



**AGENDA**  
**REGULAR ZONING BOARD MEETING**  
**Public Meeting Room, Village Hall**  
**Thursday, October 10, 2019**  
**7:00 p.m.**

*Reasonable accommodations or auxiliary aids will be provided to enable persons with disabilities to effectively participate in any public meetings. Please contact the Village Administrative Office (847.883.8600) 48 hours in advance if you need any special services or accommodations.*

**CALL TO ORDER**

**1.0 ROLL CALL**

**2.0 APPROVAL OF MINUTES**

- 2.1 Approval of the Minutes of the Regular Zoning Board Meeting Held on June 25, 2019

**3.0 GENERAL BUSINESS**

- 3.1 Public Hearing regarding Text Amendments to Single-Family Residential Bulk Regulations in Title 6, Chapters 5A (R1, R2 and R3 Single-Family Residence Districts) and 5B (R2A Single-Family Residence District) of the Lincolnshire Village Code (Village of Lincolnshire)

**4.0 UNFINISHED BUSINESS**

**5.0 NEW BUSINESS**

**6.0 CITIZEN COMMENTS**

**7.0 ADJOURNMENT**

The Zoning Board will not proceed past 10:30 p.m. unless a motion is made and approved by a majority of the Zoning Board members to extend the meeting one-half hour to 11:00 p.m. Any agenda items or other business that are not addressed within this time frame will be continued to the next regularly scheduled Zoning Board Meeting.



**UNAPPROVED** Minutes of the **REGULAR MEETING OF THE ZONING BOARD** held on Tuesday, June 25, 2019 in the Public Meeting Room in the Village Hall, One Olde Half Day Road, Lincolnshire, IL

**PRESENT:** Chair Bichkoff and Members Kalina, Udoni, Hersh, Curtin, Josephson and Trustee Liaison Harms Muth

**STAFF PRESENT:** Ben Gilbertson, Assistant Village Manager/Director of Community and Economic Development (AVM/CED)

**ABSENT:** Member Kelly

**CALL TO ORDER:** **Chair Bichkoff** called the meeting to order at 7:00 P.M.

### 1.0 ROLL CALL

The roll was called by **AVM/CED Gilbertson**; **Chair Bichkoff** declared a quorum to be present.

### 2.0 APPROVAL OF MINUTES

2.1 Approval of the Minutes of the Zoning Board held on Thursday, April 18, 2019.

**Member Kalina** moved and **Member Udoni** seconded the motion to approve the minutes of the April 18, 2019 Zoning Board meeting.

The motion passed unanimously by voice vote.

**Chair Bichkoff** introduced and welcomed newly appointed Members Denis Curtin and Scott Josephson to the Zoning Board.

### 3.0 ITEMS OF GENERAL BUSINESS

**Chair Bichkoff** reviewed the public hearing process, recessed the Zoning Board meeting, and opened the following Public Hearing:

3.1 Public Hearing regarding a Text Amendment to Sections 6-6A-2-D-2-A and 6-6B-2-D-2-A of the Lincolnshire Village Code to Eliminate the 25% Ground Floor Sales Tax-Generating Use Requirement in the B1 and B2 Business Zoning Districts (Alexander and Julia Katsnelson)

**AVM/CED Gilbertson** summarized the request before the Zoning Board, stating the petitioners are seeking to demolish the existing vacant structure built in 1963 to construct a new one-story, 5,000-square-foot medical office building in the B-1 Business zoning district. The petitioners are requesting a text amendment to the Village Code to eliminate the 25% ground floor sales tax-generating use restriction thereby allowing them to establish the new medical practice. He added the Committee of the Whole reviewed the proposal in January 2019 and March 2019 and referred the petitioners to the Zoning Board and Architectural Review Board for further consideration. **AVM/CED Gilbertson** stated the required legal

notice was published in the May 31, 2019 edition of the Daily Herald, and that notification to surrounding property owners is not required in this case as this text amendment will apply to all properties zoned B1 or B2.

In regards to the text amendment, **AVM/CED Gilbertson** stated the current regulation regarding sales tax-generation in the B1 and B2 zoning districts was adopted in 1995 to encourage retail development along main corridors. The Village Green had this requirement, but this was terminated in 2010 as part of a redevelopment agreement with the Village. He stated staff believes this property and other B1 and B2 properties would benefit from the proposed text amendments by providing a viable tenant mix and flexibility for the vacant spaces throughout the Village. He added staff conducted a survey of neighboring communities, with results indicating similar restrictions were imposed on specific geographic areas such as a central business districts and downtown districts, rather than the entirety of a specific zoning district.

**Dr. Alexander Katsnelson** was sworn in by **Chair Bichkoff** and **Dr. Katsnelson** requested the findings of fact be entered into the record.

**Dr. Alexander Katsnelson** stated he and his wife will be opening a dermatology and oral surgery practice to serve the residents of the area. He added the current building is not ADA compliant, which encouraged them to construct a new office building. He stated they anticipate the dermatology practice will generate sales tax, but the current requirement of 25% ground floor area would not be feasible for a medical practice.

**Chair Bichkoff** stated the sales tax floor area restriction may have had a purpose in 1995 but places restraints on businesses today. **Member Curtin** asked if staff had looked at financial modeling and any effect this will have on sales tax moving forward. **AVM/CED Gilbertson** stated this was not part of staff's analysis; rather, staff's research focused on the retail climate nationally, on-line shopping trends, and expansion of non-retail uses in commercial zones. **Member Hersh** recalled previous discussions regarding vacancy rates in the business and office districts, and indicated the text amendment will be a benefit to the Village.

**Chair Bichkoff** opened the floor for members of the audience. No speakers came forward and there was no public testimony. There being for further questions or discussion, **Chair Bichkoff** closed the public hearing.

**Member Kalina** moved, seconded by **Member Udoni**, having made findings based on facts covered in a public hearing on June 25, 2019, the Zoning Board recommends approval to the Village Board a text amendment to Sections 6-6A-2-D-2-A and 6-6B-2-D-2-A of the Village Code, to eliminate the 25% ground floor sales tax-generating use requirement in the B1 and B2 Business zoning districts, as presented in the petitioner's presentation packet and based on the Text Amendment Findings of Fact.

Roll Call:

Ayes: Chair Bichkoff, Members Kalina, Udoni, Hersh, Curtin, Josephson

Nayes: None

*The motion passed unanimously.*

**AVM/CED Gilbertson** stated the petitioner has submitted building design plans which will be reviewed by staff before being reviewed by the Architectural Review Board.

**Chair Bichkoff** reviewed once more the public hearing process, stating Items 3.2 through 3.7 are all requested by the same petitioner Knight Bridge LLC, and are related to their request to construct a 113-room Home2 Suites hotel by Hilton at 350 Knightsbridge Parkway. **Chair Bichkoff** stated given the relatedness between items 3.2 through 3.7, he recommended the Zoning Board consider all items under the same public hearing. **Chair Bichkoff** recessed the Zoning Board meeting and opened the following Public Hearings:

- 3.2 Public Hearing regarding a Special Use Permit to construct a 113-room Home2 Suites hotel by Hilton in the Office/Industrial (O/Ib) zoning subdistrict, per Section 6-8-5 of the Lincolnshire Village Code, 350 Knightsbridge Parkway (Knight Bridge Pky, LLC)
- 3.3 Public Hearing regarding a Variation from Section 6-8-8 of the Lincolnshire Village Code to Reduce the Front Yard Setback from 56'-6" to 50', to construct a 113-room Home2 Suites hotel by Hilton, 350 Knightsbridge Parkway (Knight Bridge Pky, LLC)
- 3.4 Public Hearing regarding a Variation from Section 6-8-9 of the Lincolnshire Village Code to Exceed the Maximum Allowable Building Height from 45' to 51'-6", to construct a 113-room Home2 Suites hotel by Hilton, 350 Knightsbridge Parkway (Knight Bridge Pky, LLC)
- 3.5 Public Hearing regarding a Variation from Section 6-11-2-B-4 of the Lincolnshire Village Code to Reduce the Side Yard Landscape/Parking Setback from 15' to 12', to construct a 113-room Home2 Suites hotel by Hilton, 350 Knightsbridge Parkway (Knight Bridge Pky, LLC)
- 3.6 Public Hearing regarding a Variation from Section 6-11-2-B-4 of the Lincolnshire Village Code to Reduce the Rear Yard Landscape/Parking Setback from 15' to 10', to construct a 113-room Home2 Suites hotel by Hilton, 350 Knightsbridge Parkway (Knight Bridge Pky, LLC)
- 3.7 Public Hearing regarding a Text Amendment to Section 6-11-2 of the Lincolnshire Village Code to Revise Hotel Parking Requirements for Dining Areas (Knight Bridge Pky, LLC)

**AVM/CED Gilbertson** summarized the requests before the Zoning Board, stating the owners, Vaibhav Sevale and Kamlesh Patel of Knight Bridge Pky LLC, are seeking a special use, text amendment, and a number of variation approvals to construct a 113-room, 4-story Home2 Hotel on the 2.2 acre property at 350 Knightsbridge Parkway in the Lincolnshire Corporate Center. The project was

presented to the Village Board in September 2018 and again January 2019, adding it was the consensus of the Village Board to refer this project to the Architectural Review and Zoning Boards. He further stated the ARB held a workshop and public hearing on June 18, 2019, requested additional information for further deliberation at the continued public hearing scheduled for July 16, 2019. He further stated there are currently six hotels in Lincolnshire, and noted staff has heard of additional hotel demand. He also stated the petitioner has been in contact with the developer of the Lincolnshire Corporate Center, Van Vlissingen, who are in support of the proposed hotel.

**AVM/CED Gilbertson** further summarized the special use requirement for hotels in the O/I district and variation requests. The petitioner requested height variation from the maximum of 3 stories / 45' to 4 stories / 51'-6". The height variation is requested to accommodate a "beacon," a key architectural element in the Home2 Hotel branding, into the building design. He added the petitioner is requesting a front yard setback variation which predicated upon the building height variation. The petitioner is also requesting side and rear yard setback variations to accommodate parking and traffic circulation in addition to the building height and design. He stated the petitioner provided a survey of building height in the corporate park area and is included in the board packet. In regards to the parking variation, **AVM/CED Gilbertson** stated because of the extended stay concept, the hotel will not be marketing the dining/lounge area to the public, which would should not require them to provide additional parking dining/lounge use (as is required under the current code). Hotels with restaurants available to the public will still be required to provide dedicated parking stalls.

