



# Village of Lincolnwood Plan Commission

*Meeting*  
**Thursday, January 7, 2021**  
**7:00 P.M.**

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

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

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

- WEB-BASED VIDEO PARTICIPATION: <https://global.gotomeeting.com/join/595336757>
- AUDIO-ONLY DIAL-IN: (669) 224-3412, ACCESS CODE: 595-336-757

## Meeting Agenda

1. **Call to Order/Roll Call**
2. **Pledge of Allegiance**
3. **Approval of Minutes**  
December 2, 2020 Meeting Minutes
4. **Case #PC-01-21: 4010 West Touhy Avenue – Approval of a Special Use to Allow a Drive-Through Facility to Support an Outpatient Medical Office Use**  
  
**Request:** Consideration of a request by Parc Professional, on behalf of the Stanley Bazianos and Sophia Bazianos Trust, Property Owner, to approve a Special Use to permit a drive-through facility in order to support an “outpatient medical office” use at the property commonly known as 4010 West Touhy Avenue. During this Hearing, the Plan Commission may consider any additional relief that may be discovered during the review of this case.
5. **Case #PC-02-21: 7366 North Lincoln Avenue – Approval of a Special Use to Allow a Commercial Recreation Facility Use**  
  
**Request:** Consideration of a request by LincolnTouhy, LLC, Property Owner, to approve a Special Use to permit a “commercial recreation facility” use at the property commonly known as 7366 North Lincoln Avenue. During this Hearing, the Plan Commission may consider any additional relief that may be discovered during the review of this case.
6. **Discussion: Update Regarding Landscape Regulations**  
Staff requests that this item be continued to the February 3, 2021 meeting of the Plan Commission
7. **Staff Update: Upcoming Discussion Regarding Various Potential Text Amendments**
8. **Next Regular Meeting: February 3, 2021**
9. **Public Comment**
10. **Adjournment**



**DRAFT MEETING MINUTES**  
**OF THE**  
**PLAN COMMISSION**  
**DECEMBER 2, 2020 – 7:00 P.M.**

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

Plan Commissioners Present: Chairman Yohanna, Commissioners Suzanne Auerbach, Steven Jakubowski, Adi Kohn, Henry Novoselsky, and Don Sampen

Absent: Commissioner Anthony Pauletto

Staff Present: Community Development Director Scott Mangum, Community Development Manager Doug Hammel, and Community Development Coordinator Kathryn Kasprzyk

**I. Call to Order**

Chairman Yohanna noted a quorum of six members and called the meeting to order at 7:07 p.m.

**II. Pledge of Allegiance**

**III. Approval of Minutes**

*Motion to recommend approval* of the November 5, 2020 Plan Commission Minutes was made by Commissioner Sampen and seconded by Commissioner Novoselsky.

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

*Nay: None*

*Motion Approved: 5-0*

**IV. Case #PC-13-20: 6734 North Lincoln Avenue – Approval of a Special Use to Allow a Drive-Thru Facility and Variations to Accommodate Modified Site Circulation**

Chairman Yohanna announced Case #PC-13-20 for consideration of a request by Lincolnwood Lincoln, LLC, Property Owner, to 1) approve a Special Use to permit a drive-thru facility, 2) reduce the required width of foundation landscaping along the southeast façade from six feet to one foot, 3) waive the requirement for one planter island in the area proposed to be modified, and 4) a reduction in the required width of a landscaped parking lot screening area along the Lincoln Avenue frontage from eight feet to five feet, all at the property commonly known as 6734 North Lincoln Avenue. During this Hearing, the Plan Commission may consider any additional relief that may be discovered during the review of this case.

Development Manager Hammel provided direction for participation in tonight's meeting.

Chairman Yohanna swore in the Property Owner, Mr. Tom Jednorowicz.

Meatheads is seeking to retrofit the property to include a drive-through. The existing property includes a 2,200-square-foot building located near the corner of Lincoln and Crawford Avenues with 38 parking spaces located to the south of the building. Vehicle access is provided via a curb cut off of Lincoln Avenue and a public alley off of Crawford Avenue. The property is zoned B-1, Traditional Business, Mixed-Use Hub Overlay and is adjacent to the R-3 Residential Zoning District to the south.

In 2012, an Ordinance granted Variations related to a corner side yard setback along Crawford Avenue, off-street parking, perimeter landscaping width along the south lot line, planting islands, foundation landscaping along the southwest facade and Crawford and Lincoln Avenues, non-masonry façade material, and illumination levels.

Proposed improvements include a new drive-through lane along the southeast building façade, modifications to parking, and vehicle circulation layout. Even though these improvements would include a net loss of 16 parking spaces, the proposed parking lot would still meet the parking requirement based on current regulations. Access to Lincoln Avenue would be preserved, but access from the alley would be shifted to the east to accommodate greater stacking ability for the drive-through. The existing and proposed site plan was shown for review.

Staff reviewed the required approvals which include approval of a Special Use to allow a drive-through facility; a Variation to allow a portion of the parking lot landscape screening along Lincoln Avenue to be less than eight feet in width (would be reduced to five feet in width to accommodate a reconfigured sidewalk); a Variation to allow a parking island located at the south end of the modified parking spaces near the entrance to the drive-through lane, with an area that is smaller than required, and to waive the required parking island at the east end of the parking aisle in the middle of the parking lot (the Variation for the central parking aisle island would reflect existing condition); and a Variation to allow foundation landscaping with a width of one foot along the southeast façade of the building (instead of the required six feet).

The menu board/ordering station will be located along the Crawford Avenue frontage and located approximately ninety feet north from the residential property to the south. The south lot line includes a six-foot-tall wooden shadowbox fence. The noise of the ordering station would be subject to zoning regulations regarding noise levels and lighting.

The location of the Crawford Avenue entrance would be shifted to the east to reduce the likelihood that the drive-through queue backs up to Crawford Avenue.

The Special Use and Variation Standards were presented for review and discussion.

Public comment included one email from Mr. Claude Petit who stated his concern about increased traffic in the public alley. Mr. Jednorowicz noted there will be no discernable difference in the amount of traffic.

Mr. Jednorowicz stated he spent a considerable amount of time with staff discussing adequate stacking requirements and execution of the drive-through. If stacking did become a problem, it could easily be remedied by having customers wait in the parking lot after ordering and their

food would be brought to them as is their current business practice. With COVID-19, a drive-through is not a luxury, but a necessity.

Regarding site circulation, cars entering off of Crawford Avenue should be restricted to entering the drive-through area and would instead circulate around the property so cars would approach the drive-through lane from the Lincoln Avenue entrance. They believe this process would alleviate any stacking issues. Pavement and wall signage would be incorporated to clearly direct traffic through the drive-through.

