



VILLAGE OF GLENCOE

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Virtual Meeting Information

The October 4, 2021 Zoning Board of Appeals and Zoning Commission meetings will be held virtually via telephone and videoconference (individuals may participate either by telephone or by video conference) pursuant to Governor Pritzker's Executive Order 2021-23. In addition, at least one representative from the Village will be present at Village Hall in compliance with Section 7(e) of the Open Meetings Act.

Individuals may call the following to participate in the meeting:

By Telephone:

Phone Number: (312) 626-6799
Webinar ID: 838 5838 4043

By Zoom Video Conference:

Zoom video conference link: [Click here](#)

Public Comment Submittal Options

Option 1: Submit Comments by E-Mail Prior to Meeting

Public comments can be submitted in advance of the meeting by e-mail to glencoemeeting@villageofglencoe.org. Public comments for ZBA cases that are received by 5:30 p.m. or one hour before the start of the ZBA/Zoning Commission meeting will be read during the meeting under Public Comment. Public comments for the Zoning Commission will be forwarded to the Commission and may be read during the meeting at the Commissions discretion. All e-mails received will be acknowledged. Public comments that are read during the meeting are limited to 400 words or less. E-mailed public comments should contain the following:

- The Subject Line of the e-mail should include the following text: "October 4th Zoning Board of Appeals/Zoning Commission Meeting Public Comment"
- Name of person submitting comment (address can be provided, but is not required)
- Organization or agency person is submitting comments on behalf of, if applicable
- Topic or agenda item number of interest, or indicate if the public comment is on a matter not listed on the Zoning Commission meeting agenda

Option 2: Submit Comments by Phone Prior to Meeting

Individuals without access to e-mail may submit their comments through a voice message by calling (847) 461-1100. Verbal public comments will be read aloud during the meeting and will be limited to three minutes.



**AGENDA
VILLAGE OF GLENCOE
ZONING COMMISSION
REGULAR MEETING**

**Virtual Meeting
October 4, 2021
6:30pm**

1. CALL TO ORDER AND ROLL CALL

*Scott Novack, Chair
Sara Elsasser
David Friedman
Alex Kaplan
Michael Kuppersmith
Debbie Ruderman
John Satter*

2. CONSIDER ADOPTION OF THE SEPTEMBER 13, 2021 ZONING COMMISSION MEETING MINUTES

3. CONSIDER A RESOLUTION REGARDING THE PROPOSED AMENDMENT TO THE ZONING MAP TO REZONE THREE PARCELS FROM THE R-C DISTRICT TO THE R-D DISTRICT AND A SPECIAL USE PERMIT TO CONSTRUCT A SIX-UNIT MULTI-FAMILY RESIDENTIAL BUILDING AT 538 GREEN BAY ROAD

4. PUBLIC COMMENT ON NON-AGENDA ITEMS

5. ADJOURN

The Village of Glencoe is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend the meeting who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are requested to contact the Village of Glencoe at least 72 hours in advance of the meeting at (847) 835-4114, or the Illinois Relay Center at (800) 526-0844, to allow the Village of Glencoe to make reasonable accommodations for those persons.



**MINUTES
VILLAGE OF GLENCOE
ZONING COMMISSION
REGULAR MEETING**

Village Hall Council Chamber and Videoconference
675 Village Court
Monday, September 13, 2021 – 6:00 PM

1. CALL TO ORDER AND ROLL CALL

The Regular Meeting of the Commission of the Village of Glencoe was called to order by the Chair, at 6:45 p.m. on the 13th day of September 2021, held virtually via Zoom web videoconference.

Attendee Name	Title	Status
Zoning Commission		
Scott Novack	ZC Chairman	Present
Sara Elsasser	Commissioner	Present
David Friedman	Commissioner	Present
Alex Kaplan	Commissioner	Present
John Satter	Commissioner	Present
Debbie Ruderman	Commissioner	Present
Michael Kuppersmith	Commissioner	Present
Village Staff		
Stewart Weiss	Village Attorney	Present
Taylor Baxter	Development Services Manager	Present
Richard McGowan	Planner	Present

2. CONSIDERATION OF MINUTES OF THE DECEMBER 7, 2020 ZONING COMMISSION MEETING

RESULT:	ACCEPTED
AYES:	Novack, Elsasser, Friedman, Kaplan, Satter
NAYS:	None
ABSTAIN:	Ruderman, Kuppersmith

3. CONSIDERATION OF A PROPOSED AMENDMENT TO THE ZONING MAP TO REZONE THREE PARCELS FROM THE R-C DISTRICT TO THE R-D DISTRICT AND A SPECIAL USE PERMIT TO CONSTRUCT A SIX-UNIT MULTI-FAMILY RESIDENTIAL BUILDING AT 538 GREEN BAY ROAD

Before the discussion began, Commissioner David Friedman stated that he lives at 324 South Avenue and his wife submitted a letter regarding tonight's agenda independent of him, and that he will fulfill his obligations as a member of the Commission.

Commissioner John Satter then stated that he has some history with 538 Green Bay Road and based on that experience and formed opinion relative to that property that he will not be able to objectively weigh the information presented from the applicant and those in disagreement, so he decided to recuse himself from this specific meeting.

Taylor Baxter then gave an overview of the case, stating that the applicants at 538 Green Bay Road ("subject property") are requesting a zoning map amendment to rezone three parcels (one zoning lot) from the R-C district to the R-D district. Mr. Baxter stated that the lot is currently developed with a single-family residence and that the R-C zoning district only allows single-family residences, while the R-D zoning district allows both single and multi-family housing, and that multi-family housing in the R-D district also requires a Special Use Permit ("SUP") which is also a part of the application tonight. Mr. Baxter then gave an overview of the overall process.

Mr. Baxter shared an aerial view of the subject property, showing that it does not have direct frontage onto Green Bay Road as there is a Glencoe Park District ("Park District") property that is between the subject property and Green Bay Road which is zoned R-D multi-family, and that a significant amount of properties along Green Bay Road that are also zoned R-D. Mr. Baxter then explained that the parcels to the south and west of the subject property are also owned by the Park District, properties to the north of the subject property are zoned R-D and R-C, and a parcel to the west that is zoned R-C.

Mr. Baxter then proceeded to share what could potentially be built on the subject property and explained that it could not be subdivided without the subdivision and variation process. Mr. Baxter then explained in detail what the applicants are proposing for 538 Green Bay Road. Mr. Baxter then shared a site plan and footprint comparison of the existing and proposed conditions, elevations, and an overview of next steps.

Chairman Novack opened the public hearing, and then Mr. Baxter swore in Mr. Chris Canning for Mr. Canning's presentation.

Mr. Canning stated he is representing the owner of the subject property, Mr. Steve McGuire, and that his office is at 1000 Skokie Boulevard in Wilmette. Mr. Canning reiterated that the applicants are requesting to rezone the subject property from R-C to the R-D zoning district, and to obtain a SUP to allow a multi-family residential building in the R-D zoning district, and that the staff memorandum does a great job of explaining what the applicants are proposing. Mr. Canning explained that 538 Green Bay Road sold the portion of their property that has frontage on Green Bay Road to the Park District in 1926, which is now

zoned R-D. Mr. Canning stated that a multi-family building on the subject property would be in character with the other properties on the west side of Green Bay Road. Mr. Canning also explained that the building was designed to be approved without any zoning variations such as height, parking, and gross floor area. Mr. Canning stated that a 6,900 square-foot single-family residence could be built on this property by right, and would not require any Board or Commission approval, but it would not be in keeping with the existing character on the west side of Green Bay Road.

Mr. Baxter then swore in Scott Freres, the President of the Lakota Group, the urban planning firm that is representing the applicant. Mr. Freres then gave an overview of the project background and then gave an overview of the subject property. Mr. Freres stated that there are several pocket parks along the Green Bay Road corridor that provide a buffer between single-family and multi-family housing districts, and that the subject property is within walking distance to Glencoe's downtown. Mr. Freres noted that in addition to the Green Bay Road corridor, the vibe of downtown, location near transit, changing demographics, and Village's Comprehensive Plan are part of the reasons why they believe a change in land use is appropriate for this location. Mr. Freres reiterated that they did not come out of the blue with this idea and that part of the basis for their plans are based off Glencoe's community planning through the 2004 Comprehensive Plan update, 2016 Plan for Downtown, and the 2019 Design Guidelines which support and encourage meaningful development along the Green Bay Road corridor, walkability, diversity of housing options, proximity to transportation, economic development, and the look and scale of multi-family structures within the community. Mr. Freres also noted that they intend to design the structure to not obstruct the neighbor to the north's green technology solutions on their home, and that their site plan was sited properly to respect and balance the neighboring homes.