A drone video was played to provide an aerial overview of the site and surrounding area.

**Shilpa Purohit**, Purohit Architect for the petitioner was sworn in by **Chair Bichkoff**. **Shilpa Purohit** requested the findings of fact be entered into the record.

**Ms. Purohit** stated due to site limitations and building design, a number of variations are requested. She noted the setback variations are due to the building height and to accommodate traffic circulation, landscaping, and parking lot design. **Ms. Purohit** also discussed the parking requirements, stating the dining/lounge features of the hotel are for guests only and not open to the public. Therefore, the requirement of providing 1 space per 50 square feet of dining area is excessive and is requesting relief from this requirement.

**Member Kalina** asked about their customer base. **Ms. Purohit** stated most of their guests are anticipated to be corporate clients that will stay at the hotel during the week. **Member Udoni** asked about the number of parking spaces and the surrounding property. **Ms. Purohit** stated 118 spaces are provided and parking lots of adjacent office buildings surround the site. **Member Kalina** inquired about the possibility of a full parking lot on any given day. **Ms. Purohit** stated many clients are using alternative transportation such as Uber and did not anticipate all parking stalls to ever be occupied. **AVM/CED Gilbertson** stated the petitioner provided a parking study specific to Home2 Hotels and found for the majority of the year, the hotels did not reach their parking capacity.

**Member Curtin** asked if there would be a conference center. **Ms. Purohit** replied only a small conference room is available to the guests and was not intended as a conference center. **Chair Bichkoff** asked if the petitioner considered acquiring additional property adjacent to the subject property to reduce the number of variance requests. **Ms. Purohit** stated the property owners had not considered this as a viable option. **Member Josephson** inquired about Hilton's corporate input into the design and site selection, asking if they had other design options for a smaller footprint. **Ms. Purohit** stated the footprint and the rooms are a prototype dictated by Hilton and cannot be altered. **Member Josephson** asked if they considered reducing the number of rooms by eliminating one vertical row of the building, thereby eliminating the request for the setback variances. **Shilpa Purohit** stated this would reduce the number of rooms to 105 rooms which was not acceptable to Hilton nor did Hilton accept a 3-story design.

**Vaibhav (Victor) Sevale**, Knight Bridge LLC, came forward and was sworn in. He stated Hilton required a minimum of 107 rooms and as part of their financial analysis, and a reduction in room count would not be feasible in terms of revenue generation. **Member Udoni** asked if the petitioner considered purchasing other properties. **Mr. Sevale** stated other parcels were too small or too large, and that this property best suited their proposed site plan. **Ms. Purohit** noted Hilton required more patio space for the hotel guests, which further added to the variation requests. **Ms. Purohit** stated she felt this is a good fit for the property which includes outdoor amenities for guests.

**Chair Bichkoff** opened the floor for members of the audience. No speakers came forward and there was no public testimony. There being for further questions or discussion, **Chair Bichkoff** closed the public hearing.

**Member Kalina** asked other members and staff if there is something which would preclude this use in the center of a corporate office park. **AVM/CED Gilbertson** said the traffic flow from the hotel was not a concern. **Member Udoni** stated while the number of variations concerned her, the drone view was informative and she did not see issues with the surrounding properties and granting the requested variances. **Chair Bichkoff** also said he was initially concerned about the number of variations but agreed with **Member Udoni** regarding the context of the property. **Member Udoni** further stated she supported the text amendment.

There being no further discussion; the following motions were made:

**Member Udoni** moved, seconded by **Member Kalina**, having made findings based on facts covered in a public hearing on June 25, 2019, the Zoning Board recommends approval to the Village Board of a Special Use Permit to construct a 113-room Home2 Hotel by Hilton at 350 Knightsbridge Parkway, in the Office/Industrial (O/Ib) zoning subdistrict, per Section 6-8-5 of the Lincolnshire Village Code, as presented in the petitioner's presentation packet and based on the Special Use Findings of Fact.

**Roll Call:**

Ayes: Bichkoff, Kalina, Udoni, Hersh, Curtin and Josephson.

Nays: None

*The motion passed unanimously.*

**Member Udoni** moved, seconded by **Member Kalina**, having made findings based on facts covered in a public hearing on June 25, 2019, the Zoning Board recommends approval to the Village Board variations for building height, front yard setback, rear yard setback, and side yard setback for the property at 350 Knightsbridge Parkway, per Sections 6-8-8, 6-8-9, and 6-11-2-B-4 of the Lincolnshire Village Code, as presented in the petitioner's presentation packet and based on the Zoning Variations Findings of Fact.

**Roll Call:**

Ayes: Bichkoff, Kalina, Udoni, Hersh, Curtin and Josephson.

Nays: None

*The motion passed unanimously.*

**Member Hersh** moved, seconded by **Member Curtin**, having made findings based on facts covered in a public hearing on June 25, 2019, the Zoning Board recommends approval to the Village Board a text amendment to Section 6-11-2 of the Lincolnshire Village Code, to revise hotel parking requirements for dining areas such that the proposed calculation is 1 space/unit + 0.5 spaces/employee + 1 space/50 square feet of lounge or dining area open to the public, as presented in the petitioner's presentation packet and based on the Text Amendment Findings of Fact.

**Roll Call:**

Ayes: Bichkoff, Kalina, Udoni, Hersh, Curtin and Josephson.

Nays: None

*The motion passed unanimously.*

**AVM/CED Gilbertson** stated the ARB public hearing for a wall sign variation will continue on July 16<sup>th</sup>, 2019, with additional consideration for landscape and design elements of the building. After a recommendation from the ARB, this project will go before the Village Board possibly in August or September.

**4.0 UNFINISHED BUSINESS (None)**

**5.0 NEW BUSINESS**

**6.0 CITIZENS COMMENTS.**

**Chair Bichkoff** thanked the new members and also Trustee Harms Muth for attending the meeting and looked forward to her participation in the future.

## 7.0 ADJOURNMENT

There being no further business, **Chair Bichkoff** requested a motion for adjournment. **Member Udoni** moved, and **Member Josephson** seconded the motion to adjourn. The meeting adjourned at 8:15 P.M.

Minutes submitted by Carol Lustig, Administrative Assistant, Community & Economic Development Department

DRAFT

**REQUEST FOR BOARD ACTION  
Zoning Board  
October 10, 2019**

**Subject:** Single-Family Residential Bulk Regulations

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**Action Requested:** Public Hearing regarding Text Amendments to Single-Family Residential Bulk Regulations in Title 6, Chapters 5A (R1, R2 and R3 Single-Family Residence Districts) and 5B (R2A Single-Family Residence District) of the Lincolnshire Village Code (Village of Lincolnshire)

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**Originated By/Contact:** Ben Gilbertson, Assistant Village Manager/CED Director  
Mike Jesse, Building Official  
Tonya Zozulya, Planning & Development Manager

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**Referred to:** Village Board

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**Background**

Over the course of four meetings in 2017, the Village Board (Board) considered a number of potential changes to the Lincolnshire Village Code (Village Code) to address bulk regulations for single-family homes in R1, R2, R2A, and R3 zoning districts. Potential changes included the following zoning considerations: building setbacks; impervious surface area; and floor area ratio (FAR). In addition, the following aesthetic considerations were discussed: landscaping, lighting, number of building materials, and front door orientation. At the August 7, 2017 Committee of the Whole meeting, the Board referred this matter to the Zoning Board (ZB) for a public hearing and to the Architectural Review Board (ARB) for design review and recommendations.

The majority of this memo addresses FAR and square footage regulations for single-family homes. However, staff will make a detailed presentation to the Zoning Board summarizing all bulk regulations currently provided in the Village Code at the October 10, 2019 Zoning Board meeting, given the new membership composition of the Zoning Board.

**Zoning Board Discussion Summary and Proposed Amendments**

The ZB met on three occasions (February 13, 2018, September 12, 2018, and January 8, 2019) to discuss single family bulk regulations and staff recommendations. The summary below captures the concerns and/or recommendations from those meetings.

1. Current bulk regulations are sufficient. FAR cannot control for “neighborhood character.”
2. The proposed FAR reductions would adversely impact property and resale values, ability to make property improvements, and would create many non-conforming properties and disproportionately impact R-3 district properties on smaller lots.
3. A house size cap in each zoning district may be beneficial as an additional tool while maintaining the current 25% FAR and other bulk controls.

At their January 8, 2019 meeting, the ZB made a non-favorable recommendation to the Village Board regarding staff’s previous recommendations. However, at the January 28, 2019, the Village Board reaffirmed their desire for revised FAR requirements and directed staff to perform additional research. At the August 26, 2019 Committee of the Whole meeting, staff presented revised recommendations for FAR in the R1 and R2 zoning districts, as well as introducing

proposed square footage caps across the R1, R2, R2A, and R3 zoning districts. The Village Board subsequently referred these recommendations to the ZB. Below is a summary of those recommendations (note: these recommendations are based on home and lot size data available via the Lake County Chief County Assessment Office, and capture all homes in Lincolnshire.)

<b>EXISTING CONDITIONS IN LINCOLNSHIRE</b>	<b>R1</b>	<b>R2</b>	<b>R2A</b>	<b>R3</b>
Maximum Home Size (sq. ft.)	8,652	11,712	7,012	6,206
Average Home Size (sq. ft.)	5,239	4,529	3,696	2,902
Minimum Home Size (sq. ft.)	1,492	2,236	1,902	1,013
Max FAR	0.11	0.13	0.30	0.29
Average FAR	0.07	0.09	0.15	0.14
Minimum FAR	0.04	0.04	0.02	0.04
Number of Homes	23	31	363	1,136
<b>CURRENT CODE REQUIREMENTS</b>	<b>R1</b>	<b>R2</b>	<b>R2A</b>	<b>R3</b>
Minimum Lot Size (sq. ft.)	80,000	40,000	20,000	20,000
Maximum FAR	0.25	0.25	0.25	0.25
Maximum Home Size per FAR (w/ minimum lot size - sq. ft.)	20,000	10,000	5,000	5,000
<b>PROPOSED CODE REQUIREMENTS</b>	<b>R1</b>	<b>R2</b>	<b>R2A</b>	<b>R3</b>
Minimum Lot Size (sq. ft.)	80,000	40,000	20,000	20,000
Maximum FAR <sup>A</sup>	0.15	0.15	0.25	0.25
Maximum Home Size per FAR (w/ minimum lot size – sq. ft.) <sup>A, B</sup>	12,000	6,000	5,000	5,000
Maximum Home Size Cap (sq. ft.) <sup>A, B</sup>	13,000	8,000	7,000	5,500

<sup>A</sup> Village Code provides a 400 square foot credit for garages which is not included in either FAR or square footage calculations

<sup>B</sup> Maximum home size based on the lesser value for FAR or square footage caps, depending on the lot size

### **Staff Recommendation**

Staff requests the ZB's consideration and discussion of the proposed FAR reductions in the R1 and R2 zoning districts, as well as building square footage cap recommendations for homes in the R1, R2, R2A, and R3 zoning districts. The Zoning Board may elect to do one of the following:

1. Close the public hearing and make a favorable recommendation to the Village Board – with staff's current recommendations and/or with revised recommendations from the Zoning Board; or
2. Close the public hearing and make a non-favorable recommendation to the Village Board.