Chairman Yohanna polled the Commissioners who were all in agreement with their approval of the plan presented. Commissioner Jakubowski questioned the Petitioner as to why the menu board is located at the drive-through window and not at the drive-through entrance. Staff replied the Code requires four stacking spaces for a drive-through amenity which means if the order board is separated from the pick-up window, they each require their own four-car stacking area. Commissioner Jakubowski proposed granting a Variation to allow the order board to be placed at the most optimal convenient place possible. Development Manager Hammel said this additional Variation can be accommodated and it may be appropriate for the Plan Commission to recommend a Variation for stacking requirement to include up to a specific number of vehicles.

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

***Motion to recommend approval*** of a Special Use as per Section 4.07(8) and Table 4.01.1 to allow a drive-through facility; a Variation from Section 6.14(1) to allow a portion of the parking lot landscape screening along Lincoln Avenue to be less than eight feet in width; a Variation from Section 6.14(2) to allow a parking island, located at the south end of the modified parking spaces near the entrance to the drive-through lane, with an area that is smaller than required and to waive the required parking island at the east end of the parking aisle in the middle of the parking lot; a Variation from Section 6.15 to allow foundation landscaping with a width of one foot along the southeast facing façade; and a Variation for an order board that provides stacking for two cars subject to an agreement between the Village and the Petitioner was made by Commissioner Jakubowski and seconded by Commissioner Auerbach.

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

***Nay: None***

***Motion Approved: 6-0***

Case PC-13-20 will be heard at the December 15, 2020 meeting of the Village Board.

## **V. Discussion: Update Regarding Landscape Regulations**

Staff provided a brief update on additional information requested by the Plan Commission. Previous discussion included landscape standards and minimum requirements, triggers for the applicability of standards, and means of relief. Additional information requested by the Plan Commission included the frequency of different types of landscape Variations approved by the Village and examples of administrative relief for consideration and discussion. Staff reviewed the list of past landscape Variations from the past three years that have routinely been granted. These Variations included nine parking lot screening Variations, eight parking lot island Variations, and 7 transition yard Variations. Approvals were sought to keep some landscape



screening area if possible and often included conditions to offset the loss of landscaping. Parking lot island Variations were often approved to preserve parking capacity. Transition yard approvals reflected the pre-existing location of the building and often included conditions to offset loss of landscaping.

Commissioner Auerbach agreed many lots in the Village are very small which creates development difficulties. Landscaping is an important factor in developing a property as it makes the land more desirable, but feels our Code is too stringent. Village staff should have the freedom to grant administrative relief on a case-by-case basis. Commissioner Jakubowski agreed the hardship standard should not extend to landscaping and that staff be allowed, with Village Board approval, to grant relief without going through the public hearing process. Commissioner Jakubowski asked if staff could come up with guidelines instead of strict regulations based on certain criteria. Commissioner Auerbach suggested if smaller commercial lots could be given a reduction in landscaping regulations based on lot coverage.

Requests related to landscape Variations are subject to the public hearing process requiring a Plan Commission hearing and approval from the Village Board. Administrative relief is most effective when staff's discretion is clearly defined and within what specific parameters. The Village currently has a Minor Variation process which include mailed notices to property owners, then staff zoning approval. This process takes approximately a month and is less costly and burdensome than the public hearing process.

Peer community examples from Niles, Skokie, and Wilmette were shown for review and discussion. Chairman Yohanna would like to discuss in more detail the provisions adopted by the Village of Wilmette as it pertains only to parking lot landscaping regulations and only if it affects compliance with parking regulations as well as the interior renovation provision. Commissioner Sampen agreed with Wilmette's approach and would like more input as to how much of a difference this approach would make in the number of public hearings required. Commissioner Novoselsky would like staff to provide some suggestions or recommendations regarding administrative relief, specifically the parameters or thresholds for staff approval and the limitations of discretion by staff.

Staff recommendations include:

1. Amend Section 6.16 of the Zoning Code to allow pre-existing buildings, drive aisles, parking spaces, etc. to encroach into a required transition yard, while providing a six-foot-tall solid fence along all other portion of the alley or lot line in accordance with Section 3.13(13)b of the Zoning Code. Currently, only landscaping is allowed in a transition yard between commercial and residential properties;
2. Amend Section 6.16 of the Zoning Code to allow parking, access to parking, and other operations to take place within the transition yard when an alley is present, while providing a six-foot-tall solid fence along all other portions of the alley or lot line, in accordance with Section 3.13(13)b of the Zoning Code;
3. Amend Section 6.11(4) of the Zoning Code to remove the provision that renovation of more than fifty percent of the floor area of the building triggers compliance with landscape regulations; and

4. Amend Section 5.14 of the Zoning Code to include a reduction in the width of parking lot screening to as little as three feet in width, in conjunction with a short masonry wall, when minimum standards related to parking lot capacity and design dimensions are applied and a reduction of up to twenty-five percent of the total area of required landscape islands when minimum standards related to parking lot capacity and design dimensions are applied.

*Motion to recommend continuation* to the January 7, 2021 meeting of the Plan Commission was made by Commissioner Jakubowski and seconded by Commissioner Novoselsky.

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

*Nay: None*

*Motion Approved: 6-0*

#### **VI. Next Meeting**

The next meeting of the Plan Commission is scheduled for Thursday, January 7, 2021.

#### **VII. Public Comment**

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

#### **XI. Adjournment**

*Motion to recommend adjournment* was made by Commissioner Sampen and seconded by Commissioner Jakubowski. Meeting adjourned at 8:48 p.m.

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

*Nay: None*

*Motion Approved: 6-0*

Respectfully submitted,

Kathryn Kasprzyk  
Community Development Coordinator



## Plan Commission Staff Report

### Case # PC-01-21

January 7, 2021

**Subject Property:**

4010 West Touhy Avenue

**Zoning District:**

B-2, General Business

**Petitioner:**

Parc Professional, on behalf of the Stanley Bazianos and Sophia Bazianos Trust, Property Owner

**Nature of Request:**

Approval of a Special Use to permit a drive-through facility in order to support an “outpatient medical office” use.

**Notification:**

Notice was published in the Lincolnwood Review on December 17, 2020, Public Hearing Signs were installed at 4010 West Touhy Avenue, and mailed legal notices dated December 16, 2020 were provided to properties within 250 feet.

