sign on the roof.
3. The total vehicle height must be less than nine feet.
4. Livery vehicles must be less than twenty-two feet in length and no markings may be on the vehicle.
5. Permanent or semi-permanent equipment racks mounted to a commercial vehicle are prohibited.
6. Non-permanent equipment typically used for commercial use, attached to the exterior of the vehicle; i.e., a ladder rack, etc. is prohibited.
7. Vehicles equipped with snow plows are only allowed between November 1st and March 31st.
8. Vehicles restricted to "B" license plates or less. "D" license plates and above are prohibited.
9. Construction equipment; i.e., bobcats are prohibited.
10. Vehicles covered by a tarp or any type of cover are prohibited.
11. Snowmobiles are prohibited
12. Boats are prohibited
13. Campers are prohibited
14. Motor homes are prohibited
15. Wave runners are prohibited
16. Golf carts are prohibited
17. Trailers are prohibited

18. Handicapped vehicles intended for non-commercial purposes are exempt from the restrictions in this section.

Staff Request

Staff requests that CORB's proposed amendments be discussed by the Village Board at a Committee of the Whole.

The Board may refer the item to the Plan Commission to hold a public meeting regarding changes or deletions to the Zoning Code. Staff recommends that all restrictions regarding parking recreational and commercial vehicles on private property be removed from the Zoning Code and addressed in the Village Code.

Following the Plan Commission's review and recommendation, the Village Board may decide on CORB's proposed amendment or refer it to the Traffic Commission for a final public hearing.

Documents Attached

1. July 8, 2014 CORB Minutes
2. August 26, 2014 Draft CORB Minutes



Committee on Ordinances, Rules, and Buildings Meeting Minutes

July 8, 2014

Village Hall Board Conference Room
6900 North Lincoln Avenue
Lincolnwood, Illinois 60712

Committee Members Present

Trustee Cope, Chair
Trustee Klatzco
Trustee Patel

Committee Members Absent

None

Others Present

Douglas Petroschius, Assistant Village Manager
Timothy Wiberg, Village Manager
Robert LaMantia, Police Chief
Ashley Engelmann, Assistant to the Public Works Director
Michael Hansen, Fire Chief
Clyde Heineman, Fire Prevention Bureau
Donald Gelfund, Traffic Commission Chair
Paul Eisterhold

I. Call to Order

- a. The meeting of the Committee on Ordinances, Rules, and Buildings (CORB) was called to order at 8:32 A.M. by Trustee Cope in the Village Hall Board Conference Room.

II. Roll Call

- a. Mr. Petroschius called the Roll. A quorum was present.

III. Approval of Minutes

- a. The minutes of the August 14, 2013 meeting of CORB was delivered to the Committee in advance and reviewed. Trustee Klatzco made a motion to approve the minutes, seconded by Trustee Patel. The motion carried by voice vote, 3-0. The minutes were approved.

IV. Old Business – Residential Sprinklers - Additions

- a. Lieutenant Heineman presented new proposed language that has been modified based on the survey results requested by CORB at the previous meeting. Discussion ensued regarding the proposed language and the survey results. Considerations were made to what the appropriate language is that triggers the residential sprinkler requirements. Lieutenant Heineman indicated that the triggering term “repair” has been withdrawn from the proposed language. Considerations were made to developing an appeal process

starting with the Fire Chief and the Village Manager and to refine the language. The discussion will continue at the next CORB meeting.

- b. The proposed language from staff for residential home additions was discussed. Trustee Patel made a motion to recommend to the Village Board to add the following language to the Village Code, “Whenever a residential dwelling undergoes construction resulting in an addition that is 50% or greater than the size of the original structure, the entire structure shall be subject to the fire sprinkler protection requirements in accordance with the adopted codes applicable to new construction for the occupancy.” Trustee Klatzco seconded the motion. The motion passed by voice vote, 3-0.

Chief Hansen and Lieutenant Heineman left the meeting at 9:25 A.M.

V. New Business – Commercial Vehicle Parking - Residential Streets and Driveways

- a. Trustee Cope introduced the item. Trustee Klatzco indicated that he is opposed to construction equipment in residential driveways and streets and expressed concerns with other aspects of the proposed Ordinance. Trustee Cope indicated that he is opposed to commercial vehicles parked in residential neighborhoods and fully supported the Traffic Commission recommendation. Trustee Patel indicated that he does not support the Traffic Commission recommendation. Discussion ensued. CORB debated the difference between commercial vehicles. There was consensus on CORB to concur with the recommendation by the Traffic Commission.
- b. Trustee Patel proposed the following recommendation to CORB: One commercial vehicle is allowed in a residential driveway between 7:00 p.m. and 7:00 a.m. on Monday through Saturday, with the following restrictions:
 - 1. Advertising space is restricted to three square feet on each side of the vehicle. No advertising is allowed on the front or rear of the vehicle.
 - 2. Roof top advertising is prohibited, except in the case of taxi vehicles. Taxi vehicles may display a taxi sign on the roof, up to the minimum size required by state law, and the only signs that are allowed are those required by state statute.
 - 3. The vehicle must be a single color.
 - 4. The vehicle height must be less than nine feet in height.
 - 5. Livery vehicles must be less than 22’ in length and no markings may be on the vehicle.
 - 6. No permanent or semi-permanent equipment racks may be mounted to the vehicle.
 - 7. Non-permanent equipment typically used for commercial use may not be attached to the exterior of the vehicle; i.e., a ladder rack, etc.

8. Vehicles equipped with snow plows are only allowed between April 1 and October 31.
9. Vehicles restricted to "B" license plates or less. "D" license plates and above are prohibited.
10. Handicapped vehicles intended for non-commercial purposes are exempt from the restrictions in this section.
11. The following vehicles are prohibited at all times, except for the expeditious loading and unloading.
 - a. Snowmobiles
 - b. Boats
 - c. Wave Runners
 - d. Golf Carts
 - e. Trailers
 - f. Recreational Vehicles
 - g. Vehicles covered with a tarp or similar item
 - h. Construction equipment; i.e., bobcats, etc.

Trustee Cope directed staff to develop this recommendation in print for review at the next CORB meeting. CORB concurred. The next meeting will take place on Tuesday, August 26, 2014 at 8:30 A.M. in the Village Hall Board Conference Room.

VI. Public Comment

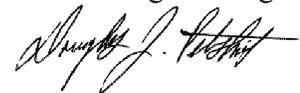
- a. None.

VII. Adjournment

- a. Trustee Patel made a motion to adjourn the meeting. Trustee Klatzco seconded the motion. The meeting was adjourned by voice vote at 10:16 AM., 3-0.

Minutes Recorded by:

Douglas Petroschius
Assistant Village Manager



Staff Liaison



Committee on Ordinances, Rules, and Buildings Meeting Minutes

August 26, 2014

Village Hall Board Conference Room

6900 North Lincoln Avenue

Lincolnwood, Illinois 60712

Committee Members Present

Trustee Klatzco

Trustee Patel

Committee Members Absent

Trustee Cope

Others Present

Douglas Petroschius, Assistant Village Manager

Timothy Wiberg, Village Manager

Robert LaMantia, Police Chief

Ashley Engelmann, Assistant to the Public Works Director

Michael Hansen, Fire Chief

Clyde Heineman, Fire Prevention Bureau

Donald Gelfund, Traffic Commission Chair

Paul Eisterhold, Plan Commission Chair

I. Call to Order

- a. The meeting of the Committee on Ordinances, Rules, and Buildings (CORB) was called to order at 8:42 A.M. by Trustee Katzco in the Village Hall Board Conference Room.

II. Roll Call

- a. Mr. Petroschius called the Roll. A quorum was present.

III. Approval of Minutes

- a. The minutes of the July 8, 2014 meeting of CORB was delivered to the Committee in advance and reviewed. Trustee Patel made a motion to approve the minutes, seconded by Trustee Klatzco. The motion carried by voice vote, 2-0. The minutes were approved.

IV. Old Business – Residential Sprinklers - Additions

- a. Chief Hansen presented this item and the proposed language that was submitted to CORB in advance of the meeting. The requirement for a sprinkler system in a residence would be triggered when there would be 50% of the aggregate wall and ceiling framing would

DRAFT MINUTES

be removed from the project. This language was based off of other municipalities' requirements. The proposed language is as follows:

“NFPA 101® Life Safety Code® 2012 Edition (Proposed Change)

Chapter 43 Building Rehabilitation

43.6.4 Extinguishing Systems.

43.6.4.1 In a building with rehabilitation work areas involving modification, or reconstruction of over 50 percent of the aggregate building area, and/or when 50% or more of aggregate wall and ceiling finishes (plaster, plaster board, gypsum board, suspended ceiling systems, etc.) is being removed down to the framing automatic sprinkler systems shall be provided on the highest floor containing a rehabilitation work area and on all floors below in accordance with the requirements of other sections of this Code applicable to new construction for the occupancy.

43.6.4.2 On any story with rehabilitation work areas involving modification, or reconstruction of over 50 percent of the area of the story, and/or when 50% or more of aggregate wall and ceiling finishes (plaster, plaster board, gypsum board, suspended ceiling systems, etc.) is being removed down to the framing a sprinkler system shall be provided throughout the story in accordance with the requirements of other sections of this Code applicable to new construction for the occupancy.”

Trustee Patel expressed concern with the potential ambiguity with this proposed language. Mr. Wiberg indicated that it may be more simplistic to require sprinklers at the time of new construction or additions only. Lieutenant Heineman indicated that this proposed language is easier to interpret than the existing language. Discussion ensued. Trustee Klatzco indicated support for the proposed language but that the Fire Department should have an inspection during the process. Trustee Patel recommended that a policy requiring the applicant who is not required to install sprinklers to make it clear that he or she understands the sprinkler requirement in the event that the applicant expands the project scope to exceed 50% after receiving a building permit. Trustee Klatzco concurred.

Chief Hansen and Lieutenant Heineman exited the meeting at 9:40 A.M.

V. New Business – Commercial Vehicle Parking - Residential Streets and Driveways

- a. CORB discussed the proposed language which was developed at the previous meeting and provided to the Committee in advance. Discussion ensued. Trustee Klatzco recommended changing November 1 to March 31 instead of April 1 to October 31 and make racks for recreational use be permissible. Trustee Patel recommended that no equipment is allowed. Trustee Patel recommended removing the requirement for the commercial vehicles to be a single color. Trustee Patel recommended the prohibitions for roof top advertising. CORB concurred with the proposed changes. Mr. Eisterhold suggested permitting temporary cars. CORB concurred. Trustee Patel requested that staff review the size of livery vehicles and sprinter vans are in comparison to the proposed 22' length limit. Discussion ensued regarding the storing of boats in residential driveways. Mr. Wiberg recommended informing those residents with boats of the future Committee

DRAFT MINUTES

of the Whole meeting where this would be discussed. Trustee Patel further suggested that car covers be prohibited.

Trustee Patel recommended that this matter be referred to the Village Board at a Committee of the Whole meeting. CORB concurred. Mr. Wiberg suggested discussing this matter at the COTW first and then referring the matter to a recommending body and then notifying the affected members of the public for the Commission meeting. CORB concurred.

VI. Public Comment

- a. None.

VII. Adjournment

- a. Trustee Patel made a motion to adjourn the meeting. Trustee Klatzco seconded the motion. The meeting was adjourned by voice vote at 10:16 AM., 2-0.

Minutes Recorded by:

Douglas Petroschius
Assistant Village Manager

Staff Liaison



LINCOLNWOOD POLICE DEPARTMENT

INTER-OFFICE MEMO

Robert LaMantia
Chief of Police

To: Timothy C. Wiberg, Village Manager

From: Robert LaMantia, Chief of Police

Date: December 17, 2013

Subject: Traffic Commission Recommendation Regarding
Restricting Commercial and Recreational Vehicle Parking

The Traffic Commission has been reviewing, discussing and considering restricting commercial and recreational vehicle parking on residential streets and private driveways since November, 2011.

The current Code prohibits the on-street parking of commercial vehicles between 7:00 p.m. and 7:00 a.m. Commercial vehicles are defined as vehicles over 12,000 pounds, and/or vehicles bearing commercial markings and/or equipment. The Zoning Code prohibits parking any commercial vehicles over 12,000 pounds on a residential driveway, or more than one commercial vehicle less than 12,000 pounds on a residential driveway.

Enforcement of a commercial vehicle ordinance based on weight is challenging. The following are just two of many examples of trucks weighing over 12,000 pounds:



The Zoning Code requires boats and trailers to be parked in a fully enclosed structure from October 31st to April 1st, each year. It also requires snow mobiles and similar type vehicles to be parked in an enclosed structure from April 1st through November 30th

each year.

On October 24, 2013, the Traffic Commission unanimously voted to recommend the Village Board adopt an Ordinance “restricting boats, boat trailers, recreational vehicles, snow mobiles, livery vehicles, commercial vehicles on all residential streets and driveways between 7:00 p.m. and 7:00 a.m., except with temporary permission from the Police Department.” The Traffic Commission meeting minutes are attached.

The Commission made the recommendation for the following reasons:

1. Commercial and recreational vehicles adversely affect the character of residential neighborhoods. Commercial vehicles should be parked at the owner’s place of business, not his home. Persons who own recreational vehicles should understand that part of the cost of owning such a vehicle is the cost of proper storage.
2. There are challenges with enforcing the current Code with regard to recognizing Class 1 Commercial Vehicles. The current Code prohibits vehicles weighing over 12,000 pounds. The Village Code with regard to commercial vehicles and the Zoning Code with regard to recreational vehicles is attached.
3. There is a general concern regarding safety including the restricted line of sight at intersections caused by commercial vehicles, attractive nuisances, and the use of commercial vehicles in the commission of criminal acts. It is very common for criminals to use white panel vans and pick-up trucks in the commission of their crime.
4. A review of neighboring communities shows that restricting commercial and recreational vehicles is the norm. The Village’s current Code is the exception. A summary of the neighboring Codes is attached.

I am requesting this recommendation be discussed by the Village Board at a Committee of the Whole meeting.

Documents Attached

1. October 24, 2013 Approved Traffic Commission Minutes
2. Chapter 7 Traffic Code
3. Zoning Code Chapter 15 7.11 Off-Street Parking and Loading
4. Zoning Code Chapter 15.7.12 Parking and Storage of Recreational Vehicles...
5. Commercial and Recreational Vehicle Parking Summary

**Village of Lincolnwood
Traffic Commission Meeting Minutes
Thursday, October 24, 2013, 7:00 p.m.
Village Hall Council Chambers**

1) Call to Order

Commission Chair Gelfund called the meeting to order at 7:06 p.m.

2) Pledge to the Flag

Chair Gelfund led the Commission in the Pledge to the Flag.

3) Roll-call

Commissioners Mark Bonner, Antonio Costantino, Donald Gelfund, Georjean Nickell, Claude Petit, Scott Troiani, Assistant to the Public Works Director Ashley Engelmann, Village Engineer Jim Johnson, Officer Timothy Schaefer and Chief of Police Robert LaMantia were present.

Trustee Ronald Cope and Commissioner James Lee were absent.

4) Report by Chair

Chairman Gelfund reported on a recent Plan Commission meeting regarding the development of the Purple Hotel property. He indicated that there was a lot of discussion regarding a proposed traffic control signal at Chase and Lincoln, and the potential impact on traffic on Chase between Lincoln and Crawford.

5) Approval of Traffic Commission Minutes

Commissioner Troiani made a motion to approve the minutes from September 26, 2013. Commissioner Nickell seconded the motion. The motion was unanimously approved.

6) Unfinished Business

a) Alternate Side Parking Signage

Ms. Engelmann reported on Ms. Lydia Cohen's request to have signage regarding the Alternate Side Parking Ordinance posted on each residential street. The cost is \$9,000. Ms. Engelmann proposed adding eight additional signs, in addition to the signs posted on the arterial streets at each of the entrances to the Village. The cost of Ms. Engelmann's proposal is \$140. Commissioner Troiani made a motion to accept Ms. Engelmann's proposal. Commissioner Petit seconded. The motion was unanimously approved.

b) 4601 W. Touhy Avenue Traffic and Parking Challenges

Chief LaMantia reported on the on-going parking and traffic challenges in the

area of 4601 and 4711 W. Touhy. He reported that recently, staff had to remind the restaurant's valet service to remind drivers exiting the drive to turn right onto Kilpatrick to avoid creating a conflict with traffic on Touhy.

c) Standardization of Crosswalks

Mr. Jim Johnson presented his proposal to standardize crosswalk markings. Commissioner Bonner made a motion to recommend the Board accept the Crosswalk Design Guidelines as proposed. Commissioner Costantino seconded. The motion was unanimously approved.

d) Commercial and Recreational Vehicle Parking Restrictions

Mr. Paul Eisterhold, 6810 N. Lincolnwood Dr. spoke regarding the commercial and recreational vehicle ordinance. He said years ago, the Plan Commission worked for over two years to develop a commercial vehicle ordinance, only to have it changed by the Code of Ordinance and Review Board. He said the Commission worked very hard to be fair, but there were many occasions when residents parked motor homes, boats, and construction vehicles on their driveways for days, weeks and months. He asked the Commission to recommend restricting commercial and recreational vehicles from parking on residential streets and driveways.

Chief LaMantia reviewed commercial and recreational vehicle ordinances from several neighboring communities and after review and discussion, Commissioner Nickell said community appearance is a concern, and made a motion to recommend the Board restrict boats, boat trailers, recreational vehicles, snow mobiles, livery vehicles, commercial vehicles on residential streets and driveways between 7:00 p.m. and 7:00 a.m., except with temporary permission from the Police Department. Commissioner Bonner seconded. The motion was unanimously approved.

7) New Business

a) Central and Sauganash Turn Restrictions

Mr. James Persino, 6700 W. Sauganash spoke regarding the turn restrictions from Central to Sauganash. Mr. Persino said that there used to be two signs at Central at Sauganash restricting turns, but one sign was knocked down in a traffic crash about a year ago, and never replaced. He said he has lived in the Village since 1979, and the only people violating the Ordinance now are the neighbors. Prior to the development of the Village Crossing, employees from Teletype would cut through the neighborhood. However, that has not been a problem for many years. Everyone thought the theaters (Village Crossing) would create traffic problems, but they have not. Today, most of the drivers violating the signs are residential neighbors.

Chief LaMantia recommended the Commission defer any discussion or action

and notify the neighbors the request will be discussed at a future meeting. He recommended also consider removing the turn restrictions at Central and Ionia, and Central and Dowagiac.

Commissioner Troiani made a motion to table the discussion until the December 5, 2013 meeting and notify the neighbors. Commissioner Nickell seconded. The motion was unanimously approved.

b) Line of Sight Pratt and LeClaire

Chief LaMantia reported on the line of sight at Pratt and LeClaire. He indicated that during the past summer, the Illinois Department of Transportation closed the eastbound exit ramp from the Edens Expressway to Touhy. Most of the eastbound traffic used the westbound exit, turned left onto LeClaire, left onto Pratt, and headed east.

Staff proactively temporarily restricted parking for the 98' (feet) on the north side of Pratt, west of LeClaire to improve the line of sight for southbound LeClaire traffic. There were no line of sight related motor vehicle traffic crashes during the three month construction period. Base on the positive results, staff recommended the Commission restrict parking in this area to "compact car only." The neighbors were notified the Commission would be considering this matter. One resident contacted Chief LaMantia in advance of the meeting and asked that the same consideration be given to the east side of Pratt.

Commissioner Bonner made a motion to restrict parking on the north side of Pratt 98' (feet) west of LeClaire. This is approximately four car lengths or to the first residential driveway. Commissioner Troiani seconded. The motion was unanimously approved.

c) 2014 Meeting Dates

Commissioner Bonner made a motion to table this matter until the December 5, 2013 meeting. Commissioner Petit seconded. The motion was unanimously approved.

8) Public Forum

None

9) Report by Staff

a) Chief LaMantia reported on providing information on Resident Only Parking to the residents on the 6400 block of Kimball following the September Traffic Commission meeting.

b) Chief LaMantia reported that Airoom's request for Designated Parkway Parking will be on the next Village Board Committee of the Whole agenda.

c) Chief LaMantia reported on several parking complaints received from the neighbors south of Meatheads Restaurant.

10) Good of the Order

None

11) Adjournment

There being no further business, Commissioner Bonner made a motion to adjourn the meeting at 9:25 p.m. Commissioner Costantino seconded the motion. The motion was unanimously approved.

VILLAGE OF LINCOLNWOOD

Chapter 7. TRAFFIC CODE

Article 2. THROUGH STREETS; STOP STREETS; ONE-WAY STREETS; LOAD LIMITS; PROHIBITED AND RESTRICTED PARKING

7-2-24. Parking commercial vehicles on public streets.

(A) Definitions. The following definitions shall apply in the interpretation and enforcement of this Section 7-2-24:

COMMERCIAL VEHICLE

For purposes of this Chapter 7, all commercial vehicles shall be classified as either Class 1 or Class 2 commercial vehicles. Any trailer including, but not limited to, tar hoppers, generators, cement mixers, or any portable construction or maintenance equipment that is not a recreational vehicle (as defined in Section 7-2-17 of this Code) camper trailer, a travel trailer, or a recreational vehicle trailer (as defined in Section 7-2-17 of this Code), shall be deemed a commercial vehicle. Unless otherwise provided, any reference in this Section 7-2-24 to commercial vehicles shall be deemed to be made to both Class 1 and Class 2 commercial vehicles. Class 2 vehicles used for snowplowing which have snowplow blades attached and which lack commercial markings or lettering indicating that the vehicle is used for commercial or industrial purposes are not commercial vehicles for purposes of this definition for the period commencing November 15 and ending April 15 each year.

(1) **CLASS 1** — Class 1 commercial vehicle shall mean any vehicle, other than a recreational vehicle, regardless of the use to which the vehicle is put or intended or designed to serve and regardless of any other classification system made applicable to vehicles by any other governmental body, that weighs in excess of 12,000 pounds in gross weight.

(2) **CLASS 2** — Class 2 commercial vehicle shall mean any vehicle that is not a recreational vehicle or a Class 1 commercial vehicle that is operated for the transportation of persons or property in the furtherance of any commercial or industrial enterprise, for hire or not for hire, including, without limitation (unless otherwise specified), the following:

(a) Commercial markings: Any such vehicle bearing commercial markings or lettering indicating that the vehicle is used for commercial or industrial purposes.

(b) Removable equipment: Any such vehicle bearing removable equipment or merchandise, excluding trailer hitches, camper type tops (not higher than one foot above the high point of the truck cab roof) and truck bed storage boxes, stored on the exterior of the vehicle.