*Having conducted and concluded a public hearing on October 10, 2019, the Zoning Board moves to approve and recommend amendments to the Lincolnshire Village Code regarding bulk regulations in Title 6, Chapters 5A and 5B, as presented by staff in the presentation packet...*

*[and further subject to...]*

If the Zoning Board is not ready to make a recommendation, it has the option to:

3. Continue the public hearing until the next regularly-scheduled Zoning Board meeting on November 12, 2019 and direct staff to perform additional research.

*The Zoning Board moves to continue the public hearing regarding amendments to the Lincolnshire Village Code regarding bulk regulations in Title 6, Chapters 5A and 5B until the next regularly-scheduled Zoning Board meeting on November 12, 2019.*

**Reports and Documents Attached**

- Document 1: Staff memo and minutes from the February 13, 2018 Zoning Board meeting
- Document 2: Staff memo and minutes from the September 12, 2018 Zoning Board meeting.
- Document 3: Staff memo and minutes from the January 8, 2019 Zoning Board meeting.
- Document 4: Minutes from the August 26, 2019 Committee of the Whole meeting.
- Document 5: Findings of Fact for a text amendment to Title 6, Chapters 5A and 5B of the Lincolnshire Village Code, dated October 4, 2019.
- Document 6: Certificate of publication for the October 10, 2019 Zoning Board public hearing.

<b>Meeting History</b>	
Committee of the Whole	January 9, 2017
Committee of the Whole	February 27, 2017
Committee of the Whole	May 8, 2017
Committee of the Whole	August 7, 2017
Architectural Review Board	November 8, 2017
Architectural Review Board	November 21, 2017
Architectural Review Board	January 16, 2018
Zoning Board	February 13, 2018
Architectural Review Board	September 4, 2018
Zoning Board	September 12, 2018
Zoning Board	January 8, 2019
Committee of the Whole	January 28, 2019
Committee of the Whole	August 26, 2019
Zoning Board	October 10, 2019



**REQUEST FOR BOARD ACTION**  
**Zoning Board**  
**February 13, 2018**

**Subject: Discussion of Design/Bulk Regulations**

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**Action Requested: Public Hearing Regarding Text Amendments to Title 6, Chapters 5A and 5B regarding single family residence districts. Discussion and Direction to Staff**

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**Originated By/Contact: Adam M. Letendre, Assistant Village Manager/CED Director**

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**Referred To: Zoning Board and Architectural Review Board**

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**Background:**

On August 7, 2017 and on previous occasions, staff presented information to the Village Board on residential bulk regulations, garage and address frontage and orientation, architectural siding elements, and neighborhood character. The Village Board requested this information from staff due to the size of a home on a double lot on Hamilton Court and other homes with certain architectural features and styles, in an effort to prevent these sizes and styles in the future. Bulk regulations limit the size of lots and the size and placement of homes on lots. Currently this is achieved by Floor Area Ratio calculations currently capped at 25% of lot size in all Single Family Zoning Districts. Floor Area (Ratio) is defined in Village Code Title 6-2 as "The numerical value obtained by dividing gross floor area of a building or buildings by the lot area on which such building or buildings are located."

At the August 7, 2017 meeting the Village Board forwarded bulk requirements presented by staff to the Zoning Board for a Public Hearing, review, and comments. At the same meeting the Village Board referred garage and address frontage and orientation, architectural elements, and neighborhood character to the Architectural Review Board. Both advisory Boards have been asked to discuss and provide recommendations to the Village Board for Village Code updates regarding Bulk Regulations in Lincolnshire.

**Discussion**

In conducting this review, staff tried to establish "neighborhood character" by taking a random sample of existing homes in the R1, R2, R2A, and R3 Districts. Staff reviewed 616 homes and lots, or 32% of the existing homes in R1, R2, R2A, and R3 Districts combined. A location map with zoning districts is attached showing all homes reviewed. Staff reviewed lot size and floor area by square feet, and Floor Area Ratio for all these homes. This analysis points to options for controlling neighborhood character in Lincolnshire. The Zoning Board is asked to comment on the regulations proposed for each residential district in Lincolnshire

**R1 District**

The largest existing home in R1 is 101 Brookwood, which exists at just over 12% FAR and 9,700 square feet. Staff found four parcels in the R1 District that do not have conservancy areas and would be fully buildable at current standards and setbacks. The largest R1 lot in Lincolnshire is 215 Northampton at 100,705 square feet, and is currently developed. 215 Northampton could allow a home of approximately 25,200 square feet, under current bulk regulations. Each of the five currently vacant lots in the R1 District could allow homes easily approaching 20,000 square feet. Of the 28 total lots in R1, 24 lots (86%) could allow homes over 20,000 square feet.

The consolidation of two typical lots in the R1 district would create a lot 160,000 square feet or larger and allow up to a 40,000 square foot or larger home under current regulations. Staff proposes the maximum buildable lot size be capped at the current 80,000 square foot minimum.

To preserve neighborhood character in the R1 District, staff recommends the following:

- ) No changes to current setback or height requirements.
- ) No changes to impervious area requirements.
- ) For all R1 District Lots, maximum FAR of 13%.
- ) For any consolidated lots, maximum buildable lot allowance of 80,000 square feet with maximum FAR of 13%.

R1 District				
Lot Size (Sq Ft)	Current FAR	Proposed FAR	Current Allowable Home Size	Proposed Allowable Home Size
80,000	0.25	0.13	20,000	10,400

These recommendations ensure no homes larger than 10,400 square feet would be built in R1, approximately 700 square feet larger than the largest currently existing home in the R1 District.

It is important to note that the new Tree Preservation Ordinance that was recently passed may further limit the bulk of a home in R1, in conjunction with current setbacks and conservancy areas, but this would require a full tree survey before staff could specifically discuss the additional limitations imposed by the Tree Ordinance.

**R2 District**

Current bulk regulations require a minimum lot of 40,000 square feet in the R2 residence district. Staff found home sizes in R2 range from 1,288 square feet built in 1941 (renovated in 1982) on a 31,800 square foot lot, to 22,245 square feet currently under construction on a 98,600 square foot lot. The average home in R2 (controlling for the 22,245 square-foot home) is just over 4,600 square feet on a 47,200 square-foot lot. To maintain neighborhood character in R2, staff recommends the following:

- ) No changes to current setback or height requirements.
- ) No changes to impervious area requirements.
- ) For lots 32,000 square feet and lower, maximum FAR of 15%.
- ) For lots 32,001 to 50,000 square feet, maximum FAR of 14%.
- ) For lots in R2 over 50,000 square feet, maximum FAR of 12%
- ) Restrict lot size to a 55,000 square foot maximum

These FAR restrictions will create three (3) existing non-conforming homes in the R2 district, one on Storybook Lane, and two on Hamilton Court. The 55,000 square foot lot cap causes four (4) homes to become non-conforming lots and currently, only one of those existing homes is built to a FAR of over 10.5%. All other homes in R2 meet or fall below the suggested FAR and maximum lot size requirements currently, and no lots as large as 308 Hamilton Court remain available in Lincolnshire.

The following chart reviews proposed changes based on lot sizes in the R-2 District:

R2 District						
	Homes in each	Current	Proposed	Existing Home	Current Allowable	Proposed Allowable
Lot Size (Sq Ft)	Lot Size	FAR	FAR	Size Range	Home Size	Home Size
32,000	1 Home	0.25	0.15	1,288	8,000	4,800
50,000	21 Homes	0.25	0.14	1,950-6,807	12,500	7,000
65,000	7 Homes	0.25	0.12	1,306-6,834	16,250	7,800
98,324	1 home*	0.25	0.12	22,425	24,581	11,799

\*Staff considered further reducing FAR in the R2 District to 11% but this would create eleven existing non-conforming homes, about 36% of all R2 homes. Reducing to 10% FAR would cause 57% of existing R2 homes to become non-conforming. Staff considered a cap for home size in R2, but aside from one home, no one would own a lot large enough to build anything more than 7,771 square feet, and the lot cap would limit lot consolidations to homes of no more than 6,600 square feet.

**R2A District**

Current bulk regulations require a minimum lot of 20,000 square feet in the R2A residence district. Staff found home sizes in R2A range from 2,567 square feet built in 1979 on a 20,100 square-foot lot to 7,849 square feet built in 1994 on a 34,000 square-foot lot. The average home in R2A is just over 4,100 square feet on a 26,500 square-foot lot. Staff also discovered a large delta in lot sizes in the R2A District ranging from under 19,200 square feet to over 62,000 square feet on fully buildable lots (those lots not constrained by floodway, conservancy, etc.).

To maintain neighborhood character in R2A, staff recommends the following:

- ) No changes to current setback or height requirements.
- ) No changes to impervious area requirements.
- ) For lots 30,000 square feet and lower, maximum FAR of 20%.
- ) For lots 30,001 and larger, maximum FAR of 15%.
- ) Restrict lots to a 50,000 square foot maximum.

The following chart shows the possible home sizes:

R2A District				
			Current Allowable	Proposed Allowable
Lot Size (Sq Ft)	Current FAR	Proposed FAR	Home Size	Home Size
22,000	0.25	0.20	5,500	4,400
30,000	0.25	0.20	7,500	6,000
50,000	0.25	0.15	12,500	7,500

Staff recommends homes built through 2017 be allowed to meet current standards because these restrictions create nearly 25% non-conformity within the R2A district. These restrictions would then be applied to all R2A homes 2018 and later.