**Background**

Parc Professional, Petitioner, on behalf of the Stanley Bazianos and Sophia Bazianos Trust, Property Owner, requests approval of a drive-through facility to support an approved “outpatient medical office” use. The primary purpose of this facility is to serve as a COVID-19 testing facility. The facility was granted a Business License in November 2020, and began operations of the testing center at that time. The Petitioner entered into an agreement to occupy the space with the intent of utilizing the drive-through canopy that served the prior financial institution. However, the use of the drive-through requires Special Use approval, which is not transferable from one user to another.



### **Required Approval**

Section 4.07(8) of the Zoning Code states that “drive-up or through facilities designed for transactions of business from customers' vehicles...shall obtain a Special Use permit.” As part of the review of such a request, the code identifies the following as considerations:

- No more than one drive-through lane is permitted;
- Sufficient stacking space must be provided, with a minimum of four stacking spaces for each bay window or station in the drive-through;
- Any potential interference with surrounding commercial or residential properties; and
- Any other considerations relevant to a specific request.

Based on these regulations, the requested use of the property requires Special Use approval as per Section 4.07(8).

### **Considerations**

The Plan Commission may consider the following when deliberating the appropriateness of this request:

#### ***Necessity for Safety for the Service Being Provided***

In their application, the Petitioner describes the important use in providing a critical public service during the COVID-19 pandemic. Granting approval of the use of the drive-through facility would maximize the effectiveness of the testing center by 1) minimizing the amount of time that members of the public are at the property and 2) minimizing the risk of COVID-19 exposure for employees and other members of the public. (Because the use does not currently benefit from the use of the drive-through facility, members of the public are required to park their cars and walk up to a drop-off station.)

#### ***Existing Configuration of the Property***

Historically, the subject property was used as a financial institution with a drive-through facility. In 2009, the parking lot was reconfigured to provide access off of Keystone Avenue rather than Touhy Avenue. The site is configured to facilitate vehicular circulation and includes a canopy over the former bank drive-through windows. These characteristics support the requested approval, though the COVID-19 testing facility is likely to have different volumes of vehicular traffic.



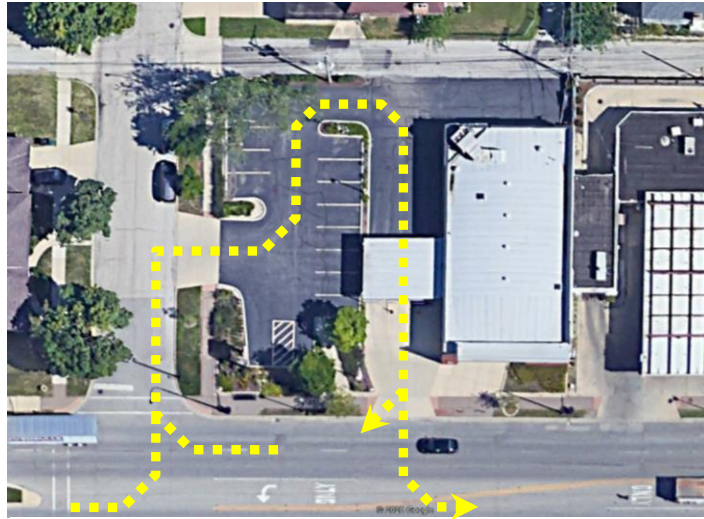
***Existing Condition between the Subject Property and Alley to the North***

It should be noted that there is an alley along the north lot line of the subject property. Along the western portion of the alley, landscaping separates the alley from the subject property. However, to the east, there is no barrier between the alley and the subject property. If the Plan Commission is inclined to recommend approval of the requested

Special Use, staff recommends that such a motion include a condition that access directly between the alley and the subject be prohibited. This will ensure that the public minimizes the use of the alley to access the property, which could have adverse impacts on residential properties to the north. Staff would work with the Petitioner to ensure that any means of restricting access does not interfere with emergency responsiveness or other important considerations.

### ***Vehicle Stacking for Use of the Drive-Through***

Based on information provided to staff, the Petitioner estimates that 7-8 cars per hour would use the testing facility. The Petitioner also stated that they would manage members of the public by the scheduling of appointments, though they would also welcome unscheduled testing. The total stacking capacity, between the lot line along Keystone Avenue and the drive-through canopy, is approximately seven cars. However, this could be increased to up to 12 cars, depending on the Petitioner's intent and ability to provide multiple drive-through lanes under the canopy.



***Vehicular Circulation and Stacking***

### ***Interim Nature of this Specific User***

In any Special Use request, it is important that the Plan Commission weigh the basis of the request against impacts on surrounding properties. This request is unique in that the services provided are related to the COVID-19 pandemic, which is likely to be brought under control at some point in the future. In fact, the Petitioner stated to staff that they entered into a 12-month lease in November 2020, but may vacate the premises earlier than that if the demand for testing no longer exists. It may be appropriate to consider an expiration of the Special Use approval for 12 months after its final approval. Should the Petitioner seek to continue the operation of the drive-through beyond that point, they would need to seek a new approval, at which time the Village could assess impacts created by the facility and the anticipated duration of its operation.

### ***Special Use Standards***

Section 5.17 of the Zoning Code establishes standards related to Special Uses. These standards should be referenced when determining the appropriateness of the requested approval.

**Requested Action**

The Petitioner seeks approval a Special Use as per Section 4.07(8) to allow a drive-through facility at the subject property. Staff recommends the following conditions:

1. That access between the subject property and the alley to the north be prohibited, and that the Petitioner work with the Village to determine the appropriate means of doing so; and
2. That the requested approval, if granted, expire 12 months after its approval, thereby reflecting the Petitioner's statements regarding the temporary nature of the proposed use.

**Documents Attached**

1. Special Use Application
2. Aerial Imagery of the Subject Property
3. Relevant Regulations





VILLAGE OF LINCOLNWOOD  
Community Development Department

Public Hearing Application  
Special Use and PUD

SUBJECT PROPERTY

Property Address: 4010 W. Touhy Ave Lincolnwood

Permanent Real Estate Index Number(s): \_\_\_\_\_

Zoning District: \_\_\_\_\_ Lot Area: \_\_\_\_\_

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

Are there existing development restrictions affecting the property?  Yes  No  
(Examples: previous Variations, conditions, easements, covenants) If yes, describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

REQUESTED ACTION

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

PROJECT DESCRIPTION

Describe the Request and Project: Contactless cond free  
testing  
\_\_\_\_\_  
\_\_\_\_\_

PROPERTY OWNER/PETITIONER INFORMATION

Property Owner(s): The Stanley Bazianos  
 Name: (List all beneficiaries if Trust): William Bazianos & Sophia Bazianos  
Trust  
 Address: 2 N. Riverside Plz, #1850, Chicago IL 60606  
 Telephone: (312) 719-3690, (312) 621-0306 E-mail: wbazianos@bazianoslaw.com