Mr. Baxter then swore in Fred Wilson and John Potter, the Architects from Morgante-Wilson Architects for the proposed multi-family housing at 538 Green Bay Road. Mr. Wilson explained that the building will have a stone base with a stucco-like material for the second and third floors, and that the resident parking is all inside of the building, with three guest spots outside of the building. Mr. Wilson noted that the corners of the building are all open-air outdoor porches to soften the bulk of the structure, and that the proposed building was pushed as far west as the zoning code allows to allow sunlight to hit the neighbor to the north's solar panels at 550 Green Bay Road. Mr. Wilson stated that the dwelling units in the proposed building will be two and three-bedroom units, ranging from about 1,500 square feet to about 1,900 square feet. Mr. Wilson then shared shadow studies of the potential shadows that would be casted from the proposed building during different times of the day and during different seasons.

Mr. Baxter then swore in Monica Oplawski, the Civil Engineer from Bono Consulting Civil Engineers out of Park Ridge. Ms. Oplawski provided a brief site overview with storm, sanitary, and water services and stated that they would be working with the Village Engineer to meet the Village's detention requirements, in addition to the Metropolitan Water Reclamation District ("MWRD") of Greater Chicago requirements due to the size of the subject property.

Mr. Wilson then proceeded to share a potential layout of the subject property if someone were to develop a 6,876-square foot single-family residence, which he claimed would be more impactful to the neighbor to the north at 550 Green Bay Road. Mr. Freres then reiterated that the proposed multi-family use and building would be consistent with the community's vision and goals, community development standards, and community design character and quality of life.

Mr. Baxter then swore in Peter Cummins, a Real Estate Broker with "@properties" in Winnetka. Mr. Cummins stated that he is the former Village Manager for the Village of Glencoe from 1991-1995 before moving out to Vail, Colorado. Mr. Cummins also explained that he developed the building at 450 Green Bay Road in 1999 which is a 9-unit condominium building with Park District property on each side, and that that project should be looked at when reviewing the various objections for this proposal. Mr. Cummins stated that the state statutes are very clear about the thresholds that must be met to get zoning relief or a zoning change, such as hardship. Mr. Cummins then stated that he has been a Real Estate Broker since 2003, and that the McGuires obtained the subject property in 1987 and attempted to sell it in 2005 and in 2011 and did not have success yielding a reasonable return in accordance with the zoning code during those times. Mr. Cummins then referenced the Illinois Revised Statutes, stating that one of the three conditions that you need to satisfy for the Zoning Board of Appeals for zoning relief is that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone. Mr. Cummins clarified that there has been a demonstrated attempt to generate a reasonable return and that was not successful and explained that in the fall of 2011 and spring of 2013 Mr. McGuire was unsuccessful attempting to sell the subject property. Mr. Cummins then shared a presentation with the audience showing a copy of an email dated May 23, 2013, from former Village Employee, John Houde. Mr. Houde's email stated that the subject property is not subdividable and does not qualify for any type of zoning variation to make it subdividable, and Mr. Cummins stated that Mr. Baxter and the Village Attorney agreed that Mr. Houde's opinion in 2013 was incorrect. Mr. Cummins said that these factors previously noted lead to Mr. McGuire to sit on his property without any reasonable return. Mr. Cummins then stated that the anomaly and outlier here is the single-family home to the north (550 Green Bay Road) that is in the R-D multi-family zoning lot and multi-family housing directly north of 550 Green Bay Road, and that the owner of 550 Green Bay Road could tear his house down and build what he does not want the owner of the subject property to do to him, and that the owner of 550 Green Bay Road cannot have his cake and eat it too. Mr. Cummins then proceeded to break down and disagree with the Appraiser's Analysis of Diminution in Value, which stated that the Appraiser believes that the proposed zoning change and redevelopment of 538 Green Bay Road will have an adverse effect on both the value and marketability of 550 Green Bay Road. Mr. Cummins then proceeded to share and compare the existing conditions of the multi-family housing at 556-562 Green Bay Road versus the proposed conditions at 538 Green Bay Road. Mr. Cummins stated the Appraiser's opinions are not consistent with the evidence, and proceeded to share his research and comparisons for the average sales price of the neighbors to the north of 550 Green Bay Road and the neighbors to the south of 450 Green Bay Road, stating that neighboring property values were driven up after the multi-family building at 450 Green Bay Road was built, which conflicts with the Appraiser's

analysis. Mr. Cummins then shared an excerpt from the Illinois Revised Statutes that he referenced earlier from “(65 ILCS 5/11-13-4) (from Ch.24, par. 11-13-4)” which states:

“...the board of appeals shall require evidence that (1) the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone; and (2) the plight of the owner is due to unique circumstances; and (3) the variation, if granted, will not alter the essential character of the locality. A variation shall be permitted only if the evidence, in the judgment of the board of appeals, sustains each of the 3 conditions enumerated...”

Mr. Cummins concluded that he believes this is a meritorious case that warrants approval and is a good thing for the community.

Chairman Novack thanked Mr. Cummins and then requested a ten-minute break for everyone. The meeting resumed at 8:15 p.m.

Commissioner David Friedman asked Mr. Cummins if the Commission is to understand that when Mr. McGuire was unsuccessful selling the subject property at 538 Green Bay Road that there were no offers for the house during the time frames Mr. Cummins mentioned. Mr. Cummins responded that he was not the Broker during those time frames and that it is his understanding that there were no offers during those time frames. Commissioner Friedman then asked Mr. Freres if it is customary that his clients meet with neighbors during zoning processes as part of best practices, and if his clients met with the neighbors. Mr. Freres responded that to the best of his knowledge, nobody contacted neighbors.

Chairman Novack then asked Mr. Baxter if he could elaborate on the height of the proposed multi-family building compared to the height of a single-family home that could be built in the same location. Mr. Baxter stated that the applicant’s measurement of 31 feet is measured to the top of the proposed roof, whereas the zoning code defines and measures height by the type of roof, and that 31 feet is lower than a single-family home with a pitched roof could put in this same location. Chairman Novack then asked about the square footage of the proposed building, and Mr. Potter stated that the building’s proposed footprint is 7,400 square feet.

Mr. Baxter then stated that if anyone provided written comment prior to the publishing of the agenda packet, their comments have been forwarded to the Commissioners and are already in the public record in the agenda packet itself, and that the 7 written comments received prior to the start of the meeting today that were not in the agenda packet would be read tonight. Mr. Baxter clarified that 5 of the 7 written comments were under the 400-word limit and were forwarded to the Commissioners the day of the meeting and 2 of the 7 exceeded the 400-word limit, but regardless, all those written comments will be forwarded to the Village Board in their agenda packet. Mr. Baxter then proceeded to share the additional written comments received after the agenda packet was published.

Chairman Novack described public comment process moving forward, which was divided into two segments: those that live within 200 feet of the subject property (“proximate

property owners”), and those that do not live within 200 feet of the subject property (“general public”). Chairman Novack clarified that proximate property owners will have an unlimited amount of time to present, and the general public comments will be limited to three minutes.

Mr. Barney Gallagher of 550 Green Bay Road stated that he has three representatives tonight, Mr. Bruce Cowans, Jim Nyeste, and Robert Headrick. Mr. Cowans proceeded to speak on behalf of Barney and Adrienne Gallagher of 550 Green Bay Road, stating that he owns a home on Lincoln Avenue and that he is a former Village Board Member from 2005 – 2015. Mr. Cowans reflected on the development of Writer’s Theatre, where he recalls the Village Board deciding that the benefit of the project would outweigh the neighbor’s opposition and so Village Board approved the project. Mr. Cowans also recalled a situation where Am Shalom wanted to purchase a single-family home to convert into a parking lot and there was opposition from the Village. He brought these two instances up to reflect on precedent set by the Village where there is a project that may or may not benefit the community. Mr. Cowans asked about the standards and concluded that you have to compare the number of people that would benefit from tonight’s proposal and the number of people who are expressing opposition, which Mr. Cowans has heard is over 100 people.