TRAILER

Any vehicle or portable structure constructed so as to permit occupancy thereof for lodging or dwelling purposes or for the use as an accessory building or structure in the conduct of a business, trade or occupation, and which may be used as a conveyance on streets and highways, by its own or other motive power; a portable structure supported by wheels, jacks, horses, skids or blocks without a permanent foundation which is towed or hauled by another vehicle and, whether occupied or not, used for temporary human occupancy, carrying materials, goods or objects, livestock, or use as a temporary office.

(B) Use of public streets. Commercial vehicles or trailers shall not be permitted to park on any public street, thoroughfare or alley within the Village between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, nor between the hours of 7:00 p.m. on Saturday and 7:00 a.m. on Monday.

(C) Penalty. Any person who shall violate any of the provisions of this Section 7-2-24 shall be subject to a fine as set forth in Section 7-2-31 of this Code.

Village of Lincolnwood

Chapter 15. ZONING

Article VII. OFF-STREET PARKING AND LOADING

7.11. Parking and storage of commercial vehicles and trailers in residential districts.

(1) Parking and storage defined. For purposes of this Section 7.11, the parking or storage of commercial vehicles and trailers, shall mean the parking of any such vehicle at any time.

(2) Parking and storage of commercial vehicles and trailers. The parking and storage of commercial vehicles and trailers in residential districts shall comply with the following restrictions:

a. Class 1 commercial vehicles and trailers. All Class 1 commercial vehicles or trailers must be parked or stored in a fully enclosed building or fully enclosed structure at all times, subject only to the exceptions stated herein. No Class 1 commercial vehicle or trailer shall be parked or stored in any unenclosed parking lot or parking area on any zoning lot in a residential district, except for the period necessary for the reasonable expeditious loading or unloading of such vehicle or in conjunction with the performance of a service or delivery for the benefit of the lot or its owners or occupants.

b. Class 2 commercial vehicles and trailers. Not more than one Class 2 commercial vehicle may be parked or stored in an unenclosed parking space per zoning lot. All other Class 2 commercial vehicles or their trailers must be parked or stored in a fully enclosed building or fully enclosed structure at all times except for the period necessary for the reasonable expeditious loading or unloading of a such vehicle or in conjunction with the performance of a service or delivery for the benefit of the lot or its owners or occupants. Notwithstanding the foregoing, nothing herein shall permit a detached trailer to be parked or stored in any unenclosed parking lot or parking area on any zoning lot in a residential district.

c. Impervious surface required. Those Class 2 commercial vehicles not restricted to parking in fully enclosed parking lots, garages or parking areas as required by Section 7.11(2)(b) above, shall be parked or stored on an all weather asphalt or concrete pavement surface in accordance with Village requirements and this Zoning Ordinance.

(3) Storage of vehicles in garages. A commercial vehicle or trailer may be stored in a fully enclosed garage or accessory structure in a residential district provided that said garage or accessory structure complies with all applicable provisions of this Zoning Ordinance.

(4) Construction sites. The regulations prohibiting the outdoor parking or storage of commercial vehicles and trailers set forth herein shall not apply where commercial vehicles or trailers are parked or stored on a zoning lot where improvements to that zoning lot are actively being constructed pursuant to a current, valid Village permit. Notwithstanding the foregoing, no owner, occupant, or any contractor or agent of an owner or occupant, shall park or store any commercial vehicle or trailer on any zoning lot in a residential district for an indefinite period of time during the permit period. Only those commercial vehicles or trailers which are used to facilitate the construction authorized by Village permit shall be exempt from the regulations set forth in this Article VII.

(5) Exemption for commercial vehicles registered to educational, religious or charitable organizations. The Board of Trustees or a committee thereof, upon proper written application by the owner of a vehicle which would otherwise be classified as a commercial vehicle under this Zoning Ordinance, and which vehicle is registered to an educational, religious or charitable organization, and the vehicle is used for educational, religious or charitable purposes, may after due consideration, exempt such vehicle from the requirements of this Article VII. An applicant for a permit to exempt a vehicle may be required to submit certain documents as part of the application process including: 1) a written statement of recent date by the Attorney General of Illinois that the organization is in compliance with the provisions of 225 Illinois Compiled Statutes 460/2 of An Act to Regulate Solicitation and Collection of Funds for Charitable Purposes, and such statute as may hereafter be amended; 2) a written statement from the Internal Revenue Service that the organization is a tax exempt organization under the Internal Revenue Code of the United States, Section 501(c)(3). Any vehicle so exempted must be in a fully operational condition.

VILLAGE OF LINCOLNWOOD

Chapter 15. ZONING

Article VII. OFF-STREET PARKING AND LOADING

7.12. Parking and storage of recreational vehicles, recreational vehicle trailers, and mobile homes in all zoning districts.

(1) Parking and storage. This Section 7.12 governs the parking and storage of recreational vehicles, recreational vehicle trailers and mobile homes at any time.

(2) Fully enclosed parking required; unenclosed parking or storage prohibited. Except as permitted in Article III, Section 3.11 (mobile homes or trailers used as temporary offices), any recreational vehicle, recreational vehicle trailer or mobile home shall be parked or stored in a fully enclosed building or fully enclosed structure. No recreational vehicle, recreational vehicle trailer or mobile home shall be parked or stored in any unenclosed parking lot or parking area on any zoning lot in any zoning district, except for the period necessary for the reasonable expeditious loading or unloading of such vehicle, and except as set forth below.

a. Limited exception; grace period. Recreational vehicles may be parked in an unenclosed parking lot or parking area for up to 48 consecutive hours. Notwithstanding the foregoing, the following specific regulations apply to certain seasonal types of recreational vehicles:

i. Boats and boat trailers shall be parked in a fully enclosed building or structure for the period commencing October 31 and ending April 1 each year.

ii. Snowmobiles, snowmobile trailers, ice sailing craft and trailers used to transport such craft, or any other similar recreational vehicle (and trailer) used for transport over ice or snow, shall be parked in a fully enclosed building or structure for the period commencing April 1 and ending November 30 each year.

b. No exception for empty trailers. Empty recreational vehicle trailers shall be parked or stored in a fully enclosed building or structure and shall not be permitted to be parked in any other manner.

(3) Parking and storage of vehicles in fully enclosed garages. A recreational vehicle, recreational vehicle trailer or mobile home may be parked or stored in a fully enclosed garage or accessory structure in any zoning district provided that said garage or accessory structure complies with all applicable provisions of this Zoning Ordinance.

(4) Parking and storage of vehicles in storage facilities. A recreational vehicle, recreational vehicle trailer or mobile home may be stored in a facility where the storage of property is the primary business of such facility or in a facility where the parking or storage of recreational vehicles, recreational vehicle trailers or mobile homes for display prior to sale or storage prior to delivery may be permitted on a lot in districts where establishments manufacturing such vehicles are permitted uses or special uses and such use complies with all applicable provisions of this Zoning Ordinance.

(5) Utility hookups. It shall be unlawful for any Recreational vehicle, recreational vehicle trailer or mobile home to be connected to any public utility except for required servicing and maintenance of any recreational vehicle, recreational vehicle trailer or mobile home.

(6) Residential use prohibited. No recreational vehicle, recreational vehicle trailer or mobile home shall be occupied for lodging or dwelling purposes in the Village.

(7) Unsafe conditions. It shall be unlawful to park or store a recreational vehicle, recreational vehicle trailer or mobile home in a manner which creates a dangerous or unsafe condition. A dangerous or unsafe condition shall include but shall not be limited to:

a. Parking or storage in an unlocked condition.

b. Parking or storage with flammable liquids aboard in portable containers.

c. Parking or storage in such a manner that a recreational vehicle or recreational vehicle trailer, or mobile home, whether loaded or not, may readily tip or roll.

(8) Location on lot. Any recreational vehicle or recreational vehicle trailer when parked or stored must be fully contained within the zoning lot and shall not extend into the public right-of-way. In no event shall the recreational vehicle or recreational vehicle trailer create a visual or safety hazard for pedestrians or vehicular traffic.

(9) Effective date. This Article VII, shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Traffic Commission

Summary of Commercial and Recreational Vehicle Parking

City of Chicago

A commercial vehicle may only park on the street if it is providing deliveries or services to customers. For example, contractors, electricians, plumbers, or delivery persons may park the commercial trucks when they are providing services to customers, or if there is any other expeditious loading or unloading.

City of Evanston

It shall be unlawful for any person to park a commercial vehicle or bus in any block in the City which meets the standards described in the following Subsections:

Residential Areas

It shall be unlawful for any person to park a commercial vehicle or bus in any block in the City in which more than one-half ($\frac{1}{2}$) of the buildings are used for residential purposes. This restriction shall be in effect between nine o'clock (9:00) P.M. and seven o'clock (7:00) A.M., every day. "Commercial vehicle" and "bus" as used in this Subsection shall refer to those vehicles defined as such in the Illinois Vehicle Code.

Nonresidential Areas

It shall be unlawful for any person to park a commercial vehicle or bus in any block in the City in which signs have been posted indicating this prohibition, for a longer period than is required for the expeditious loading or unloading of such vehicles.

Village of Skokie

No person shall stand or park any commercial truck, tractor, semi-trailer, trailer, bus or commercial vehicle on any street in a residential district for a longer period than is necessary for the expeditious loading or unloading of such vehicle, except that a driver of a bus may park such bus in a designated bus stand as provided in this article. Between the hours of 9:30 p.m. and 7:00 a.m., no motor vehicle shall, for the purpose of loading or unloading, be parked, stopped or stored on any alley adjacent to any dwelling, or on any street in a business within 150 feet of any dwelling.

Vehicles allowed in residential, mixed-use, or business zoning district. Only the following motor vehicles shall be allowed to stand or park on any street in a residential, mixed-use, or business zoning district:

1. Motorcycles
2. Passenger vans with RV license plates.
3. Non-commercial vehicles under 8,000 pounds with passenger or Class B license plates.

- a. Non-commercial vehicles. For the purpose of this section, those factors that determine a non-commercial vehicle shall include, but not be limited to, all of the following:
 - i. Single rear wheels only.
 - ii. No signs, advertisements, business identifications or business license plates.
 - iii. No attached auxiliary equipment including, but not limited to plows, equipment racks or storage boxes or lockers.
4. No debris, construction materials or equipment intended for commercial or business use may be present whether in the open or covered by removable material or fabric.
5. Cargo and panel vans that comply with items 1 through 4 above and have side and rear windows and seating behind the driver's seat.
6. No person shall stand or park any commercial truck, tractor, semi-trailer, trailer bus, public passenger vehicle or commercial vehicle on any street in the Village for a longer period than 60 minutes or for such time as is necessary for the expeditious loading or unloading of such vehicle. Notwithstanding the forgoing sentence, commercial vehicle parking, including, but not limited to, tractor trailer and semi-trailers, is allowed in legally authorized parking spaces or areas in the Manufacturing District.
7. Any truck, tractor, semi-trailer, trailer, bus or commercial vehicle parked in violation of this section is hereby declared to be a nuisance, which may be abated by any police officer by ticketing and/or removing such vehicle to the Village vehicle pound or to any authorized garage.
8. No person shall store any truck, tractor, semi-trailer, trailer, bus or commercial vehicle on any street.
9. Parking of boats, boat trailers and recreational vehicles.

For purposes of this section, a recreational vehicle is a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation uses. A recreational vehicle shall include the following: travel trailer, pickup coach, motorized home, camping trailer, and any other recreational vehicle or recreational trailer bearing a recreational license plate, i.e., "RV," "RT," or "TA."

10. No boat, boat trailer, or recreational vehicle shall be permitted to park, stand or load in any residential street except with the prior approval by the Village Police

Department. This approval shall be granted for loading or unloading purposes only and shall specify the date and time of its applicability. This prohibition shall not apply to stock vans bearing "RV" or passenger license plates which have not been modified in such a manner as to increase their length, width or height.

11. Any vehicle parked in violation of this section is declared to be a nuisance, which may be abated by any police officer by removing such vehicle to the Village vehicle pound or to any authorized garage.

Village of Wilmette

No person shall stand or park any truck, tractor, semi-trailer, trailer, bus, or public passenger vehicle on any street for a longer period than is necessary for reasonably expeditious loading or unloading of such vehicle except as otherwise provided in this chapter. This prohibition shall include, but not be limited to a camping trailer, a house painting trailer, a construction trailer, a boat trailer and a snowmobile trailer, but it shall not include a van used for noncommercial purposes.

Close

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Resize:



*Village of Lincolnwood, IL
Monday, February 23, 2015*

Chapter 15. Zoning

Article VII. OFF-STREET PARKING AND LOADING

7.11. Parking and storage of commercial vehicles and trailers in residential districts.

- (1) Parking and storage defined. For purposes of this Section 7.11, the parking or storage of commercial vehicles and trailers, shall mean the parking of any such vehicle at any time.
- (2) Parking and storage of commercial vehicles and trailers. The parking and storage of commercial vehicles and trailers in residential districts shall comply with the following restrictions:
 - a. Class 1 commercial vehicles and trailers. All Class 1 commercial vehicles or trailers must be parked or stored in a fully enclosed building or fully enclosed structure at all times, subject only to the exceptions stated herein. No Class 1 commercial vehicle or trailer shall be parked or stored in any unenclosed parking lot or parking area on any zoning lot in a residential district, except for the period necessary for the reasonable expeditious loading or unloading of such vehicle or in conjunction with the performance of a service or delivery for the benefit of the lot or its owners or occupants.
 - b. Class 2 commercial vehicles and trailers. Not more than one Class 2 commercial vehicle may be parked or stored in an unenclosed parking space per zoning lot. All other Class 2 commercial vehicles or their trailers must be parked or stored in a fully enclosed building or fully enclosed structure at all times except for the period necessary for the reasonable expeditious loading or unloading of a such vehicle or in conjunction with the performance of a service or delivery for the benefit of the lot or its owners or occupants. Notwithstanding the foregoing, nothing herein shall permit a detached trailer to be parked or stored in any unenclosed parking lot or parking area on any zoning lot in a residential district.
 - c. Impervious surface required. Those Class 2 commercial vehicles not restricted to parking in fully enclosed parking lots, garages or parking areas as required by Section 7.11(2)(b) above, shall be parked or stored on an all weather asphalt or concrete pavement surface in accordance with Village requirements and this Zoning Ordinance.
- (3) Storage of vehicles in garages. A commercial vehicle or trailer may be stored in a fully enclosed garage or accessory structure in a residential district provided that said garage or accessory structure complies with all applicable provisions of this Zoning Ordinance.
- (4) Construction sites. The regulations prohibiting the outdoor parking or storage of commercial vehicles and trailers set forth herein shall not apply where commercial vehicles or trailers are parked or stored on a zoning lot where improvements to that zoning lot are actively being constructed pursuant to a current, valid Village permit. Notwithstanding the foregoing, no owner, occupant, or any contractor or agent of an

owner or occupant, shall park or store any commercial vehicle or trailer on any zoning lot in a residential district for an indefinite period of time during the permit period. Only those commercial vehicles or trailers which are used to facilitate the construction authorized by Village permit shall be exempt from the regulations set forth in this Article **VII**.

- (5) Exemption for commercial vehicles registered to educational, religious or charitable organizations. The Board of Trustees or a committee thereof, upon proper written application by the owner of a vehicle which would otherwise be classified as a commercial vehicle under this Zoning Ordinance, and which vehicle is registered to an educational, religious or charitable organization, and the vehicle is used for educational, religious or charitable purposes, may after due consideration, exempt such vehicle from the requirements of this Article **VII**. An applicant for a permit to exempt a vehicle may be required to submit certain documents as part of the application process including: 1) a written statement of recent date by the Attorney General of Illinois that the organization is in compliance with the provisions of 225 Illinois Compiled Statutes 460/2 of An Act to Regulate Solicitation and Collection of Funds for Charitable Purposes, and such statute as may hereafter be amended; 2) a written statement from the Internal Revenue Service that the organization is a tax exempt organization under the Internal Revenue Code of the United States, Section 501(c)(3). Any vehicle so exempted must be in a fully operational condition.

Close

Print

Resize:



Village of Lincolnwood, IL
Monday, February 23, 2015

Chapter 15. Zoning

Article VII. OFF-STREET PARKING AND LOADING

7.12. Parking and storage of recreational vehicles, recreational vehicle trailers, and mobile homes in all zoning districts.

- (1) Parking and storage. This Section 7.12 governs the parking and storage of recreational vehicles, recreational vehicle trailers and mobile homes at any time.
- (2) Fully enclosed parking required; unenclosed parking or storage prohibited. Except as permitted in Article III, Section 3.11 (mobile homes or trailers used as temporary offices), any recreational vehicle, recreational vehicle trailer or mobile home shall be parked or stored in a fully enclosed building or fully enclosed structure. No recreational vehicle, recreational vehicle trailer or mobile home shall be parked or stored in any unenclosed parking lot or parking area on any zoning lot in any zoning district, except for the period necessary for the reasonable expeditious loading or unloading of such vehicle, and except as set forth below.
 - a. Limited exception; grace period. Recreational vehicles may be parked in an unenclosed parking lot or parking area for up to 48 consecutive hours. Notwithstanding the foregoing, the following specific regulations apply to certain seasonal types of recreational vehicles:
 - i. Boats and boat trailers shall be parked in a fully enclosed building or structure for the period commencing October 31 and ending April 1 each year.
 - ii. Snowmobiles, snowmobile trailers, ice sailing craft and trailers used to transport such craft, or any other similar recreational vehicle (and trailer) used for transport over ice or snow, shall be parked in a fully enclosed building or structure for the period commencing April 1 and ending November 30 each year.
 - b. No exception for empty trailers. Empty recreational vehicle trailers shall be parked or stored in a fully enclosed building or structure and shall not be permitted to be parked in any other manner.
- (3) Parking and storage of vehicles in fully enclosed garages. A recreational vehicle, recreational vehicle trailer or mobile home may be parked or stored in a fully enclosed garage or accessory structure in any zoning district provided that said garage or accessory structure complies with all applicable provisions of this Zoning Ordinance.
- (4) Parking and storage of vehicles in storage facilities. A recreational vehicle, recreational vehicle trailer or mobile home may be stored in a facility where the storage of property is the primary business of such facility or in a facility where the parking or storage of recreational vehicles, recreational vehicle trailers or

mobile homes for display prior to sale or storage prior to delivery may be permitted on a lot in districts where establishments manufacturing such vehicles are permitted uses or special uses and such use complies with all applicable provisions of this Zoning Ordinance.

- (5) Utility hookups. It shall be unlawful for any Recreational vehicle, recreational vehicle trailer or mobile home to be connected to any public utility except for required servicing and maintenance of any recreational vehicle, recreational vehicle trailer or mobile home.
- (6) Residential use prohibited. No recreational vehicle, recreational vehicle trailer or mobile home shall be occupied for lodging or dwelling purposes in the Village.
- (7) Unsafe conditions. It shall be unlawful to park or store a recreational vehicle, recreational vehicle trailer or mobile home in a manner which creates a dangerous or unsafe condition. A dangerous or unsafe condition shall include but shall not be limited to:
 - a. Parking or storage in an unlocked condition.
 - b. Parking or storage with flammable liquids aboard in portable containers.
 - c. Parking or storage in such a manner that a recreational vehicle or recreational vehicle trailer, or mobile home, whether loaded or not, may readily tip or roll.
- (8) Location on lot. Any recreational vehicle or recreational vehicle trailer when parked or stored must be fully contained within the zoning lot and shall not extend into the public right-of-way. In no event shall the recreational vehicle or recreational vehicle trailer create a visual or safety hazard for pedestrians or vehicular traffic.
- (9) Effective date. This Article **VII**, shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.



Plan Commission Staff Report

Case #PC-05-15

March 4, 2015

Subject Properties:

3300-3520 West Devon Avenue

Zoning District: B-2 General Business District

Petitioner: Village Board

Notification: Notice of the March 4, 2015 Public Hearing was published in the Lincolnwood Review on February 12, 2015.



Nature of Request: Consideration of a Residential Overlay on certain properties along Devon Avenue between McCormick Boulevard and Drake Avenue within the B-2 District. The requested action requires a Text Amendment.

Summary of Request

At the October 21, 2014 Committee of the Whole meeting, the Village Board reviewed a proposed mixed-use development for the Whistler's Restaurant property located at 3420 West Devon Avenue. This proposal provided ground level commercial space along with 2 upper levels of residential units. Central to this discussion was residential use, since residential use is currently prohibited in the B-2 Zoning District which comprises the Devon Avenue Business Corridor located between McCormick Boulevard and Drake Avenue. At this meeting, the Village Board requested that the Economic Development Commission review this matter and provide its recommendation concerning residential use in this Corridor.

At its November 19, 2014 meeting, the Economic Development Commission considered whether the current residential prohibition in this Corridor should be changed. In considering this matter, the Commission reviewed current Village policies and plans, including the recent Urban Land Institute (ULI) report, the proposed development for the Whistler's site, as well as techniques that could be used to allow residential use, if desired.

In its deliberations, the Commission found that creating a zoning technique that would allow residential as part of a mixed-use development in the Devon Avenue Corridor could spur

beneficial Corridor revitalization. Specifically, the Commission found that allowing residential units above ground level commercial space could assist in this revitalization. In this discussion, the Chairman noted that there is much interest by Chicago-area developers in undertaking mixed-use development.

Commissioners also considered whether residential use alone, without having ground level commercial, would also be a benefit, but Commissioners found there was a benefit for requiring ground level commercial in the Corridor. Discussion also occurred as to whether residential use should be considered a Special Use or Permitted Use, and Commissioners found that classifying residential use above the ground level as a Special Use would allow specific project review and approval and this process would help to ensure parking adequacy and compatibility with surrounding properties. The Commission also considered whether similar uses, such as senior housing, assisted living, or nursing facilities, all presently also prohibited in the B-2 Zoning District, should also be made Special Uses in the Devon Corridor in addition to residential use. Commissioners determined to limit their recommendation to only residential use.

Accordingly, by a 7-0 vote, the Economic Development Commission (EDC) recommended to the Village Board that an overlay the Devon Avenue Corridor (McCormick Boulevard to Drake Avenue) should be established, to allow as a Special Use, residential units above the ground level commercial. To effectuate this recommendation, a Text Amendment to the Zoning Code is required.

At their January 20, 2105 meeting, the Village Board considered the recommendation of the EDC and referred to the Plan Commission for public hearing and deliberation of the recommendation made by the EDC.