Petitioner (if different from owner):  
 Name: PARC Professional Relationship to Property: Tenant  
 Address: 4010 W. Touhy Ave  
 Telephone: (773) 719 8191 Fax: ( ) E-mail: empireinfo786@gmail.com



## REQUIRED ATTACHMENTS \*

Check all Documents that are Attached:

Plat of Survey	_____	Applicable Zoning Worksheet	_____
Site Plan	_____	Photos of the Property	_____
Proof of Ownership	_____	PDF Files of all Drawings	_____
Floor Plans	_____	Elevations	_____

\*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: Parc Professionals  
Address: 4010 W. Touhy Ave  
City, State, Zip: Lincolnwood IL 60712

## 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:

Stanley Bazian  
Signature  
Stanley Bazian  
Print Name  
12/23/20  
Date

PETITIONER: (If different than property owner)

Pervaz  
Signature  
PERVAIZ USMAN  
Print Name  
12/08/2020  
Date





VILLAGE OF LINCOLNWOOD  
COMMUNITY DEVELOPMENT DEPARTMENT

SPECIAL USE STANDARDS

To be approved, each Special Use request must meet certain specific standards. These seven 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)

Since we are in a pandemic, it's important that we ensure the safety of everyone. To achieve that, we can make it convenient for the public to use the built in drive thru system to pick up & drop off kits. It's necessary that there is little to minimal contact & that's only possible with the drive thru facility included.

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.

This drive thru facility is very well planned for this purpose. Entrance & exits are safe & easy. The public's safety & employees safety is of utmost importance, therefore the drive thru will minimize contact & make it a smooth & easy process for all while protecting everyone. This whole concept of contactless testing is for the welfare of the community. ~~( )~~

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.

This property is quite isolated from surrounding properties. The drive through is located conveniently alongside the building. The drive through also helps in isolation by keeping it within the property.



## SPECIAL USE STANDARDS (Continued)

4. The Special Use is consistent with the goals and policies of the Comprehensive Plan.

The use of drive through aids towards being a lot more consistent with the goals & policies trying to avoid contact, as per CDC guidelines.

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.

The Drive-Thru will not impede any normal & orderly development & improvement of surrounding properties.

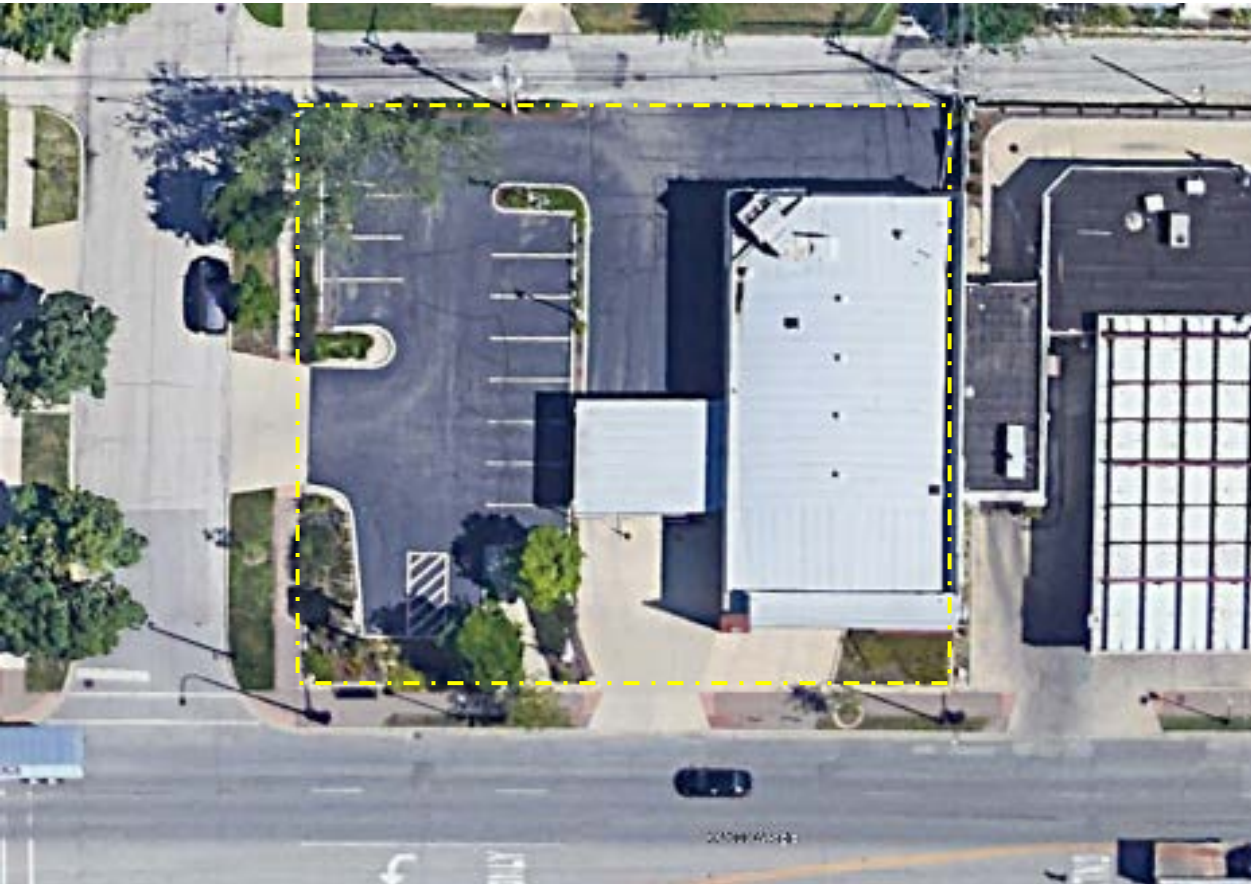
6. Please explain how the Special Use is so designed to provide adequate utilities, access roads, drainage, or necessary facilities.

The drive thru is already built in before, with having adequate utilities, access roads, drainage.

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

This drive thru does not create any congestion of the traffic, in fact it makes testing a lot more convenient & faster.

**Attachment #2. Aerial Imagery of the Subject Property**



## Attachment #3. Relevant Regulations

### 4.07 Additional use standards for business and office districts.

8) Drive-through facilities. Drive-up or through facilities designed for transactions of business from customers' vehicles, and not otherwise permitted to serve any retail or business use otherwise permitted in the District, shall obtain a special use permit. In considering the issuance of a special use permit, the Plan Commission and the Village Board shall consider the following, in addition to the other general standards for Special Uses in Article V, Section 5.18.

