



CITY COUNCIL ACTION REQUIRED

CITY OF PARK RIDGE

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DEPARTMENT OF COMMUNITY
PRESERVATION AND DEVELOPMENT

PLANNING & ZONING COMMISSION

Regular Meeting
Tuesday, November 23, 2010
City Hall, City Council Chambers
505 Butler Place
Park Ridge, Illinois

MINUTES

Acting Chair Abella-Austriaco called the meeting to order at 7:35 p.m.

A. Roll Call

Present

Aurora Abella-Austriaco – Acting Chair
Louis Arrigoni
John Bennett
Cathy Piche
Anita Rifkind
Mary Catherine Wells

Staff

Jon Branham
Cathy Doczekalski
Laura Kleiner

City Council

Alderman Joe Sweeney, Council Liaison
Alderman Robert Ryan

Absent

Joe Baldi
Alfredo Marr
Sal Raspanti

Others

Approximately 30 citizens

B. Approval of Minutes – October 26, 2010 and November 9, 2010

It was moved by Commissioner Arrigoni and seconded by Commissioner Rifkind that the minutes of the meetings held on October 26, 2010 and November 9, 2010, be approved as submitted. The Commissioners, by voice vote, unanimously approved the minutes.

C. Development Cases

Acting Chair Abella-Austriaco noted that Zoning Case MA-10-03 for the Map Amendment from the B-1 District to the R-4 District at 255-257 North Northwest Highway needed to be removed from the agenda because of a discrepancy with the legal notice that was published on November 4, 2010.

Because so many residents came to participate in the hearing, Ms. Abella-Austriaco proposed moving item E on the agenda, Citizen's Wishing to be Heard on Non-Agenda Items, to this time and asked those wishing to speak to do so.

Acting Chair Abella-Austriaco explained the public hearing process and swore in all those wishing to testify for either of the cases to be heard.

1. Case Number TA-10-05: Various Text Amendments to the Zoning Ordinance: Section 14.12.A for Nonconforming Signs; Section 14.8.A.7 for Political Signs or Non-commercial Messages; and Section 11.5, Table 8 for Permitted Encroachments for Mechanical Equipment

Cathy Doczekalski summarized the staff report dated November 23, 2010. She stated that the City of Park Ridge, applicant, proposes text amendments to the Zoning Ordinance to Sections 14.12.A for nonconforming signs, Section 14.8.A.7 for political signs or non-commercial messages, and to Section 11.5, Table 8 for permitted encroachments for mechanical equipment. She also noted that notification requirements for the application had been satisfied.

Ms. Doczekalski read into the record a letter from Randall Derifield, former Director of Community Preservation and Development and member of the Zoning Ordinance Rewrite Committee. The letter outlined the reasoning behind the current wording and intent of the Zoning Ordinance and his opposition to the proposed amendment to Section 14.12.A for nonconforming signs.

The Commissioners inquired how the proposed amendment regarding nonconforming signs was brought to the Planning and Zoning Commission for consideration. Cathy Doczekalski responded that a business owner had brought the case to the Procedures and Regulations Committee, who recommended it be brought to the Planning and Zoning Commission. The proposed amendment would allow existing nonconforming panel signs to be replaced with new business panel signs should a new tenant inhabit the business location.

Missy Langen, 1924 Canfield Avenue, expressed her concern about changing the Zoning Ordinance to accommodate one instance. She stated that the purpose of the Zoning Ordinance was to eliminate non-conformities, not to perpetuate them.

Judy Barclay, 524 Courtland Avenue, stated that allowing signs that do not meet current zoning standards would not meet the intent of the Zoning Ordinance or the Findings of Fact requirements.

On a motion by Commissioner Rifkind, seconded by Commissioner Arrigoni, the Commissioners voted to close the public hearing.

The Commissioners agreed that the findings of fact had been met for the two text amendments: for Section 14.8.A.7 for political signs or non-commercial signs, which must be changed to comply with Public Act 96-904, which prohibits municipalities from limiting the time period that signs may be displayed, and to Section 11.5, Table 8 for permitted encroachments for mechanical equipment, which simply corrects a typographical error.