**R3 District**

Staff recommends a sliding scale along with lot consolidation controls in the R3 zoning district. Current bulk regulations require a minimum lot of 20,000 square feet in the R3 District; however, many of the homes in R3 were platted and built in the 1950s through the 1980s before these requirements were established. Staff found home sizes in R3 range from 1,355 square feet built

in 1971 on a single 20,400 square-foot lot up to 6,442 square feet built in 1981 on a double lot totaling 40,600 square feet. The average home in R3 is just over 3,000 square feet on a 21,200 square-foot lot.

To preserve neighborhood character in the R3 District, staff recommends the following:

- ) No changes to current setback or height requirements.
- ) No changes to impervious area requirements.
- ) For lots 16,000 square feet and lower, maximum FAR of 21%.
- ) For lots 16,001 to 25,000 square feet, maximum FAR of 18%.
- ) For lots 25,001 to 30,000 square feet, maximum FAR of 16%.
- ) For lots 30,001 and over, maximum FAR of 15%.
- ) For lots being consolidated in R3, staff recommends a cap of 50,000 square feet for the total lot area to create a dis-incentive to buy multiple lots for a larger home. For the first lot, the requirements above apply. For second and any subsequent lots, a maximum of 6% additional FAR of additional lot area up to a total of 50,000 square feet of lot space.

These reductions create the following changes from current requirements:

R3 District				
Lot Size (Sq Ft)	Current FAR	Proposed FAR	Current Allowable Home Size	Proposed Allowable Home Size
16,000	0.25	0.21	4,000	3,360
25,000	0.25	0.18	6,250	4,500
30,000	0.25	0.16	7,500	4,800
35,000 (Largest Buildable R-3 Lot)	0.25	0.15	8,750	5,250
Consolidated Lot (typical 40,000 sq.ft consolidated lot)*	0.25	0.18	10,000	4,800
Consolidated Lot (Large R-3 neighboring lots approx 70,500 sq.ft. together)*	0.25	0.15	17,625	6,366

\*For consolidated lots in R3, a typical R3 lot consolidation would join two 20,000 square foot lots together. The calculation is as follows: 20,000 square foot first lot is allowed 18% FAR, or 3,600 square feet of floor area. The second 20,000 square foot lot would be allowed 6% additional FAR or 1,200 square feet, for a total of 4,800 square feet on a 40,000 square foot consolidated lot. This size home would approach the upper 7% of all existing homes surveyed in the R3 District, and be 500 square feet larger than the average homes built in Lincolnshire’s R3 District in the past ten years. For consolidating larger lots in R3, the following calculation applies: 37,400 square foot lot teardown (2<sup>nd</sup> largest R3 lot), allows 15% FAR for the first lot or 5,610 square feet, plus second lot of 33,100 square feet would be allowed 6% up to 50,000 total square feet, or 6% of 12,600 square feet – 756 square feet additional, for a total of 6,366 square feet. Staff is only aware of one location in R3 where this could occur. **As shown in the chart, the larger home on the smaller 35,000 square foot single lot creates an incentive not to consolidate lots in R3 if one desires a larger home in R3. Staff requests Board feedback regarding the acceptability of this proposal.**

The largest home potentially allowed would be at the southern end of Brunswick Lane where two lots in this location could possibly be consolidated into a 70,516 square foot lot where a home of up to 7,266 square feet could be built. No other lots in R3 are that large without having building restrictions due to floodplain requirements. The 50,000 square-foot lot area cap would prevent a home this size from occurring and only allow a 6,240 square-foot house on a 70,500 square foot lot, approximately 200 square feet smaller than the largest house known in the R3 District.

These requirements would allow older existing homes in Lincolnshire to have a second-car garage built along with a screened in porch without maximizing FAR and still controlling for bulk in the R3 District, ideally preserving neighborhood character in terms of home sizes and bulk. The proposed FAR schedule also addresses existing homes that would otherwise become existing non-conforming on smaller lots. Many of these homes have existed for 40 to 60 years. Based on data review, making these requirements more restrictive would create hundreds of potential existing non-conforming homes or prevent a few hundred homes from being able to add a second car garage or a screened in porch.

**Recommendation:**

If these proposals are acceptable to the Zoning Board, staff will work with the Village Attorney to draft code amendments that address issues reflected above. Staff will then take these changes in final draft back to the Village Board at a Committee of the Whole meeting for final review. Staff welcomes discussion and input from the Zoning Board related to any zoning items that may need to be addressed related to bulk regulations and Village character for single family homes.

**Motion:**

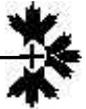
*Having conducted a Public Hearing on February 13, 2018 the Zoning Board moves to approve and recommend to the Village Board Village Code text amendments regarding bulk regulations in Title 6, Chapters 5A and 5B, as presented by staff February 13, 2018 and as presented in Staff's memorandum dated February 13, 2018.*

*{and further subject to...}*

**Reports and Documents Attached:**

- ) Map showing homes reviewed for recommendations.
- ) Chart of all homes reviewed by Residential District and showing lot and home square footage and calculated FAR.
- ) Current bulk regulations matrix.

Meeting History	
Initial Referral to Village Board (COW):	January 9, 2017
Committee of the Whole Discussion	February 27, May 8, August 7, 2017
Architectural Review Board	November 8, 21, January 16, 2018 (on-going)
Zoning Board	February 13, 2018



**APPROVED** Minutes of the **REGULAR MEETING OF THE ZONING BOARD** held on Tuesday, February 13, 2018 in the Public Meeting Room in the Village Hall, One Olde Half Day Road, Lincolnshire, IL.

**PRESENT:** Chairman Bichkoff and Members Kalina, Udoni, Van de Kerckhove, Hersh and Alternate Member Hashemi.

**STAFF PRESENT:** Tonya Zozulya, Economic Development Coordinator, Adam Letendre, Assistant Village Manager/Director of Community & Economic Development.

**ABSENT:** Trustee Liaison McDonough.

**CALL TO ORDER:** **Chairman Bichkoff** called the meeting to order at 7:00 P.M.

### 1.0 ROLL CALL

The roll was called by **Economic Development Coordinator Zozulya** and **Chairman Bichkoff** declared a quorum to be present.

### 2.0 APPROVAL OF MINUTES

2.1 Approval of the Minutes for the Regularly Scheduled Zoning Board Meeting held on Tuesday, November 14, 2017.

**Member Kalina** moved and **Member Van de Kerckhove** seconded the motion to approve the minutes of the Regular Meeting of the Zoning Board. The motion passed unanimously by voice vote.

### 3.0 ITEMS OF GENERAL BUSINESS

**Chairman Bichkoff** recessed the Zoning Board meeting and opened the following Public Hearing:

3.1 A Public Hearing regarding the maximum permitted home size and Floor Area Ratio in the residential zoning districts described in Chapters 5A and 5B of Title 6, Zoning, of the Lincolnshire Village Code. (Village of Lincolnshire).

**Chairman Bichkoff** reviewed the procedures for the public hearing.

**Adam Letendre, Assistant Village Manager/CED Director** briefed the Zoning Board on the history of this matter which was referred from the Village Board to both the Architectural Review Board and Zoning Board for consideration. In response to concerns from the Village Board in regards to new home construction on double lots and also new home construction with certain architectural features and styles, staff conducted extensive research on current regulations and existing conditions in all residential zoning districts in the Village of Lincolnshire. **Adam Letendre** presented a PowerPoint presentation of the research which was also included in the packets. He stated the Zoning Boards purview would be to comment on the proposals and make a recommendation on

bulk regulations for each of the residential districts to the Village Board. **Adam Letendre** went through the staff recommended changes for each single family residential zoned district as referenced in the staff memo.

In response to inquiry from **Member Hashemi** about surrounding communities, **Adam Letendre** reviewed the current regulations of Bannockburn, Lake Forest and Riverwoods with the Zoning Board. He further added the Architectural Review Board is considering architectural elements, landscaping and front door orientation. **Member Hersh** inquired about the FAR calculations and minimum house size, staff responded the FAR is everything above ground; credit of 400 square feet for garages and minimum house size is 1500 square feet. **Tonya Zozulya** added in addition to bulk regulations, the building plane, setbacks, allowable impervious surface including patios, walkways and driveways would also dictate restrictions on building size. She added conservancy areas and flood plain regulations are also taken into consideration in limiting the buildable area.

**Member Kalina** inquired about other issues on bulk regulations which may be responsible for the Boards concern and why it is being referred to the Zoning Board for consideration of changes. **Adam Letendre** stated the Village Boards concern stems from neighborhood character and how to define that concept as well as lot size versus home size.

**Tonya Zozulya** noted when residents take delivery of a new home in the future they may want the ability to add amenities and if the builder maxes out the FAR at time of building; leaving the owner with no option for further improvements other than to seek a variance which can be difficult to grant, adding since the implementation of the current FAR standards; no FAR variances have been sought.

**Chairman Bichkoff** questioned the scenario of a single-story home which has a massive footprint, builds out to the setback lines versus a smaller footprint, same square footage, but a two story home; saying the proposed changes to the code do not seem to address this. **Adam Letendre** stated staff did not look at that option, but could research the idea for this Board. **Member Kalina** noted some areas of Deerfield where there were tear downs and larger homes developed in their place; there isn't any integrity to the neighborhood anymore; adding his question what does the Village want to protect; the Village does not want giant houses taking up the entire lot, or protect the big front and back yard and still allow people the ability to develop the land they own? **Chairman Bichkoff** asked staff if it was just one house or incident the Village is reacting to and if such a house meets all the requirements, is this only concern? **Adam Letendre** stated there is concern from the Village Board, citing as an example a developer buying up several homes and lots in a cul-de-sac in the R-3 district, consolidate those lots into one then build a 15,000 square foot house which meets current standards, but significantly changing the character of the neighborhood. **Adam Letendre** noted since staff has looked at the recent building permits in the residential districts, the home sizes have been going down and no one has maximized their setbacks. **Tonya Zozulya** also noted even with the smaller FAR, home design including exterior materials and roof line can give the impression of a much larger building bulk impact.

There was discussion regarding the parallel review by the Architectural Review Board and the Zoning Board; staff indicating both boards at their conclusion could convene a joint session with a final recommendation being forwarded to the Village Board.