- a. Number of lanes. To minimize any negative impacts related to drive-through lanes or the potential for circulation conflicts, conflicts with vehicles entering or exiting the site, pedestrian conflicts, and the existing condition of relatively small commercial lot sizes located within the Village, no more than one drive-through lane shall be permitted by special use permit in the B-1 District.
- b. Sufficient stacking space. To establish safe stacking space, the following minimum stacking space is required: four vehicles at each bay window, ordering station or machine.
- c. (Reserved)
- d. Interference. There shall be no interference with the operations of other businesses or residential uses in proximity of the drive-up facility.
- e. Any other matter or information determined to be relevant to the reasonableness of the proposed use.

### 5.17 Special Uses

(4) Decisions. The Board of Trustees, upon report and recommendation of the Plan Commission and without further hearing, may approve or deny an application for a special use, or may refer it back to the Plan Commission for further consideration. In determining whether to approve or deny an application for a special use, there shall be taken into consideration the extent to which the following facts are established:

- a. The special use is necessary for the public convenience at that location, and the subject property is deemed suitable for the use;
- b. The special use is so designed, located and proposed to be operated that the public health, safety and welfare will be protected;
- c. The special use would not cause substantial injury to the value of other property in the neighborhood in which it is located;
- d. The special use is consistent with the goals and policies of the Comprehensive Plan;

- e. 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;
- f. The special use is so designed to provide adequate utilities, access roads, drainage, or necessary facilities; and
- g. The special use is so designed to provide ingress and egress to minimize traffic congestion on public streets.





## Plan Commission Staff Report

### Case # PC-02-21

January 7, 2021

**Subject Property:**  
7366 North Lincoln Avenue

**Zoning District:**  
O, Office

**Petitioner:**  
LincolnTouhy, LLC, Property Owner



**Nature of Request:**  
Approval of a Special Use to permit a “commercial recreation facility” use in the O, Office District.

**Notification:**  
Notice was published in the Lincolnwood Review on December 17, 2020, Public Hearing Signs were installed at 7366 North Lincoln Avenue, and mailed legal notices dated December 16, 2020 were provided to properties within 250 feet.

**Background**  
LincolnTouhy, LLC, Petitioner, requests approval of a Special Use to allow a “commercial recreational facility” at the property known as 7366 North Lincoln Avenue. The property includes a four-story office building with a parking located to the rear of the building. The parking lot can accommodate 58 vehicles. The building footprint is approximately 9,000-square feet. The proposed “commercial recreational facility” is envisioned as an indoor amenity that could accommodate lasertag, paintball, or other similar activities. In discussions with staff, the Petitioner has stated that the facility could also be used for law enforcement training purposes. The Petitioner is not proposing any exterior modifications to the property. Rather, only interior modifications are envisioned in order to accommodate these activities. The Petitioner is seeking approval for the use to occupy both the second and third floors, though the initial opening may only include one of the floors.

### **Required Approval**

The proposed facility meets the Zoning Code's definition of "commercial recreational facility", which reads "a privately owned for-profit commercial facility designed and equipped to provide customary leisure time or recreational activities, such as bowling, swimming, miniature golf, paintball, indoor go-carts, ice skating, tennis, racquetball, and similar activities." Table 4.01.1 Permitted and Special Uses in All Zoning Districts identifies "commercial recreational facilities" as needing a Special Use approval to operate in the O, Office District. Therefore, a Special Use approval is requested by the Petitioner as per Table 4.01.1 of the Zoning Code.

### **Considerations**

The Plan Commission may consider the following when deliberating the appropriateness of this request:

#### ***Parking Capacity and Demand***

The portions of the building where the proposed use would go result in a parking requirement of 54 spaces. In order to avoid needing any relief related to parking capacity, the proposed use would have to maintain a parking requirement of less than 54 spaces. Parking requirements for "commercial recreational facilities" are based on capacity, rather than gross floor area. Given the fact that the Petitioner is in preliminary design phases, staff cannot calculate the parking requirement. Once the interior design plan is known, staff will calculate the parking requirement and will act according to one of the following options:

- If the required parking is less than 54 spaces, staff would be authorized to approve the interior plans administratively and issue a Building Permit and Business License;
- If the required parking is greater than 54 spaces but no more than 62 spaces, staff would have the authority to invoke Section 7.07(2) of the Village Code, which grants staff the authority to reduce a parking requirement by up to fifteen percent. Staff can invoke this provision based on the fact that the parking demand for the proposed use is likely to be generated in the evenings and weekends, while the parking demand for the other uses on the same property is likely to be generated during weekdays; or
- If the required parking is greater than 62 spaces, the Petitioner would have to return to the Plan Commission for consideration of an amendment to the Special Use approval to also include a Variation for parking.

#### ***Other Potential Qualifying Activities***

The Petitioner's application states that the requested approval would accommodate lasertag and/or paintball. However, in discussions with staff, the Petitioner stated that other activities could be provided as well. The Petitioner has requested that the Special Use approval, if granted, not preclude other activities that are accommodated by the Zoning Code's definition of "commercial recreational facility."

#### ***Extension of Timeline for Initiation of the Special Use***

Section 5.18 of the Zoning Code states that "no Special Use permit or Variation shall be valid for a period longer than 180 days from the date it is granted, unless a building permit or certificate of occupancy is obtained, or the approved special uses are commenced, within such period. The Village Board may grant one extension of this period, valid for no more than 180 additional days, upon written application and good cause shown, without

notice or hearing.” Given the unknown end date of the ongoing COVID-19 pandemic and its effect on indoor activities, the Petitioner intends to request that the Village Board invoke this provision at the time of approval of the Special Use. The result of that action, if taken, would be to allow the Petitioner a period of 12 months from the approval of the Special Use to procure a Building Permit for the required interior renovation of the space. This would minimize the amount of capital the Petitioner would have to expend prior to having the ability to capture revenue from the operation of the use.

### ***Special Use Standards***

Section 5.17 of the Zoning Code establishes standards related to Special Uses. These standards should be referenced when determining the appropriateness of the requested approval.

### **Requested Action**

The Petitioner seeks approval a Special Use as per Table 4.01.1 to allow for a “commercial recreational facility” on two floors at 7366 North Lincoln Avenue.