On a motion by Commissioner Rifkind, seconded by Commissioner Piche, the Commission

AGREED to recommend City Council approval of the text amendments to Section 14.8.A.7 for political signs or non-commercial messages and to Section 11.5, Table 8 for permitted encroachments for mechanical equipment District, as submitted in the staff report to the Planning and Zoning Commission dated November 23, 2010.

Vote on the motion was as follows:

AYES 6 Commissioners Abella-Austriaco, Arrigoni, Bennett, Piche, Rifkind,
and Wells
NAYS 0 None
ABSENT 3 Commissioner Baldi, Marr, and Raspanti

The motion passed.

The Commissioners agreed that the intent of the Zoning Ordinance and provisions for master sign plans could be compromised if signs were not required to be brought into compliance with the current Zoning Ordinance. Other business owners have already made changes to their signs in order to comply. Nonconforming box signs are something the Commission has historically encouraged to be removed from business locations.

On a motion by Commissioner Rifkind, seconded by Commissioner Bennett, the Commission

AGREED to deny the text amendment to Section 14.12.A for non-conforming signs, as submitted in the staff report to the Planning and Zoning Commission dated November 23, 2010.

Vote on the motion was as follows:

AYES 6 Commissioners Abella-Austriaco, Arrigoni, Bennett, Piche, Rifkind,
and Wells
NAYS 0 None
ABSENT 3 Commissioner Baldi, Marr, and Raspanti

The motion to deny the text amendment passed.

2. Case Number MA-10-03: Map Amendment from the B-1 District to the R-4 District at 255-257 North Northwest Highway

This case was removed from the agenda, but time was given for statements from the residents present during "Citizens Wishing to be Heard on Non-Agenda Items."

3. Case Numbers MA-10-02: Map Amendment from the R-2 Single Family Residential District to the R-4 Multiple Family Residential District; and
PD-10-01: A special use for a Planned Development Review for a Stage 1 Development Plan for a Multi-Family Residential project, all at 1963-1975 West Touhy Avenue

Jon Branham summarized the staff memorandum dated August 24, 2010. He noted that the applicant, Hoffman Homes, requests a zoning map amendment from the R-2 Single Family Residential District to the R-4 Multiple Family Residential District and a special use for a planned development review for a stage 1 development plan for a multi-family residential project at 1963-1975 West Touhy Avenue. Mr. Branham stated that the parcels were currently under a single owner. The case was tabled at the August 24, 2010 meeting to allow the applicant to respond to comments made by the Commission and residents. The revised proposal eliminated eight units, reducing the scope of the project to a three-story, 20-unit multi-family residential building with a total of 54 parking spaces, 37 of which are

proposed below grade spaces and 17 exterior spaces. He stated that the number of exemptions requested had been reduced to six because of the changes made.

Norm Hassinger, President of Hoffman Homes, applicant, noted the reduction of building stories and units proposed. He stated that the alley width had been increased by five addition feet and reiterated that the owner would be responsible for repaving the alley. He also stated that he would like to designate some of the additional outdoor parking spaces to be available for neighboring residents' use.

Jorge Fajardo, architect for the project, stated that changes had been made to the plans to accommodate most of the comments from the previous meeting. The refuse storage plan had been revised, as the refuse area was relocated from outside the building to the underground parking area. The refuse would be delivered to a refuse truck utilizing a pulley system to access it from the parking ramp.

Pat Livingsparger, 413 Courtland Avenue, read a statement to the Commission that has been included with these minutes. She questioned how this project can be considered a planned development and suggested that this was a way to avoid complying with the Zoning Ordinance and be deserving of a special use. She stated that the only criteria met for a Planned Development designation was the lot size.

Judy Barclay, 524 Courtland Avenue, asked what would happen to the designated neighbor parking spaces when the units were all sold. Mr. Hassinger responded that the use of these spaces by the neighbors would be part of the covenants for the condominium association.

Leonard Wojciechowski, 1921 West Touhy Avenue, and Jim Ackerman, 2010 Garden Street, neighboring residents noted that the proposed development had been significantly toned down, but they still had reservations that it was too dense for the area.