Conclusion

Should the Plan Commission support the recommendation to allow as a Special Use, residential units above ground level commercial, a Text Amendment to the land use table is appropriate. Staff recommends rather than establishing an Overlay District, which necessitates a Map Amendment, that a Text Amendment to the Land Use table is sufficient to achieve the desired change along Devon Avenue.

Documents Attached

1. RBA to Village Board January 20, 2015
 - a. EDC Minutes November 19, 2014 (Draft)
 - b. Staff Memorandum to Commission
 - c. Concept Plans for 3420 Devon Avenue
 - d. Comprehensive Plan Excerpt
 - e. ULI Report
 - f. Commercial Corridor Narrative
 - g. Residential Narrative
 - h. Business Inventory

Request For Board Action

REFERRED TO BOARD: January 20, 2015

AGENDA ITEM NO: 5

ORIGINATING DEPARTMENT: Community Development

SUBJECT: Consideration of Recommendations by the Economic Development Commission Concerning Residential Uses in the Devon Avenue Corridor and Residential Parking Standards for Multi-Family Development

This matter was initially considered at the December 16, 2014 Village Board meeting at which time it was continued to the January 20, 2015 meeting to allow full Village Board consideration. The material below was provided for the December 16, 2014 Village Board meeting.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

At the October 21, 2014 Committee of the Whole meeting, the Village Board reviewed a proposed mixed-use development for the Whistler's Restaurant property located at 3420 West Devon Avenue. This proposal provided ground level commercial space along with 2 upper levels of residential units. Central to this discussion was residential use, since residential use is currently prohibited in the B-2 Zoning District which comprises the Devon Avenue Business Corridor located between McCormick Boulevard and Drake Avenue. At this meeting, the Village Board requested that the Economic Development Commission review this matter and provide its recommendation concerning residential use in this Corridor.

At its November 19, 2014 meeting, the Economic Development Commission considered whether the current residential prohibition in this Corridor should be changed. In considering this matter, the Commission reviewed current Village policies and plans, including the recent Urban Land Institute (ULI) report, the proposed development for the Whistler's site, as well as techniques that could be used to allow residential use, if desired.

In its deliberations, the Commission found that creating a zoning technique that would allow residential as part of a mixed use development in the Devon Avenue Corridor could spur beneficial Corridor revitalization. Specifically, the Commission found that allowing residential units above ground level commercial space could assist in this revitalization. In this discussion, the Chairman noted that there is much interest by Chicago-area developers in undertaking mixed-use development.

Commissioners also considered whether residential use alone, without having ground level commercial, would also be a benefit, but Commissioners found there was a benefit for requiring ground level commercial in the Corridor. Discussion also occurred as to whether residential use should be considered a Special Use or Permitted Use, and Commissioners found that classifying residential use above the ground level as a Special Use would allow specific project review and approval and this process would help to ensure parking adequacy and compatibility with surrounding properties. Commissioners found

that implementation of an overlay zone for the Devon Avenue Corridor, similar to the enacted retail overlay zone implemented along Touhy Avenue in the MB zone, was the best technique to use. The Commission also considered whether similar uses, such as senior housing, assisted living, or nursing facilities, all presently also prohibited in the B-2 Zoning District, should also be made Special Uses in the Devon Corridor in addition to residential use. Commissioners determined to limit their recommendation to only residential use.

Accordingly, by a 7-0 vote, the Economic Development Commission is recommending that the Village create an overlay zone along the Devon Avenue Corridor (McCormick Boulevard to Drake Avenue), to allow as a Special Use, residential units above the ground level. To effectuate this recommendation, a Text Amendment to the Zoning Code would be required.

In the Commission's review of the proposed mixed-use development for the Whistler's site, many Commissioners found the proposal to have many attractive elements. Much discussion, however, occurred regarding parking demand created by the project and current area parking supply.

In this discussion, it was noted that while there was adjacent off-street parking available, parking for the proposed development was only provided in an enclosed garage and that there was no open-air, off-street parking provided for guests of the proposed residential units. In discussing this matter, it was noted that presently the Village has no requirement for multi-family developments to have any open-air, off-street parking for guests and this was found by the Commission to be a deficiency in the existing Zoning Code.

Accordingly, by a 7-0 vote, the Commission is also recommending that the Village require some off-street open-air guest parking spaces for multi-family developments. To effectuate this recommendation, a Text Amendment to the Zoning Code would be required.

Should the Village Board support either of these recommendations or desire further consideration of them, the next procedural step would be to refer the recommendation(s) to the Plan Commission for a Public Hearing and further deliberations. The recommended motions below are consistent with the next step.

FINANCIAL IMPACT:

None

DOCUMENTS ATTACHED:

1. EDC Minutes November 19, 2014 (Draft)
2. Staff Memorandum to Commission
3. Concept Plans for 3420 Devon Avenue
4. Comprehensive Plan Excerpt
5. ULI Report
6. Commercial Corridor Narrative
7. Residential Narrative
8. Business Inventory

RECOMMENDED MOTIONS:

1. **Move to refer** to the Plan Commission for Public Hearing and deliberation the Economic Development Commission recommendation concerning an overlay zone for residential use in the Devon Avenue Corridor.
2. **Move to refer** to the Plan Commission for Public Hearing and deliberation the Economic Development Commission recommendation concerning guest parking requirements for multi-family developments.



DRAFT

Economic Development Commission

**Wednesday, November 19, 2014
Council Chambers Room**

Minutes

Commissioners Present

James Persino, Chairman
James Kucienski, Vice-Chair
James Berger
Paul Levine
Patrick McCoy
Nadia Seniuta
Terrence Strauch

Commissioners Absent

Maureen Ehrenberg
William Pabst

Staff Present

Timothy M. Clarke AICP, Community Development Director
Aaron N. Cook AICP, Development Manager
Robert Merkel, Finance Director

Others Present

Village Trustee Jesal Patel
Jackie Boland, Lincolnwood Chamber of Commerce
Alberto Gonzales, Owner of 90 Miles Cuban Café
Chris Dimas, Whistler's Restaurant
Laszlo Simovic, Laszlo, Simovic, Architects, LLC
Kevin Murphy, KE Murphy Masonry

1. Call to Order/ Quorum Declaration

Noting that a quorum of 6 members was present, the meeting was called to order at 8:04AM by Vice Chairman Kucienski.

2. Welcome to 90 Miles Cuban Café Restaurant

Commissioners welcomed to the meeting, Alberto Gonzales, owner of 90 Miles Cuban Café. Alberto, who is also an 18 year resident of the Village, advised the Commission of his exciting plan to open his third restaurant in the former Ruby Tuesday space at the Town Center. He noted an aggressive timeline for completing interior renovation but was hopeful to open by the end of the year. He stated this would be his largest restaurant at approximately 7,100 square feet. He thanked Commissioners for their warm welcome.

3. Minutes Approval

Commissioner Berger moved to approve as presented, the proposed October 22, 2014 meeting minutes of the Commission. Commissioner Strauch seconded the motion. Motion approved by voice vote, 5-0.

4. Residential Use in Devon Corridor

Chairman Persino and Commissioner Levine arrived to the meeting at the beginning of this item. Director Clarke began by summarizing the matter for Commissioners, noting the Village Board has invited Commissioner input on this issue. Clarke proceeded to provide a power point, giving background and current status of residential use in the Devon Corridor, located between McCormick and Drake. He also continued by summarizing a zoning overlay technique that could be utilized to allow for residential use if desired in the corridor as well as summarizing current policies and plans affecting residential in the corridor. He then provided an overview of a proposed mixed use development for the Whistler's site located at 3420 Devon Avenue. He ended his presentation noting that staff has available block-by-block slides of the corridor should Commissioners have specific questions or wish to review current conditions in the corridor.

Chairman Persino noted that currently in the Chicago area there is much developer interest in mixed use development and they have largely embraced this form of development.

Chairman Persino suggested that such development might be needed to spur revitalization of this corridor. He noted however a specific concern regarding guest parking for the proposed Whistler's mixed use development because it lacked off street open air parking spaces for guests. Discussion continued on possible parking impacts of this proposed development for both the corridor and in the adjacent neighborhood. Commissioner McCoy noted much of the street parking found on this block is consumed by traffic produced by the Post Office across the street. Commissioner Levine indicated he believed the proposed Whistler's mixed use project was attractive and would improve the corridor. It was noted that the density, height and location of the proposed building toward Devon Avenue were attractive features of this proposed development.

Commissioners discussed the retail viability of the corridor and whether the addition of residential use would be beneficial. Commissioner's generally concurred that residential use would be beneficial to the corridor but believed it was important to maintain the ground floor for commercial uses, limiting residential units to only upper floors.

While noting the importance of creating a new streetscape for the corridor and the recent establishment of a TIF District for the area, Commissioners generally believed that mixed use development in the Devon Corridor would provide an impetus for other beneficial development in the corridor. It was further noted that allowing mixed use development in the

corridor was generally consistent with various planning and policy documents and the recent ULI study.

The overlay technique was then examined by Commissioners and whether Residential Use above the ground level should be listed as a Permitted or Special Use in such a proposed overlay zone. Chairman Persino noted that he generally does not favor using Special Use as a technique since it delays approvals and often is view as a potential obstacle in the development community.

Discussion continued regarding the Special Use technique and how it could be used on a case-by-case basis to review parking matters and address possible guest parking concerns on site specific plans, as was expressed earlier in the meeting. At the conclusion of this discussion, there was general concurrence that listing Residential Use above the ground level as a Special Use rather than as a Permitted Use was most appropriate at this time. In considering this matter, Chairman Persino noted that the Village should review its residential parking standards to address guest parking issues.

Commissioners considered whether an overlay zone should allow other related uses, such as senior housing, assisted living or nursing homes. By consensus, Commissioners believed a use change should only be related to residential use in the corridor.

Hearing no other discussion, Commissioner Kucienski made a motion, seconded by Commissioner Levine, to recommend to the Village Board the creation of an overlay zone for the Devon Avenue Corridor (McCormick Blvd. to Drake Avenue) which would allow as a Special Use, Residential units above the ground floor. Roll Call vote was taken. Supporting the Motion: Strauch; Berger; McCoy; Seniuta; Kucienski; Levine; and Persino. Opposing the Motion: none. Motion approved 7-0.

A motion was then made by Commissioner Kucienski, seconded by Commissioner Strauch to recommend to the Village Board that it consider a zoning code text amendment to address open air, off street guest parking at multifamily developments. Roll Call vote was taken. Supporting the Motion” Strauch; Berger; McCoy; Seniuta; Kucienski; Levine; and Persino. Opposing the Motion: none. Motion approved 7-0.

Director Clarke indicated he expected these recommendations to be considered by the Village Board on December 16, 2014.

5. Development Update Report

Director Clarke summarized the written Update report noting, noting interest in potential development on two parcels along Touhy Avenue.

6. Other Business

No other business came before the Commission.

7. Public Forum

No member of the public desired to address the Commission.

8. Adjournment

The meeting was adjourned by consensus at 9:17AM.

Respectfully Submitted,

Timothy M. Clarke, AICP
Community Development Director

Memorandum

To: Chair and Members
Economic Development Commission

From: Timothy M. Clarke, AICP
Community Development Director

Date: November 7, 2014

Subject: Residential Use in the Devon Avenue Corridor

Presently no type of residential use is allowed in the Village's B2 General Business District Zoning District. This zoning district is found in several locations in the Village including at certain locations along Cicero, Touhy, and Devon Avenues. The Devon Avenue Corridor, located between McCormick and Drake Avenue is zoned B2 and does not now allow for any residential use.

The matter being brought to the Commission only relates to the existing residential prohibition as it relates to the Devon Avenue Corridor. Recently, a mixed use development has been proposed for the Whistler's site located at 3420 Devon Avenue (see attachments) and the Village Board has invited the Economic Development Commission to provide its recommendation concerning residential use in the Devon Avenue Corridor.

Concept Plan for 3420 Devon

As conceived, the proposal for the Whistler's site would include approximately 5,173 square feet of ground level commercial space, identified on the plans for 4 tenants, as well as 18 residential dwellings located on the second and third floors in a 3 story, 38 foot tall building. A one-level indoor parking garage containing 36 parking spaces for the residential component and 7 parking spaces for the commercial component, is also indicated.

The 38 foot, 3 story proposed building height is at the maximum height currently allowed in the B2 Zoning District. As proposed, there would be 2 off-street parking spaces for each of the residential units. This parking amount exceeds the Village's current requirement of 1.5 spaces for each residential unit located above 1st floor commercial.

The Village's minimum parking requirement for commercial space is dependent on the specific type of each commercial tenant and therefore cannot be currently calculated. Applying the Village's parking requirement of 3.3 spaces required for standard commercial space to the indicated gross commercial space of 5,172.8 square feet, would require a minimum of 17 off street parking spaces for the commercial component. The Code does provide certain exclusions in calculating this parking requirement, such as for washrooms, so the actual off street parking requirement for general commercial space may be somewhat less. Based on this brief analysis and with the concept plan

showing 7 of street parking spaces for the commercial component, a parking variation for the commercial component is probably likely. That said, there is a dedicated parking lane located on this block along Devon Avenue and although it is not striped for individual spaces, it appears that this parking lane could accommodate up to 10 vehicles, with additional parking possible if some adjustments to the mailbox drop off area located on this block were made.

Except for a possible parking variation for the commercial component, based on a review of the submitted concept plans, the only additional relief required for this development would be a change in the prohibition on residential use at this location. Attached are drawings of this concept development for 3420 Devon Avenue.

Comprehensive Plan

The Village's Comprehensive Plan, prepared in 2001, identifies the Devon Corridor as a "Potential Redevelopment Area" and while this Plan states the preferred land use for this corridor is commercial, it also notes that retail may not be practical and in such cases consideration should be given to multi-family residential. Attached is an excerpt from this Plan concerning the Devon Avenue commercial corridor.

ULI Corridor Study

Earlier this year, the Urban Land Institute (ULI) released its report from its study of the Devon Avenue Corridor. This report identifies the Whistler Restaurant site as one of the 5 key sites where corridor redevelopment efforts should be focused. Much of the reason this site was chosen by ULI is because of the current single ownership of the approximate 28,800 square foot site which currently has about 70 parking spaces in addition to the restaurant building. For this property, the ULI report suggests upgrading the existing restaurant, or redeveloping it as a new destination-oriented single or multi-tenant restaurant, could create a large draw for the corridor. Separately within this report, ULI suggests that the Village consider toward the west end of the corridor, 3-4 story Senior Housing, indicating also that a similarly sized residential development might also fit in. Attached is the entire ULI report for the Corridor.

Devon-Lincoln TIF District

The subject property at 3420 Devon Avenue is located in the newly created Devon-Lincoln TIF District. Pursuant to the Intergovernmental Agreement with the overlapping school districts and the documents adopted for this TIF District, in the event that residential development occurs in this TIF District, the Village is required to declare surplus, TIF Funds equal to the incremental revenue generated by the new residential development, minus any amounts paid the school districts as required by the TIF Act. This Intergovernmental Agreement and the Devon-Lincoln TIF Documents further prohibit the use of TIF Funds to support residential development in this TIF District. The developer/owner has not requested any Village financial assistance for their proposed mixed use development.

Commission Review

What is before the Commission is not specifically the redevelopment proposal for 3420 Devon Avenue, but whether a change in zoning should be made in the Devon Avenue Corridor to allow for residential use. That said, representatives for the Whistler's proposed redevelopment are expected to attend the Commission's meeting and can answer any specific questions Commissioners may have concerning that proposal.

If the Commission is inclined to recommend a change in zoning to allow for residential use, this could be accomplished through the implementation of an overlay district limited only to the B2 Zoning District along Devon Avenue. Such an overlay district could allow residential use as either a permitted or special use, and it could allow residential as a single use of a property or only as part of a mixed use development, such as requiring the ground level to be commercial. Assisted living, independent living for seniors, as well as nursing homes, are also prohibited uses in this zoning district, and the Commission may wish to consider whether a change in zoning should be made for these uses as well.

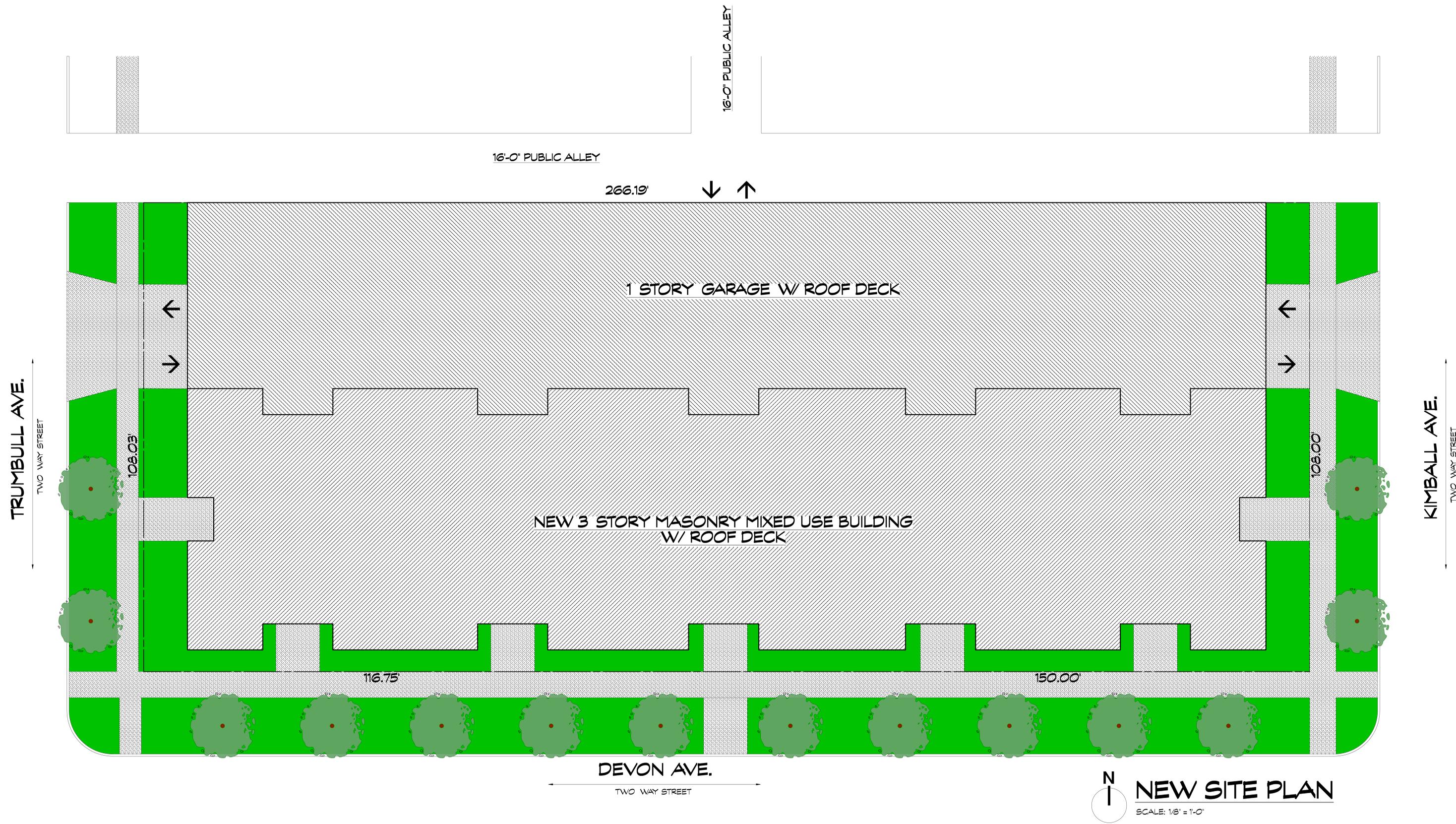
There are presently 11 separate property ownerships along the Devon Corridor between McCormick and Lincoln. In considering this matter, Commissioners may wish to consider whether allowing residential use would both create sufficient private market incentive to undertake desired Corridor redevelopment and whether the introduction of residential would help sustain or revitalize the commercial district. Further, given the 11 separate property ownerships, the Commission may also wish to consider whether residential use would, even if allowed, likely occur on the other smaller properties in the corridor given their size and typical challenges with land assembly.

For Commissioner reference, attached is a narrative description on commercial development and residential use in the corridor prepared by staff last year to brief ULI as well as a Business inventory listing. The residential narrative summarizes past discussions concerning residential use in the corridor and a prior proposal for residential development on the Whistler's property.