Mr. Nyeste then stated that he is a former member of Glencoe’s Zoning Commission from 2008 – 2015 and during that time, part of their decisions was based on the neighbor’s input. Mr. Nyeste stated that the neighbors are clearly in opposition of tonight’s proposal. Mr. Nyeste does not recall any public hearing that created any opposition like we have seen for tonight’s proposal. Mr. Nyeste stated that the south side of the Gallagher’s home is a complete wall of only windows, and the north side of the home does not have windows, so they do not overlook the multi-family housing directly north of their property at 550 Green Bay Road. Mr. Nyeste asked how Mr. Canning’s comments that a single-family home would be out of character with the neighborhood be valid if they are proposing a larger multi-family home that is nearly 3 times larger than the existing single-family home at 538 Green Bay Road. Mr. Nyeste stated that the Gallagher’s property values will go down, their privacy will be lost, and their views will be dominated by the bulky condo building and turnaround area. Mr. Nyeste then showed pictures of the Gallagher’s existing single-family home at 550 Green Bay Road, explaining that there will be a change in scenery with a 7,400 square-foot condominium. Mr. Nyeste stressed that Barney and Adrienne Gallagher are longtime Glencoe residents and Adrienne is the Co-Chair of the Village Nominating Commission and Barney is the Chairperson of the Village’s Sustainability Task Force, and they spent years renting looking for their dream home, and it would be extremely unfair to them to grant the McGuire’s petition. Mr. Nyeste referenced former Village employee John Houde who stated that there has never been a rezoning from a single-family zoning district to a multi-family zoning district in Glencoe, and that the proposal tonight is for a private gain, and that according to Robert Headrick’s appraisal, the Gallagher’s home would be devalued approximately 6% - 8% if a multi-family building was built on the subject property. Mr. Nyeste also disagreed with Mr. Cummins’ research on the average sales price of homes after the multi-family housing was developed at 450 Green Bay Road, stating that Mr. Cummins failed to acknowledge what the average sales price of the nearby homes could have been without a multi-family development. Mr. Nyeste argued that Mr. Cummins is

neither a lawyer or appraiser, he does not live in Glencoe, only has financial interest, and that Glencoe's zoning map has no reliability if the Commission recommends approval of tonight's proposal. Mr. Nyeste stated that existing issues such as traffic, ingress/egress, and parking would only be exacerbated if the Commission recommends approval, and property tax revenue needs to be weighted with the potential loss of property values of adjacent homes of the subject property. Mr. Nyeste stated that Mr. Canning and Mr. Cummins have straw-man arguments, such as the comments that nobody would buy a 6,900-square foot single-family home on Green Bay Road because that home won't be built, and the comment about the multi-family housing directly north of 550 Green Bay Road because the Gallagher's home at 550 Green Bay Road was designed to screen that multi-family housing.

Mr. Gallagher, Mr. Cowans, and Mr. Nyeste were then sworn in retroactively. Mr. Baxter then swore in Mr. Robert Headrick, the Appraiser representing Barney and Adrienne Gallagher of 550 Green Bay Road. Mr. Headrick stated that he has been appraising properties since 1977, that he works with the State of Illinois for appraisal fraud, and that he was approached by the Gallaghers to do the appraisal of their property at 550 Green Bay Road with a potential rezoning of the lot directly to the south at 538 Green Bay Road. Mr. Headrick noted that there are several factors that play into the appraisal, such as whether the housing is attached or detached, rather than being single-family or multi-family. Mr. Headrick noted that the appraisal was conducted on August 29, 2021, and that factors that lead to the Analysis of Diminution in Value from the appraisal of \$1,250,000 were due to the proposed multi-family building that would result in a change in the view, headlights from a driveway turnaround, ingress/egress traffic, congestion on Green Bay Road, service and delivery vehicles for residents of the multi-family building, shade from the structure, unknown impacts to the Gallagher's existing solar panels, and housing with similar circumstances.

Mr. Gallagher of 550 Green Bay Road then introduced himself and asked the Zoning Commission to respect their home, their dreams, and love for Glencoe as neighbors. Mr. Gallagher added that he is the Chair of the Sustainability Task Force, and added that he and his wife, Adrienne Gallagher, love the charm, open spaces, and things that make Glencoe unique, and that they would not tear their house down to build condominiums. Mr. Gallagher added that his home was thoughtfully designed to screen the multi-family housing to the north of his property, with windows on the south side of the home to take advantage of the view and open space, and that the previous owners relied on the zoning code to make a major financial decision to build a single-family home rather than multi-family, since 550 Green Bay Road is zoned R-D Multiple Family. Mr. Gallagher added that before they purchased their home, they checked the zoning map to make sure that 538 Green Bay Road was zoned R-C and not R-D, and that they made the largest financial investment of their lives relying on the R-C zoning of the 538 Green Bay Road property. Mr. Gallagher stated that they were forced here tonight because the petitioner is seeking to reverse 50 years of precedent, and a change in Village staff has brought him to question precedent today since Mr. John Houde and the Zoning Commission stood for precedent around 2013. Mr. Gallagher concluded that their privacy would be gone if a multi-family structure was built on the subject property, that landscape screening would not resolve this because you cannot shield a 3-story building, a 3-story building will destroy the character of

the neighborhood, and that he hopes the Zoning Commission supports his and his wife's opposition. Mr. Baxter then clarified with Chairman Novack that now is the appropriate time for cross-examinations if there are any.

Mr. Nyeste then proceeded to ask Mr. Cummins if he is a lawyer. Mr. Cummins responded that he is not. Mr. Nyeste then asked Mr. Cummins if he is an Appraiser. Mr. Cummins responded that he is not. Mr. Nyeste then asked Mr. Cummins if he has financial interest in this application. Mr. Cummins stated that he does not. Mr. Nyeste then asked Mr. Cummins if he is a Real Estate Broker. Mr. Cummins confirmed that he is. Mr. Nyeste then asked Mr. Cummins if he stands to represent buyers or sellers of the proposed building on the subject property. Mr. Cummins responded that he could potentially do so and that he is under no agreement for the listing of the sale of any of the units for this building and this is what he would call good citizenry work, and that Mr. McGuire has owned the subject property for 34 years. Mr. Nyeste then asked Mr. Cummins what Mr. McGuire paid for his property. Mr. Cummins did not know. Mr. Nyeste then asked Mr. Cummins what a reasonable return for the subject property would be. Mr. Cummins responded that market value based an assessment would be appropriate. Mr. Nyeste then asked Mr. Cummins if he thinks Mr. McGuire could get \$1,000,000 for his property today without rezoning. Mr. Cummins said absolutely not. Mr. Nyeste then asked Mr. Cummins what the subject property was recently listed for, and Mr. Cummins said that it was approximately \$1,200,000 and then \$899,000. Mr. Nyeste then asked Mr. Cummins when Mr. McGuire tried to sell the subject property. Mr. Cummins stated that he was not the broker and that Mr. McGuire tried to sell it in the Fall of 2011 through the Spring of 2013, and also in 2005 during the height of the market. Mr. Nyeste then asked Mr. Cummins if the subject property was listed for \$1,200,000 in 2005 and Mr. Cummins confirmed it was. Mr. Nyeste then asked Mr. Cummins if he thinks if the listing prices were based on the current zoning and Mr. Cummins responded that he was not involved in the pricing of the home at that point. Mr. Nyeste then asked Mr. Cummins if it was listed for \$1,200,000 in 2005 then shouldn't it be worth that now, and Mr. Cummins responded that it is not. Mr. Nyeste then asked Mr. Cummins about a previous development at 450 Green Bay Road and Mr. Canning intervened, stating to Chairman Novack that this calls for speculation, and Chairman Novack noted that he is struggling to see why we are devoting so much time to 450 Green Bay Road. Mr. Nyeste stated that the homes on Adams Avenue would have sold for more money if the multi-family housing at 450 Green Bay Road was not built. Mr. Nyeste then asked Mr. Headrick if the homes on Adams Avenue would have sold for more money if the negative external factor of 450 Green Bay Road condominium building, and Mr. Canning stated objection for this question due to no foundation in Mr. Headrick's report that would be able to allow Mr. Headrick to make an informed opinion about that. Chairman Novack then asked Village Attorney Stewart Weiss to provide input on this cross-examination procedure and Mr. Weiss stated that Mr. Nyeste is mixing up his cross-examination with direct and that we are now talking about two properties removed, and that it is the Chair's determination for relevance. Chairman Novack noted that there is not enough correlation since Mr. Headrick has not evaluated those properties on Adams Avenue that Mr. Nyeste is questioning. Mr. Nyeste then asked Mr. Cummins if he agreed in his testimony that it would be impractical for a 6,900-square-foot single-family home to be built on the subject property, and Mr. Cummins confirmed that is correct. Mr. Nyeste then asked Mr. Cummins if Mr. McGuire lives in

Glencoe, and Mr. Cummins said that he has for years and has multiple residences. Mr. Nyeste then asked Mr. Cummins if he lives in Glencoe, and Mr. Cummins stated that that question is a cheap shot and is irrelevant. Commissioner Kaplan then asked Mr. Weiss if Glencoe opted out of the Illinois Statutes and Mr. Weiss responded that the statutes that Mr. Cummins was referring to are standards for variations which are different than legislative decisions such as amending a zoning code. Mr. Weiss clarified that the Village does have standards for amendments and those amendments track the standards that have been supported in Illinois case law for zoning and it consists of a variety of factors, and the Village's zoning code includes 14 factors to consider, and one of them is the consideration for the trend in development, as well as considerations for impact on other properties, and hardship is not necessarily a standard for variations but there are other standards that are somewhat analogous.