Marilyn Brooks, 2052 West Touhy Avenue, questioned what a Stage 1 development meant and if the plan could be changed during the Stage 2 development approval process. The Commissioners responded that it could not be changed significantly and was a phase of the development process.

John Klytta, 215 South Cumberland, stated that this developer had tried to please the City and neighboring residents and had presented a quality design. The current houses on the property are in poor condition and he considered this plan to be an improvement for the property.

Missy Langen, 1924 Canfield Road, stated that this proposal was too large for the lot and that the amenities suggested were not sufficient. She stated that green space would be lost and that eight additional units beyond what was required by the Zoning Ordinance was too many.

Mr. Hassinger stated that there were always people opposed to development but he had attempted to work with the City and neighboring residents and had a design that would work well in this area. He also stated that the three existing homes on this site were in poor condition. Commissioner Rifkind questioned the type of concrete block being used. Mr. Hassinger stated that it was not the kind recently featured in a local news broadcast that leaked.

On a motion by Commissioner Arrigoni, seconded by Commissioner Rifkind, the Commission voted to close the public hearing.

The Commissioners agreed that the R-4 zoning was appropriate for this lot. Most of the Commissioners liked the proposed changes, but still had some reservations about the density of the proposed project. Commissioner Wells declared that she supported this project and agreed that the City should support developers. She stated that this location seemed appropriate for larger development.

Commissioner Bennett stated that he still believed that the size of the alley could be problematic. Commissioner Abella-Austriaco stated that she still considered the project to be too dense for this area. She stated that it was not the Commission's charge to make the project worthwhile for the developer, but to protect the residents.

Commissioner Rifkind stated that if the building were required to be too small, the developer would not be able to get a loan to build or the quality of the building would decrease. The proposed project was well designed, and the proposed underground parking was an amenity that the developer was offering, as well as widening and paving the alley.

On a motion by Commissioner Rifkind, seconded by Commissioner Wells, the Commission

AGREED to recommend City Council approval of the Map Amendment to change the zoning of the property from the R-2 Single Family Residential District to the R-4 Multi-Family Residential District Zoning Case Number MA-10-02 at 1963-1975 West Touhy Avenue, as submitted.

Vote on the motion was as follows:

AYES 6 Commissioners Abella-Austriaco, Arrigoni, Bennett, Piche, Rifkind, and Wells

NAYS 0 None

ABSENT 3 Commissioner Baldi, Marr, and Raspanti,

On a motion by Commissioner Rifkind, seconded by Commissioner Piche, the Commission

AGREED to recommend City Council approval of a special use for a Planned Development Review for a Stage 1 Development Plan for a Multi-Family Residential project, Zoning Case Number PD-10-01 all at 1963-1975 West Touhy Avenue, subject to:

1. An exception of eight units to the density requirements, to allow the applicant to construct 20 units, instead of the required 12.
2. An exception of 3.4 feet to the front yard requirement, to allow the applicant an 18 foot front yard setback, instead of the required 21.4 feet.
3. An exception of 1.2 feet to the rear yard requirement, to allow the applicant a 28.8 foot rear yard setback, instead of the required 30 feet.
4. An exception of the interior side yard requirement, which states no less than 12 feet on each side and no less than 30 feet combined, to allow the applicant to maintain interior side yards of eight feet on both sides.

5. An exception to the open space requirement, if it is determined that the applicant is under the 30% of open space required.
6. The applicant should meet all landscaping requirements in Section 13 of the Zoning Ordinance, including perimeter and interior parking lot landscape yard requirements.
7. Waive the transitional yard requirements for the rear yard and interior side yard, which states 10 feet of landscaping should be required of an R-4 property when it abuts any properties of the R-1, R-2, or R-3 districts.
8. An exception to the underground parking drive aisle width requirement of two feet, to allow the applicant may have a drive aisle width of 22 feet, instead of the 24 feet required.
9. The applicant should clarify how refuse pick-up will function.
10. Parking lot lights shall be restricted to a maximum of 16 feet. A photometrics plan shall be submitted prior to any final approvals.
11. All signs must comply with the Zoning Ordinance and will require approval by the Appearance Commission. The building may require Appearance Commission approval if the Commission finds the front elevation has changed significantly.
12. An administrative resubdivision is required and must be approved prior to applying for a building permit.
13. The applicant must satisfy all comments by the City Engineer. Any required stormwater detention improvements, and any required changes to driveway, underground parking, alley, and sidewalk design, must be approved by the Engineering Division.
14. The applicant must satisfy all comments by the City Forester regarding size, species and quantities of proposed landscaping, as well as tree protection and preservation requirements that will be required.