Attachments

1. Concept Plans for 3420 Devon
2. Comprehensive Plan Excerpt
3. ULI Report
4. Commercial Corridor Narrative
5. Residential Narrative
6. Business Inventory

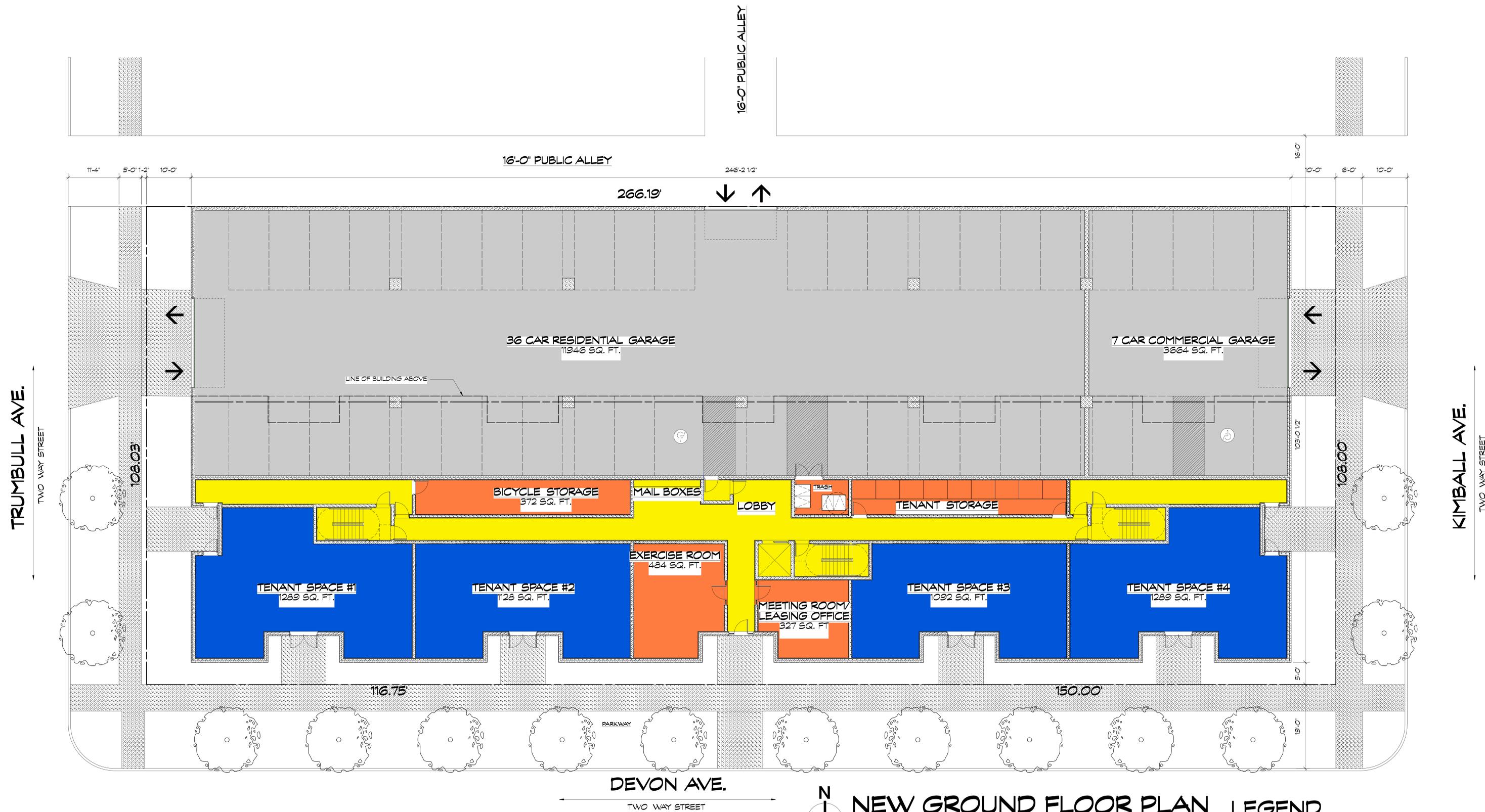




LASZLO SIMOVIC, ARCHITECTS, L.L.C.
 6512 N. ARTESIAN AVE.
 CHICAGO, IL 60645-5328
 EMAIL: LASZLO@LASZLOARCH.COM
 FAX: 773-338-2226 TEL: 773-338-2225

BUILDING INFORMATION

TOTAL F.A.R. (INCLUDING GARAGE)	52243.8 SQ. FT.
TOTAL AREA OF GARAGE	15099.6 SQ. FT.
TOTAL HEIGHT (TO TOP OF PARAPET)	38'-0" / 3 STORIES
TOTAL NUMBER OF DWELLING UNITS	18 DWELLING UNITS
TOTAL AREA OF COMMERCIAL UNITS	5172.8 SQ. FT.



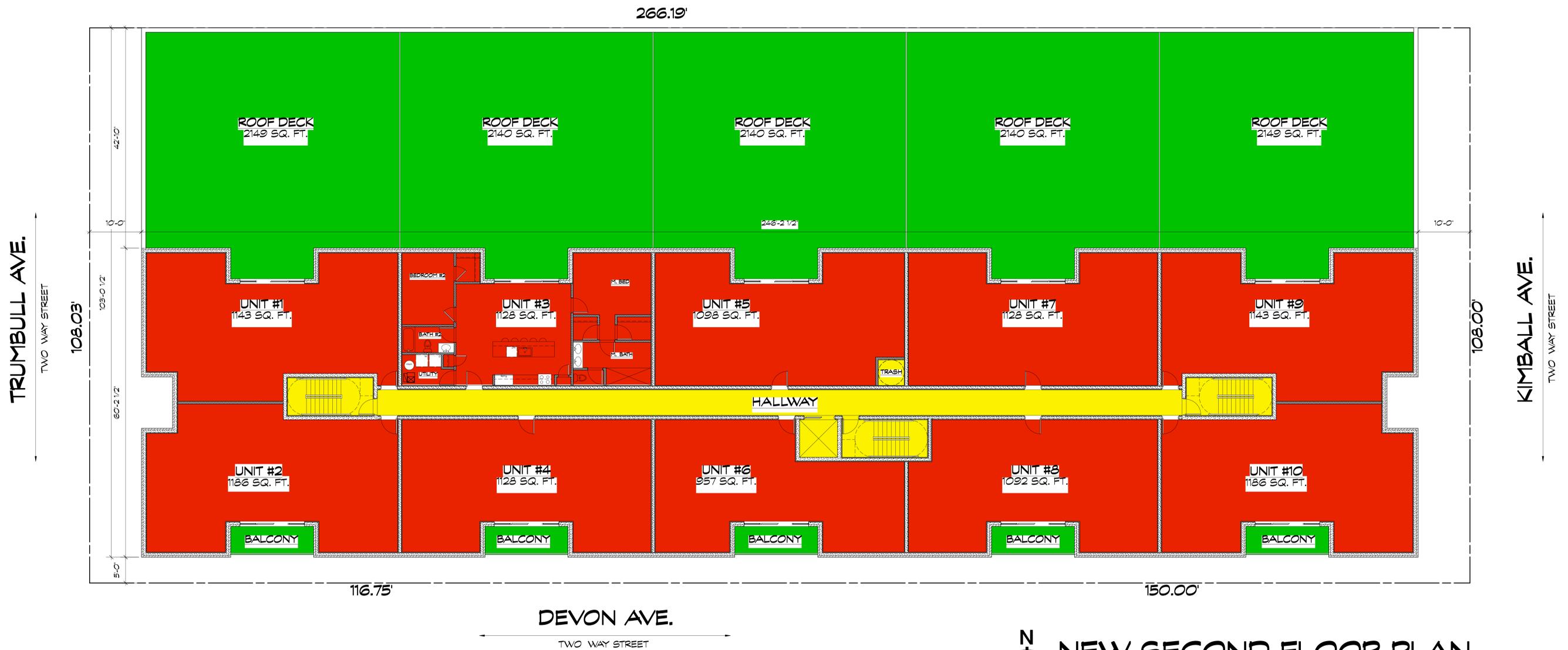
NEW GROUND FLOOR PLAN
 SCALE: 1/8" = 1'-0"

- LEGEND**
- GARAGE
 - COMMERCIAL UNIT
 - CIRCULATION SPACE
 - RESIDENTIAL UNIT
 - BUILDING COMMON SPACE
 - EXTERIOR SPACE

BUILDING INFORMATION

TOTAL FOOT PRINT GROUND FLOOR	24764.8 SQ. FT.
TOTAL UNITS THIS FLOOR	4 COMMERCIAL UNITS
TOTAL PARKING THIS FLOOR	43 PARKING SPACES

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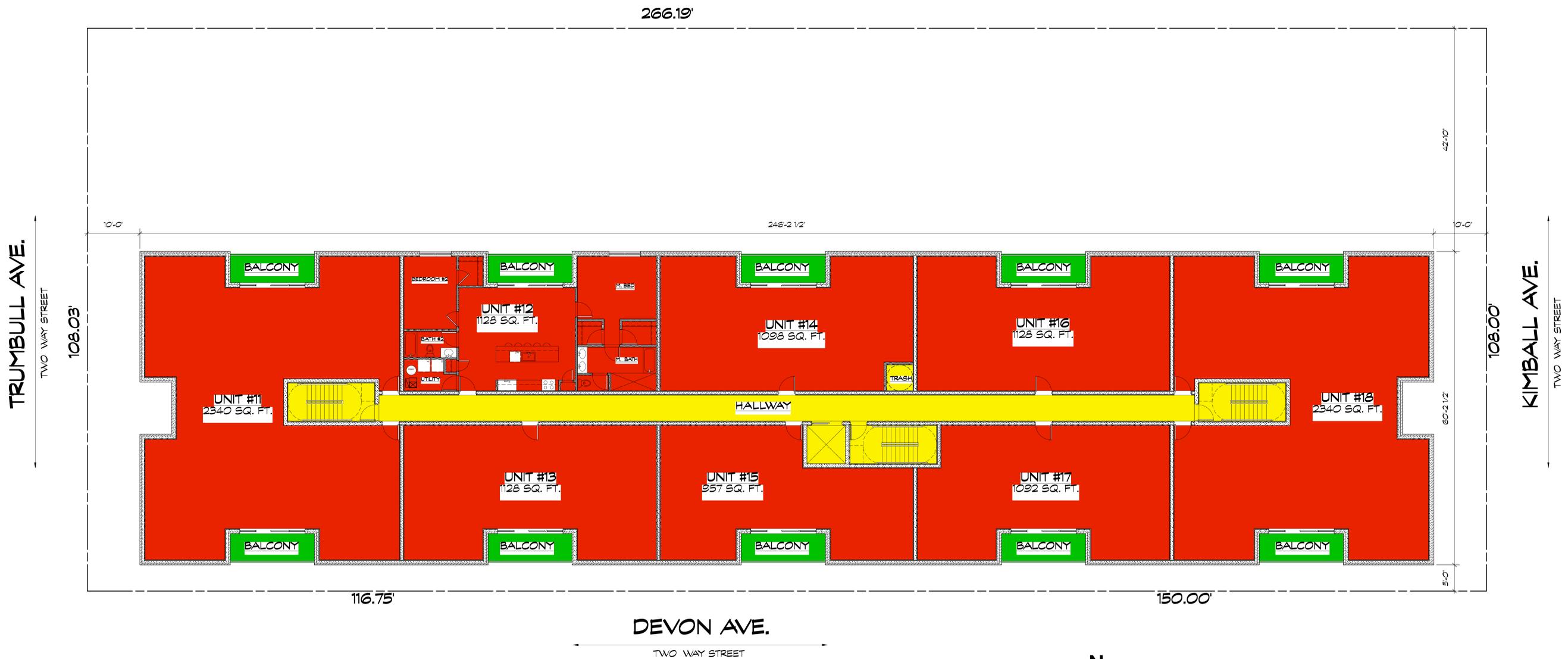
NEW SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"

- LEGEND**
- GARAGE
 - COMMERCIAL UNIT
 - CIRCULATION SPACE
 - RESIDENTIAL UNIT
 - BUILDING COMMON SPACE
 - EXTERIOR SPACE

BUILDING INFORMATION

TOTAL FOOT PRINT 2ND FLOOR 13739.5 SQ. FT.
TOTAL UNITS THIS FLOOR 10 DWELLING UNITS

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N
I
NEW THIRD FLOOR PLAN
SCALE: 1/8" = 1'-0"

LEGEND

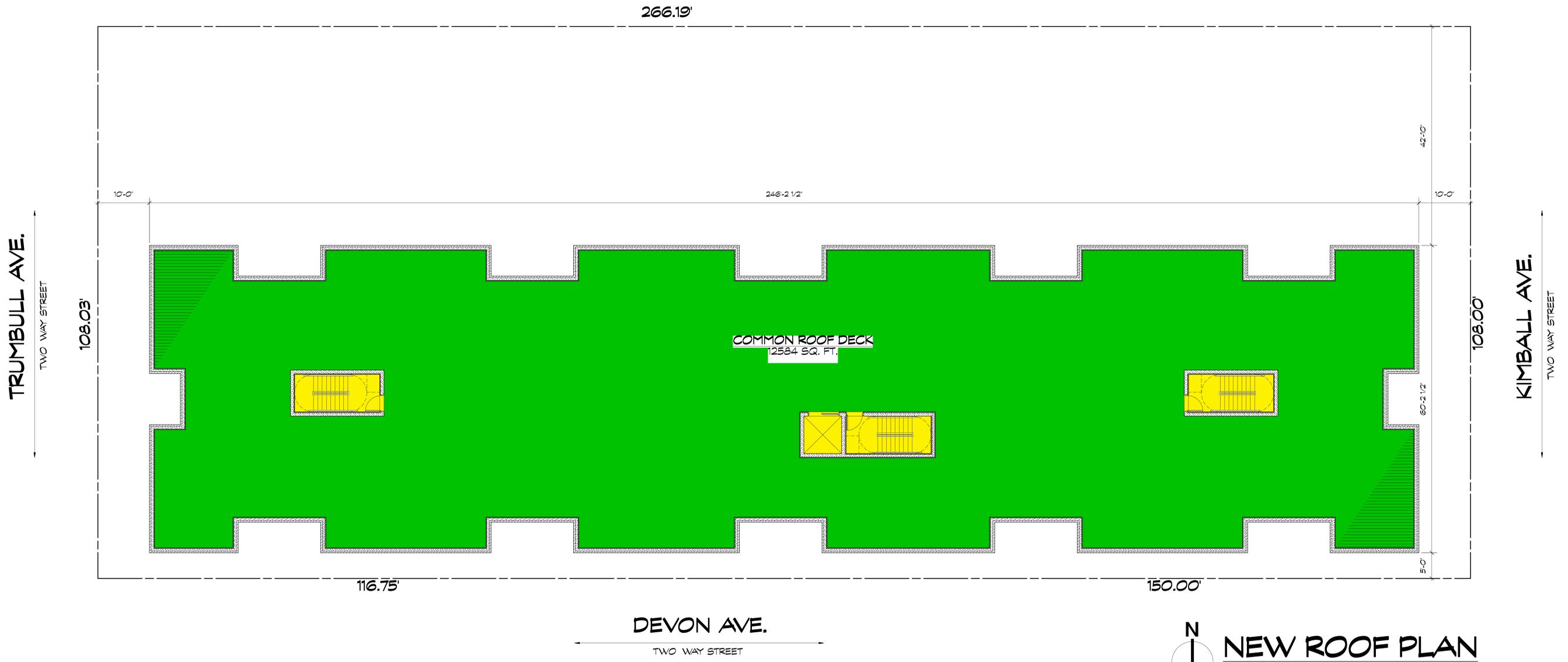
- GARAGE
- COMMERCIAL UNIT
- CIRCULATION SPACE
- RESIDENTIAL UNIT
- BUILDING COMMON SPACE
- EXTERIOR SPACE

BUILDING INFORMATION

TOTAL FOOT PRINT 3RD FLOOR
TOTAL UNITS THIS FLOOR

13739.5 SQ. FT.
8 DWELLING UNITS

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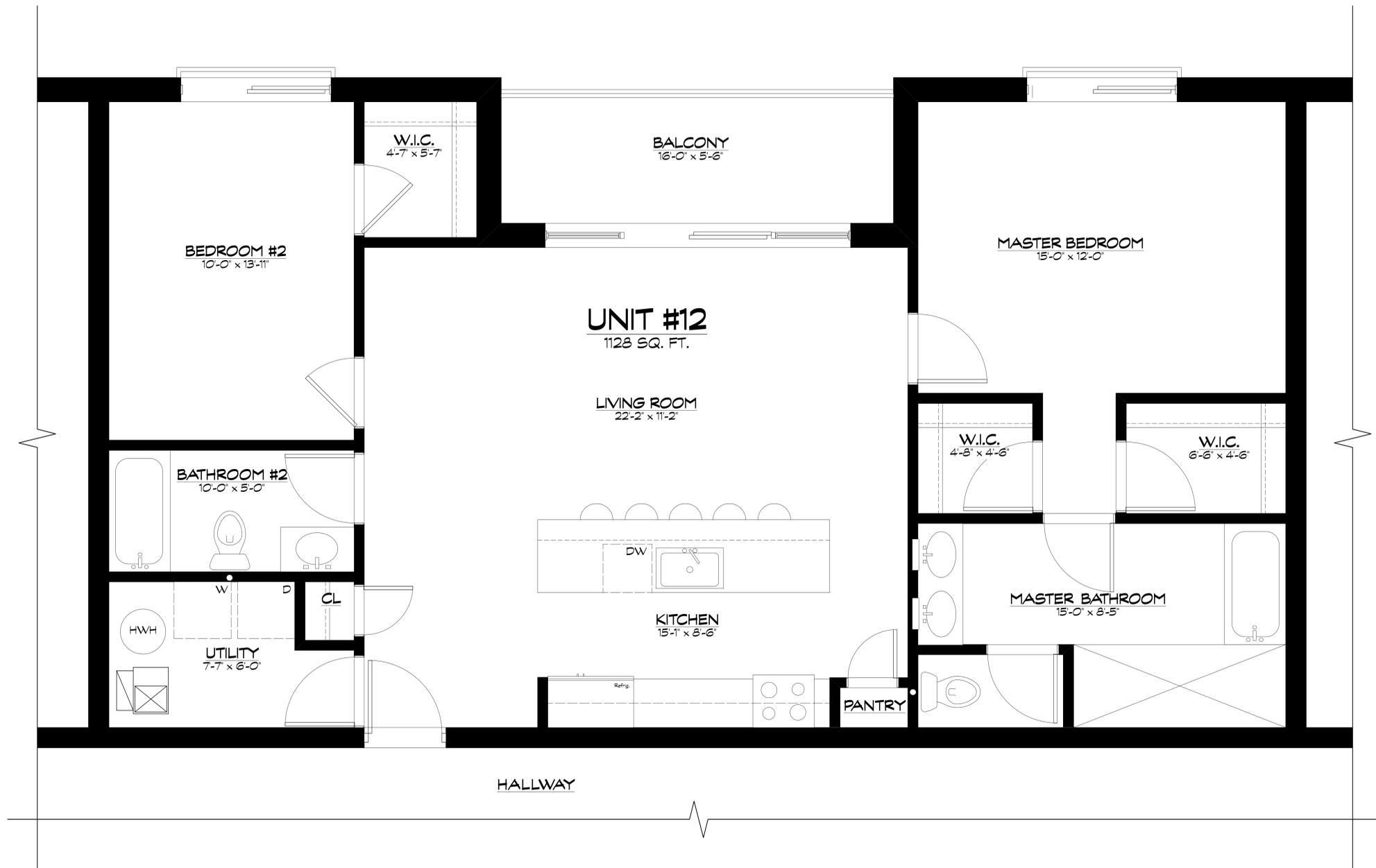
COMMON ROOF DECK
12584 SQ. FT.

N
NEW ROOF PLAN
SCALE: 1/8" = 1'-0"

BUILDING INFORMATION
TOTAL FOOT PRINT ROOF 13739.5 SQ. FT.

- LEGEND**
- GARAGE
 - COMMERCIAL UNIT
 - CIRCULATION SPACE
 - RESIDENTIAL UNIT
 - BUILDING COMMON SPACE
 - EXTERIOR SPACE

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TYPICAL UNIT PLAN
SCALE: 1/2" = 1'-0"



DEVON ELEVATION

SCALE: 1/8" = 1'-0"



KIMBALL ELEVATION

SCALE: 1/8" = 1'-0"



TRUMBULL ELEVATION

SCALE: 1/8" = 1'-0"



ALLEY ELEVATION

SCALE: 1/8" = 1'-0"

Devon Avenue Commercial Area

The Devon Avenue commercial area is a six block long strip of commercial frontage between Lincoln and McCormick Avenues. Current uses include a variety of commercial uses with limited off-street parking that is accessed from the alley, as well as two strip centers, a restaurant and the 1st National Bank of Lincolnwood, which all have off-street customer parking that can be accessed from Devon Avenue. Uses on the Chicago side of Devon Avenue include a Super Kmart, U.S. Post Office and a variety of other retail uses.

There is a relatively large parcel of vacant land north on Drake Avenue immediately north of the 1st National Bank of Lincolnwood that is currently zoned B1 Restricted Business District. A bowling alley formerly occupied the site. The remainder of the Devon Avenue commercial frontage is zoned B2 General Business District.

One of the primary issues affecting both existing uses and the redevelopment potential of this subarea is the relatively shallow 125-foot lot depth of properties fronting on Devon Avenue. There is a narrow one-way alley that separates these commercial uses from the single-family residential neighborhood to the north. There is little or no landscaping or fencing to buffer commercial properties from these residential uses.

The following land use policies have been established to guide future land use decisions regarding this subarea:

1. Enhance the property and sales tax base.
2. Protect residential blocks to the north from cut-through traffic.
3. Require uses to provide adequate on-site parking.
4. Improve buffering between commercial and residential uses.
5. Encourage small-scale commercial uses that are compatible with the adjacent single-family neighborhood.
6. Consider allowing low-density multiple family residential development along Devon Avenue east of Drake Avenue.
7. Consider selective cul-de-sacing of residential streets to reduce excess traffic and allow the development of additional parking for commercial uses.
8. Encourage high quality development at the northeast corner of Lincoln and Devon Avenues as a signature entrance to the community.

The preferred land use for the Devon Avenue commercial corridor is retail or other commercial uses. Rezoning of the vacant land on Drake Avenue north of Devon Avenue for two-family residential use is recommended, consistent with the development pattern immediately north of this site. Given the shallow lot depths along this corridor, redevelopment of obsolete commercial properties for retail use may not be practical. In such cases consideration should be given to allowing such sites to recycle as multi-family residential development. Wherever possible, such uses should be oriented to the side streets, which are currently residential in character. *Figure 9: Commercial/Residential Redevelopment Transition* illustrates how lots could be replatted to facilitate this type of development.

The banking facility at the corner of Devon and Lincoln Avenue could continue as a bank/office development or eventually be redeveloped as a retail or high-density multiple family residential development. However, given the prominent location of the site, it is essential that any redevelopment proposal be a high-quality development to enhance this community gateway location.