Mr. Baxter then swore in Ms. Jennifer Black for public comment. Ms. Black of 545 Vernon Avenue stated that she first heard about tonight's proposal through Mr. Gallagher, that she never got anything in the mail, and that she shares a rear lot line with the subject property. Ms. Black then questioned whether Mr. Cummins has any financial interest in tonight's proposal, and then proceeded to provide her family's history in Glencoe. Ms. Black noted that she would completely lose sunlight with a new multi-family building in this location, that it would not help her financially, that she will get a lot of light and garbage from the construction activity, that it will increase traffic, and that it will tarnish her view of Glencoe if this is approved.

Mr. Baxter then swore in Mr. Robert Mallin of 326 Hawthorn Avenue for public comment and clarified that he is the last of approximate property owners registered to provide public comment tonight. Mr. Mallin stated that he is speaking on behalf of his family, and they chose 326 Hawthorn Avenue because of the backyard and open space. Mr. Mallin continued, questioning Mr. Cummins' testimony, and asked what a reasonable return is for a home that was purchased for \$180,000, which is what Mr. Mallin stated that the McGuires bought the home for at 538 Green Bay Road. Mr. Mallin also questioned the lack of outreach to neighbors and added that a new multi-family structure would have a significant impact on the shadows, sunlight, and privacy for his property. Mr. Mallin added that there is an existing water issue on the subject property where water stagnates near his lot at 326 Hawthorn Avenue, and that he offered to pay stormwater remediation to the McGuires, and the McGuires told him that if the Buckthorn was removed in this specific location, then it would negatively impact the subject property's value. Mr. Mallin concluded that the use and enjoyment of his property would be ruined if the zoning amendment was approved.

Mr. Baxter then swore in Joseph and Jane Artabasy of 322 Hawthorn Avenue. Mr. Artabasy gave a brief history of his experience in Glencoe and stated that he shares a property line with the Gallaghers at 550 Green Bay Road. Mr. Artabasy shared his concerns with lighting, proximity, and potential loss of peace and quiet. Mr. Artabasy stated that he is here for the long-haul, and if the zoning is changed on the subject property, it would be a tragedy. Ms. Artabasy stated that their home is a place to feel protected from the outside world, which should take priority over someone who is looking to make money. Mr. Artabasy added that if Glencoe's downtown was any more vibrant, nobody would ever find

a parking space, and that we do not need any more population density in this town, and the multi-family building does not belong here.

Mr. Baxter then swore in Rich Kates of 555 Vernon Avenue. Mr. Kates stated that he shares a lot line with the subject property and they are concerned with the sense of privacy and community, water drainage, potential decrease in property values, elimination of serenity, traffic on Green Bay Road, safety for children, and setting a poor example of how Glencoe neighbors should conduct business with each other. Chairman Novack thanked Mr. Kates.

Chairman Novack then discussed with the Commissioners that the next set of public comments for neighbors that are not within 200 feet of the subject property will be limited to a public comment time of three minutes.

Mr. Baxter then swore in Joe Rosenthal of 524 Vernon Avenue stated that he is still very close to the subject property and was in disbelief when he first heard about the potential rezoning of the subject property because it is out of character with the neighborhood. Mr. Rosenthal stated that when he purchased his house, they were attracted to the view it had from the interior and based on the west elevations and setbacks of the proposed building would eliminate his views. Mr. Rosenthal also added that it would lead to an increase in flooding issues, traffic, and he urged the Commissioners to vote against this.

Mr. Baxter then swore in Mr. Tim Doelman of 366 South Avenue. Mr. Doelman stated that this proposal is a very large building that will have the size and scale of a warehouse in an existing open space, it is not a part of the existing character of the neighborhood, it that it is a bit disingenuous that the developers did not share the square footage of the building. Mr. Doelman asked the Commissioners to deny the request tonight. Chairman Novack then asked for a clarification of the square footage of the property. Mr. Potter stated that the footprint of the proposed building is 7,441 square feet, so the total would be just under 12,000 square feet because the third floor is smaller under the sloping roof conditions. Mr. Potter confirmed the lot is approximately 26,000 square feet or just over a half-acre. Mr. Potter confirmed this approximate lot area is for all three parcels on the subject property. Mr. Kuppersmith asked if that included the garage, and Mr. Potter stated that the proposed structure is about 20,000 square feet including the garage on the first floor.

Mr. Baxter then swore in Mr. Barton Schneider, who did not provide his address. Mr. Schneider stated that he is a Board Member of the Glencoe Park District, but his comments tonight are his own and do not reflect those of the Park District. Mr. Schneider stated that a multi-family structure on the subject property would negatively affect Green Bay and South Avenue Park, with a multi-family driveway through a Glencoe Public Park. Mr. Schneider explained that this single-family lot is accessed through a highly unusual 80-foot-long easement, that was likely intended to be temporary. Mr. Schneider added that vehicular traffic through use of a public park is inappropriate, and the parking area would be over the only consistently dry area of the existing park. Mr. Schneider added that the proposed rezoning would add two stunning precedents for the 43 homes on Linden Avenue described in his August 27th email that was sent to Mr. Baxter. Mr. Schneider added that no multi-family homes along Green Bay extend as far west as the one proposed tonight, except for a

cluster of multi-family buildings next to downtown and Temple Court, which would set a new westward precedent for multi-family zoning. Mr. Schneider added if there was a Richter Scale for zoning, this would be a magnitude 9 earthquake for Linden Avenue. Mr. Schneider added that his final point is a big lack of transparency, and that the rezoning of the subject property is applicable to all the homes on the east side of Linden Avenue, but the Village of Glencoe has not been transparent and has not notified anyone on Linden Avenue of the rezoning under consideration, and then questioned why 43 homeowners on Linden Avenue were not notified. Mr. Schneider concluded it is a lack of transparency and is not right. Chairman Novack asked Mr. Schneider if any of the properties on Linden Avenue have access on Green Bay Road and Mr. Schneider said they do not. Chairman Novack stated that he understands what Mr. Schneider is talking about and respectfully disagrees and that the residents on Linden Avenue should have been notified. Chairman Novack added that the Village works very hard to be above board and to follow procedures, and they need to focus on information that is directly relevant to tonight's application.

Chairman Novack then asked the Commissioners if they have any questions. Commissioner Kaplan asked if there was any discussion for allocating some of the dwelling units for low-income housing by the petitioners. Mr. Canning stated that they did not have that discussion. Commissioner Kaplan then asked if any of the dwelling units were designated for empty-nesters, perhaps through a deed restriction or qualification to encourage or facilitate specifically Glencoe empty-nesters. Mr. Canning stated that there was no specific discussion on this, though they would be the logical market for this type of development. Mr. Weiss added that he would caution that there are considerations about restricting the sale or rental of property that could violate the federal Fair Housing standards. Commissioner David Friedman stated that he would like to hear from the developer to hear his thought processes, motivations, and interests, and finds it disturbing that he put professionals between himself and the Commissioners. Commissioner Friedman expressed displeasure that there was no interaction with the community. Commissioner Friedman concluded that he respects Scott Freres' presentation, but he has a hard time discounting the intensity and feelings of the neighbors and would vote on the side of the neighbors if pressed to decide. Commissioner Debbie Ruderman stated that she shares a lot of the same views that Commissioner Friedman just expressed, and that she does not have anything further to add without repeating points that have already been made. Commissioner Sara Elsasser added that she also shares similar sentiments with Commissioner Friedman and Commissioner Ruderman, although she came into the start of the meeting feeling torn. Commissioner Elsasser thought that Mr. Freres' presentation was compelling and agrees that this location is ideal for multi-family housing because of the existing examples north and south of the subject property but concluded that the Commission emphasizes respect for neighbor opinions and respecting the views of neighbors. Commissioner Elsasser added that although she respects the opinions of the neighbors, she does not agree with all the comments that were made, such as stormwater drainage and traffic. Commissioner Elsasser concluded that right now she is leaning towards siding with the neighbors because of all the comments they have heard tonight. Commissioner Kupper-Smith stated that he shares many of the sentiments that Commissioner Friedman expressed, and he has a particular concern with the lack of community outreach on the developer's end, and he wants to hear from the

Village counsel about the legal standards that the Zoning Commission should be considering before a decision is made.