Vote on the motion was as follows:

AYES	<u>4</u>	Commissioners Arrigoni, Piche, Rifkind, and Wells
NAYS	<u>2</u>	Commissioners Abella-Austriaco and Bennett
ABSENT	<u>3</u>	Commissioner Baldi, Marr, and Raspanti,

Both motions passed

D. Other Items for Discussion - None

E. Citizens Wishing to be Heard on Non-Agenda Items

Steven Schildwachter, 232 Meacham Avenue, stated that he was opposed to the map amendment at 255-257 North Northwest Highway. He stated that there was insufficient notice of the case and the issues that affected the site due to the recent lawsuit ruling. He said that items were changed on the City website.

Angelo Demeros, 804 Elm Street, Donald McCormick, 217 Meacham Avenue, Steve Kopka, 721 Elm Street, Diane Kehl, 711 Elm Street, and Karen Michaels, 808 Elm Street, voiced their opposition to the proposed map amendment. Ms. Michaels stated that the former owner of Audrey's did not wish for the building to be demolished and replaced by condos. Sue Cunniff, 812 Elm Street stated that the proposed plan for this property would ruin the residential feel of this area.

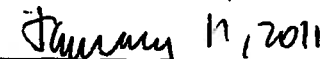
Judy Barclay, 524 Courtland Avenue and Chairman of the City's Historic Preservation Commission stated that this property had historical significance serving as a blacksmith shop and then as the studio for sculptor Alphonso Ianelli. Sue Salziński, 303 Root Street, stated that the property was historic, and noted that while there was no money available to preserve the building, asked that it not be allowed to be destroyed.

Alderman Robert Ryan, 411 Cedar Street, stated that the Uptown Plan should be considered when making decisions for this property.

F. Adjournment – The meeting was adjourned at 8:30 p.m.

PLANNING & ZONING COMMISSION


Alfredo Marr, Chairman


Date approved

These minutes are not a verbatim record of the meeting but a summary of the proceedings.

BEFORE THE PLANNING AND ZONING COMMISSION
Park Ridge, Illinois

In the Matter of

1963-1975 West Touhy Avenue

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Case Number MA-10-02

FINDINGS OF FACT

This matter having come before the Planning and Zoning Commission for a hearing at the request of the Hoffman Homes, for a Map Amendment from the R-2 Single Family Residential District to the R-4 Multiple Family Residential District at 1963-1975 West Touhy Avenue; and the Commission having held a public hearings on August 24, 2010 and November 23, 2010, as required by law, and having heard evidence on the matter, based on the evidence presented, as reflected in the minutes of these proceedings, and for the reasons indicated in the minutes of this Commission in this case,

The Planning and Zoning Commission finds that the following facts have been established based on the standards set forth in the Zoning Ordinance:

1. The existing use and zoning of the nearby property.

The Comprehensive Plan designates this area as Multi-Family Residential (High Density). Currently there is Multi-Family Residential zoning to the north and west of the property.

2. The extent to which property values of the subject property are diminished by the existing zoning.

The property values with the existing zoning are diminished because of the proximity to multi-family housing.

3. The extent to which the proposed amendment promotes the public health, safety, comfort and convenience and general welfare of the City.

The proposed amendment would not harm the public health, safety, comfort, convenience and general welfare of the City. The redevelopment would eliminate dilapidated properties and increase property values through the addition of a high quality condominium building.

4. The relative gain to the public, as compared to the hardship imposed upon the applicant.

The public will gain by the widened, paved alley the applicant has offered to be responsible for, as well as the aesthetic improvement of the property by eliminating the existing dilapidated structures and the addition of a well-built condominium building.