### **Documents Attached**

1. Special Use Application
2. Current Floor Plans for the Second and Third Floors
3. Plat of Survey
4. Relevant Regulations





**VILLAGE OF LINCOLNWOOD**    **Public Hearing Application**  
**Community Development Department**    **Special Use and PUD**

**SUBJECT PROPERTY**

Property Address: 7366 N Lincoln Ave, Lincolnwood

Permanent Real Estate Index Number(s): \_\_\_\_\_

Zoning District: B3                      Lot Area: \_\_\_\_\_

List all existing structures on the property. Include fencing, sheds, garages, pools, etc.  
None

Are there existing development restrictions affecting the property?     Yes     No  
(Examples: previous Variations, conditions, easements, covenants) If yes, describe: \_\_\_\_\_

**REQUESTED ACTION**

- |   |   |
|---|---|
| <input type="checkbox"/> Special Use - Residential                | <input type="checkbox"/> Planned Unit Development (PUD) |
| <input checked="" type="checkbox"/> Special Use - Non-Residential | <input type="checkbox"/> Other                          |

**PROJECT DESCRIPTION**

Describe the Request and Project: Requesting a special use permit to allow for the operation of a laser tag facility and other similar uses in the existing building.

**PROPERTY OWNER/PETITIONER INFORMATION**

**Property Owner(s):** *(List all Beneficiaries if Trust)*

Name: LincolnTouhy, LLC

Address: 5454 Fargo Ave Skokie IL 60077

Telephone: (847) 3475940 Fax: ( ) E-mail: yzgleener@gmail.com

**Petitioner:** *(if Different from Owner)*

Name: \_\_\_\_\_ Relationship to Property: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: ( ) Fax: ( ) E-mail: \_\_\_\_\_

## REQUIRED ATTACHMENTS \*

Check all Documents that are Attached:

Plat of Survey	<input checked="" type="checkbox"/>	Applicable Zoning Worksheet	<input type="checkbox"/>
Site Plan	<input checked="" type="checkbox"/>	Photos of the Property	<input type="checkbox"/>
Proof of Ownership	<input type="checkbox"/>	PDF Files of all Drawings	<input checked="" type="checkbox"/>
Floor Plans	<input checked="" type="checkbox"/>	Elevations	<input type="checkbox"/>

*\*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: Lincoln Touhy LLC  
Address: 7366 Lincoln ave #101  
City, State, Zip: Lincolnwood IL 60712

## 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:**

  
\_\_\_\_\_  
Signature

Jonathan Glenner

Print Name

12-3-20

Date

**PETITIONER:** *(if Different than Property Owner)*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date



## SPECIAL USE STANDARDS

*To be approved, each Special Use request must meet certain specific standards. These 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 Special 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 current property is a mostly vacant office building experiencing leasing challenges and tenant retention due to Covid. Although the property has gone through modern renovations on the interior we are still seeing the same results. Our plan aims to increase the use categories to include recreational uses such as laser tag and similar uses. Our plan would provide the area with more recreation facilities which fits with the changing surrounding and neighboring property such as the new development on the former purple hotel site.

This creative approach will help eliminate more vacant space on market and any associated negative views that go along with vacant properties and enhance the neighborhood with more recreational use facilities.

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

Our plan is to be able to better improve the property with funds generated by having higher occupancy at the property. Our plan includes better exterior lighting, better parking lot lighting, facade upgrades and more modern signage.

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

because our plan include enhancements to the property as mentioned above, the neighboring property value will not be adversely effected and on the contrary, will benefit to an improved leased property. All neighboring property values will be increased due to the change in use, creating higher occupancy and allowing uses more in line with the development of properties on the block.

## SPECIAL USE STANDARDS (Continued)

4. The Special Use is consistent with the goals and policies of the Comprehensive Plan.

Our plan is consistent with the comprehensive plan in the following three ways:

1: Maximizes the benefit of an existing property and potential commercial investment site.

2: Supports the creation and development of viable commercial nodes along the villages prime new city center corridor.

3: Improves safety by adding site lighting and enhanced curb appeal.

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.

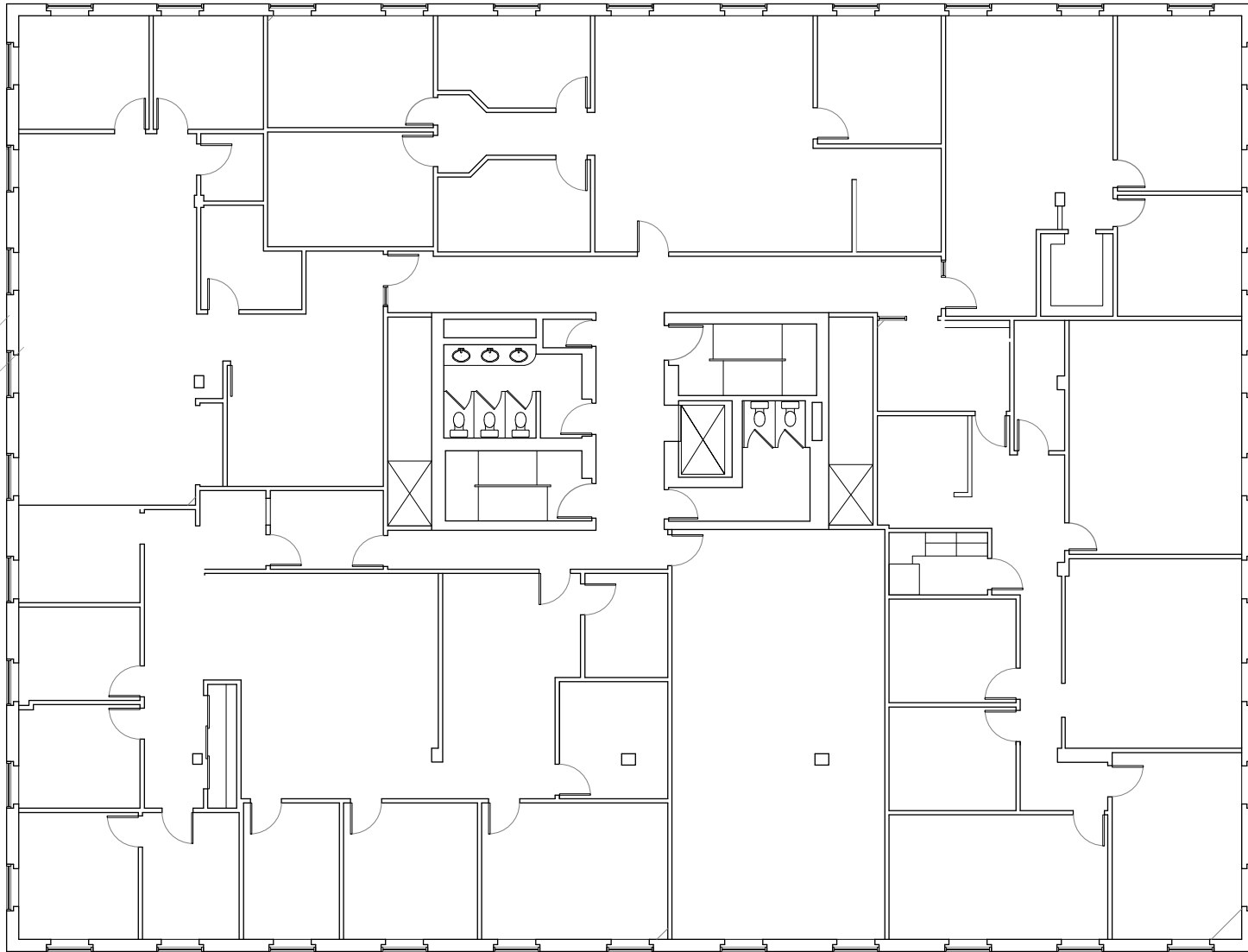
As an existing building, it would not.