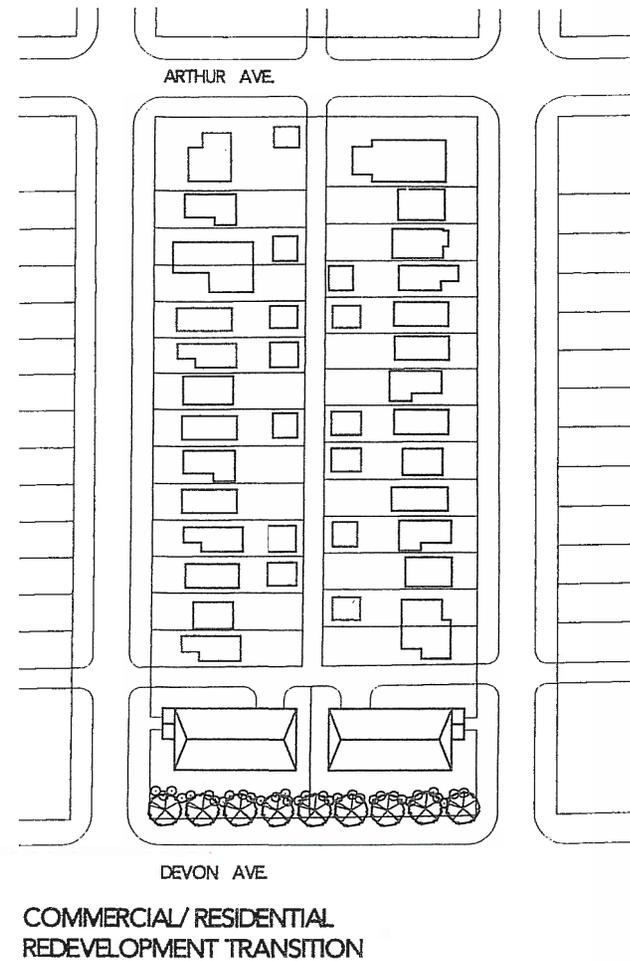
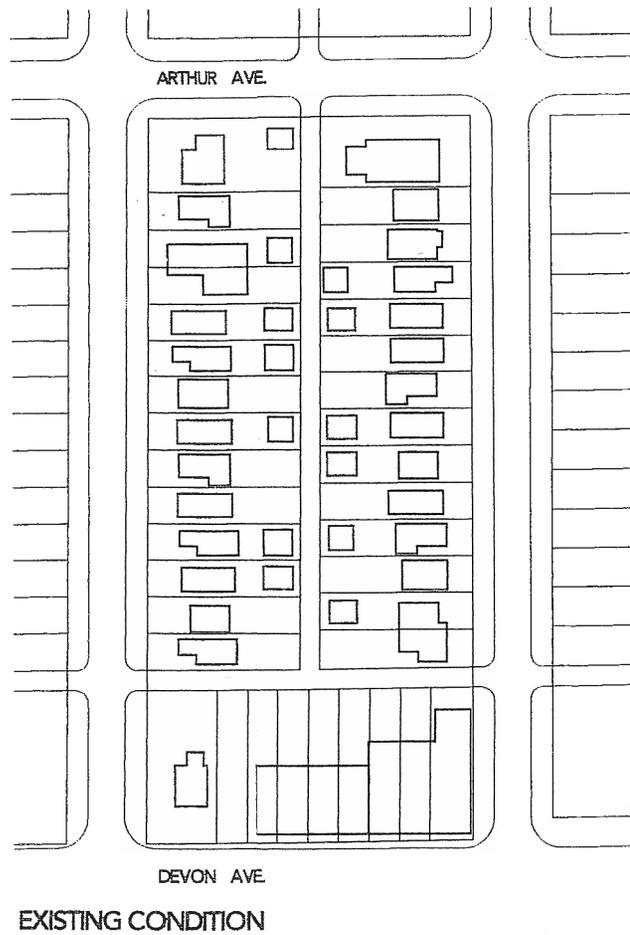


FIGURE 9

COMMERCIAL/ RESIDENTIAL REDEVELOPMENT TRANSITION

LINCOLNWOOD, ILLINOIS



CAMIROS
 Planning, Zoning, Community Development, Landscape Architecture
 111 South Wabash Street, Chicago, Illinois 60607 Phone: (312) 952-8111

A TECHNICAL ASSISTANCE PANEL REPORT

Devon Avenue Corridor

Lincolnwood and Chicago, IL

September 10-11, 2013



**Urban Land
Institute**

Chicago



Chicago Metropolitan
Agency for Planning

Urban Land Institute Chicago

The mission of the Urban Land Institute is to provide leadership in the responsible use of land and in creating and sustaining thriving communities worldwide.

ULI Chicago, a District Council of the Urban Land Institute, has more than 1,200 members in the Chicago region spanning the land use industry including developers, builders, engineers, attorneys, planners, investors, financial advisors, academics, architects and public officials.

TAP Sponsors

Village of Lincolnwood

President Gerald C. Turry

City of Chicago

Alderman Debra Silverstein, 50th Ward

James Cox

Department of Housing and Economic Development

Benet Haller

Department of Housing and Economic Development

TAP Partner

The Chicago Metropolitan Agency for Planning (CMAP) is the official regional planning organization for the north-eastern Illinois counties of Cook, DuPage, Kane, Kendall, Lake, McHenry and Will. CMAP developed and now leads the implementation of GOTO 2040, metropolitan Chicago's first comprehensive regional plan in more than 100 years. To address anticipated population growth of more than 2 million new residents, GOTO 2040 establishes coordinated strategies that help the region's 284 communities address transportation, housing, economic development, open space, the environment, and other quality-of-life issues.

This project was supported through CMAP's Local Technical Assistance (LTA) program, which is funded by the Federal Highway Administration (FHWA), Federal Transit Administration (FTA), U.S. Department of Housing and Urban Development (HUD), Illinois Department of Transportation (IDOT), and the Chicago Community Trust. The Village of Lincolnwood, City of Chicago, Urban Land Institute Chicago, and CMAP would like to thank these funders for their support for this project.

Sustaining Support

ULI Chicago gratefully acknowledges its 2013 sponsors, whose support is critical to local ULI initiatives:

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Pearlmark Real Estate Partners, L.L.C.

SB Friedman Development Advisors

Solomon Cordwell Buenz

Walsh Construction Company

Wells Fargo

CONTRIBUTOR

Bryan Cave LLP

Bucksbaum Retail Properties, LLC

Deloitte

Jones Lang LaSalle

Plante & Moran, PLLC

Regional Transportation Authority

SUPPORTER

Edward R. James Partners, LLC

Kensington Realty Advisors, Inc.

Devon Avenue Corridor

Lincolnwood and Chicago, IL

September 10-11, 2013

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- 2 Challenges Facing the Devon Avenue Corridor
- 4 The TAP Process and Framing Questions
- 4 Key Recommendations
- 12 Financing the Improvements
- 13 Conclusion

Introduction

The Village of Lincolnwood and the City of Chicago engaged the Urban Land Institute (ULI), through the Chicago Metropolitan Agency for Planning (CMAP), to provide recommendations for redevelopment of a six-block span on Devon Avenue, between McCormick Boulevard to the east and Lincoln Avenue to the west (Figure 1). The inter-jurisdictional Technical Assistance Panel (TAP) was held September 10-11, 2013.

Positioned on the northern border of Chicago, Lincolnwood is a diverse community surrounded by vibrant ethnic neighborhoods. More than half of its approximately 12,000 residents speak a language other than English at home. Its population is mostly upper-middle-class and aging, and many residents hope to age in place as they have lived in Lincolnwood for decades.

Along most of its eastern boundary, the Village is bordered by the North Shore Channel, a man-made canal that is navigable by boat or canoe. The Channel, completed in 1909, along with the nearby railway,

spurred initial development in the area, and the Village was incorporated in 1911 with 359 residents. Today the Channel is part of a larger Chicago River Corridor Development Plan and features bike and walking trails that draw residents from across the region. The Channel also forms a natural habitat for a variety of wildlife and migrating birds.

Challenges Facing the Devon Avenue Corridor

The focus of the TAP, a six-block corridor on Devon Avenue, was once a vibrant stretch of retail which has declined in recent years. Two long-time retail businesses that were a main draw for the area — Smart Jewelers and Avenue Fashions—departed two years ago, following their customer base north. Their departure has left a void and drained significant energy from the strip, making it hard to attract new retail. Currently, more than 25% of the storefronts in the corridor are vacant. A new business that was slated for the highly visible northwest corner of Devon

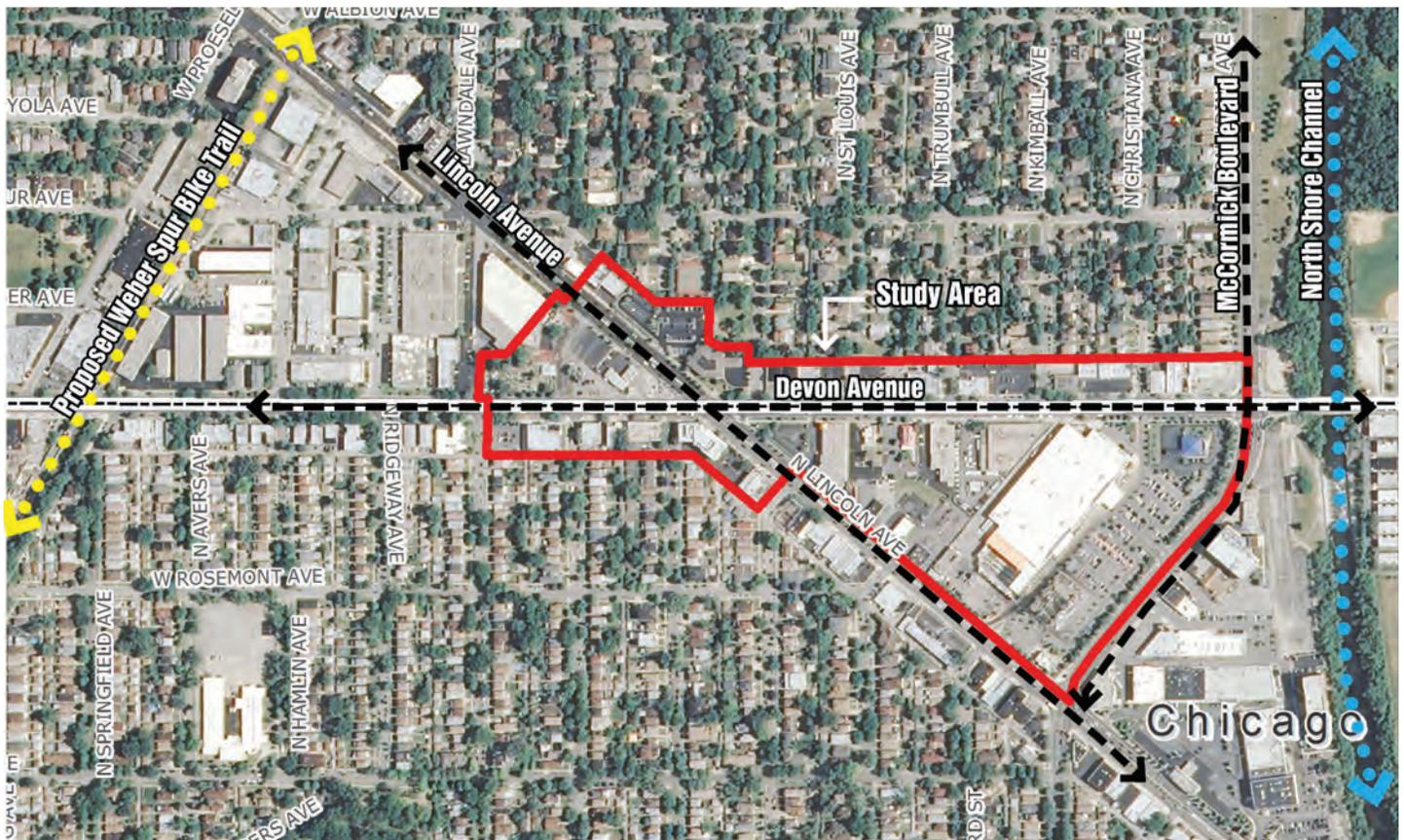


Figure 1: Devon Avenue Corridor Study Area

and McCormick has halted construction midstream because of financing issues, leaving the impression that retail in the area is struggling.

The area, many feel, lacks an identity or brand, and as one community resident put it, “it’s a forgotten part of town: unappealing and unattractive.”

Contributing to this perception is the lack of a unified streetscape on the north and south sides of Devon Avenue. Devon Avenue is the dividing line between Lincolnwood and Chicago, and national chains such as Home Depot and other large retail stores have located on the Chicago side (south side) of the street. These businesses do not always front Devon Avenue and have large surface parking lots, creating a different sense of scale than on the north side of the street.

The businesses on the Lincolnwood side of Devon, in contrast, are in smaller buildings built in a mix of architectural styles, and directly front the sidewalk. Many of these storefronts are currently occupied by small, independently owned businesses ranging from a check-cashing outlet to a real estate office. Most businesses on the Lincolnwood side rely on on-street parking for their customers. Ironically, as many noted, the retail on the Chicago-side is more suburban in character than the actual suburban side of the street.

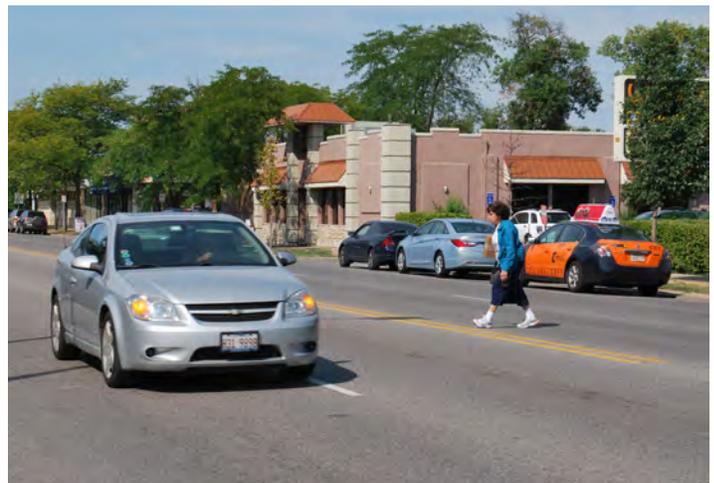
Another challenge in the corridor is pedestrian and bike safety. In the study area, Devon Avenue is a heavily trafficked stretch of four lanes carrying high-speed traffic. The panel found the Corridor to be highly auto-centric, but with limited parking options and few pedestrian amenities to ensure safe crossings. Lincolnwood and Chicago officials as well as local residents regard pedestrian safety as a big concern, especially near the Post Office, which attracts significant foot traffic.



Home Depot on the Chicago (south) side of Devon Avenue



Storefronts on the Lincolnwood (north) side of Devon Avenue



Devon Avenue lacks pedestrian crosswalks in the study area

The TAP Process and Framing Questions

The Village's vision for the corridor is a dynamic, safe, and attractive commercial district that provides various goods and services that complement the residential neighborhood immediately to the north. A vibrant commercial district and enhanced streetscape, the Village hopes, will also help establish an attractive gateway into the Village. Recognizing the importance of collaboration, the Village of Lincolnwood partnered with the City of Chicago to jointly sponsor this TAP. By coordinating efforts across jurisdictional lines the Village hopes to create a cohesive identity for the area.

The Village of Lincolnwood and the City of Chicago identified several complementary questions and issues that they hoped the TAP could address. These are:

1. What is the market for commercial redevelopment in the corridor? If commercial market demand is limited, what are other uses that could be successful in the corridor?
2. Would streetscaping have an impact on the viability of development? What impact would pedestrian and median improvements have? What type of streetscaping would be most valuable?
3. How can the corridor take advantage of nearby transportation assets such as the North Shore Channel Trail, PACE, and CTA bus routes? What opportunities are there for connections to Sauganash and Weber Spur trails across Devon Avenue?
4. What is the plan for the site at the northeast corner of Devon and McCormick (immediately adjacent to the study area)?

ULI Chicago convened a panel of experts to provide technical assistance to the Village and the City by developing realistic, implementable strategies to address the issues along Devon Avenue.

The ten-member panel met over two days and included experts from a variety of fields including transportation planning, real estate redevelopment,

sustainable design, and, landscape design. The panel was chaired by John Mays, a lawyer specializing in real estate development at Gould & Ratner, LLP, a mid-sized Chicago law firm.

To prepare for the panel, all panelists reviewed detailed background briefing material in advance. During the two day panel, the panelists toured the study area, heard from City of Chicago and Village of Lincolnwood representatives, and met with 40 area stakeholders, including residents and business owners. Using this information, the panelists worked together to develop several near term and longer term strategies to rejuvenate the study area.

Key Recommendations

The Village has several strengths to capitalize on, including its location, diverse demographics, high median income, strong retail base, and good fiscal health. However, socio-economic realities, including an aging population and the existence of retail elsewhere in the Village that competes with the corridor, limit the potential of the study area. Further, within the corridor, smaller lots, limited parking, and a small buffer area (alleyway) with the single-family residential neighborhoods, create challenging conditions for retail.

To restore vitality to the corridor, the Village must adapt to demographic changes, the changing retail landscape they usher in, as well as the physical constraints of the corridor. Additionally, the Village and the City must continue to collaborate to ensure that future developments and improvements create a more cohesive and a safer experience for all users along the corridor.

The panel's recommendations to address the questions posed by the Village and the City, focus on:

- **Redevelopment Opportunities,**
- **Transportation Improvements - Safety and Access, and**
- **Streetscape Enhancements**

Redevelopment Opportunities

1. Focus Redevelopment Efforts on Key Sites

The panel recommends focusing on key sites that have the most development potential and can re-energize the rest of the corridor (Figure 2). These sites include:

A: Northwest corner of Devon Avenue and McCormick Boulevard,

B: Northwest corner of Lincoln and Devon Avenues,
C: Whistler's Restaurant,
D: Vacant lot on Drake Avenue
E: Vacant MovieTheater Site

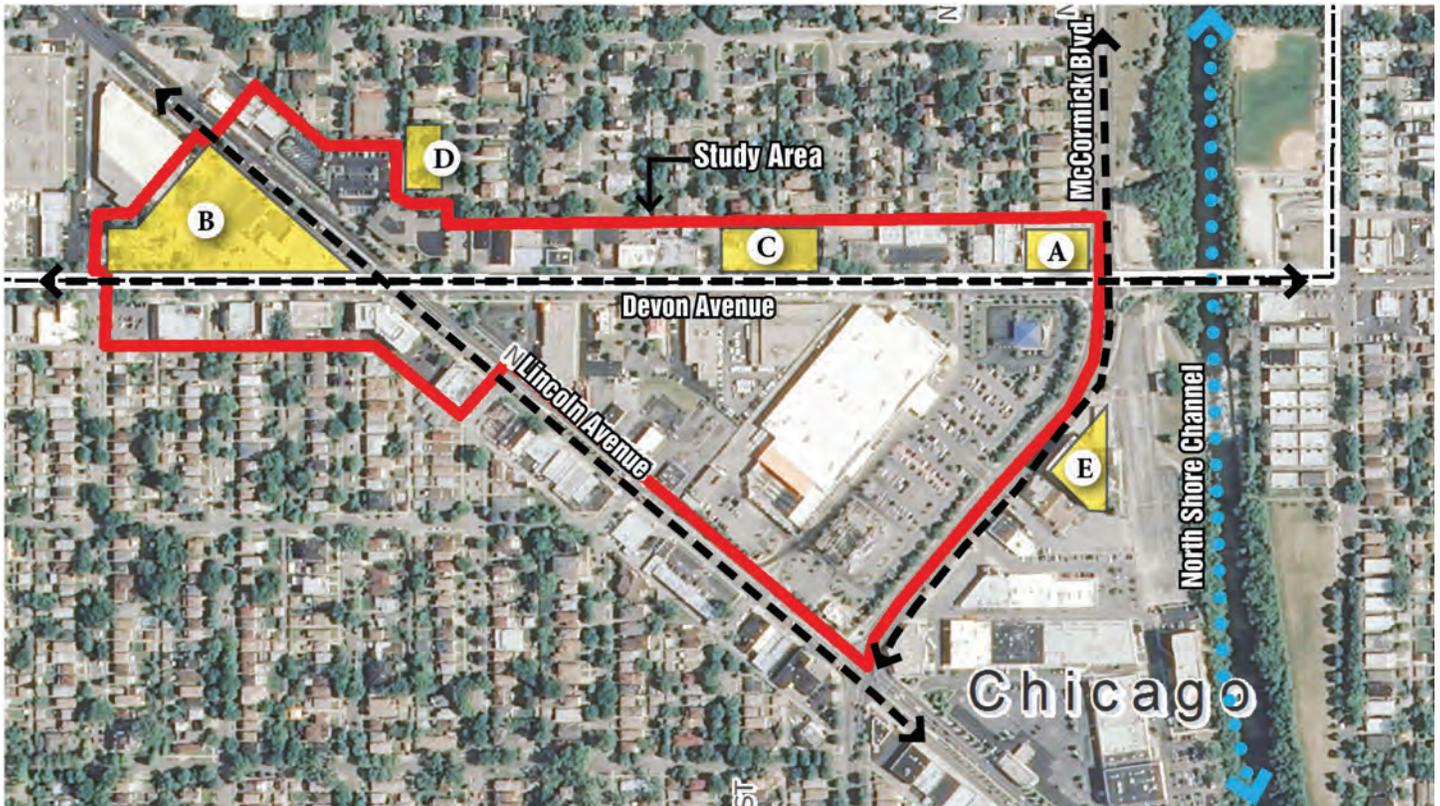


Figure 2: Key Redevelopment Opportunities

Site A: Northwest corner of Devon and McCormick.

This 21,300 square foot parcel, as a key bookend to the corridor and with strong potential for redevelopment, should be a primary, and immediate, focus for the Village. If the current tenant is unable to complete construction and start operations in a timely fashion, Lincolnwood should recruit another business for this location. The site and the currency exchange to its west are under the same ownership and could be assembled for redevelopment. Because of its high visibility, the panel recommends a retail focus for this location. A developer could use Tax Increment Financing (TIF) proceeds to renovate or rebuild.



Construction remains halted on the site at the NW corner of Devon and McCormick

Site B: Northwest corner of Lincoln and Devon Avenues. This 2.9 acre site, which forms the other bookend of the study area, consists of three parcels currently occupied by a Shell gas station, miniature golf, and a parking lot, as well as a Village-owned street that could be vacated.

As an assembled site with one owner, this corner is another attractive option for redevelopment. TIF status would be particularly helpful for redevelopment. Because of the need to assemble the parcel, vacate the street and potentially complete an environmental clean-up, this site should be viewed as a longer-term redevelopment opportunity.

Site C: Whistler's Restaurant. Located between Kimball and Trumbull Avenues, Whistler's is a key redevelopment site because of its size (28,800 square feet), large parking area (70 spaces), and single ownership. By upgrading the existing restaurant, or redeveloping it as a new destination-oriented single or multiple tenant restaurant, this site can become a big draw on Devon Avenue. A new or upgraded restaurant could potentially attract many more people to the area, increasing the customer base for other nearby businesses.

Site D: Vacant lot on Drake between Devon and Arthur Avenues. This 26,400 square foot site, which is privately owned and has been vacant for more than 50 years, is a prime residential development opportunity, and should be included in any TIF district that is established for the Devon Corridor. The lot, which is zoned R-4, could be developed as townhomes or market-rate senior housing. It could also be developed as usable open space. If developed, this property would generate additional tax revenue for the TIF.

Site E: Vacant Movie Theater Site. Although not within the immediate study area, the vacant movie theater site at the southeast corner of McCormick and Devon, offers another significant redevelopment opportunity. Because the site is located in Chicago, Lincolnwood should collaborate with the City of Chicago including the 50th Ward Alderman's office, to incorporate the site as an important component of the future plans for the overall area. If redeveloped, a retail use similar to Walgreens could be appropriate for this site.