5. The suitability of the property for the purposes for which it is presently zoned, i.e. the feasibility of developing the property in question for one or more of the uses permitted under the existing zoning classification.

Because of the proximity of to other multi-family housing and frontage on a busy roadway and the real estate market for the foreseeable future, the redevelopment of this property as Single Family Residential is highly unlikely.

6. The length of time that the property in question has been vacant, as presently zoned, considered in the context of development in the area where the property is located.

The property has been vacant periodically over the last two years and the condition of the buildings is poor.

7. The evidence, or lack of evidence, of community need for the use proposed by the Applicant.

There is a need to provide affordable, maintenance free housing for current residents interested in downsizing within the City.

8. The consistency of the proposed amendment with the Comprehensive Plan.

The Comprehensive Plan recommends this area be zoned Multi-Family Residential, High-Density, since the property is adjacent to major traffic arteries, public transportation, and other high intensity land uses.

9. That the proposed amendment will benefit the residents of the City as a whole, and not just the Applicant, property owner(s), neighbors of any property under consideration, or other special interest groups, and the extent to which the proposed use would be in the public interest and would not serve solely the interest of the applicant.

The proposed amendment will benefit City residents by offering affordable housing and a maintenance free lifestyle in a location that is convenient to public transportation and the Park Ridge business district stores and restaurants.

10. The extent to which the proposed amendment creates nonconformities.

The proposed amendment would aid in conforming to the Comprehensive Plan.

11. The trend of development, if any, in the general area of the property in question.

The trend of development along Touhy Avenue has been toward multi-family housing.

12. Whether adequate public facilities are available including, but not limited to schools, parks, police and fire protection, roads, sanitary sewers, storm sewers, and water lines, or are reasonably capable of being provided prior to the development of the uses, which would be permitted on the subject property if the amendment were adopted.

Adequate public facilities are available in the area.

Therefore, the Commission recommends approval of the Map Amendment to the Zoning Ordinance, as requested, on the terms and conditions set forth in the minutes of the meeting of November 23, 2010.

Date Approved

Alfredo Marr, Chairman

BEFORE THE PLANNING AND ZONING COMMISSION
Park Ridge, Illinois

In the Matter of

1963-1975 West Touhy Avenue

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Case Number PD-10-01

FINDINGS OF FACT

This matter having come before the Planning and Zoning Commission for a hearing at the request of the Hoffman Homes, for a special use for a Planned Development Review for a Stage 1 Development plan for a Multi-Family Residential project at 1963-1975 West Touhy Avenue; and the Commission having held public hearings on August 24, 2010 and November 23, 2010, as required by law, and having heard evidence on the matter, based on the evidence presented, as reflected in the minutes of these proceedings, and for the reasons indicated in the minutes of this Commission in this case,

The Planning and Zoning Commission finds that the following facts have been established based on the standards set forth in the Zoning Ordinance:

1. The site or zoning lot upon which the planned development is to be located is adaptable to the unified development proposed.

The proposed site is an appropriate location for a condominium building.

2. The proposed planned development will not be detrimental to or endanger the public health, safety, comfort or general welfare of any portion of the community?

The proposed planned development would not be detrimental to or endanger the public health, safety, comfort or general welfare of any portion of the community.

3. Will the proposed planned development be injurious to the use and enjoyment of other property in the vicinity for the purposes already permitted?

The proposed planned development would include resurfacing the rear alley and adding a new storm water system to alleviate flooding issues, which will benefit the neighboring residents.

4. Will the proposed planned development diminish or impair property values within the neighborhood?

The proposed design features and appearance of the proposed building instead of the current rundown properties will improve property values.

5. Will the proposed planned development impede the normal and orderly development and improvement of surrounding property for uses permitted in the zoning district?

The proposed planned development will not impede any orderly development and improvement of surrounding properties.

6. Is there provision for adequate utilities, drainage, off street parking and loading, pedestrian access and all other necessary facilities?

Using underground parking and repaving and widening the alley would provide for sufficient off street parking and loading.