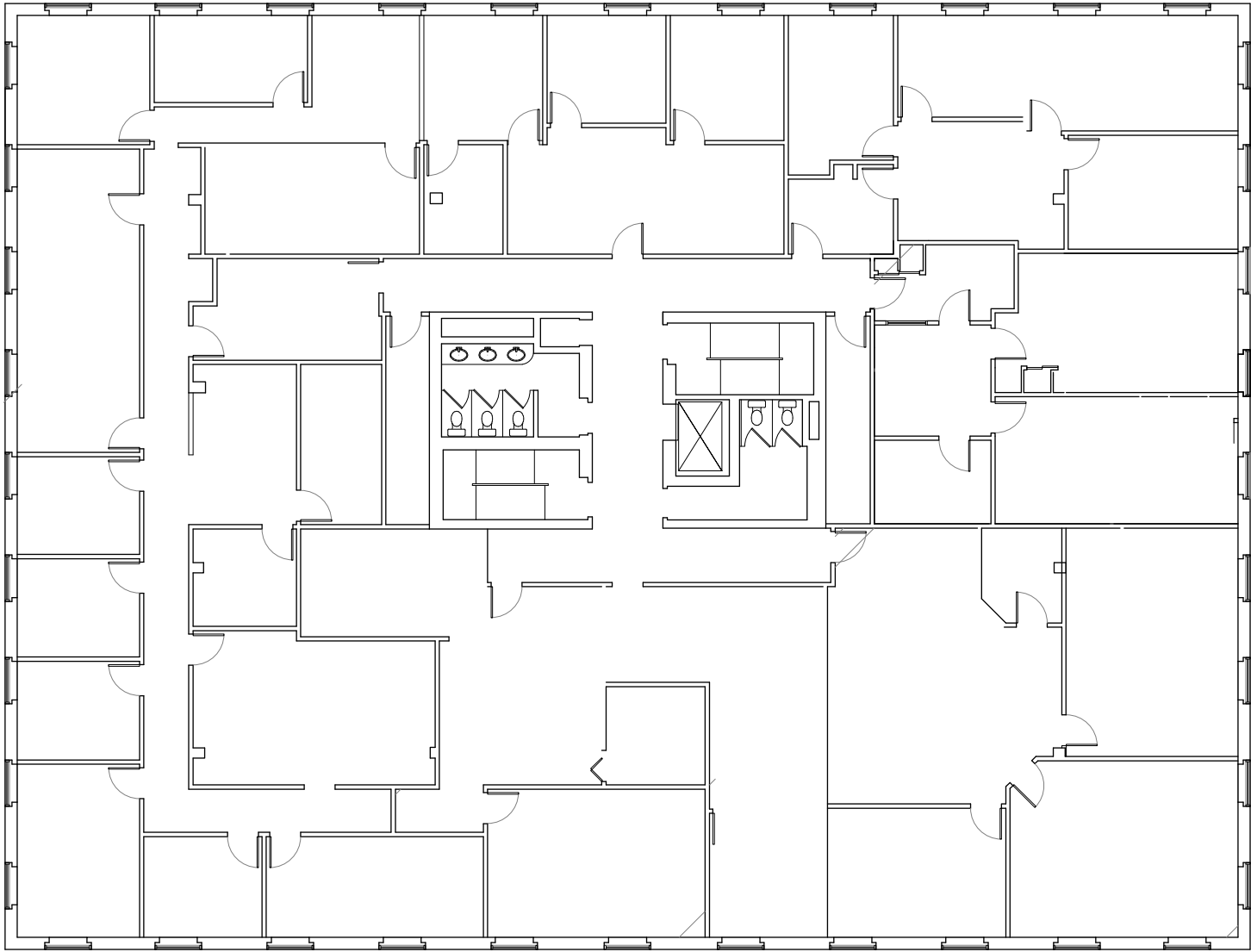
6. Please explain how the Special Use is so designed to provide adequate utilities, access roads, drainage, or necessary facilities.

Our plan utilizes the existing building, it would make use of the existing access roads, drainage and utilities, as well as enhance the appearance to the site.

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

Our plan will utilize the existing streets and access points to prevent any added traffic congestion on Lincoln Ave.