**Member Kalina** noted his concerns about code changes in reaction to one incident, people come in to build or make improvements, now the new restrictions become prohibitive. **Member Udoni** asked about ranch homes versus two-story trends in which staff noted new single story/ranch style construction is not prevalent in Lincolnshire at this time. **Member Hersh** raised his concern in the R-3 district; the proposed changes would basically impact a large percentage of existing homes and their ability to make future improvements. **Chairman Bichkoff** agreed, wondering how many residents are aware of the potential changes and how it may impact them. **Member Kalina** said in his opinion, because someone built a big house, we may be overreacting and in doing so, impacting numerous residents' ability to improve or add on to their homes. **Adam Letendre** noted what the Architectural Review Board is reviewing in regards to character of neighborhood and working on such parameters. **Member Hersh** inquired about maintaining the maximum FAR of 25% in all zoning districts and placing a maximum square footage on building size in each district in conjunction with setbacks and other requirements.

**Chairman Bichkoff** opened up questions and comments to the audience.

**Jeff Greene, President of Arthur Greene Construction** was sworn in by **Chairman Bichkoff**.

**Jeff Greene** reviewed some of the history of the Hamilton Court development with the Board, adding the lot in question is unique; Greene Construction tried to subdivide the lot but was denied resulting in a 2-acre lot in the middle of a subdivision with 1-acre lots and this does not typically happen unless lot consolidation occurs. He added a reduction in FAR will result in a larger reduction of the house; citing a reduction of an FAR of 5% translates into a 20% reduction in house size which is tremendous in his industry and impacts very strongly. He referred to the current R-2A zoning district, which encompasses a more complex zoning classification with sliding scale zoning including environmental considerations conditions set by the Village like the Manors of Whytegate which they are developing. He added most of the customers they are talking to in regards to Whytegate are Lincolnshire residents; looking for two story houses with 3 car garages, house size at approximately 5400 square feet including garage. The current standard in the Lincolnshire code of 400 square foot garage credit towards FAR is outdated; adding typical 2 car garage today is anywhere from 500-575 square feet. He further added the proposed FAR numbers are going to impact many residents; making many of them non-conforming with these proposals; how are they going to be able to stay in their homes will be an issue and problematic for future marketability. **Jeff Greene** further stated builders buy lots based on the size of house they can build; there is a formula in which lot costs must be a percentage in the overall market value; if the building square footage goes down, the lot value has to go down.

**Adam Letendre**, in response to **Member Kalina**, stated there were multiple factors which influenced the Village Board in regards to bulk regulations

including the Manors of Whytegate, Hamilton and the tear downs in the R-3 districts. **Member Kalina** again stated his opinion which he feels because of a few instances, we are going to potentially restrict or impact large swaths of our residents negatively based on a worst case scenario that may or may not happen again. **Chairman Bichkoff** noted his concern as well, if a resident applied for an addition but was denied because of one house and now this resident cannot have their sunroom; this seems like a negative consequence. **Adam Letendre** further noted there is a desire among the Village Board to preserve the R-3 character; adding the Village Board inquired about possibly changing the setback to make it more restrictive. **Adam Letendre** noted even with the current setbacks; new homes are not even coming close to the setback limits, but the homes are still larger than what the neighborhood character has historically seen so the Board did not see this as a good alternative. **Member Kalina** said he does not see a pattern of very large homes being built; maybe we are overreacting to one instance.

**Jeff Greene** discussed his experience with Highland Park; stating they are building new homes in an area of tear downs on small lots but because of the setbacks, height restrictions and building plane, the new homes are similar in character to the existing homes on the street. He also added limiting the FAR may not help control for neighborhood character. Most people would put additions in the back, which would not be visible from the street. These additions would not adversely impact neighbors due to deep yards.

There being no further testimonies or questions from the Zoning Board, **Chairman Bichkoff** closed the Public Hearing and reconvened the Zoning Board Meeting.

**Member Kalina** said as a member of the Zoning Board, he can only advise the Village Board, but his opinion as a resident, he feels they are considering major changes to the code which can have some unintended effects they are not seeing or anticipating now because we are worried about the opposite reaction of a different type of building that will probably never happen again. He further added there are more people here in the Village that will be affected by these proposed changes and given the history by **Jeff Greene** on this one lot on Hamilton, this may not happen again. He added that he does not see a problem with R-3 tear downs and building a larger new structure, put a maximum square footage on the house in which **Chairman Bichkoff** agreed. **Chairman Bichkoff** further noted that there would be a huge outcry from residents that, because of the more restrictive regulations, they cannot put additions on their house. **Adam Letendre** again reiterated the Village Boards concern about the character of the R-3 neighborhoods; especially with the occurrence of tear downs and redevelopment of new larger homes that out of character with the existing neighborhood housing stock such as those depicted in the PowerPoint samples. **Member Kalina** said he could see the Village Boards view given what he noted about tear downs in Deerfield; **Chairman Bichkoff** said the Zoning Board needs to hear what the Architectural Review Board has to say. **Member Udoni** concurred adding that the Architectural Review Board would have purview over the neighborhood character concept. **Member Hersh** commented that any change that puts over 25% of the homes into a non-conforming class seems excessive; adding any change should take into consideration the percentage of homes that could be affected, the lower percentage would be preferable. **Jeff**

**Greene** asked if the code is changed, and then 25% of the homes would become non-conforming, would they be allowed to add on to their homes in which **Tonya Zozulya** said that a property owner cannot make a non-conforming issue worse.

In conclusion, **Chairman Bichkoff** noted the following concerns he is hearing from the Zoning Board:

- Not ready to make a recommendation at this time; looking for additional information in order to come up with a metric that meets the Village Boards concern but not impact existing residents negatively.
- Staff to look into putting a maximum square footage caps on the size of the house.
- Joint meeting with the Architectural Review Board after the Zoning Board has a chance to meet again on this subject

**Member Kalina** moved, seconded by **Member Hersh** to continue the discussion of bulk regulations to the next regular scheduled meeting of the Zoning Board on March 13, 2018. *The motion passed unanimously by voice vote.*

**4.0 UNFINISHED BUSINESS (None)**

**5.0 NEW BUSINESS (None)**

**6.0 CITIZENS COMMENTS (None)**

**7.0 ADJOURNMENT**

There being no further business, **Chairman Bichkoff** requested a motion for adjournment. **Member Udoni** moved, and **Member Kalina** seconded the motion to adjourn. The meeting adjourned at 8:45 P.M.

Minutes submitted by Carol Lustig, Administrative Assistant, Community & Economic Development Department



**REQUEST FOR BOARD ACTION  
Zoning Board  
September 12, 2018**

**Subject:** Single-Family Residential Bulk Regulations

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**Action Requested:** Discussion and direction to staff.

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**Originated By/Contact:** Ben Gilbertson, Assistant Village Manager/CED Director

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**Advisory Board Review:** Zoning Board

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**Background:**

On February 13, 2018, the Zoning Board held a public hearing to discuss potential amendments to Village code regarding residential bulk regulations. This meeting resulted from a series of presentations to the Village Board throughout 2017. At the August 7, 2017 meeting, the Village Board requested staff to gather feedback and recommendations from the Zoning Board (ZB) and Architectural Review Board (ARB)

Staff presented to the ZB on February 13, 2018 during a public hearing to discuss text amendments to Village code to facilitate bulk regulations. Based on the evidence presented by staff, the ZB expressed similar sentiment as the ARB regarding the necessity of additional bulk regulations. Specifically, the ZB expressed concerns that:

- 1) The construction of one home on a double lot was the motivation for more stringent bulk regulations;
- 2) The use of one metric – floor area ratio (FAR) – to deter large-scale residential construction and remodeling was insufficient; and
- 3) Reducing FAR thresholds in single-family residential zoning districts would preclude current homeowners from additions to their homes and thus hamper future marketability/ Buyers may also be deterred from purchasing properties in Lincolnshire with no expansion potential.

The ZB closed the public hearing and motioned to continue discussion at their next meeting, as they were not ready to approve and recommend text amendments. The ZB also stated they were not ready for a joint meeting with the ARB.

With respect to the ARB, staff have presented methods for residential bulk regulation on four occasions. The last discussion with the ARB occurred on September 4, 2018 and consisted of a review of draft recommendations staff had created for residential design guidelines. The ARB's direction to staff was to consider a mission and vision for residential design as it relates to bulk regulations and defining "neighborhood character." The ARB also requested staff to incorporate future Village branding recommendations into the eventual design guidelines, as well as drafting potential guidelines for Lincolnshire based on current Village code. However, the ARB maintained its concern with the potential of expanded review authority for the construction, teardown, and renovation (based on certain thresholds) of single-family residences.

**Conclusion:**

Based on feedback from the ZB and ARB, adoption of text amendments to mitigate residential bulk and corresponding design guidelines cannot be approved at this time. Rather, the Village



Board’s decision on a future “brand” for the Village later in 2018 may help determine the extent to which text amendments are considered by the ZB as well as the depth of residential design guidelines are considered by the ARB. Staff will provide updates regarding the branding discussion with the Village Board.

**Reports and Documents Attached:**

- Agenda packet from the February 13, 2018 Zoning Board meeting.

<b>Meeting History</b>	
Initial Referral to Village Board (COW):	January 9, 2017
Committee of the Whole Discussion	February 27, 2017 May 8, 2017 August 7, 2017
Architectural Review Board	November 8, 2018 November 21, 2018 January 16, 2018 September 4, 2018
Zoning Board	February 13, 2018 September 12, 2018



**APPROVED** Minutes of the **REGULAR MEETING OF THE ZONING BOARD** held on Wednesday, September 12, 2018 in the Public Meeting Room in the Village Hall, One Olde Half Day Road, Lincolnshire, IL.

**PRESENT:** Chairman Bickhoff and Members Kalina, Udoni, Hersch and Hashemi.

**STAFF PRESENT:** Ben Gilbertson, Assistant Village Manager/CED Director

**ABSENT:** Trustee Liaison McDonough.

**CALL TO ORDER:** **Chairman Bickhoff** called the meeting to order at 7:05 P.M.

### 1.0 ROLL CALL

The roll was called by **Assistant Village Manager/CED Director Ben Gilbertson** and **Chairman Bickhoff** declared a quorum to be present.

### 2.0 APPROVAL OF MINUTES

2.1 Approval of the Minutes for the Zoning Board Meeting held on Tuesday, April 10, 2018.

**Chairman Bickhoff** reported several members of the Zoning Board had minor amendments to the minutes and provided them to staff. These amendments included replacing one instance of "Chairman Manion" (former Zoning Board Chairman) with "Chairman Bickhoff" and several verb-tense changes.