Northwest corner of Devon and Lincoln Avenues is currently under-utilized



Whistler's has the large on-site surface parking lot on the north side of Devon



Vacant private property on Drake Avenue

2. Focus on Service-based Commercial Uses

Once some of the key sites, especially the northwest corner of Devon and McCormick, are redeveloped, it will be easier to attract smaller businesses to fill vacancies in the rest of the corridor. For these spaces, the panel recommends that the Village focus its efforts on attracting service-based commercial outlets providing services such as dentists, physical therapy, real estate, and similar uses.

The reason to focus on service business rather than traditional retail in this area is because the retail market along the six-block corridor on the Lincolnwood side of Devon is currently weak. Vacancy rates exceed 25 percent. The lots are shallow (125 feet deep), and a narrow alleyway behind the properties offers little barrier between the Devon business corridor and the residential neighborhood. Further, most of the buildings are privately owned, some with long tenures, and the rents are low. Together, these conditions suggest that tearing down existing buildings and replacing with newer retail would be difficult and not an effective use of funds.

In addition, there are already strong retail options elsewhere in the Village. In some ways, the decline of the corridor is a result of the Village doing an excellent job elsewhere in attracting retail. The Lincolnwood Mall, the planned development for the “Purple Hotel” site, and the retail options in the Touhy-Crawford area have saturated the Village with retail options. Therefore developing more retail in the Devon corridor would likely be self-defeating, and risk cannibalizing retail elsewhere.

3. Consider Market-rate Senior Housing

In addition, at the west end of the corridor, several parcels could be assembled to create market-rate, independent living, senior housing to accommodate the aging demographics in the area, which is also reflective of the national trend. The location is a prime spot, near the Swedish Covenant medical facility and a park, and could spur improvements in the buildings and parcels nearby. Zoning would need to be altered to accommodate higher density—three or four stories—to make this option viable. Because the surrounding architecture is three- to four-story buildings, a similarly sized residential building would



Many storefronts are vacant on the Lincolnwood side of Devon Avenue

fit in, and the development could add energy to the corridor. Indeed, senior housing is a growth market with many developers seeking opportunities in the market.

4. Build Relationships with Property Owners

To build out the commercial/service tenants in the four sites and along the full corridor, it will be critical that the Village build strong relationships with the current owners of the parcels and gather pertinent information to have on hand when courting real estate developers. Vacancy rates, zoning options, and lot sizes and prices, are the types of information that real estate developers will seek when making decisions where to invest. Having that information readily available will be critical.

Transportation Improvements - Safety and Access

The Devon corridor is a heavily trafficked span. However, it also has the potential to be a walkable, inviting stretch, with certain safety improvements. While motorists are important, so too are pedestrians. The visible activity that a highly walkable street filled with pedestrians encourages, sends a signal that the area is a good place to shop and linger.

A unique feature of the area is its Orthodox Jewish community, which is forbidden to drive on the Sabbath. Therefore, there is a built-in walking community already, which with some encouragement via high-quality design, could be convinced to abandon their cars and walk on other days of the week as well. In addition, people are coming from other parts of the region to use the trails along the North Shore Channel. Once completed, the Saugansah Trail and the Weber Spur Trail along with the existing North Shore Channel Trail, will form a strong regional bike network, a significant portion of which will traverse through Lincolnwood. Improving bike and pedestrian access to the Devon corridor from these trails would encourage additional visitors.

Creating opportunities for people to “trip-chain”—park and shop in two or more places—makes for a more vibrant area, as does the seamless integration of public transit. Encouraging a more walkable area also reduces the need for additional parking, because customers can park once and walk between shops.

With some effort, the six-block stretch of Devon could be a “complete” street—a street attractive to all users.

1. Improve Pedestrian Safety

A key element in any plan to attract more pedestrians is to improve safety. Two of the most frequent comments from residents were that the area does not have a cohesive look and that the lack of pedestrian crossings was dangerous. This latter concern was confirmed by looking at accident data, which shows higher incidences of pedestrian and bicycle accidents in the study area, compared to the other segments of Devon Avenue. (Figure 3)

To transform this auto-oriented stretch of Devon into a “complete” street, Lincolnwood and Chicago should work together to develop a shared vision for the corridor. Also because the Illinois Department of

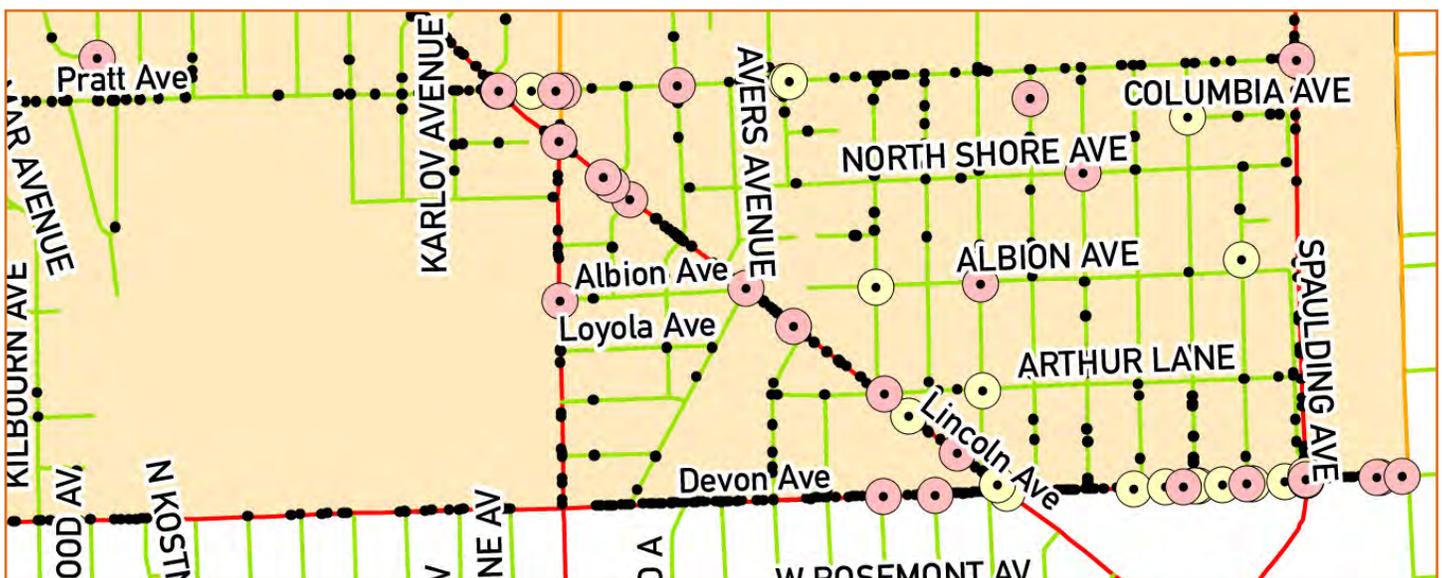
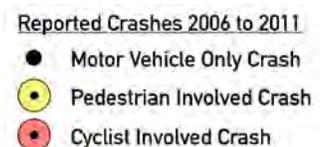


Figure 3: Study Area Crash Map
Prepared by Active Transportation Alliance, Source: IDOT 2006-2011



Transportation (IDOT) has jurisdiction over Devon Avenue, Lincolnwood and Chicago should jointly approach IDOT to make safety improvements. Features such as refuge islands, curb bump-outs, and improved sidewalks, will certainly help.

Create refuge Islands. Pedestrian safety can be improved by creating a median with pedestrian refuge islands. This allows people to cross halfway and then safely pause before crossing the other half of the street.

Add pedestrian crosswalks. The panel recommends installing a crosswalk with pedestrian-activated flashing beacons near the Post Office at Devon and Kimball. The beacons signal to drivers that a pedestrian is about to cross. Although a signal at the intersection is the best option for safety, it is also the most expensive.

Create Curb Bump-outs. The panel also recommends curb bump-outs at intersections with residential streets. Bump-outs shorten the distance from one side of the street to the other for pedestrians, making their passage safer.

Complete Sidewalks. The Village should complete the missing sidewalk between Lincoln and Hamlin streets, and should maintain continuous sidewalks along Devon.

2. Create Bike Lanes

The Panel recommends adding a bike lane, both to slow traffic and to increase transportation options in the corridor. Making Devon Avenue bike-friendly will make the bike trail along the Channel more accessible from the proposed Saugansah and Weber Spur trails, further strengthening the regional bike network.



Bike lanes increase transportation options

3. Improve Parking Options

The panel recommends that the Village consider creating angled parking on residential streets at intersections with Devon. Angled parking will significantly increase the amount of parking in the area and is likely to work within the existing street width. The Village could also approach MB Bank to share some of the parking in the large bank lot with area businesses, especially during the evening, when the bank is closed, but the other businesses are open. Additionally, the Village should create end-caps for street parking to enhance pedestrian safety.



Mid-block crosswalks and curb bump outs allow pedestrians to cross safely

A landscaped "end-cap" for on-street parking enhances safety and appearance

A detailed engineering study will be needed to develop a new “complete street” design for Devon Avenue. However, based on preliminary roadway measurements provided by the Village of Lincolnwood, Devon Avenue is approximately 60 feet wide from curb to curb in the study area, which is sufficient to incorporate many of the safety recommendations. Over a longer term, by reconstructing curbs and redesigning the entire right-of-way, which is almost 100 feet, Devon Avenue can be transformed into a street that is safe and attractive for all users. Figure 4 presents a roadway cross-section concept developed by the Active Transportation Alliance which illustrates several pedestrian and bike safety features recommended for Devon Avenue.

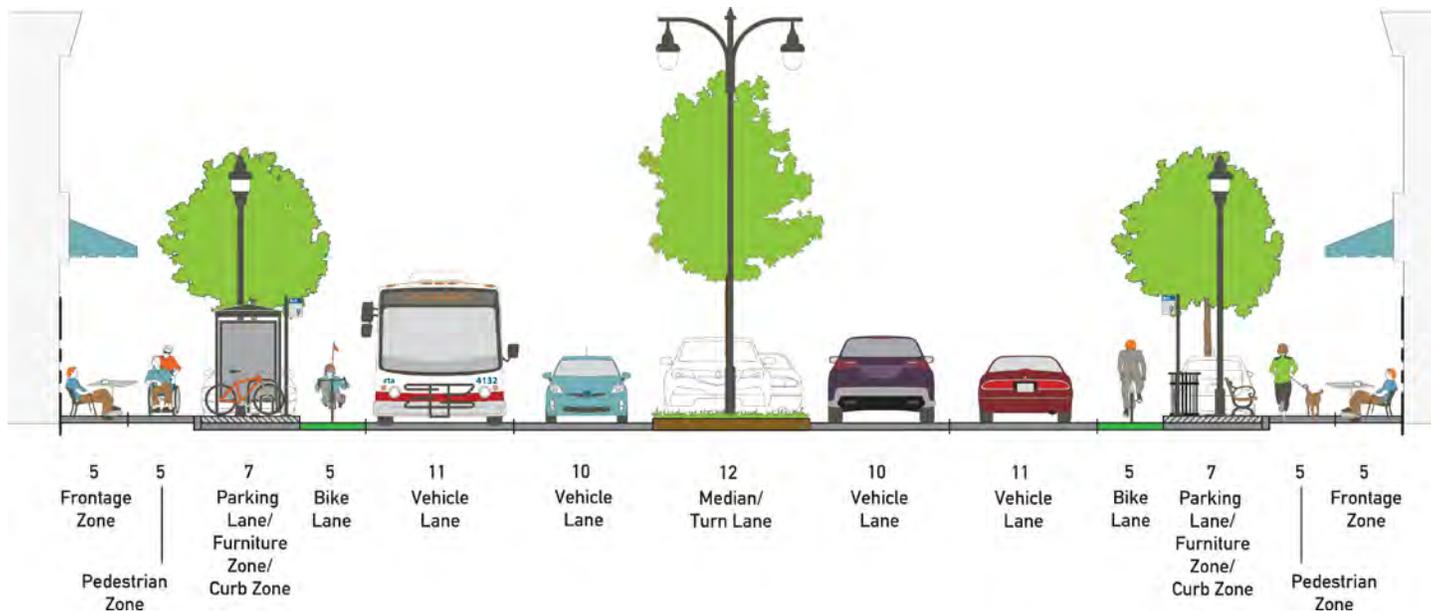


Figure 4: Typical Cross-Section for a Urban Commercial Mixed Use Boulevard
 Source: Complete Streets, Complete Networks Design Manual by the Active Transportation Alliance

Streetscape Enhancements

An improved streetscape along Devon Avenue can help build enthusiasm for the area and signal visually that the area is rejuvenated. As one resident said, “The worst case outcome is to do nothing.”

To improve the look and feel of the corridor, the corridor should be tied into the North Shore Channel and trail on the east, and Lincoln Avenue on the west side. To make shoppers feel welcome and engaged in the shopping experience, the panel suggests several beautification strategies, some immediate, others short-term, as well as longer-term plans. The panel feels strongly that the investment in landscaping and beautification would reap dividends in increased shoppers, and several features could greatly improve safety. Furthermore, streetscape is an essential investment if private developers are to show any interest.

50th Ward Alderman, Debra Silverstein, reported that Devon Avenue just east of the study area will undergo major streetscaping starting in 2014. With funding from an established TIF district and the State of Illinois, Devon Avenue from Kedzie Avenue to Leavitt Street in Chicago, will see new street lighting, wider sidewalks with decorative pavers, trees, benches, new crosswalks and community identifiers, among other improvements. To remain an attractive draw for shoppers and service seekers, the panel recommends that Lincolnwood focus on improving its own streetscape along Devon Avenue, drawing from the existing Streetscape Plan adopted by the Village for Lincoln Avenue. In addition to aligning with the design elements of Lincoln Avenue, key elements of the new streetscape should include public art and public spaces (Figures 5a and 5b). More specifically, the panel recommends that the Village do the following:

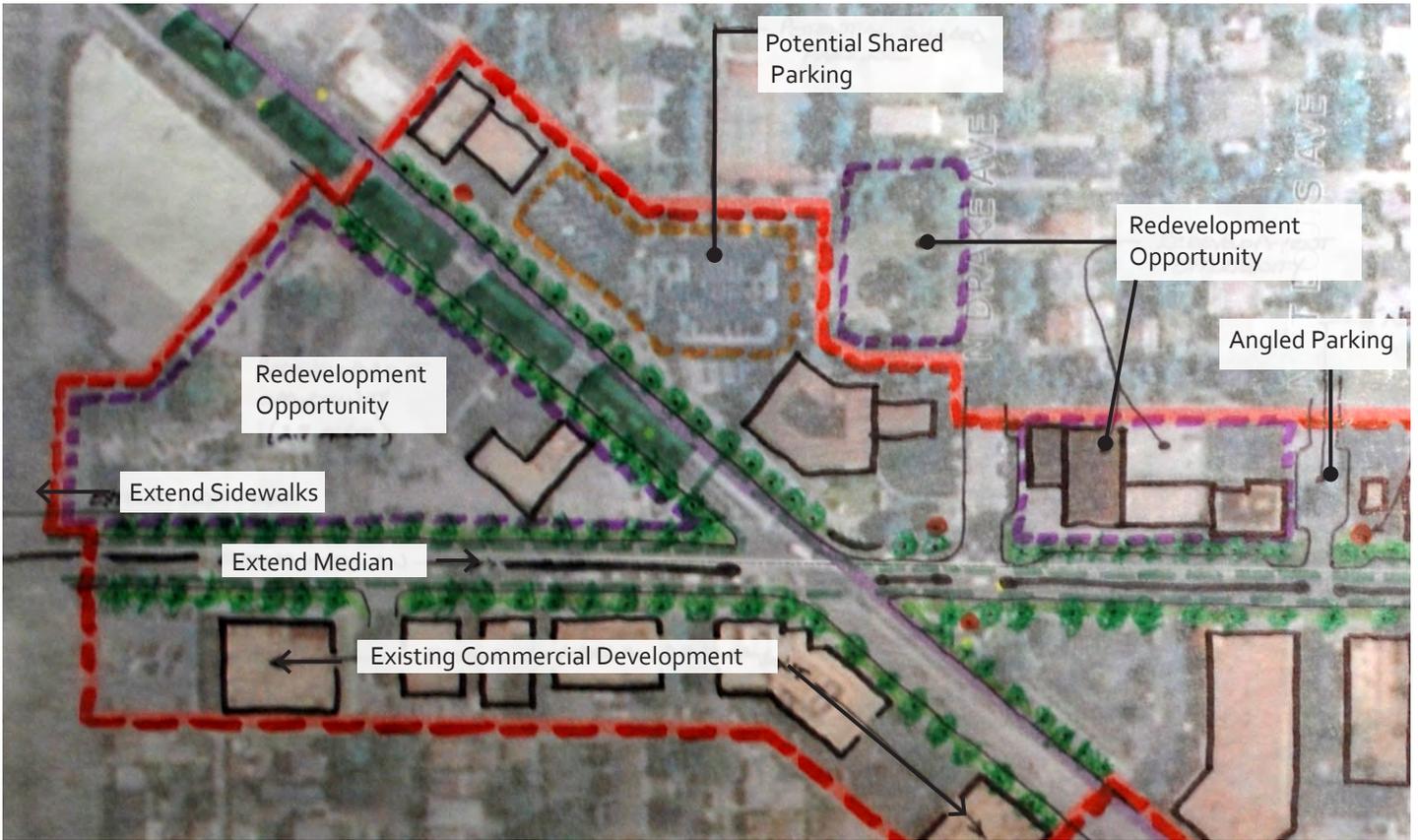


Figure 5b: Redevelopment Sketch for the western portion of the study area prepared during the two day panel

4. Create a Unified Corridor Design

Visual elements indicated in the Lincoln Avenue Streetscape Plan can be extended down into Devon Avenue. These elements include trees, benches, planter boxes, lighting, and signage. The elements should be placed on both sides of Devon, Lincolnwood and Chicago, to tie the street together visually.

Financing the Improvements

The key to successful commercial/service redevelopment, the panel notes, will be to establish a Tax Increment Finance (TIF) district. TIF districts capture increases in property tax revenues in a specific area without changing the actual tax rate for property owners. Any increased tax revenue is held in a specific TIF fund, which is used to help finance improvements aimed at stimulating economic growth within the district. Village opponents of a TIF on Devon have argued that current taxing bodies, such as the school system, could lose revenue because under a TIF, their share of the property tax would be limited to the



Examples of Recommended Street Furnishings
Source: Lincoln Avenue Streetscape Plan, Village of Lincolnwood

equalized assessed value of the area at the time the TIF was approved. While the TIF district is in place, tax revenue from increased property values generated within the TIF boundaries go into the TIF fund and then are reinvested in that area.

Although acknowledging the community resistance to a TIF, the panel feels strongly that short of floating a bond, this form of financing is the best option to rejuvenate the area. A TIF would be a clear draw to real estate developers, whose investment can stem the deterioration of the corridor. Without a TIF, the area will continue to decline and with it, the overall tax base. Ultimately, the infrastructure improvements in the area will benefit the public, not the private developers, as some opponents to the TIF have worried.

In addition to a TIF, the panel encourages the Village to reach out to local businesses to support beautification efforts. Home Depot, for example, has already volunteered trees for the streetscape project. In addition, the Village could target \$25,000 annually in Property Enhancement Program funding for four years for the Devon Corridor in the budget. The Property Enhancement Program is designed to provide an incentive to business owners to make improvements to their building's exterior or other property enhancement that will improve the appearance of a business district. The panel also encourages the Village to coordinate with the City of Chicago on beautification planning.

To finance the pedestrian- and bike-safety improvements, the panel recommends approaching IDOT for funds through its Highway Safety Improvements Program. Finally, the panel recommends timing the more major renovations along Devon to align with the eventual sewer repairs to be done by MWRD, as a way to "dig once," and save money.

Conclusion

The panel recommends that the Village focus on improving the look and safety of the Devon Corridor as a gateway to the Village and to encourage a service use focus for the area with retail on key

sites. The panel also identified options for funding the recommended upgrades and redevelopment efforts. Additionally, the panel has created a set of immediate and longer-term steps the Village can take to implement the recommendations presented in this report.

Immediate Actions

- Establish a TIF, without which developer interest will wane.
- Send Village crews to clean up trash, weeds, and other eyesores along Devon.
- Address the issues at the languishing, highly visible site at the northwest corner of Devon/McCormick.
- Establish relationships with local business and land owners in the corridor; develop a database of information such as rents and vacancies that are critical to developers.
- Reach out to businesses for potential sponsorships of public art and streetscaping elements.
- Actively engage with MWRD for the post-remediation use of the site on the northeast corner of McCormick and Devon.
- Establish regular meetings with the Chicago Alderman's office, and the City planning staff to build a strong relationship between the Village and the City.

Longer-term Initiatives

- Establish a zoning overlay district with flexibility in use and density to entice redevelopment on key sites.
- Approach the entire street with a consistent visual design plan and provide incentives for current owners to upgrade their properties.
- Address safety as a part of street design. Partner with the City of Chicago to jointly approach IDOT regarding implementing pedestrian and bike safety improvements along Devon.
- Address parking issues including angled parking on side streets off Devon as a part of overall street design. Identify potential funders for the public art related recommendations.
- Work with owners of key sites to facilitate land assembly and/or redevelopment.

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Village of Lincolnwood

Devon Avenue Corridor

(Study Area: north side of Devon Avenue between McCormick and Lincoln Avenues)

Commercial Development

The Devon Avenue corridor, located between McCormick Blvd. and Lincoln Avenue and within the Village of Lincolnwood, is comprised of 6 blocks, having approximately 22 businesses, 6 vacancies and 11 separate property ownerships. There is no established local business association or organization specifically for this corridor, although businesses may join the Lincolnwood Chamber of Commerce which serves the entire community. Attached is an inventory of the existing businesses located within the Devon Avenue corridor.

The Lincolnwood side of this corridor is characterized by a traditional urban development form with most buildings fronting directly onto the public sidewalk. For these properties, there is either no off-street parking or off-street parking is limited and located to the rear of the building, accessible via an alleyway.

Although the general condition is for the buildings to front directly onto the public sidewalk, 2 properties on the Lincolnwood side of the corridor are developed in a more traditional suburban strip pattern, with the 2 buildings situated toward the rear of the property with off-street parking occurring toward the street front. In the approximate middle of the corridor, an independent restaurant with a large adjoining off-street parking lot, comprises the entire block.

The corridor is generally characterized by single story buildings. Four properties however have second stories. While construction dates of the existing buildings located in the corridor is generally not known, most buildings appear to date to the 1950's-1960's. The one exception is the MB Financial Bank building located at the corner of Lincoln and Devon Avenues which was constructed in approximately 2003 (and which replaced another bank building at this location).