EST. 1911

# PLAT OF SURVEY

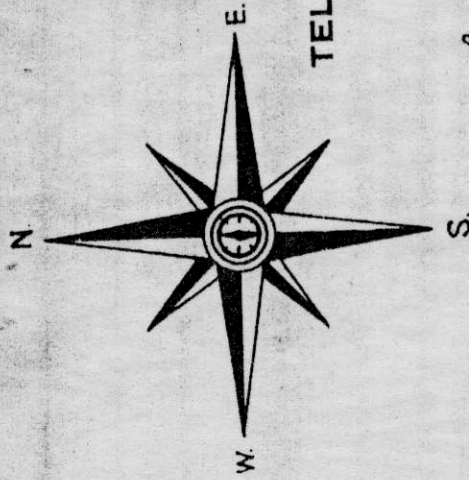
BY

## EMMET KENNEDY & CO.

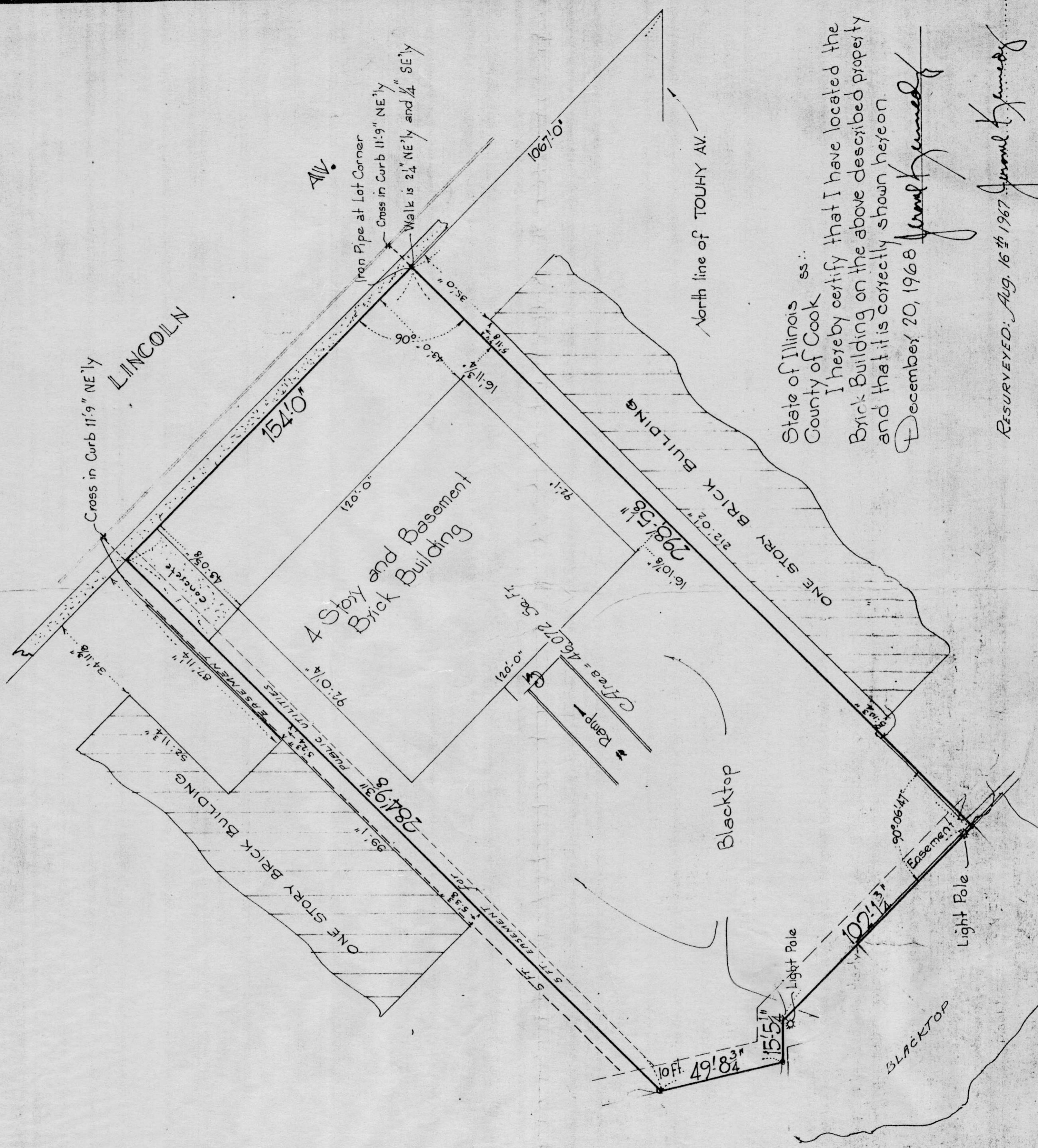
CHICAGO, ILL.

30 NORTH LA SALLE STREET

TEL. FRANKLIN 2-2065



LOT 3 in LINCOLN - TOUHY ADDITION TO LINCOLNWOOD, being a subdivision in the Southwest 1/4 of Section 27, Township 41 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.



State of Illinois ss:  
County of Cook  
I hereby certify that I have located the  
Brick Building on the above described property  
and that it is correctly shown hereon.  
December 20, 1968 *James F. Kennedy*

RESURVEYED: Aug. 16<sup>th</sup> 1967 *James F. Kennedy*

Distances marked in feet (') and inches (") thus 2'-4" means 2 feet and 4 inches.  
And in decimals 0.00 thus 2.46 = 2 feet and 46/100 of a foot.  
Buildings should be located after foundations are completed and before brick work is started.  
This plat is not transferable.

GUARANTY.  
The persons or firms whose names appear hereon are hereby guaranteed against loss or damage caused through any error in this survey not exceeding the sum of \$500.00.

STATE OF ILLINOIS } ss  
COUNTY OF COOK }  
EMMET KENNEDY & CO. hereby certifies that a Survey has been made at and under its direction by an Illinois Land Surveyor of the property described above and that the plat hereon drawn is a correct representation of said Survey.

Chicago, OCTOBER 9<sup>th</sup> A. D. 1960.  
EMMET KENNEDY & CO.

*James F. Kennedy*  
President

Surveyed by *James F. Kennedy*  
Illinois Land Surveyor

6812-017  
6708-015  
6004-060

1149  
1246  
132

COMPARE ALL POINTS BEFORE BUILDING AND AT ONCE REPORT ANY DIFFERENCE  
For Building Restrictions refer to your abstract, deed or contract and zoning ordinance.



## Attachment #4. Relevant Regulations

### 5.17 Special Uses

(4) Decisions. The Board of Trustees, upon report and recommendation of the Plan Commission and without further hearing, may approve or deny an application for a special use, or may refer it back to the Plan Commission for further consideration. In determining whether to approve or deny an application for a special use, there shall be taken into consideration the extent to which the following facts are established:

- a. The special use is necessary for the public convenience at that location, and the subject property is deemed suitable for the use;
- b. The special use is so designed, located and proposed to be operated that the public health, safety and welfare will be protected;
- c. The special use would not cause substantial injury to the value of other property in the neighborhood in which it is located;
- d. The special use is consistent with the goals and policies of the Comprehensive Plan;
- e. 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;
- f. The special use is so designed to provide adequate utilities, access roads, drainage, or necessary facilities; and
- g. The special use is so designed to provide ingress and egress to minimize traffic congestion on public streets.





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## MEMORANDUM

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**TO:** Chairman Yohanna  
Member of the Plan Commission

**FROM:** Doug Hammel, AICP  
Development Manager

**DATE:** January 7, 2021

**SUBJECT: Discussion Regarding Landscape Regulations**

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On December 2, 2020, the Plan Commission held a discussion regarding landscape regulation in the Zoning Code. At the end of that discussion, the matter was continued to the January 7, 2021 meeting. Given the fact that staff is conducting additional research regarding peer communities and examples of administrative relief, staff requests that the Plan Commission continue this matter to its February 3, 2021 regular meeting.

**RECOMMENDED MOTION:**

Move to continue, without discussion, the Workshop related to landscape regulations to the February 3, 2021 regular meeting of the Plan Commission.