**Member Kalina** moved and **Member Udoni** seconded the motion to amend the minutes as noted in the documents provided to staff. The motion passed unanimously by voice vote

**Member Kalina** moved and **Member Udoni** seconded the motion to approve the minutes of the Regular Meeting of the Zoning Board as amended. The motion passed unanimously by voice vote.

### 3.0 ITEMS OF GENERAL BUSINESS

**Chairman Bickhoff** recessed the Zoning Board meeting and opened the following Public Hearing:

3.1 A Public Hearing regarding text amendments to Chapter 2, Definitions, and Chapter 3, General Zoning Regulations, of the Lincolnshire Zoning Code (Title 6) regarding small wireless facilities (Village of Lincolnshire).

**Ben Gilbertson, Assistant Village Manager/CED Director** said the State of Illinois approved the Small Wireless Facilities Deployment Act (Act) in April 2018; the law became effective June 2018. He stated the purpose of the Act was to promote the development of new wireless technology but in doing so, limited the power of municipalities to regulate the attachment of 'small cell' antennas in commercial, industrial, and public right-of-ways. The state act allows the installation of small wireless

## Document 2

Zoning Board Meeting 09/12/18

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facilities in commercial and industrial areas by right; for residentially-zoned districts, a special use permit would be required. **Ben Gilbertson** said The Act will restrict the Villages' ability to mandate review time, fees charged, and siting of these facilities. However, he said it does provide for some authority which is outlined in the draft ordinance.

**Member Hashemi** asked if the Village could require higher fees than what is being proposed. **Ben Gilbertson** said the state legislation allows Villages to impose fees, but there are state-mandated limits.

There being no further questions or comments, **Chairman Bickhoff** closed the public hearing and reconvened the Zoning Board meeting.

**Member Kalina** moved and **Member Udoni** seconded, having made findings of facts covered in a Public Hearing on September 12, 2018, the Zoning Board recommended approval to the Village Board of small wireless facilities text amendments to Title 6, Chapter 2 and Title 6, Chapter 3 of the Village Code, as presented in the staff's memorandum dated September 12, 2018.

*Motion passed unanimously by voice vote.*

### *3.2 Continued consideration and discussion of Single Family Residential Bulk Regulations (Village of Lincolnshire).*

**Chairman Bickhoff** stated the Zoning Board held a public hearing on February 13, 2018, with discussion to continue at this meeting. **Ben Gilbertson** reviewed the history on this matter. He noted the Architectural Review Board has discussed this on four occasions, including discussion on whether or not the Architectural Review Board wants to expand their purview in review of single family residential projects, teardowns and renovations. At the Architectural Review Board meeting of September 4, 2018, the matter was deferred until the Village Board's decision on a future 'brand' for the Village later in 2018, as the Architectural Review Board felt this 'branding' may help determine the extent of how this would impact their interpretation of "neighborhood character."

**Member Hashemi** stated she has some concerns about the neighborhood character concept, stating in her opinion, the current regulations are sufficient. **Member Kalina** agreed, stating the impetus for the discussion was an overreaction. **Member Hersh** asked if this issue was still relevant. **Ben Gilbertson** said the Village Board is exploring a recommendation from both the Zoning Board and Architectural Review Board. **Chairman Bickhoff** informed the Zoning Board he had a meeting with staff and Chair of the Architectural Review Board, and that there seems to be some desire to have a joint recommendation on bulk regulations.

**Member Hersh** said neighborhood character is important and that some architectural styles and features can be out of place. **Member Hashemi** disagreed, stating there is not data to support a detriment on house values. **Member Kalina** asked about the Architectural Review Boards purview and **Ben Gilbertson** stated they can provide feedback on multi-family residential development and planned unit developments.

**Chairman Bickhoff** stated he does not feel the Zoning Board would recommend any additional regulations, but would consider recommendations and a joint discussion with the Architectural Review Board. **Ben Gilbertson** stated the Zoning Board could make

## Document 2

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Page 3

recommendations on setbacks and floor area ratio (FAR) for bulk regulations, with exterior materials and neighborhood character falling under the purview of the Architectural Review Board.

**Chairman Bickhoff** reiterated the Zoning Board would not recommend changes to the Zoning Code. He stated this matter would be discussed after the deliberations of the Architectural Review Board are complete so that a joint recommendation could be made to the Village Board.

#### 4.0 UNFINISHED BUSINESS (None)

#### 5.0 NEW BUSINESS (None)

**Chairman Bickhoff** and members of the Zoning Board welcomed Ben Gilbertson to the Village. **Ben Gilbertson** provided his professional and education background to the Zoning Board.

#### 6.0 CITIZENS COMMENTS (None)

#### 7.0 ADJOURNMENT

There being no further business, **Chairman Bickhoff** requested a motion for adjournment. **Member Kalina** moved, and **Member Udoni** seconded the motion to adjourn. The meeting adjourned at 7:36 P.M.

Minutes submitted by Carol Lustig, Administrative Assistant, Community & Economic Development Department



**REQUEST FOR BOARD ACTION**  
**Zoning Board**  
**January 8, 2019**

**Subject:** Single-Family Residential Bulk Regulations

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**Action Requested:** Consideration of Text Amendments Regarding Single-Family Residential Bulk Regulations in Title 6, Chapters 5A (R1, R2 and R3 Single-Family Residence Districts) and 5B (R2A Single-Family Residence District) of the Lincolnshire Village Code (Village of Lincolnshire)

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**Originated By/Contact:** Ben Gilbertson, Assistant Village Manager/CED Director

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**Referred to:** Zoning Board

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**Background:**

Over the course of four meetings in 2017, the Village Board (Board) considered a number of potential changes to Village code to address bulk regulations for single-family homes in all residential zoning districts. Potential changes included the following zoning considerations: building setbacks; impervious surface area; and floor area ratio (FAR). In addition, the following aesthetic considerations were discussed: landscaping, lighting, number of building materials, and front door orientation. At the August 7, 2017 Committee of the Whole meeting, the Board referred this matter to the Zoning Board (ZB) for a public hearing and to the Architectural Review Board (ARB) for design review and recommendations.

**February 13, 2018 Zoning Board – Public Hearing and First Consideration of Bulk Regulations:**

On February 13, 2018, the ZB held a public hearing to consider amendments to FAR measurements for single-family residential zoning districts. Based on a random sample of more than 600 homes across the R1, R2, R2A, and R3 zoning districts, as well as an analysis of lot size and floor area, staff presented the following recommendations for each residential zoning district. Lot and home size examples under current and proposed recommendations are shown in Document 1 (Note: the minimum, average, and maximum home and lot sizes were calculated from the random sample of 600 homes).

**R1 Summary**

- **Staff Recommendations - Proposed Amendments**
  - FAR: 0.13 (currently 0.25)
  - Maximum Lot Area: consolidated lots – 80,000 sq. ft. buildable lot allowance (no current cap for maximum lot area for single or consolidated lots)
- **Notes**
  - These recommendations ensure no homes larger than 10,400 square feet would be built in R1, approximately 700 square feet larger than the largest currently existing home in the R1 District.

### R2 Summary

- **Staff Recommendations - Proposed Amendments**

- FAR:
  - *Lots ≤ 32,000 sq. ft.:* 0.15 (currently 0.25)
  - *Lots ≥ 32,001 sq. ft. and ≤ 50,000 sq. ft.:* 0.14 (currently 0.25)
  - *Lots ≥ 50,001 sq. ft. and ≤ 55,000 sq. ft.:* 0.12 (currently 0.25)
- Maximum Lot Area: ≤ 55,000 sq. ft. (no current cap for maximum lot area)

- **Notes**

These FAR restrictions will create three existing non-conforming homes in the R2 district, one on Storybook Lane, and two on Hamilton Court. The 55,000 square foot lot cap causes four homes to become non-conforming lots and currently, only one of those existing homes is built to a FAR of over 10.5%. All other homes in R2 meet or fall below the suggested FAR and maximum lot size requirements currently, and no lots as large as 308 Hamilton Court remain available in Lincolnshire.

### R2A Summary

- **Staff Recommendations - Proposed Amendments**

- FAR:
  - *Lots ≤ 30,000 sq. ft.:* 0.20 (currently 0.25)
  - *Lots ≥ 30,001 sq. ft. and ≤ 50,000 sq. ft.:* 0.15 (currently 0.25)
- Maximum Lot Area: 50,000 sq. ft.

- **Notes**

- Staff recommended homes built through 2017 be allowed to meet current standards because these restrictions create nearly 25% non-conformity within the R2A district. These restrictions would then apply to R2A homes built in 2018 and later.

### R3 Summary

- **Staff Recommendations - Proposed Amendments**

- FAR:
  - *Lots ≤ 16,000 sq. ft.:* 0.21 (currently 0.25)
  - *Lots ≥ 16,001 sq. ft. and ≤ 25,000 sq. ft.:* 0.18 (currently 0.25)
  - *Lots ≥ 25,001 sq. ft. and ≤ 30,000 sq. ft.:* 0.16 (currently 0.25)
  - *Lots ≥ 30,001 sq. ft.:* 0.15 (currently 0.25)
  - *Consolidated Lots:* cap of 50,000 sq. ft. buildable allowance; requirements above apply to first lot; FAR of 0.06 for second lot up to 50,000 sq. ft. lot cap
- Maximum Lot Area: 70,500 sq. ft. (consolidated lot)

- **Notes**

- These requirements would allow older existing homes in Lincolnshire to have a second-car garage built along with a screened in porch without maximizing FAR and still controlling for bulk in the R3 District, ideally preserving neighborhood character in terms of home sizes and bulk. The proposed FAR schedule also addresses existing homes that would otherwise become existing non-conforming on smaller lots. Based on data analysis, making these requirements more restrictive would create hundreds of potential existing non-conforming homes or prevent a few hundred homes from being able to add a second car garage or a screened in porch.

Based on the analysis presented by staff, the ZB expressed the following concerns:

- 1) The construction of one home on a double lot motivated discussion of more stringent bulk regulations;
- 2) The use of one metric (FAR) was insufficient for bulk regulation; and
- 3) Reducing FAR thresholds in single-family residential zoning districts would preclude current homeowners from additions to their homes and thus hamper future marketability.