Chairman Novack thanked the Commissioners and stated that even though it is clear from a land use perspective that this proposal would fit in, that there is not a large variety of housing types in the Village, but it is a difficult decision because there is a large volume of neighbors that are opposed to it. Chairman Novack noted that both sides provided valuable input and should be given thoughtful consideration prior to deciding. Chairman Novack then noted he was not able to follow the Appraiser's report of how the value of the neighbor's home at 550 Green Bay Road would be devalued 6% - 8% and asked Mr. Headrick to clarify. Mr. Headrick was no longer present at the meeting. Chairman Novack then asked Ms. Oplawski to clarify on the stormwater detention and Ms. Oplawski stated that currently there is no stormwater detention on site and reiterated that Glencoe has a very robust stormwater code in addition to MWRD's requirements. Commissioner Friedman and Chairman Novack then asked for clarification for the standards of approval and closing the public hearing from Mr. Weiss. Mr. Weiss said that if the Commissioners feel as though they have heard enough input and do not need to gather more evidence. Chairman Novack kept the public hearing open. Commissioner Kuppersmith asked the Architects to clarify on the shadow impacts from the proposed structure, and Mr. Wilson stated that Mr. Mullins' home may be impacted the way it is currently proposed but they can work with the location to minimize the impact on adjacent homes. Chairman Novack then asked Mr. Artabasy if he was concerned when 550 Green Bay Road was being constructed and Mr. Artabasy said that he was, but it did not impact his line of sight like the proposal tonight.

Mr. Weiss then presented the 14 "Standard for Amendments" from the Village Code Article VII, Part V, Section 7-501(E) and clarified a map amendment is legislative decision and there is a large amount of discretion that the Village Board will have in this case, but there are guiding principles.

Commissioner Kuppersmith asked if the standards are equally weighted, and Mr. Weiss concluded that it is a multi-factor test but there is some guidance in the order of them. Chairman Novack asked if there were any additional questions. Following consideration of the testimony and discussion, a motion was made and seconded to close the public hearing.

MOTION TO CLOSE THE PUBLIC HEARING

RESULT:	ACCEPTED
AYES:	Novack, Elsasser, Friedman, Kaplan, Ruderman, Kuppersmith
NAYS:	None
ABSENT:	None
RECUSED:	Satter

Following consideration of the testimony and discussion, a motion was made and seconded to direct staff to prepare a resolution recommending denial of the application to consider a proposed amendment to the zoning map to rezone three parcels from the R-C District to the R-D District and to consider a Special Use Permit to construct a six-unit multi-family residential building at 538 Green Bay Road and to draft a resolution.

MOTION TO DIRECT VILLAGE STAFF TO DRAFT A RESOLUTION RECOMMENDING DENIAL OF A PROPOSED AMENDMENT TO THE ZONING MAP TO REZONE THREE PARCELS FROM THE R-C DISTRICT TO THE R-D DISTRICT AND A SPECIAL USE PERMIT TO CONSTRUCT A SIX-UNIT MULTI-FAMILY RESIDENTIAL BUILDING AT 538 GREEN BAY ROAD

RESULT:	ACCEPTED
AYES:	Novack, Elsasser, Friedman, Kaplan, Ruderman, Kuppersmith
NAYS:	None
ABSENT:	None
RECUSED:	Satter

Mr. Weiss confirmed that from a procedural standpoint, he and Mr. Baxter will draft a resolution reflecting the consensus of tonight's discussion to be voted on and if that Resolution is adopted then that recommendation would then be taken to the Board of Trustees. Mr. Weiss clarified that this does not prevent the applicant from proceeding forward. Mr. Baxter clarified that there will not be another public hearing at the October meeting, it will just be a Board discussion as presented by staff. Chairman Novack thanked everyone in attendance for tonight's meeting.

5. MOTION TO ADJOURN

There being no further business to come before the Zoning Commission, the meeting was adjourned at 11:57 p.m.



VILLAGE OF GLENCOE MEMORANDUM

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Zoning Commission Memorandum

DATE: September 27, 2021

TO: Zoning Commission

FROM: Taylor Baxter, AICP, Development Services Manager
Rich McGowan, Planner

SUBJECT: Consideration of a resolution regarding a request to (i) amend the Zoning Map by rezoning three parcels at 538 Green Bay Road from the R-C district to the R-D district and (ii) grant a Special Use Permit to allow a multifamily residential building in the R-D district.

BACKGROUND AND ANALYSIS:

Update: At its September 13, 2021 meeting, the Zoning Commission held and closed a public hearing regarding this application. During this meeting, the Commission voted 6-0 to direct staff to prepare a resolution recommending denial of the proposed zoning map amendment and Special Use Permit. Staff recommends that the Commission consider the proposed resolution and, if needed, make any changes it determines to be appropriate. Staff recommends that the Commission move to approve the resolution with any applicable changes. The approved resolution will be forwarded to the Village Board for consideration and a final decision on the application.

The remainder of this memo remains unchanged from the September 13, 2021 Zoning Commission agenda packet.

The owners of 538 Green Bay Road ("**Subject Property**") have submitted an application for zoning relief to (i) amend the Village's Zoning Map to rezone their property from the R-C zoning district to the R-D zoning district to allow for the redevelopment of the Subject Property with a new six-unit multi-family residential building, and (ii) grant a Special Use Permit ("**SUP**") to allow the construction and maintenance of a multifamily residential buildings in the R-D district. The Subject Property is currently improved with a single-family home.

Per the Zoning Code, after the receipt of a complete rezoning application, the Village Board, "not later than the first meeting after the meeting at which the issue first appears on the agenda, shall either summarily deny the application or refer it to the Zoning Commission for a public hearing" (Sec. 7-501(D)(2)(c)). At its April 15, 2021 regular meeting, the Village Board referred the rezoning application to the Zoning Commission for a public hearing.

The Zoning Commission's role in the rezoning and SUP processes is to conduct a public hearing on the application and make a recommendation to the Village Board, which will then make a final decision on the applicant's requested relief. The Commission's recommendation may include conditions and limitations on the SUP as the Commission determines to be appropriate.

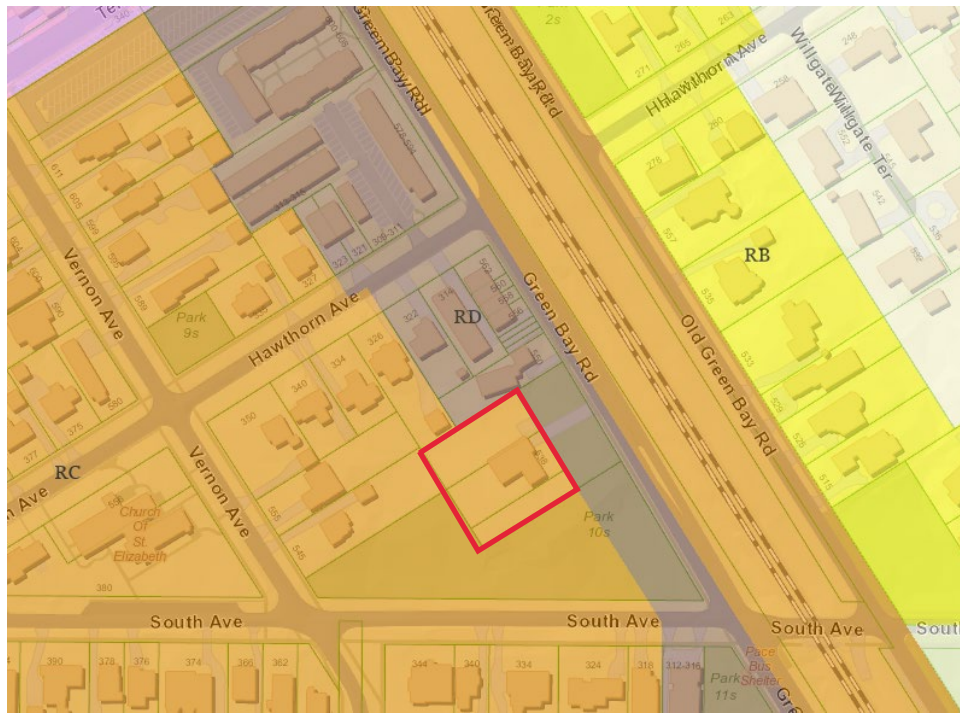
Because the proposed development is a multi-family structure in the R-D zoning district, Exterior Appearance Review and approval by the Plan Commission will also be required. If the Village Board approves the Zoning Map amendment and SUP, this Plan Commission review will include a detailed analysis of the proposed building and site plan per the Village's adopted Residential Design Guidelines. The Plan Commission may require additional conditions of approval for the multi-family building to bring it into compliance with the Residential Design Guidelines.