An alleyway separates the Devon Avenue commercial corridor properties from an adjacent well established residential area immediately to the north. Except for this alleyway however, there is little if any buffer between these land uses.

While there is no statistical data available, anecdotally a large orthodox Jewish population resides in this neighborhood north of the corridor. Within the Devon Corridor itself, a Community Kollel has been established on the Village side of the corridor and west of Lincoln Avenue along Devon in Chicago, two synagogues exist, one denoted as an orthodox synagogue.

In addition to religious diversity present, 26.6% of the Village's population is of Asian race, and more than half of the Village population speaks a foreign language at home, with 37.5% of the population foreign born. The largest Asian ethnic groups present in the Village are Asian Indian,

followed by Filipino and Korean. In 2009, the median household income of the Village was \$82,875. 71% of residents have either a college degree or some college.

In October 2010, the Village commissioned a study, prepared by Houseal Lavigne Associates, to study the feasibility of retail in an area of the Village located five blocks north of the Devon Avenue Corridor. This area, locally identified as the Lincolnwood Business Park, is an industrial area adjoining the newer Lincolnwood Town Center Mall development. While this study focused on the feasibility of retail in the Lincolnwood Business Park area, the report identified the Devon/McCormick/Lincoln Triangle as one of the retail concentrations located in Lincolnwood's primary market area. For reference, attached is this report.

Attachments

1. Inventory of Businesses in Corridor
2. Houseal Lavigne Retail Report

Village of Lincolnwood

Devon Avenue Corridor

(Study Area: north side of Devon Avenue between McCormick and Lincoln Avenues)

Residential Development

The Devon Avenue corridor within the Village of Lincolnwood is presently zoned B2 General Business District, from McCormick Blvd., westward to Drake Avenue. This zoning district does not allow for any type of residential development and there are no existing residential units found along this corridor, nor any currently planned.

Westward of Drake Avenue, including properties adjacent to the Devon/Lincoln Avenue intersection and taking in other properties north along Lincoln Avenue, the properties are presently zoned B1 Traditional Business District with a Mixed Use overlay zone. Within this Devon/Lincoln hub area, residential housing is not a Permitted Use; however, multifamily housing may be authorized with specific Special Use approval by the Village Board.

Whether to allow through any means, residential uses, including multifamily housing in the Mixed Use, Devon/Lincoln overlay zone, was of some controversy when the Village considered adopting new zoning in the 2007-08 time period. Some in the community did not believe it was appropriate that residential housing should be allowed at this Lincoln/Devon gateway area into the community.

On Lincoln Avenue, properties located north of approximately Arthur Avenue and northward for some distance, current zoning allows for residential development of up to three stories, although recently the Village Board has requested the Plan Commission to review whether any residential development along Lincoln Avenue south of Pratt Avenue to Devon Avenue is appropriate. This review has not yet occurred.

In 2008, at the time the Village adopted a comprehensive amendment to its zoning code, a proposal to allow residential development in the B2 District along Devon Avenue east of Drake, to McCormick Blvd., was made. This proposal was put forward in response to a plan by Whistler's Restaurant to develop a multi-story condominium building with first floor retail on this property within the corridor. This proposal became somewhat controversial in the community with concerns of the impact new residential units would have on local schools voiced and a call for further study before any change in the code was made allowing for residential in the Devon Avenue corridor. This proposal to allow for residential development in the Devon Avenue Corridor was subsequently defeated and no further interest or action concerning residential use in the corridor has been made.

Notwithstanding that presently residential is not allowed within the B2 zone of the Devon Avenue Corridor and the most recent land use consideration has been not to change this policy, the Village's 2001 Comprehensive Plan (updated in 2006 which added changes for Lincoln Avenue) recommends consideration of low density multifamily residential. See attached excerpt.

The area immediately north of the Devon Avenue corridor within the Village is zoned R4 Residential District, which allows for single family, duplex, townhouse and multifamily dwellings on minimum lot sizes of 5,400 square feet. While properties which front Spaulding Avenue (facing McCormick Blvd.) are largely 3 flats and there exists some duplexes, the character of this area immediately north of the Devon corridor is generally single family residential. Prior to the economic downturn in 2008, residential teardowns and rebuilds occurred in this area. Foreclosures in this area do not appear excessive.

Attachments

1. Excerpt Lincolnwood Comprehensive Plan Devon Avenue Corridor (2001)

**Village of Lincolnwood
Devon Avenue Corridor Business Inventory**

Address	Business Name	Business Type	Approximate Size*	Off Street Parking	Comments
<u>McCormick Intersection</u>					
3300 Devon	Jaffa Bagels (not open)	Restaurant	4600 sq ft	15 spaces (in front)	Premises Under Construction
3310 Devon (2 story)	Currency Exchange	Financial	1000 sq ft	3 spaces (to side)	
3318 Devon (2 story)	Shore Galleries	Firearm Shop	4400 sq ft	None	
3320 Devon	CD One Price Cleaners	Dry Cleaner	3300 sq ft	6 spaces (in rear)	
<u>Christiana Intersection</u>					
3350-56 Devon	Vacant	N/A	3000 sq ft	29 spaces shared (in front)	Previously Smart Jewelers
3362 Devon	Vacant	N/A	1300 sq ft	See above	
3364 Devon	Vacant	N/A	1300 sq ft	See above	Previously World Unlimited Travel
3366 Devon	Vacant	N/A	1300 sq ft	See above	
3368-70 Devon	Eye on Devon	Optometry Office	2600 sq ft	See above	Previously Avenue Fashion
3372 Devon	Vacant	N/A	5000 sq ft	10 spaces	Previously Monty Levenson Golf
<u>Kimball Intersection</u>					
3420 Devon	Whistler's Restaurant	Restaurant	5200 sq ft	70 spaces	
<u>Trumbull Intersection</u>					
3450 Devon	Fast Signs	Sign and Banner Shop	2800 sq ft	None	
3454 Devon	Global Podiatry	Medical	3600 sq ft	8 spaces (in rear)	
3456 Devon	Allstate	Insurance	1400 sq ft	14 spaces shared (in rear)	
3458 Devon	Mr. Refund	Financial (tax services)	1400 sq ft	See above	
3462 Devon	Lincolnwood Community Kolliel	Religious Center	3000 sq ft	See above	
3472 Devon	Dairy Star	Restaurant (ice cream)	980 sq ft	16 spaces	
<u>St.Louis Intersection</u>					
3500 Devon (2 story)	Siddharth Jewelers	Jeweler	2600 sq ft	18 spaces shared (in rear)	
	Dianoor Collectibles	Specialty		See above	
	Memsaheb Boutique	Clothing		See above	
	Senior Helpers of Nilas/Lincolnwood	Senior care		See above	On Second Floor
	Dream Life Realty	Real Estate		See above	
	Shree Balaji Travel & Tours	Travel Agency		See above	On Second Floor
3508-3510 Devon	E-Tech Services	IT/Computer Repair	2300 sq ft	24 spaces shared (in rear)	
3514 Devon	Vacant		1600 sq ft	See above	
3516 Devon	Jerger Design Services	Window Coverings	2600 sq ft	None	
3518 Devon	Jackson Hewitt	Financial (tax services)	2600 sq ft	None	
3520 Devon	Prudential Realty	Real Estate	5200 sq ft	None	
<u>Drake Intersection</u>					
6401 Lincoln (2 story)	MB Financial	Bank, Financial Services	10300 sq ft	77 spaces	Property includes drive-thru
<u>Lincoln Intersection</u>					
Notes					
<i>Parking count is estimated from aerial maps</i>					
<i>Business space is estimated from aerials; only ground square footage is shown</i>					
<i>Businesses are located on ground level unless otherwise noted</i>					
<i>All properties along the corridor are one story unless otherwise noted</i>					



Plan Commission Staff Report Case # PC-06-15 March 4, 2015

Subject Properties: N/A (Text Amendment)

Petitioner: Village Board

Nature of Request: Consideration of establishing open-air guest parking requirements for multi-family developments.

Notification: Notice of the March 4, 2015 Public Hearing was published in the Lincolnwood Review on February 12, 2015.

Summary of Request

At the October 21, 2014 Committee of the Whole meeting, the Village Board reviewed a proposed mixed-use development for the Whistler's Restaurant property located at 3420 West Devon Avenue. This proposal provided ground level commercial space along with 2 upper levels of residential units. At this meeting, the Village Board requested that the Economic Development Commission review this matter and provide its recommendation concerning residential use in this Corridor.

At its November 19, 2014 meeting, the Economic Development Commission's review of the proposed mixed-use development for the Whistler's site, many Commissioners found the proposal to have many attractive elements. Much discussion, however, occurred regarding parking demand created by the project and current area parking supply.

In this discussion, it was noted that while there was adjacent off-street parking available, parking for the proposed development was only provided in an enclosed garage and that there was no open-air, off-street parking provided for guests of the proposed residential units. In discussing this matter, it was noted that presently the Village has no requirement for multi-family developments to have any open-air, off-street parking for guests and this was found by the Commission to be a deficiency in the existing Zoning Code.

Accordingly, by a 7-0 vote, the Commission is recommended that the Village require some off-street open-air guest parking spaces for multi-family developments. To effectuate this recommendation, a Text Amendment to the Zoning Code would be required.

At their January 20, 2015 meeting, the Village Board referred to the Plan Commission for Public Hearing review of Article VI, and any additional Article/Section of the Zoning Code that may be discovered during review of this case, relative to establishing open-air guest parking requirements for multi-family developments.

Research

Staff conducted research of nine nearby communities to determine if any communities regulate the location of guest parking for residential uses. Staff found that none of the nine communities regulate guest parking location for residential uses similar to how the EDC discussed the matter on November 19, 2014. In fact, only one community, Skokie, stipulates where guest parking is to be located for elderly and disabled housing.

"For buildings containing 5 or more units, a minimum of 10 percent of the required parking spaces shall be unenclosed and available for guests and/or unit owners on an unrestricted first come, first served basis." (Sec. 118-218 (1) c.)

Des Plaines does not dictate guest parking location but there is a regulation for directional signage for the public to find guest parking for multi-family structures with 20 or more units in certain zoning districts. Finally, Wilmette and Park Ridge require certain percentage of multi-family off-street parking must be enclosed. Such regulation is contrary and inconsistent with the direction provided by the EDC.

Documents Attached

1. EDC Minutes November 19, 2014 (Draft)
2. Guest Parking Access Provisions (Research of Nearby Communities)
3. Relevant Code Sections from Nearby Communities



DRAFT

Economic Development Commission

**Wednesday, November 19, 2014
Council Chambers Room**

Minutes

Commissioners Present

James Persino, Chairman
James Kucienski, Vice-Chair
James Berger
Paul Levine
Patrick McCoy
Nadia Seniuta
Terrence Strauch

Commissioners Absent

Maureen Ehrenberg
William Pabst

Staff Present

Timothy M. Clarke AICP, Community Development Director
Aaron N. Cook AICP, Development Manager
Robert Merkel, Finance Director

Others Present

Village Trustee Jesal Patel
Jackie Boland, Lincolnwood Chamber of Commerce
Alberto Gonzales, Owner of 90 Miles Cuban Café
Chris Dimas, Whistler's Restaurant
Laszlo Simovic, Laszlo, Simovic, Architects, LLC
Kevin Murphy, KE Murphy Masonry

1. Call to Order/ Quorum Declaration

Noting that a quorum of 6 members was present, the meeting was called to order at 8:04AM by Vice Chairman Kucienski.

2. Welcome to 90 Miles Cuban Café Restaurant

Commissioners welcomed to the meeting, Alberto Gonzales, owner of 90 Miles Cuban Café. Alberto, who is also an 18 year resident of the Village, advised the Commission of his exciting plan to open his third restaurant in the former Ruby Tuesday space at the Town Center. He noted an aggressive timeline for completing interior renovation but was hopeful to open by the end of the year. He stated this would be his largest restaurant at approximately 7,100 square feet. He thanked Commissioners for their warm welcome.

3. Minutes Approval

Commissioner Berger moved to approve as presented, the proposed October 22, 2014 meeting minutes of the Commission. Commissioner Strauch seconded the motion. Motion approved by voice vote, 5-0.

4. Residential Use in Devon Corridor

Chairman Persino and Commissioner Levine arrived to the meeting at the beginning of this item. Director Clarke began by summarizing the matter for Commissioners, noting the Village Board has invited Commissioner input on this issue. Clarke proceeded to provide a power point, giving background and current status of residential use in the Devon Corridor, located between McCormick and Drake. He also continued by summarizing a zoning overlay technique that could be utilized to allow for residential use if desired in the corridor as well as summarizing current policies and plans affecting residential in the corridor. He then provided an overview of a proposed mixed use development for the Whistler's site located at 3420 Devon Avenue. He ended his presentation noting that staff has available block-by-block slides of the corridor should Commissioners have specific questions or wish to review current conditions in the corridor.

Chairman Persino noted that currently in the Chicago area there is much developer interest in mixed use development and they have largely embraced this form of development.

Chairman Persino suggested that such development might be needed to spur revitalization of this corridor. He noted however a specific concern regarding guest parking for the proposed Whistler's mixed use development because it lacked off street open air parking spaces for guests. Discussion continued on possible parking impacts of this proposed development for both the corridor and in the adjacent neighborhood. Commissioner McCoy noted much of the street parking found on this block is consumed by traffic produced by the Post Office across the street. Commissioner Levine indicated he believed the proposed Whistler's mixed use project was attractive and would improve the corridor. It was noted that the density, height and location of the proposed building toward Devon Avenue were attractive features of this proposed development.

Commissioners discussed the retail viability of the corridor and whether the addition of residential use would be beneficial. Commissioner's generally concurred that residential use would be beneficial to the corridor but believed it was important to maintain the ground floor for commercial uses, limiting residential units to only upper floors.

While noting the importance of creating a new streetscape for the corridor and the recent establishment of a TIF District for the area, Commissioners generally believed that mixed use development in the Devon Corridor would provide an impetus for other beneficial development in the corridor. It was further noted that allowing mixed use development in the

corridor was generally consistent with various planning and policy documents and the recent ULI study.

The overlay technique was then examined by Commissioners and whether Residential Use above the ground level should be listed as a Permitted or Special Use in such a proposed overlay zone. Chairman Persino noted that he generally does not favor using Special Use as a technique since it delays approvals and often is view as a potential obstacle in the development community.

Discussion continued regarding the Special Use technique and how it could be used on a case-by-case basis to review parking matters and address possible guest parking concerns on site specific plans, as was expressed earlier in the meeting. At the conclusion of this discussion, there was general concurrence that listing Residential Use above the ground level as a Special Use rather than as a Permitted Use was most appropriate at this time. In considering this matter, Chairman Persino noted that the Village should review its residential parking standards to address guest parking issues.

Commissioners considered whether an overlay zone should allow other related uses, such as senior housing, assisted living or nursing homes. By consensus, Commissioners believed a use change should only be related to residential use in the corridor.

Hearing no other discussion, Commissioner Kucienski made a motion, seconded by Commissioner Levine, to recommend to the Village Board the creation of an overlay zone for the Devon Avenue Corridor (McCormick Blvd. to Drake Avenue) which would allow as a Special Use, Residential units above the ground floor. Roll Call vote was taken. Supporting the Motion: Strauch; Berger; McCoy; Seniuta; Kucienski; Levine; and Persino. Opposing the Motion: none. Motion approved 7-0.

A motion was then made by Commissioner Kucienski, seconded by Commissioner Strauch to recommend to the Village Board that it consider a zoning code text amendment to address open air, off street guest parking at multifamily developments. Roll Call vote was taken. Supporting the Motion” Strauch; Berger; McCoy; Seniuta; Kucienski; Levine; and Persino. Opposing the Motion: none. Motion approved 7-0.

Director Clarke indicated he expected these recommendations to be considered by the Village Board on December 16, 2014.

5. Development Update Report

Director Clarke summarized the written Update report noting, noting interest in potential development on two parcels along Touhy Avenue.

6. Other Business

No other business came before the Commission.

7. Public Forum

No member of the public desired to address the Commission.

8. Adjournment

The meeting was adjourned by consensus at 9:17AM.

Respectfully Submitted,

Timothy M. Clarke, AICP
Community Development Director

Guest Parking Access Provisions

<u>Community</u>	<u>Guest Parking access provision?</u>	<u>Notes/Comments</u>
Skokie	Yes	Skokie does have a requirement for elderly and disabled housing that is specific to guests: "For buildings containing 5 or more units, a minimum of 10 percent of the required parking spaces shall be unenclosed and available for guests and/or unit owners on an unrestricted first come, first served basis." (Sec. 118-218 (1) c.)
Morton Grove	No	
Glenview	No	
Evanston	No	Evanston Code stipulates number of parking spaces based on guests for certain commercial uses, but not for residential uses.
Wilmette	No	Wilmette code does not contain any provisions for guest parking access. Their code does however include a requirement for enclosed parking for multi-family: "At least 50 percent of all parking spaces required for multi-family dwellings shall be enclosed within the principal building or garage attached to the principal building. One hundred percent (100%) of all parking spaces required for detached dwellings shall be enclosed within the principal building or in a detached garage on the subject property." (Sec 20-6.2.4 (b))
Park Ridge	No	Park Ridge code does not include any provisions for guest parking access per se. Like Wilmette, Park Ridge does regulate a percentage of enclosed parking spaces, but only in the residential district: "No less than fifty percent (50%) of all required parking in a residential district shall be provided in a completely enclosed building. However, parking located beneath a structure that is no less than four (4) feet below grade, as defined by this Ordinance, may be unenclosed, but must be screened from the public right-of-way by landscaping." (Sec 12.7.3)
Niles	No	
Des Plaines	Yes (Signage)	Des Plaines code does not include provisions for guest parking access, outside of a sign requirement for multi-family buildings: "For all multi-family structures in R-4, Central Core Residential and C-5, Central Business Districts with 20 or more units, a directional sign shall be posted for the purpose of alerting the public to the availability of guest parking. The sign shall be no larger than 2 feet by 2 feet and located within 10 feet of the driveway or alley, which leads to the visitor parking area. The signs must be made of permanent materials (finished wood and/or metal and complement the building and grounds." (Sec 9.6-9)
Winnetka	No	

Guest Parking Requirements

Village of Skokie

The minimum number of off-street motor vehicle parking spaces required for designated uses shall be as follows:

(1) *Residential and lodging uses.*

Congregate living facilities: For residential units with 5 or less bedrooms, parking shall conform to the requirements of the type of residential unit it occupies if the building were not used for a congregate living facility. For units with 6 or more bedrooms, the Plan Commission shall determine off-street parking.

Dormitory: Off-street parking requirements shall be determined by the Plan Commission.

Elderly and disabled housing:

- a. Market rate units: 1 parking space for each unit.
- b. Subsidized units: 1 parking space for every 3 units.
- c. For buildings containing 5 or more units, a minimum of 10 percent of the required parking spaces shall be unenclosed and available for guests and/or unit owners on an unrestricted first come, first served basis.

Hotels or private clubs and lodges: 1 parking space for each lodging room, plus 1 parking space for each 100 ft² of dining area, meeting rooms, and bars and cocktail lounges. In addition, other uses, such as retail sales or offices, which do not exclusively serve the subject establishment, shall provide parking spaces on the basis of the off-street parking requirements set forth elsewhere in this article.

Residences:

- a. For purposes of this section, any room other than a kitchen, living room, dining room, living-dining room, laundry room, bathroom or lavatory shall be deemed a bedroom, if it is more than 60 percent enclosed from an adjacent space.
- b. For residences built after the effective date of the ordinance from which this article is derived, all required handicapped and guest parking spaces shall be assessable to the public.
- c. Off-street parking shall be provided for each unit as indicated in the table below:

Bedrooms	Detached, and 2-unit multifamily	Townhouse		3 or more unit multifamily and upper story residences in mixed uses					
				Except B3 district transit oriented developments and NX, TX, and CX districts		B3 district transit oriented developments and NX and TX districts		CX district	
		Residents	Guests	Residents	Guests	Residents	Guests	Residents	Guests
Efficiency	2.00	2.00	0.00	0.90	0.10	0.90	0.10	1.00	0.25
1 or 2	2.00	2.00	0.00	1.35	0.15	1.35	0.15	1.00	0.25

(c) Spaces which may not be counted toward off-street parking requirements. Any off-street parking space occupied by a vehicle for sale or lease, or occupied by a fleet vehicle kept on a non-residential property by the owner or occupant of the property, shall not be counted toward the number of parking spaces required under this Section.

(d) Exceptions and Reductions in the Village Center and NR-1 District. In the VC District and NR-1 District all business uses in structures erected prior to the date of this ordinance shall be exempt from the requirements of Table 6.2.2. Notwithstanding the above, no existing parking spaces shall be eliminated from any property in the VC District and NR-1 District unless the same number of spaces is provided elsewhere in accordance with all requirements of this Part 2.

Section 20-6.2.3. Shared parking

No parking space or portion thereof shall be counted as a required space for more than one use under Section 6.2.2 unless approved as a special use by the Board of Trustees in accordance with the procedures and standards set forth in Article 4, Part 3 of this Chapter, and provided that the developer can demonstrate that the different uses will not substantially overlap in hours of operation or hours of demand for the shared spaces.

Section 20-6.2.4. Location of parking spaces

(a) In accordance with Section 6.1.2, no parking space serving a residential use shall be located within the required front yard or within five feet of any lot line, except where such space is located in a driveway serving a detached dwelling or townhouse. No parking space serving a non-residential use shall be located within five feet of any lot line. Circular driveways must contain a parking space not located in the required front yard.

(b) At least 50 percent of all parking spaces required for multi-family dwellings shall be enclosed within the principal building or a garage attached to the principal building. One hundred percent (100%) of all parking spaces required for detached dwellings shall be enclosed within the principal building or in a detached garage on the subject property.

(c) All off-street parking spaces required to serve a structure or use erected or established in a residential zoning district after the effective date of this Chapter shall be located on the same lot as the structure or use served.

(d) Off-street parking spaces required to serve any use established in a non-residential zoning district after the effective date of this Chapter, or required to serve any structure or use existing on the effective date of this Chapter, other than a single-family detached dwelling, which is subsequently altered or enlarged so as to require the provision of additional off-street parking spaces, may be served by an off-street parking facility located on land other than the lot on which the structure or use to be served is located, provided that:

4. Any subsequent change in ownership or use shall require proof that the minimum parking requirements, per this Section, have been met for each use. The owner of a building or use shall have one-hundred eighty (180) days within which to accommodate all required off-street parking or to apply for a variance. If the owner is unable to accommodate the parking or fails to apply for a variance, then the occupancy certificate shall be revoked with respect to the building or use for which the separate parking was required. The occupancy certificate shall be reinstated when all applicable provisions of this Section are complied with. As an alternative to a variance, a new shared parking agreement may be arranged in accordance with this Section.