7. Is there provision for adequate vehicular ingress and egress designed to minimize traffic congestion upon public streets?

Entrance and egress from the alley will minimize traffic congestion upon the public streets.

8. Are the location and arrangement of structures, parking areas, walks, lighting and appurtenant facilities, compatible with the surrounding neighborhood and adjacent land uses?

The locations and arrangements of structures, parking areas, walks, lighting and appurtenant facilities are compatible with the surrounding neighborhood and adjacent land uses.

9. Is there suitable landscaping for the portions of the proposed planned development which are not to be used for structures, parking and loading areas or access ways?

There is suitable landscaping for the proposed planned development.

10. Is the planned development, in the specific location proposed consistent with the spirit and intent of this Ordinance and the Comprehensive Plan?

The design and amenities planned for this development compensate for the exceptions requested in compliance with the Zoning Ordinance. The plan embraces the vision of the Comprehensive Plan for multi-family housing adjacent to major traffic arteries and near public transportation.

Therefore, the Commission recommends approval of the Planned Development, subject to the provisions outlined on page 7 of the staff memo dated November 23, 2010, on the terms and conditions set forth in the minutes of the meeting of August 24, 2010.

Date Approved

Alfredo Marr, Chairman

At the last meeting I asked how this development can be considered a Planned Unit Development and deserving of a Special Use. The minutes reflect I was told this application is a Planned Unit Development with no further explanation. I fail to see how one building with one use can be a Planned Unit Development. The intent and purpose of the Zoning Ordinance in describing planned developments is clear that this process applies to more than one building or use and is not solely based on land area. There is no flexibility required beyond the R4 rezoning to encourage development of this site. There is no planned diversification in the location of structures required because there is only one building. This development does not result in a better development and design that cannot be accomplished under strict application of an R4 zoning designation. There is no arrangement of land uses, buildings, circulation systems, and utilities required to provide for more usable and suitably located open space and recreation areas, because one building takes up the whole site... There are no appropriate aesthetic amenities which enhance the character of the site. There are no multiple permits required that would need expeditious development review. The Comprehensive Plan calls for multi family along Touhy but nowhere does it call for the excessive density and other exceptions requested by this applicant. This is not a unique land area or site and it can be developed under other sections of the Ordinance. The new Zoning Ordinance anticipated the scale and character of modern developments and to facilitate redevelopment established the R4 zoning designation.

To allow this applicant to continue along this path is a disservice to him and every resident in Park Ridge, especially the single family neighborhood backing up to this property. It is clear this applicant is trying to avoid a trip to the Zoning Board of Appeals for the multiple variances he would require to build this project even with the highest and most dense use the city offers outside the Uptown area. He is looking to build an R5 structure in what is now an R2 zoning district. The Zoning Ordinance and Comprehensive Plan are clear that this density can only be located near a commercial district, not on an interior lot abutting single family homes. Allowing this one building and one use to be considered a Special Use and worthy of any exception to the Zoning Ordinance will impede normal and orderly development of the surrounding area. If 20,000sq.ft. is all that is required to gain exceptions to every bulk regulation required in the Ordinance than that is what the developers will acquire. This could create future unique problems with density, lot coverage, and traffic along Touhy and the residential side streets.

It is apparent that an applicant can apply for anything they want, but that does not mean you, on behalf of the residents of this community, have to approve it. This development meets only one of the standards for Planned Developments, lot size. This project provides nothing new, or significant for Park Ridge to warrant a Special Use designation with the exceptions requested. There is no hardship, or unique circumstance that requires significant planning or design efforts, and a building with this density and lot coverage is not compatible with the abutting single family neighborhood. The only planning and design problems shown to date are how to fit a size ten foot into a size five shoe. This site is not adaptable for a unified development and a building too big for the lot is not a Special Use. If Hoffman Homes wants to pursue increased density, lot coverage, setbacks etc. the Zoning Board of Appeals is there for him to plead his case. Granting a Special Use for this project is not thinking outside of the box, it is burning the box. I respectfully request you deny this application

Pat Livenapauer

November 23, 2010