Buyers may also be deterred from purchasing properties in Lincolnshire with no expansion potential.

The ZB closed the public hearing with the intent to continue discussion at their next meeting, as they were not ready to approve and recommend text amendments. The ZB also stated they were not ready for a joint meeting with the ARB.

**September 12, 2018 Zoning Board – Second Consideration of Bulk Regulations:**

At the September 12, 2018 ZB meeting, the ZB discussed staff's recommended text amendments once again. The general consensus of the ZB was they did not see a need for bulk regulations based on the FAR information provided by staff. As such, the ZB did not want to discuss the matter again. Additionally, the ZB said they did not see a need for a joint meeting with the ARB. However, no motion was made for a non-favorable recommendation to the Village Board.

**Points of Consideration and Recommendation**

Although the ZB originally committed to making a joint recommendation with the ARB to Village Board regarding bulk regulations, the timing of when the ARB would make their recommendations to the Board is unknown. Therefore, staff recommends the ZB formally vote to either: (1) conclude their consideration of FAR bulk regulations or (2) allow the Village Board to request the ZB to investigate alternative bulk regulations.

Per Section 2-6-5 of the Village Code, "An application which fails to receive an approval recommendation of the Zoning Board must include written findings based upon the items set forth in Chapter 14 of Title 6 and must receive a favorable vote of two-thirds (2/3) of all the elected members of the Village Board of Trustees to be approved." Specifically, the standards text amendment findings of fact are as follows:

- 1) The request for an amendment shall serve the purpose of promoting the public health, safety, and general welfare.
- 2) The request for an amendment shall conserve the value of property throughout the community.
- 3) The request for an amendment shall lessen or avoid congestion in the public streets and highways.

Staff has prepared responses to these standards based on previous discussion and direction from the Zoning Board (see Document 2).

**Motion**

*Having conducted and concluded a Public Hearing on February 13, 2018 and considered the proposed amendments on September 12, 2018 and January 8, 2019, the Zoning Board moves to approve and recommend amendments to the Village Code regarding bulk regulations in Title 6, Chapters 5A and 5B.*

*{and further subject to...}*

**Reports and Documents Attached:**

- Document 1: Home and lot size examples with proposed text amendments.
- Document 2: Findings of Fact – Text Amendment.
- Document 3: Agenda packet from the September 12, 2018 Zoning Board meeting.

**Agenda Item  
3.1 ZB**

<b>Meeting History</b>	
Initial Referral to Village Board (Committee of the Whole):	January 9, 2017
Committee of the Whole Discussion	February 27, 2017 May 8, 2017 August 7, 2017
Architectural Review Board	November 8, 2017 November 21, 2017 January 16, 2018 September 4, 2018
Zoning Board	February 13, 2018 September 12, 2018 January 8, 2019



**APPROVED** Minutes of the **REGULAR MEETING OF THE ZONING BOARD** held on Tuesday, January 8, 2019 in the Public Meeting Room in the Village Hall, One Olde Half Day Road, Lincolnshire, IL

**PRESENT:** Chair Bichkoff and Members Hashemi, Udoni, Kalina, and Hersh

**STAFF PRESENT:** Ben Gilbertson, Assistant Village Manager/Community & Economic Development Director  
Tonya Zozulya, Planning and Development Manager

**ABSENT:** Trustee Liaison McDonough.

**CALL TO ORDER:** **Chair Bichkoff** called the meeting to order at 7:00 P.M.

### 1.0 ROLL CALL

The roll was called by **Ben Gilbertson, Assistant Village Manager/Community and Economic Development Director (AVM/CED)**; **Chair Bichkoff** declared a quorum to be present.

### 2.0 APPROVAL OF MINUTES

2.1 Approval of the Minutes of the Regular Zoning Board Meeting Held on November 13, 2018.

**Chair Bickhoff** noted scrivener's errors and provided those to staff.

**Member Udoni** moved and **Member Hersh** seconded the motion to approve the minutes as noted and amended by Chair Bichkoff. Motion passed by voice vote.

### 3.0 ITEMS OF GENERAL BUSINESS

3.1 Consideration of Text Amendments Regarding Single-Family Residential Bulk Regulations in Title 6, Chapters 5A (R1, R2 and R3 Single-Family Residence Districts) and 5B (R2A Single-Family Residence District) of the Lincolnshire Village Code (Village of Lincolnshire)

**AVM/CED Gilbertson** provided background and an overview of this agenda item, noting the most recent deliberation by the Zoning Board was September 2018. At that meeting, it was the consensus of the Zoning Board, having taken into consideration current Floor Area Ratio (F.A.R.) regulations, to recommend against additional text amendments to the Zoning Code for bulk regulations in residential districts; however, a formal motion from the Zoning Board to make a non-recommendation to the Village Board was not made.

**Member Hashemi**, noting the presence of an audience, requested staff to provide additional background on the item. **AVM/CED Gilbertson** provided history on bulk regulations, how the issue came to the Village Board's attention as well as how they saw a need to address bulk regulations through zoning and architectural requirements. He further described the Zoning Board's concerns of

the analysis presented at the February 2018 public hearing and the possible consequences of reducing FAR requirements, noting the reduction in F.A.R may preclude owners of older, smaller homes from constructing future additions. **Member Kalina** and **Chair Bichkoff** further articulated the Zoning Board's prior concern, stating F.A.R. revisions were not necessary and unsubstantiated, adding the consensus of the Zoning Board was current regulations are sufficient.

**Member Hashemi** stated she has had conversations with residents in which they indicated the decision to propose changes to the current regulations are not based on fact. She added concerns about perceived impacts on property values.

**Tonya Zozulya, Planning and Development Manager (PDM)** requested the Zoning Board provide details of their recommendation and outline their reasoning when they make their formal motion.

**Member Hashemi** drew attention to the number of meetings dedicated to zoning bulk regulations, staff time, and resources dedicated to this. She said the Village would have been better served looking for new business to come to the Village.

**Member Hersh** asked if there were other reasons for the Village Board's concerns. **AVM/CED Gilbertson** stated the Village Board also had concerns regarding teardowns in older areas of town and preservation of "neighborhood character."

**Chair Bichkoff**, noting the presence of an audience, elected to take Citizen Comments on this agenda item rather than wait until the end of the meeting.

**Darek Zarnovski** of 72 Cumberland stated he has lived in his home for 17 years. He expressed concern this was the first time he was aware of the proposed changes and noted the lack of notification to residents in Lincolnshire regarding these discussions. As an architect, he noted current design trends are not for larger homes, as they are expensive to build.

There was lengthy discussion amongst the Zoning Board that homes in the R3 District would be most impacted by the proposed F.A.R., making many existing homes non-compliant and not allowing for future additions. **PDM Zozulya**, in response to a question from **Mr. Zarnovski**, said there are many regulations beyond F.A.R. in the residential zoning code that currently control for bulk regulations. Members of the Zoning Board reaffirmed their position that current regulations are sufficient and there was no need to make the code more restrictive.

**Member Udoni** moved, seconded by **Member Hersh**, having conducted and concluded a Public Hearing on February 13, 2018 and considered the proposed amendments on September 12 and January 8, 2019, to approve and recommend amendments to the Village Code regarding bulk regulations in Title 6, Chapters 5A and 5B.

Roll Call Vote: **Ayes** - None

**Nayes** - Chair Bichkoff, Members Kalina, Udoni, Hersh and Hashemi.

**Motion Failed.**

Chair Bichkoff reaffirmed the Zoning Board's position based on consideration of the matter over several meetings and inability to find an argument in favor of the proposed amendments and noted the following concerns:

- Proposed regulations would disproportionately affect the R3 district.
- Current regulations in place are sufficient to address bulk.

### 3.2 Approval of 2019 Zoning Board Calendar and Meeting Schedule (Village of Lincolnshire)

**AVM/CED Gilbertson** stated the Illinois Open Meetings Act requires advisory boards to approve their meeting schedule and calendar prior to or at the first meeting of the year. **AVM/CED Gilbertson** reviewed the 2019 dates for the Zoning Board meeting schedule.

**Member Udoni** moved and **Member Kalina** seconded approval of the 2019 Zoning Board meeting dates as prepared by staff. The Motion passed unanimously by voice vote.

### 4.0 UNFINISHED BUSINESS – None.

### 5.0 NEW BUSINESS – None.

### 6.0 CITIZENS COMMENTS

**Sandra Saltiel**, 26 Regent Lane, inquired about the 325 Marriot Drive building under construction, asking how the Village allowed the construction of a warehouse so close to Route 22. **Member Hashemi** stated the Zoning Board and Village Board approved a rezoning of this property, adding the office vacancy rate in the area was not conducive for another office building. She stated the Zoning Board, Architectural Review Board, and Village Board made sure that additional improvements to the building exterior and landscape were included to enhance the site. **Chair Bichkoff**, in response to **Sandra Saltiel's** comments about the appearance of the building, noted that this will be a corporate headquarters and having seen the renderings, it will look much different. He further noted this site has been on the market for over 30 years, and the Village believed this would be a productive use for the site. **AVM/CED Gilbertson** provided background on the review of the building and landscape design, including the requirement to add a landscape berm along the north elevation, screening of the docks along the east elevation, and a significant investment in the landscape plan. Staff stated they would provide residents with additional information via email.

**Scott Mackenzie**, 23 Londonderry Lane, inquired about the property referred to as the TSJ/Top Golf project, asking what happened to the Top Golf. **Chair Bichkoff** stated this proposal was never referred to the Zoning Board as it is under the purview of the Village Board, but that the Top Golf proposal was removed from the project. **Scott Mackenzie** said it would have been a good source of tax revenue for the Village. **AVM/CED Gilbertson** said there was much feedback from the community about Top Golf's plan, with residents indicating concerns for traffic and lighting. He added the Village Board retains review authority over the use of the property as it is zoned B-2 Planned Unit Development, with the only known user of the property at this time being The St. James.



**MINUTES  
COMMITTEE OF THE WHOLE MEETING  
Monday, August 26, 2019**

Present:

Mayor Brandt	Trustee Harms Muth
Trustee Grujanac	<del>Trustee Hancock</del>
<del>Trustee Leider</del>	Trustee Pantelis
Trustee Raizin	<del>Village Clerk Mastandrea</del>
Village Attorney Simon	Village Manager Burke
<del>Finance Director/Treasurer Peterson</del>	Public Works Director Woodbury
Chief of Police Leonas	Assistant Village Manager/Community &
Planning & Development Manager Zozulya	Economic Development Director Gilbertson
Building Official Jesse	

**ROLL CALL**

Mayor Brandt called the meeting to order at 7:15 p.m., and Village Clerk Mastandrea called the Roll.