12.6 LAND BANKED FUTURE PARKING

The Planning and Zoning Commission may permit land banking of up to twenty-five percent (25%) of the required parking spaces through the site plan review process.

- A. Sufficient evidence shall be provided by the applicant that supports the reduced parking needs.
- B. The area proposed for land banking of parking spaces shall be an area suitable for parking at a future time.
- C. Landscaping of the land banked area shall be in full compliance of the zoning regulations and at a minimum landscaped with turf. As a result of the site plan review process, the Planning and Zoning Commission may require additional landscaping of the land-banked area.
- D. The land banking area cannot be used for any other use without amendment of the site plan.
- E. As part of the site plan review process, the applicant shall show the area to be banked on the site plan and marked as "land banked future parking."
- F. The Zoning Administrator, on the basis of increased parking demand for the use, shall require the conversion of all or part of the land-banked area to off-street parking spaces.

12.7 LOCATION OF OFF-STREET PARKING SPACES

A. Residential Uses

1. All required parking spaces for residential uses shall be located on the same lot as the building or use served.
2. For single- and two-family dwellings, parking shall be permitted in private driveways, but no such parking may encroach onto the public right-of-way. However, such driveway parking shall not be considered as satisfying the off street parking requirements for such single- and two-family dwellings as set forth in this Section, except for existing structures within the R-3 District where parking shall be permitted in private driveways and may count toward the required number of off-street parking spaces, but no such parking may encroach onto the public right-of-way. (Ordinance 2008-65, 9/2/2008)
3. No less than fifty percent (50%) of all required parking in a residential district shall be provided in a completely enclosed building. However, parking located beneath a structure that is no less than four (4) feet below grade, as defined by this Ordinance, may be unenclosed, but must be screened from the public right-of-way by landscaping.

9.6-9: Signs for Multi-family Buildings. For all multi-family structures in R-4, Central Core Residential and C-5, Central Business Districts with 20 or more units, a directional sign shall be posted for the purpose of alerting the public to the availability of guest parking. The sign shall be no larger than 2 feet by 2 feet and located within 10 feet of the driveway or alley, which leads to the visitor parking area. The signs must be made of permanent materials (finished wood and/or metal and complement the building and grounds).

9.7 Off-Street Parking Requirements

The parking and loading requirements applicable in each district are set forth below.

RESIDENTIAL USES	
Dwelling: Single Family Detached	2 spaces per dwelling unit
Two Family; and Townhouses (single family attached)	2 spaces per dwelling unit
Dwellings, Multiple Family	2 spaces per dwelling unit (ord. Z-11-08)
Mobile Homes	1.5 spaces per dwelling unit

INSTITUTIONAL USES	
Auditorium, theater (not including outdoor theater) or other place of assembly	1 space for every 5 seats.
Colleges or Universities	1 space per classroom, plus 1 space for every 200 Sq. ft. devoted to offices, plus 1 space for every 6 students based on maximum enrollment.
Assisted Living Facilities	1 space for each 5 beds, plus 2 spaces for every 3 employees.
Congregate living Centers	1 space for each 3 living units, plus 2 spaces for every 3 employees.
Child Care Facilities	1 space for every 15 children. plus 1 spaces for every employee.
Hospital	1 space for every 5 beds, plus 2 spaces for every 3 employees.
Places of Worship	1 space for every 4 seats in the main auditorium, sanctuary, nave or similar place of assembly and other rooms (gymnasiums, classrooms, offices), which are to be occupied simultaneously. In the case where there is no affixed seating, 1 space shall be provided for every 60 Sq. ft. of floor area.
For places of worship established prior to adoption of this Ordinance, the parking standard shall only	1 space for each 10 seats in the main auditorium, sanctuary, nave or similar place of assembly and other rooms



Plan Commission Staff Report

Case #PC-02-15

March 4, 2015

Continued from February 25, 2015 and February 4, 2015

Subject Property: N/A (Text Amendment)

Requested Action: Text Amendment to the Zoning Code to review and modify and found necessary Article II and Article III of the Zoning Code, and any additional Article/Section of the Zoning Code that may be discovered during review of this case, relative to the definitions of open, semi-private, and solid fences and associated bulk regulations.

Petitioner: Village Board

Summary

Below is the summary that was sent for the February 4, 2015 Plan Commission meeting. At that meeting, the Plan Commission requested additional pictures/images of certain fence types to assist in deliberating if the current restriction permitting only vertical fence boards is appropriate. Attached are images of louvered fences as well as horizontal shadow box fences.

In considering a Variation request at 6529 North Central Park Avenue, the ZBA recommended to the Village Board that the Zoning Code should be reviewed and possibly amended to clarify fence definitions and regulations. More specifically, the ZBA determined that the existing language of the Zoning Code is unclear concerning the definition of semiprivate fence. The ZBA generally believed language improvements to the definition section should be made to improve clarity of the regulation.

Below is the definition of semiprivate fence with staff's notes on four different portions of the definition which result in a lack of clarity.

“FENCE, SEMIPRIVATE or SEMIPRIVATE FENCE A fence which is not a solid fence nor an open fence¹. These types of fences are restricted to board-on-board fences² (also known as "shadow box types"). The open space between vertical fence boards³ shall not exceed 85% of the width of the boards on the same side of the fence⁴.”

- (1) Generally poor practice in a definition to define the word/term by establishing what the word/term is not. Staff recommends this be eliminated from the definition.

- (2) The term board-on-board is used inconsistently within the fence industry. However, based on staff's review of local and national companies, board-on-board fences are often of a solid design. There are no gaps between boards which creates a solid design. To include these types of fences as semiprivate is confusing and potentially contradictory to other fence regulations.

The Village allows open, semiprivate, and solid fences in different locations with open fences generally permitted in all instances in side and rear yards and solid fences being largely prohibited. Village fence regulations provide locational exceptions for solid fences identified by Section 3.13(11)a. These exceptions where solid fences are allowed are:

- 1) Immediately surrounding and enclosing recreational water tub or swimming pool;
- 2) Abutting an alley;
- 3) Abutting a lot in a business district;
- 4) Abutting a lot in a residential district used for nonresidential uses; and
- 5) In a rear or side yard along a lot line which abuts a lot in a manufacturing district.

Given the restrictions on solid fences, staff believes including a reference to board-on-board fences within the definition of a fence type that is not as restricted. If the Plan Commission concurs with staff's determination, staff recommends that references to board-on-board fences as an example of a semiprivate fence should be eliminated.

- (3) Vertical fence boards greatly restrict the design of a semiprivate fence. Staff is not aware of any specific purpose behind regulating the orientation of the boards.
- (4) Staff is unsure how to determine compliance with this regulation as drafted. The standard establishes a maximum open space between boards which is counterintuitive if the regulation is trying to ensure minimum open space and avoid solid fences.

Staff Research

Attached to this staff summary is a memorandum from Ryan Johnson, Community Development Intern, which summarizes several areas of research. Staff was unable to find any references regarding the legislative history of developing the current semiprivate fence definition. Based on a review of ten neighboring communities, Lincolnwood is the only community that defines three different fence styles/designs (open fence, semiprivate fence, and solid fence).

It is anticipated that Mr. Johnson will attend the February 4th Plan Commission meeting.

Conclusion

The Plan Commission has been referred this Public Hearing to consider fence definition and regulations, beginning with the definition of semiprivate fences. The Plan Commission, at their February 4th meeting will review and consider the ambiguity of the

current semiprivate fence definition and provide comment on the issues raised. Based on this discussion, it is likely the meeting will need to be continued to provide staff an opportunity to revise text and review other fence sections/regulations to ensure consistency with directed changes.

Attachments:

1. Images of Louvered and Horizontal Shadow Box fences
2. Images of Shadow Box and Board-on-Board fences
3. Memorandum from Ryan Johnson (revised 1/30/15)
 - a. "Fence Style Definitions in Neighboring Communities" spreadsheet
 - b. A Better Fence Construction company's "Wooden Fence Designs" webpage
 - c. Lowe's board-on-board fence panel at company webpage
 - d. Home Depot board-on-board fence panel at company webpage















Shadow Box Fencing

Shadow box fencing provides a very sharp looking alternative to a standard stockade fence, however it is only semi-private. Others walking or driving by can see partially through your shadowbox fence to the backyard.



The limited privacy is often not an issue for many people since their property is shared with friendly neighbors who are more concerned about protecting your property as well. Plus, from the front, there is usually limited to no view of the back yard.



Decorative Privacy Fence

This is a board on board privacy fence design. This is a decorative privacy fence that looks very attractive, provides absolute privacy, and is slightly cheaper than the Shadowbox Fence.

If you click on the headings they will take you to more pictures of these types of fencing, and the options available.





MEMORANDUM

To: Aaron Cook, Development Manager

From: Ryan Johnson, Community Development Intern

Date: October 3, 2014 (1/30/2015 Revision)

Re: Summary of Semi-Private Fence Information

Background

The Village of Lincolnwood's zoning code includes definitions of Open, Solid and Semi-Private fence styles. Staff compared these definitions to the fence definitions utilized by neighboring communities. Staff also researched the terminology that fence contractors and home centers use in relation to fences fence styles. Staff has concluded that the terminology and definitions that organizations use to describe fencing styles varies widely. In light of this, Lincolnwood's Semi-Private Fence zoning definition could be considered ambiguous.

Semi-Private / Board-On-Board / Shadow box Fence Definitions

Lincolnwood's Semi-Private Fence definition reads:

“A fence which is not a solid fence nor an open fence. These types of fences are restricted to board-on-board fences (also known as "shadow box types"). The open space between vertical fence boards shall not exceed 85% of the width of the boards on the same side of the fence. [Amended 6-3-2014 by Ord. No. 2014-3102]”

Staff researched the history of this definition and found that this it went into effect in May of 2003. Staff researched meeting minutes from the Plan Commission, CORB and Village Board meetings that led to Ordinance 2003-185. This is the ordinance which included the Semiprivate Fence definition for the first time.

Of the 30 public hearings that the Plan Commission considered the fence item, only 16 meeting minutes documents could be found. Nothing in these meeting minutes referenced discussions about fence definitions. Staff could not find any notes related to semi-private fences whatsoever. The discussions found in the meeting minutes primarily focused on the height and security aspects of fencing.

Neighboring Community Fence Definitions

Staff has researched the zoning code of 10 neighboring communities and found that they do not have definitions for semiprivate, board-on-board or shadow box style fencing. Glenview's fence section does mention that board-on-board fencing is considered finished on both sides, but provides no definition for this style of fence.

Five of the 10 neighboring communities do not define open or solid fences, which Lincolnwood's zoning code does. Evanston regulates fences based on percentages of opacity. Glenwood and Des Plaines similarly define their requirements by percentage of fence that is considered 'open.'

Fence Industry Definitions

Staff investigated fence definitions on the Internet and contacted Tru-Link at Skokie to find common definitions for semi-private, board-on-board or shadow box fence styles. On September 25th, 2014 Steve Schneider, a sales representative for Tru-Link, explained to staff that board-on-board is not synonymous with the shadow box style. He explained that board and batten style is also board-on-board, but it is a solid privacy fence, without any gaps between boards.

Staff looked at other contractors' fence offerings on the Internet and found that some contractors do define board-on-board as synonymous with shadow box style, while others do not. Home Depot uses the term "Alternate Board" instead of shadow box. Furthermore, Home Depot and Lowe's stores both offer privacy fencing described as "board-on-board." These fences conflict with Lincolnwood's Semi-Private Fence definition because they are not a "shadow box type" fence.

Recommendations

Staff recommends that the definition of "Semi-Private Fence" in Lincolnwood's zoning code be reviewed and altered so that the term 'board-on-board' will no longer be included in the definition. The current definition conflicts with terminology that many fence contractors and home improvement stores commonly utilize.

Attachments

1. "Fence Style Definitions in Neighboring Communities" spreadsheet
2. The definitions and fence sections of 10 Neighboring Communities
3. A Better Fence Construction company's "Wooden Fence Designs" webpage
4. Lowe's board-on-board fence panel at company webpage
5. Home Depot board-on-board fence panel at company webpage

Fence Style Definitions in Neighboring Communities

Ryan Johnson 10/3/2014

Municipality:	Fence Definition	Open fence Definition	Solid Fence Definition	Semi-Private Definition	Notes:
Lincolnwood	X	X	X	X	Includes Semiprivate Fence definition. Semiprivate fences are synonymous with shadowbox and board-on-board styles.
Skokie	X				Simple definition of "Fence". Could not find any style regulations for residential districts.
Morton Grove	X		X		Definition: solid fence "effectively obstructs view from adjoining properties, streets, alleys, or public ways." Unclear from code what a shadowbox fence would be considered, because it is possible to see through one at an angle.
Glenview	X				Fence code references board-on-board and solid fences, but there are no definitions of these styles. Fences at side yards must be "at least 50 percent open." Code does not address shadowbox fencing.
Evanston	X				Definitions include "Fence Opacity". Intricate fence section includes drawing of fences. Code regulates opacity, for example, "maximum fence opacity of seventy percent" It appears that shadowbox fences would be considered a fence that has 100% opacity.
Wilmette	X	X	X		Less than 50% open space is a solid fence; more than 50% open is an open fence. The definitions are measured at "eye level at a position perpendicular to the fence", which means implies that shadowbox fences are considered a solid fence style.
Park Ridge	X	X	X		A solid fence is defined as a fence made entirely of opaque materials, which can be ambiguous. Open fences are at least 50% open space. Unclear from code what a shadowbox fence would be considered.
Niles	X		X		A solid fence, per the zoning definition, "effectively conceals" the adjoining property. A shadowbox fence would not do that. The fence section defines "Fence" as having, over its entirety at least 70% of its surface area open space, viewed perpendicular to the fence. These two definitions seem to exclude shadowbox fences.
Des Plaines					No fence definitions. The fence section regulates that certain fences be "at least fifty percent open "see-through" area of uniform distribution".
Winnetka					Could not locate any fence style regulations in their code. Most regulations are regarding height.
Highland Park	X	X	X		Code definitions describe an open fence as having 50% of "open air spaces" per square foot, which afford a direct view through the fence. The definitions describe a solid fence as having no open breaks and conceals activities from adjoining properties. Fence section also includes definitions of open and solid fences, which conflict with the previous definition. The fence section stipulates that a solid fence is less than 60% apertures; an open fence is more than 60% apertures.

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Attractive Wooden Fence Designs

We showcase here our most recent, attractive Wooden Fence Designs we've installed and constructed including Absolute Privacy designs.

Semi-Private Designs

Shadow Box Fencing

Shadow box fencing provides a very sharp looking alternative to a standard stockade fence, however it is only semi-private. Others walking or driving by can see partially through your shadowbox fence to the backyard.



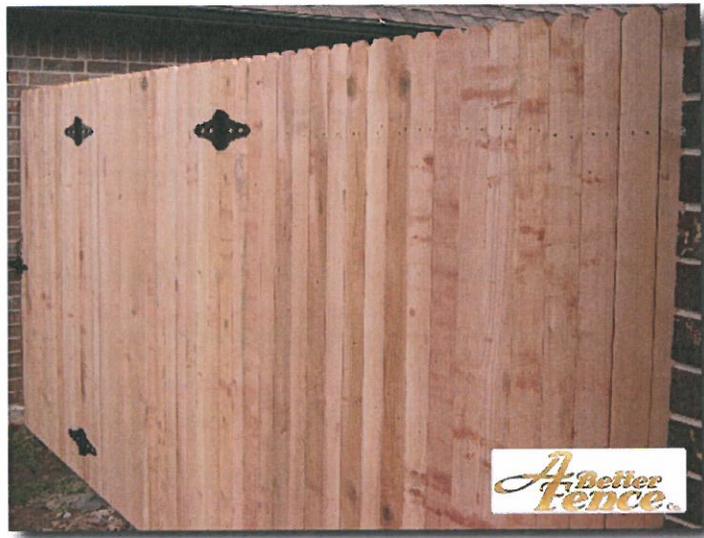
The limited privacy is often not an issue for many people since their property is shared with friendly neighbors who are more concerned about protecting your property as well. Plus, from the front, there is usually limited to no view of the back yard.

Solid Board Wooden Fence Design

Solid Board fence is exceptionally cost effective and useful in providing excellent privacy. Pickets are nailed to the back rails with galvanized nails.

Mobile Phones:

Touch to Call: **202-8580**
or touch the phone number below on main pages.



Also, check out our #1 selling fence design, the:

[7/8" x 6" Solid Board Western Red Cedar Privacy Fence](#)



Absolute Privacy Fence Styles

The "Absolute" privacy fence designs allow for absolutely no viewing through the pickets. Those here are 2-sided solid board design and board on board.

We use the term "absolute" to convey the fact that basically no one could peak anywhere through your fence!

2-sided Solid Board Privacy Fence Design

We completed a 2 sided solid board privacy fence where the pickets are installed on both side for aesthetic purposes.

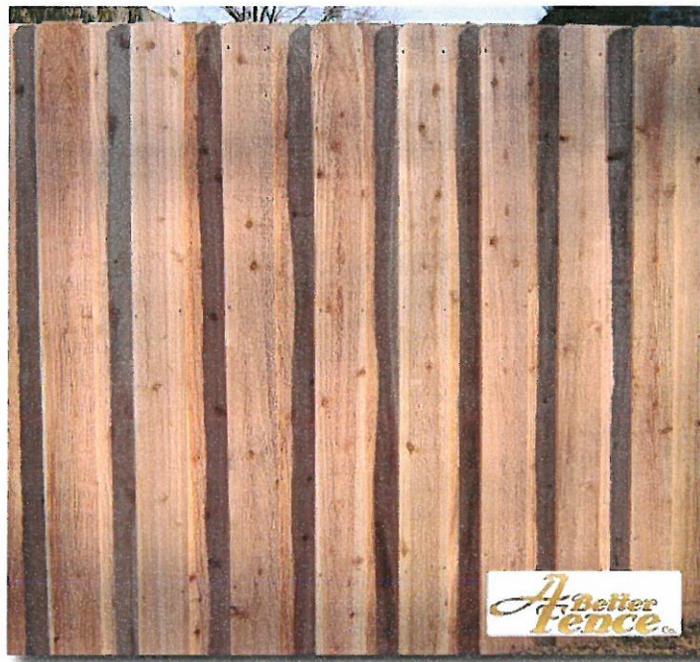
This is a picture of only the backside of the fence. The front looks exactly the same. Postmaster inline posts were used to create a true good neighbor fence.



Decorative Privacy Fence

This is a board on board privacy fence design. This is a decorative privacy fence that looks very attractive, provides absolute privacy, and is slightly cheaper than the Shadowbox Fence.

If you click on the headings they will take you to more pictures of these types of fencing, and the options available.



Decorative Privacy Fence with Full Trim

This is the board on board, decorative privacy fence with full trim added. The trim usually includes:

2"x6" inch rough cedar top cap, and

1"x2" inch cedar trim piece.

We get many compliments from this decorative type.



Even the backside of this style of fence looks pretty. We really like the board on board design and so do our customers. They get lots of compliments from their neighbors too.

The connection was



[Return HOME from Wooden Fence Designs](#)

202-8580



We are an Oklahoma City Fence Company serving the cities and communities of Edmond OK, Oklahoma City OK, OKC, Moore OK, Norman OK, Yukon OK, Del City OK, Midwest City OK, Mustang OK, Newcastle OK, Bethany OK, Choctaw OK, Warr Acres, Nichols Hills, The Village, Piedmont, and more in Oklahoma. 73139



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Enlarged Image

Wood Fencing Pressure Treated Board on Board 6' x 8' Panel ACQ

Item #: 5017 | Model #: 5017

★★★★★ Be the first to write a review!

\$47.97

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Got an update or addition to this product's details? Share it here.

Pressure Treated Board on Board 6' x 8' Panel ACQ

- 5/8" x 6' picket
- 6' x 8' panel for faster and easier installation
- Pressure treated for durability
- Doubled nailed pickets and backer rails
- Quality privacy fence

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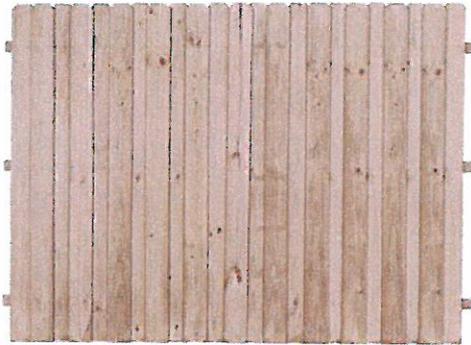
Model # 105819 | Internet # 202093942

6 ft. x 8 ft. Pressure-Treated Pine 4 in. Board-on-Board Fence Panel

★★★★★ (2)

Write a Review

Questions & Answers (1)



PRODUCT OVERVIEW

Model # 105819 | Internet # 202093942

The 6 ft. x 8 ft. Pine Board-on-Board Pressure-Treated Fence Panel is constructed of sturdy yellow pine and can add natural beauty to your home, yard and garden. Its natural wood finish is stainable and paintable, and the wood itself is pressure-treated for long-life. Each section comes fully assembled, and installation is easy.

California residents: see [Proposition 65 information](#)

- Made from pine
- Board-on-Board style fence
- Double-nailed pickets
- Fully assembled for easy installation
- Note: Product may vary by store

SPECIFICATIONS

Actual backer rail length (in.)	96	Actual backer rail thickness (in.)	1.5
Actual backer rail width (in.)	2.625	Actual panel height (in.)	72
Actual panel thickness (in.)	1.9	Actual panel width (in.)	96
Assembled Depth (in.)	2.75 in	Assembled Height (in.)	72 in
Assembled Width (in.)	96 in	Color Family	Brown
Commercial/Residential Use	Commercial / Residential	Contact Type Allowed	Above Ground
Fence Application	Privacy, Security	Fencing Product Type	Wood Fence Panels
Manufacturer Warranty	See store for details	Material	Wood
Nominal backer rail length (in.)	96	Nominal backer rail thickness (in.)	2.0
Nominal backer rail width (in.)	3.0	Nominal panel depth (in.)	3
Nominal panel height (ft.)	6	Nominal panel width (ft.)	8
Number of pickets for panels	29.0	Number of rails for panels	3.0