If the Subject Property is rezoned to R-D and either the SUP is denied or the Plan Commission does not approve Exterior Appearance Review for the owner's proposed multi-family building, the Subject Property would still be developable by-right with one single-family residence compliant with the R-D district's regulations as listed in the Zoning Requirements chart below.

The Subject Property cannot be subdivided without approval by the Village Board and would require approval of a variation to allow new lots without a front lot line. If such a variation were approved by the Village Board, the lot could potentially be subdivided into two new lots that could be developed with single-family homes.

Subject Property

The 26,400-square-foot zoning lot that comprises the Subject Property includes three parcels located to the west of Green Bay Road between Hawthorn Avenue and South Avenue. The parcels comprise a single zoning lot without street frontage. Access from the Subject Property to Green Bay Road is provided via a 20-foot-wide easement across the Park District-owned parcel located between the Subject Property and the Green Bay Road right-of-way ("**Park District Parcel**"). The Glencoe Park District is also the owner of the parcel that borders the Subject Property to the south and west.



Except for the B-1 and B-2 business districts, all parcels along the west side of Green Bay Road south of Downtown are in the R-D district. While the Subject Property does not have any street frontage, it is separated from Green Bay Road only by the undeveloped Park District Parcel, which is also zoned R-D. A number of additional parcels located to the west of Green Bay Road on side streets are also in the R-D district. On the block between Hawthorn Avenue and South Avenue, in addition to all the parcels fronting onto Green Bay Road, the second and third lots off Green Bay Road on Hawthorn Avenue are in the R-D district. The property to the north of the Subject Property (550 Green Bay Road) is a single-family home that has been developed on a R-D lot, which allows both single-family and multi-family buildings. Three parcels adjacent to the Subject Property are zoned R-C: one parcel to the north (326 Hawthorne Ave), one to the west (545 Vernon Ave), and the western portion of the Park District-owned property to the south and west.

Although the Subject Property is comprised of three tax parcels, it is treated as a single zoning lot under the Zoning Code and could currently be developed with a large single-family residence. The current 2,557-square-foot home could be demolished and replaced with another single-family home up to 6,906 square feet in size by-right without review by any Village Boards or Commissions. With the approval of a front lot line variation by the Village Board (needed because the parcel does not have street frontage), the Subject Property could also be subdivided into two R-C lots, each developable with a 4,125-square-foot single-family home. While these potential subdivisions and variations are not currently being requested, it is useful to understand how another developer may approach the Subject Property.

According to Google Maps, the Subject Property is a four-minute walk to Downtown Glencoe (measured to Village Hall), a seven-minute walk to Central School, and a seven-minute walk to the Glencoe Metra station. A Pace bus stop providing access to New Trier High School is located at the corner of Green Bay Road and Hawthorn Avenue and a Green Bay Trail access point is located at the corner of Green Bay Road and South Avenue.

Zoning Requirements

Zoning requirements for the lot in the R-C and R-D districts include the following:

Zoning Requirement	R-C (Single-Family only)	R-D Single-Family	R-D Multi-Family
Building height	31 feet, 3 stories	31 feet, 2 stories	31 feet, no limit on stories
Gross floor area	6,906 square feet (one lot); 8,250 square feet (combined total of two lots if subdivided)	6,906 square feet (one lot); 8,250 square feet (combined total of two lots if subdivided)	No limit
Front setback	Average of others on block frontage; likely to be 30-35 feet	25 feet	25 feet
Side setback	8 feet on each side, 41.25 feet combined	5 feet each side, 25 feet combined	10 feet each side plus 1 foot for each foot the structure exceeds 20 feet in height
Rear setback	32 feet	24 feet	10 feet plus 1 foot for each foot the structure exceeds 20 feet in height
Total impervious coverage	Unlimited (dependent on stormwater requirements)	Unlimited (dependent on stormwater requirements)	50%
SUP required?	No	No	Yes
Exterior Appearance Review by Plan Commission required?	No	No	Yes

Applicant's Proposal

The applicant has proposed rezoning the Subject Property from R-C to R-D. The proposal includes plans to demolish the existing house and construct a six-unit multifamily residential building ("**Residential Building**"), which requires an SUP. The R-C district does not allow multi-family residential uses, while the R-D district allows both single-family and multifamily residential. The Residential Building would be accessed from Green Bay Road through the existing easement across Park District Parcel to the east. If this rezoning were approved and the Residential Building were not built, the R-D zoning would remain in place on the Subject Property.

The applicant has provided a proposed site plan, architectural elevations and renderings, a shadow study, and stormwater management plans for the Residential Building. No zoning variations are requested as part of this proposal.

Standards of Review

Zoning Map Amendment Standards

The Zoning Code includes the following Standards of Review for Zoning Map amendments:

Section 7-501(E): The wisdom of amending the Zoning Map or the text of this Code is a matter committed to the sound legislative discretion of the Board of Trustees and is not dictated by any set standard. However, in determining whether a proposed amendment should be granted or denied, the Board of Trustees should be guided by the principle that its power to amend this Code is not an arbitrary one but one that may be exercised only when the public good demands or requires the amendment to be made. In considering whether that principle is satisfied in any particular case, the Board of Trustees should weigh, among other factors, the following factors:

1. The consistency of the proposed amendment with the purposes of this Code.

Staff Response: The stated purposes of the Code related to land use patterns (Sec. 1-102(B)) include, “Encourage and promote detached single-family homes as the principal land use in the Village.” While the proposed amendment would allow for the replacement of a single-family home with a multifamily building with the approval of an SUP, it would not result in a significant diminishment of the predominance of single-family homes in the Village. Likewise, the proposed rezoning on Green Bay Road would not set a precedent for the rezoning of other single-family lots not located on major arterial streets.

Another stated purpose is to “encourage compatibility between different land uses and protect the scale and character of existing development from the encroachment of incompatible uses and structures having excessive bulk or providing inadequate open space” (Sec. 1-102(B)). The Green Bay Road corridor has long been established as an appropriate location for multifamily buildings, provided that they are designed appropriately to protect the scale and character of existing development. Any proposed multi-family building in the R-D district would require an SUP from the Village Board and Exterior Appearance Review and approval by the Plan Commission. Exterior appearance review would be based on the “Residential Design Guidelines” section of the Village’s adopted Design Guidelines, which include consideration of appropriate building mass and scale, among other factors. This review is not required for new single-family residences.

The Code’s stated purposes also include, “Implement and foster the goals and policies of the Village’s Official Comprehensive Plan.” The 1996 Comprehensive Plan is conservative with regards to recommending land use changes. The Future Land Use Map (p. 33) is essentially unchanged from current land uses, the Plan states that “there are no recommended land use or zoning changes”, and the Subject Property is not among the brief list of potential redevelopment sites (p. 32). At the same time, the Plan acknowledges that “future housing needs will also impact land use patterns” and that “this plan specifically encourages development of housing for residents who would like to continue living in Glencoe, but no longer need a large house or a large lot. Future land use planning should consider appropriate sites for multi-family development that would be suitable in terms of convenience, access and compatibility with surrounding uses” (p. 28). Likewise, one stated housing policy in the Plan is to “encourage the development of housing in the Village for empty nesters” (p. 25). The lack of housing for senior citizens was a theme that emerged from community input (p. 17). The Comprehensive Plan leaves room for future decision-makers to consider and balance its focus on preserving Glencoe’s existing character, its hesitancy to recommend changes in land use, and its call to look for opportunities to diversify the Village’s housing stock to meet the needs of changing demographics.