**2.0 APPROVAL OF MINUTES**

**2.1 Acceptance of the August 12, 2019 Committee of the Whole Meeting Minutes**

The minutes of the August 12, 2019 Committee of the Whole Meeting were approved as submitted.

**3.0 ITEMS OF GENERAL BUSINESS**

**3.1 Planning, Zoning and Land Use**

**3.11 Consideration of Preliminary Evaluation Regarding an Amendment to an Existing Special Use for Sedgebrook Planned Unit Development to Allow Temporary Events (Sedgebrook Propco SL LLC – 800-890 and 960 Audubon Way)**

Planning & Development Manager Zozulya provided a summary of a preliminary evaluation regarding an amendment to an existing Special Use for Sedgebrook Planned Unit Development to allow two temporary events. Sedgebrook would like to have a car show on September 28 and would like to expedite this request. If the PUD is amended the events would comply with the existing code.

Mr. Dan Harrington, Executive Director at Sedgebrook introduced Bill Schneider, Director of Community Relations at Sedgebrook.

Mr. Harrington provided a presentation regarding their request to amend the existing Special Use for Sedgebrook Planned Unit Development to

allow two temporary events annually at Sedgebrook. Mr. Harrington provided a map indicating where the proposed car show would take place along with parking and traffic for attendance.

Trustee Raizin asked if they had an estimate on the amount of people who would attend. Mr. Harrington stated last year, only the residents, a few family members, and staff attended.

Mayor Brandt noted she and some of staff attended an event at Radford Green recently, and there is ample parking for events. Mayor Brandt also noted there are some vintage car groups in the Village that staff can put Sedgebrook in contact with to possibly include in the event. Trustee Grujanac noted there may be a car club at Stevenson High School to reach out to.

Trustee Raizin asked if there would be any food or drinks served at the event. Mr. Harrington noted Sedgebrook would offer coffee, donuts and a hydration station for the people involved with the car show. Planning & Development Manager Zozulya stated if they were to invite Food Trucks, Sedgebrook would need to amend their request. Mr. Harrington stated he would not want to amend the request.

It was the consensus of the Board to place this item on the Regular Village Board Agenda for a public hearing and potential approval at the September 23, 2019 Regular Village Board Meeting.

### **3.12 Preliminary Evaluation Regarding Text Amendments to Single-Family Residential Bulk Regulations in Title 6, Chapter 5A (R1, R2 and R3 Single-Family Residence Districts) and 5B (R2A Single-Family Residence District) of the Lincolnshire Village Code (Village of Lincolnshire)**

Assistant Village Manager/Community & Economic Development (CED) Director Gilbertson summarized the preliminary evaluation regarding text amendments to single-family residential bulk regulations in Title 6, Chapter 5A (R1, R2, and R3 single-family residence districts) and 5B of the Lincolnshire Village Code. Building Official Jesse also provided a presentation of single-family residential bulk regulations.

A brief conversation followed regarding the areas in Lincolnshire with 80,000 square foot lots. Mayor Brandt asked if square footage calculations shared in the presentation includes garage and basement. Building Official Jesse stated living spaces in the code is defined as above-grade and granting a 400 square foot credit for a garage. Trustee Harms Muth stated two-story family rooms and foyers are included in the calculation of living space. Building Official Jesse noted this area is included in calculations for floor area ratio (FAR) as the two story open area for foyers or living spaces does have the potential to contribute to the appearance of bulk. Building Official Jesse noted basement areas

are typically below grade and create no sense of bulk or mass.

Trustee Pantelis asked what the square footage of the new homes at the Manors of Whytegate are so she has something to compare. Planning & Development Manager Zozulya stated the Manors of Whytegate is zoned R2A, and the average lot size is approximately 29,000 square feet with the average home size being 5,400 square feet. Mayor Brandt asked if the 400 square foot credit for a garage would be factored into a three-car garage. Building Official Jesse stated 400 square feet is the size of a typical two-car garage, and the square footage credit applies to any size garage.

Building Official Jesse continued his presentation with square footage comparisons in Lincolnshire. He proceeded to review established front yard setbacks and explain how setbacks in residential areas are defined. A conversation ensued regarding the reason for possibly changing FAR and square footage caps. Size of homes on the size of lots were discussed along with the perceptions of established character in neighborhoods in the Village. Trustee Grujanac noted concern regarding the area she lives in losing its character as a result of teardowns/rebuilds. Other areas in the Village were brought up as possible future concern. Planning & Development Manager Zozulya further explained the zoning for the Manors of Whytegate and subdivision's R2A zoning classification which was considered as a way to address environmentally sensitive conditions. Planning & Development Manager Zozulya noted R2A zoning classifications require a more rigorous planning process and review and approval process.

Building Official Jesse completed his presentation with possible revisions to FAR and square foot caps. A conversation followed regarding possible legal nonconforming structures if the changes are approved. Trustee Grujanac asked if there are any homes currently being built that would be legally non-conforming if the Board approved the FAR and square footage caps. Building Official Jesse stated any current construction must follow current code requirements and would be subject to future versions of the Village code if property owners desire additional square footage. Planning & Development Manager Zozulya noted a handful of homes in the R3 zoning district are legally non-conforming as a result of the bulk regulation code revisions from 2007.

Trustee Grujanac asked if the Zoning Board has reviewed these recommendations. Assistant Village Manager/CED Director Gilbertson stated the Zoning Board has not seen these specific recommendations. He further clarified the process, noting if the Village Board is amenable to these specific recommendations, this would go to the Zoning Board for review then back to the Village Board for review and possible approval.

Trustee Harms Muth stated she did not see the need to change anything related to bulk regulations at this time.

Trustee Grujanac stated she would recommend this be referred to the Zoning Board. Trustee Raizin stated she would like to know more about the issues and would be open to referring this to the Zoning Board.

Trustee Pantelis noted concern regarding how the homeowners would feel being legally nonconforming and not being able to add on to their homes. A conversation ensued regarding nonconforming structures.

Trustee Raizin asked if the Zoning Board would only be reviewing changes to FAR. Village Manager Burke clarified the recommendation in the memo is for the Zoning Board to review FAR and square footage caps. Village Attorney Simon noted individual homes do not go through architectural review, so the goal is to establish a set of rules that can be applied consistently.

It was the consensus of the Board to refer this item to the Zoning Board for review.

### **3.13 Consideration and Discussion of Lake County Solar Winds Task Force Participation and Potential SolSmart Application (Village of Lincolnshire)**

Building Official Jesse provided a summary of Lake County solar winds task force participation and potential SolSmart application. Staff does not believe additional changes to Village Code are warranted at this time. The SolSmart designation program awards ratings of bronze, silver, or gold to communities who demonstrate a commitment to be “open for solar business.” Should the Mayor and Board of Trustees direct staff to pursue participation in the program, staff believes a rating of bronze is achievable with our current codes and processes. Building Official Jesse noted there is no cost to participate.

It was the consensus of the Board for staff to move forward with the application.

- 3.2 Finance and Administration
- 3.3 Public Works
- 3.4 Public Safety
- 3.5 Parks and Recreation
- 3.6 Judiciary and Personnel

## **4.0 UNFINISHED BUSINESS**

### **4.1 Recreational Cannabis**

Village Manager Burke noted since the last time recreational cannabis was discussed, a lot of information has been shared with the Board and staff will be

## **FINDINGS OF FACT TEXT AMENDMENT**

### Village of Lincolnshire – Bulk Regulations – Zoning

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1. *The request for an amendment shall serve the purpose of promoting the public health, safety, and general welfare.*

**The request is to codify single-family residential bulk regulations with respect to floor area ratio (FAR) requirements. Reductions in FAR in the R1 and R2 zoning district, as well as implementation of a square footage cap across the R1, R2, R2A, and R3 zoning districts will reduce potential home sizes for replacement homes, or “teardowns,” and ensure cohesive “neighborhood character” within each zoning district. Analysis of single family residential lot and home square footage data reveal minimal impact to existing homes that would become legally non-conforming if the proposed text amendments are approved. With approval of these proposed text amendments, the general welfare of Village residents would be promoted via cohesive “neighborhood character” by way of reduced FAR in the R1 and R2 zoning district, as well as implementation of a square footage cap across the R1, R2, R2A, and R3 single-family zoning requirements.**

2. *The request for an amendment shall conserve the value of property throughout the community.*

**The proposed amendments to FAR requirements would conserve property values throughout the community by ensuring predictable, consistent home sizes that contribute to “neighborhood character” and deter the construction of new homes which are disproportionate to and inconsistent with such established character and which diminish the property values of adjoining homes which are negatively affected thereby. The proposed FAR requirements would allow existing homes and structures in the residential zoning districts to remain intact with the creation of few non-conforming uses. These amendments would promote consistency in home sizes and preservation of property values.**

3. *The request for an amendment shall lessen or avoid congestion in the public streets and highways.*

**The request will have no bearing on congestion in public streets and highways.**

Prepared by:

**Ben Gilbertson, Assistant Village Manager/CED Director, Village of Lincolnshire  
October 4, 2019**

## PUBLIC NOTICE

Notice is hereby given that the Zoning Board of the Village of Lincolnshire will conduct a Public Hearing on *Thursday, October 10, 2019* beginning at 7:00 P.M. in the Meeting Room of the Lincolnshire Village Hall, One Olde Half Day Road, Lincolnshire, Illinois to consider text amendments regarding the maximum permitted home size and Floor Area Ratio in the residential zoning districts described in Chapters 5A and 5B of Title 6, Zoning, of the Lincolnshire Village Code.

The petitioner is the Village of Lincolnshire. The project file is available for inspection and copying in the Community & Economic Development Department during normal business hours to any interested person that wishes to obtain additional information regarding this matter. All interested persons present at the Public Hearing will be given an opportunity to be heard. The above indicated hearing may be continued from time to time and without further notice, on the motion of the Zoning Board. By order of the Zoning Board of the Village of Lincolnshire, Lake County, Illinois.

/s/ **Brian Bichkoff**, Chair  
Zoning Board  
Village of Lincolnshire  
9/21/19



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