2. The existing uses and zoning classifications for properties in the vicinity of the Subject Property.

Staff Response: The existing uses nearby are a mix of single-family homes, multifamily residential buildings, parks, and a railroad line. All residentially zoned parcels along Green Bay Road south of Downtown Glencoe are zoned R-D. A number of parcels on side streets off of Green Bay Road are also zoned R-D, including 314 and 322 Hawthorn Avenue. In the vicinity of the Subject Property, parcels further to the west off of Green Bay Road are zoned R-C, including three parcels adjacent to the Subject Property (326 Hawthorn to the north, 545 Vernon to the west, and part of the Park District property to the south and west).

The rezoning of the subject property to R-D without the approval of the accompanying SUP would result in an R-D property that could be improved with one single-family residence, similar to the property immediately to the north.

3. The trend of development in the vicinity of the Subject Property, including changes, if any, in such trend since the Subject Property was placed in the present zoning classification.

Staff Response: Development in the area has been a mix of single-family and multi-family residential. With some exceptions, recent single-family development has typically been teardowns of existing structures and their replacement with new homes. The Village has records of single-family homes along the Green Bay Road corridor being replaced with multi-family buildings, but not with accompanying Zoning Map amendments.

4. The extent, if any, to which the value of the Subject Property is diminished by the existing zoning classification applicable to it.

Staff response: Although there are three parcels on the Subject Property, only one single-family house could be built on it without a variation under current zoning regulations. This potentially limits the value of the Subject Property when compared to adjacent and nearby R-D-zoned parcels, which could be developed with multi-family housing with the approval of an SUP.

5. The extent, if any, to which any such diminution in value is offset by an increase in the public health, safety, and welfare.

Staff response: The public health, safety, and welfare is unlikely to be negatively impacted by the proposed rezoning to an extent greater than by any of the other R-D-zoned single-family homes or moderately sized multi-family buildings along Green Bay Road. The applicant is not requesting any variations for the height or location of the building and the project would include required stormwater management improvements. The SUP review process and Plan Commission review of the proposal would provide opportunities for mitigation of negative impacts on nearby properties.

6. The extent, if any, to which the use and enjoyment of adjacent properties would be affected by the proposed amendment.

Staff Response: If sufficient mitigation measures are not in place, the replacement of a single-family home with a larger multi-family building has the potential to significantly impact neighboring properties. The single-family residence to the north along Green Bay Road (550 Green Bay Road) would likely be most impacted by the proposed rezoning, as the new multifamily building would be immediately to the south. This single-family lot is zoned R-D and has multifamily buildings immediately to its north.

A multi-family building on the Subject Property would also be visible from other single-family lots along Hawthorn Avenue, South Avenue, and Vernon Avenue, as well as from the adjacent Park District property. The applicant has provided proposed four-sided architectural elevations and renderings, stormwater plans, and a shadow study. In addition to Zoning Commission review of the SUP, Plan Commission Exterior Appearance Review of the Residential Building, which would be required for any multifamily building on the Subject Property, would be needed to ensure that the use and enjoyment of these properties would not be significantly impacted by the proposed rezoning. The Zoning Commission should consider these potential impacts to the use and enjoyment of adjacent properties in the proposed R-D district, as well as what could be built on the Subject Property by right in the current R-C district. The multi-family building proposed by the applicant would be larger than the largest single-family home that could be built on the Subject Property, but would be 7.67 feet shorter than the existing house at 550 Green Bay Road as measured to the ridge of the roof.

7. The extent, if any, to which the value of adjacent properties would be affected by the proposed amendment.

Staff Response: Without the approval of an SUP, the approval of the proposed rezoning would likely have little impact on the value of adjacent properties, except for potentially smaller required setbacks in the R-D district than in the R-C district. If an SUP is approved, the impact on the value of adjacent properties would likely be influenced by the quality of the design of the new multifamily building, along with site features such as stormwater management and landscaping. The applicant has submitted initial plans for a multi-family building, which include architecture and a siting on the lot that may help mitigate impacts on neighboring properties. Stormwater management and landscaping improvements are also being proposed by the applicant. The Zoning Commission should consider the impact of a by-right potential redevelopment in the R-C district, as well as the proposed rezoning. The SUP review process and Plan Commission review of the proposed plans are also essential to ensure that adjacent property values are not negatively affected.

8. The extent, if any, to which the future orderly development of adjacent parcels would be affected by the proposed amendment.

Staff response: The proposed rezoning would be unlikely to have any impact on the orderly development of adjacent parcels. The Subject Property is bordered on three sides by park property and the remaining adjacent parcels are developed with single-family homes.

9. The suitability of the Subject Property for uses permitted or permissible under its present zoning classification.

Staff Response: The Subject Property is suitable for single-family residential use, which is the only permitted residential use allowed in its present zoning classification. It could be redeveloped with a new single-family home up to 6,906 square feet in size without the review of any Village Boards or Commissions. The Subject Property may also be suitable for multifamily residential use, which is not allowed in the R-C district.

10. The availability, where relevant, of adequate ingress to and egress from the Subject Property and the extent to which traffic conditions in the immediate vicinity of the Subject Property would be affected by

the proposed amendment.

Staff Response: Adequate vehicular ingress and egress to Green Bay Road exists via the easement across the Park District parcel to the east of the Subject Property. Single-family development in the R-D district or a six-unit multifamily building would be unlikely to have a significant impact on traffic conditions in the area.

While there is no code requirement for a pedestrian walkway from the sidewalk along Green Bay Road to the Residential Building, the Village Board or Plan Commission may determine that one is needed for a multi-family building. It has not yet been determined whether the access easement across Park District-owned property would of sufficient width for a driveway and a walkway.

11. The availability, where relevant, of adequate utilities and essential public services to the Subject Property to accommodate the uses permitted or permissible under its present zoning classification.

Staff Response: The Subject Property has adequate utilities and essential public services under its present zoning classification. The applicant has stated that the determination of whether utility expansion is required will be made as part of the rezoning and development approval process.

12. The length of time, if any, that the Subject Property has been vacant, considered in the context of the pace of development in the vicinity of the Subject Property.

Staff Response: The Subject Property is not currently vacant.

13. The community need for the proposed amendment and for the uses and development it would allow.

Staff Response: The Comprehensive Plan states that “the Village should consider the value of multifamily uses in the community.” This is based on a desire to “maintain Glencoe’s diverse atmosphere and address unmet housing needs” (p. 31). These housing needs include opportunities for downsizing senior citizens or empty nesters to stay in the Village. As stated in #1 above, the Comprehensive Plan provides future decision-makers discretion in determining the appropriate location for such uses.

14. The reasons, where relevant, why the Subject Property should be established as part of an overlay district and the positive and negative effects such establishment could be expected to have on persons residing in the area.

Staff Response: There is no existing or proposed overlay district in the area.

Special Use Permit Standards and Conditions

The Zoning Code includes the following Standards of Review for Special Use Permits:

No special use permit shall be recommended or granted pursuant to this Section unless the applicant shall establish that:

1. Code and Plan Purposes. The proposed use and development will be in harmony with the general and

specific purposes for which this Code was enacted and for which the regulations of the district in question were established and with the general purpose and intent of the Official Comprehensive Plan.

Staff Response: As noted above in amendment criterion #1 above, the Comprehensive Plan encourages the diversification of housing types in the Village to provide opportunities for seniors and empty nesters to continue living in Glencoe. While generally conservative regarding potential changes in land use, it also calls for consideration of increased supply of multi-family housing, while giving discretion to future decision-makers regarding appropriate locations.

2. No Undue Adverse Impact. The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, parking, utility facilities, and other matters affecting the public health, safety, and general welfare.

Staff Response: As noted above, the public health, safety, and welfare is unlikely to be negatively impacted by the proposed multi-family building to an extent greater than by the other moderately sized multi-family buildings along Green Bay Road. The applicant is not requesting any variations for the height or location of the building and the project would include required stormwater management improvements, which will likely lead to an improvement in stormwater conditions on the site. The Zoning Commission may consider the Residential Building's potential impact on the character of the area and nearby properties and recommend mitigating conditions or limitations on the SUP as needed.

3. No Interference with Surrounding Development. The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations.

Staff Response: While the Residential Building would not interfere with the use and development of nearby property, it is substantially larger than the existing house on the Subject Property. However, the existing house could be replaced with a new, 6,900-square-foot house and the building as proposed would be shorter than the house immediately to the north. While the applicant has stated that the building has been situated and designed to minimize impacts on nearby properties, it will be more visible than the existing structure. If the Zoning Commission determines that the building as proposed dominates the immediate vicinity or interferes with neighboring properties, it may consider appropriate conditions of approval of the requested SUP.

4. Adequate Public Facilities. The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, water and sewers, parks, libraries, and schools, or the applicant will provide adequately for such services.

Staff Response: A six-unit multi-family building is unlikely to have a significant impact on the above-mentioned public facilities. The applicant has proposed a new stormwater management system that would be likely to improve conditions on the Subject Property.

5. No Traffic Congestion. The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets.

Staff Response: A six-unit residential building is unlikely to have a significant impact on traffic in the

area. However, it is likely to lead to more cars entering and exiting the Subject Property than under current conditions, which may impact nearby properties. The applicant has proposed a garage entrance on the southeast corner of the building to attempt to mitigate impacts on neighboring properties. The Commission should consider the impact of additional cars on the site and, if warranted, provide recommendations for conditions or limitations on the SUP.

6. No Destruction of Significant Features. The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.

Staff Response: The proposed redevelopment of the Subject Property with the Residential Building would not result in the loss of historic features and would be unlikely to result in the loss of natural features significantly beyond what would take place during the redevelopment of the Subject Property with a new single-family home. The SUP review process provides the Village with opportunities for input regarding protection of important features, such as tree preservation and replanting. The proposed stormwater management infrastructure would likely result in improved conditions on the Subject Property. If the Commission considers the impact on views of the park from adjacent and nearby properties to meet the standard of “significant importance”, it may consider mitigating conditions of approval.

7. Compliance with Standards. The proposed use and development complies with all additional standards imposed on it by the particular provision of this Code authorizing such use.

Staff Response: The applicant has stated that no variations are being requested for the construction of the Residential Building.

Other Factors for Review

While the Zoning Code provides the above-listed standards for review, it also states that amending the Zoning Map “is not dictated by any set standard” and that other factors may be considered as the commission deems appropriate. Staff has received a significant amount of public comment in opposition to this application (which is attached to this packet), some of which includes factors outside of these standards. The Commission may choose to consider the proposal in light of these factors or others as it deems appropriate.

RECOMMENDATION:

Staff recommends that if the Zoning Commission determines that the proposed Zoning Map amendment is appropriate, it provide a recommendation of approval to the Village Board. If the Commission determines that the proposed Zoning Map amendment is not appropriate, it should provide a recommendation of denial to the Village Board. Per the Zoning Code, the motion to make a recommendation “may refer to any pertinent facts, conditions, or considerations supporting the recommendation.”

Staff recommends that if the Zoning Commission determines that the proposed SUP is appropriate, it provide a recommendation of approval to the Village Board. If the Commission determines that the proposed Zoning Map amendment is not appropriate, it should provide a recommendation of denial to the Village Board. Per the Zoning Code, “For special use permits, such motion or resolution shall refer to all pertinent evidence in the record and to the exhibits, plans, or specifications upon which such recommendation is based, and shall expressly set forth any limitations or conditions imposed on any

relief granted or work or use authorized.” Regarding these conditions or limitations, the Zoning Code states, “The Zoning Commission may recommend and the Board of Trustees may impose such conditions and limitations concerning use, construction, character, location, landscaping, screening, and other matters relating to the purposes and objectives of this Code upon the premises benefitted by a special use permit as may be necessary or appropriate to prevent or minimize adverse effects upon other property and improvements in the vicinity of the subject property or upon public facilities and services and to insure compliance with the standards in this Section. Such conditions shall be expressly set forth in the ordinance granting the special use. Violation of any such condition or limitation shall be a violation of this Code and shall constitute grounds for revocation of the special use permit.”

APPROPRIATE MOTIONS:

Section 7-103 H of the Zoning Code requires the Zoning Commission to memorialize its decisions and recommendations as follows:

“Every recommendation of the Zoning Commission shall be made by motion or resolution ***which shall be memorialized in writing***. For amendments, such motion or resolution may refer to any pertinent facts, conditions, or considerations supporting the recommendation. For special use permits, such motion or resolution shall refer to all pertinent evidence in the record and to the exhibits, plans, or specifications upon which such recommendation is based, and ***shall expressly set forth any limitations or conditions imposed on any relief granted or work or use authorized***. Such motions or resolutions may be incorporated into the minutes of the Zoning Commission.”

Given the complexity of the applicant’s requested relief, staff recommends that the Zoning Commission, after the close of public hearing and deliberation, make motions to direct staff and the Village Attorney to prepare one or more written resolutions reflecting the Commission’s majority consensus on the proposed rezoning, the special use permit, and any conditions that the Commission may find appropriate. The Village staff and the Village Attorney would prepare the requested resolutions and bring them back to the Zoning Commission at its October 4, 2021 meeting for final review and approval by the Commission. The public hearing would not be continued and the sole order of business at the next meeting on this application would be the review and vote on the requested Resolutions.

RESOLUTION NO. 21-ZC-01

**VILLAGE OF GLENCOE ZONING COMMISSION
538 GREEN BAY ROAD - REZONING AND SPECIAL PERMIT**

WHEREAS, applications for zoning relief have been filed by Steven McGuire (“*Applicant*”), as owner of the property commonly known as 538 Green Bay Road (“*Subject Property*”); and

WHEREAS, the Applicant has filed applications (“*Applications*”) with the Village of Glencoe requesting:

- A. Rezoning of the Subject Property from the RC Single Family Residential District to the RD Multiple Family Residential District; and
- B. Special Use Permit approval to allow the construction and maintenance of a six-unit multifamily building on the Subject Property (“*Multifamily Building*”);

(“*Requested Relief*”); and

WHEREAS, the Subject Property is zoned RC Single Family Residential District; and

WHEREAS, a public notice for this docket was duly published on August 26, 2021 in the Glencoe News and a public hearing was held at the Zoning Commission’s regular meeting on September 13, 2021; and

WHEREAS, the Zoning Commission has considered all the evidence presented to it, including, but not limited to, the following:

- 1. The Village of Glencoe Zoning Map Amendment (Rezoning) Application and Special Use Permit Application forms, plans, and attachments submitted by the Applicant, and all subsequent additions and revisions to these application materials and attachments.
- 2. All written and oral testimony concerning the Applications provided by the Applicant and its representatives at the September 13, 2021 public hearing; and
- 3. All written and oral testimony, as well as accompanying exhibits, concerning the Application provided by members of the public, including proximate property owners and their representatives at the September 13, 2021 public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Zoning Commission of the Village of Glencoe, Cook County, Illinois, THAT:

1. Findings:

- A. The Zoning Commission heard and took note of concerns raised by members of the public regarding the size and massing of the proposed Multifamily Building, the location of the Multifamily Building on the Subject Property adjacent to the rear yard of properties situated to the west, as well as concerns regarding the impact of guest parking and impervious coverage on stormwater runoff on surrounding and adjacent properties.
- B. Rezoning: Based on the evidence presented, the Zoning Commission hereby finds that the Applicant’s request for a Zoning Code Amendment does not satisfy the standards for an amendment to the Village’s Zoning Map as set forth in Section 7-501 E for the following reasons:

Resolution No. 21-ZC-01

538 Green Bay Road Rezoning and Special Use Permit

1. The existing single-family residential uses surrounding the Subject Property on the south, west, and north sides are incompatible with the proposed use of the Subject Property.
 2. The use and enjoyment of surrounding and adjacent properties improved with single family homes will be substantially impaired by the proposed use of the Subject Property.
 3. The value of the surrounding and adjacent properties will be diminished by the proposed use of the Subject Property.
- C. Special Use Permit: Based on the evidence presented, the Zoning Commission hereby finds that the Applicant's request for a Special Use Permit to allow the construction and maintenance of a six-unit multifamily building does not satisfy the standards for the granting of a Special Use Permit as set forth in Section 7-502 E for the following reasons:
1. The proposed use will have a substantial and undue adverse effect on the surrounding and adjacent properties improved with single family homes.
 2. Due to the size of the Multifamily Building, the proposed development would dominate the immediate vicinity of the Subject Property.
 3. The establishment of the proposed use on the Subject Property is not necessary or desirable to provide a residential facility that is in the interest of the public convenience.
 4. The design of the proposed Multifamily Building does not minimize the adverse impacts its construction will have on surrounding and adjacent properties.
2. Recommendation: Based on the Findings set forth in Section 1 of this Resolution, the Village of Glencoe Zoning Commission does hereby recommend that the President and Board of Trustees of the Village of Glencoe deny the Applicant's Requested Relief for the Subject Property for the reasons cited herein.

ADOPTED THIS __ day of October 2021.

AYES: ()

NAYS: ()

ABSENT: ()

ABSTAIN: ()

Scott Novack, Chairman
Village of Glencoe Zoning Commission