



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

**Village Hall Council Chambers
675 Village Court
January 10, 2023
7:00pm**

1. CALL TO ORDER AND ROLL CALL

*Scott Novack, Chair
Sara Elsasser
Dena Fox
Jake Holzman
Alex Kaplan
Michael Kuppersmith
Debbie Ruderman*

2. CONSIDER ADOPTION OF THE NOVEMBER 7, 2022 ZONING COMMISSION MEETING MINUTES

3. PUBLIC HEARING AND CONSIDERATION OF A REFERRAL FROM THE VILLAGE BOARD OF A PROPOSED ZONING CODE AMENDMENT TO ALLOW PERMANENT OUTDOOR CAFES AS A SPECIAL USE IN THE B-1 AND B-2 ZONING DISTRICTS.

4. PUBLIC COMMENTS 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
Monday, November 7, 2022 – 7:00 p.m.

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 8:15 p.m. on November 7, 2022, held at Glencoe Village Hall.

Attendee Name	Title	Status
Zoning Commission (ZC)		
Scott Novack	ZC Chairman	Present
Sara Elsasser	Commissioner	Present
Alex Kaplan	Commissioner	Absent
Debbie Ruderman	Commissioner	Absent
Michael Kuppersmith	Commissioner	Present
Jake Holzman	Commissioner	Present
Dena Fox	Commissioner	Present
Village Staff		
Stewart Weiss	Village Attorney	Present
Lee Brown	Village Planner	Present
Taylor Baxter	Development Services Manager	Present
Richard McGowan	Planner	Present

2. CONSIDERATION OF MINUTES OF THE OCTOBER 24, 2022 SPECIAL ZONING COMMISSION MEETING

RESULT:	ACCEPTED
AYES:	Novack, Elsasser, Kuppersmith, Holzman, Fox
NAYS:	None
ABSENT:	Kaplan, Ruderman

3. CONTINUED CONSIDERATION OF A REFERRAL FROM THE VILLAGE BOARD FOR A PROPOSED AMENDMENT TO THE SIGN CODE SECTION OF THE ZONING CODE

Taylor Baxter gave a brief overview of the referral from the Village Board, and reminded everyone that the public hearing for this proposed amendment is closed so public comment is not necessary unless desired.

Mr. Baxter noted that at the October 24th, 2022 Zoning Commission (ZC) meeting the ZC directed Village staff to prepare a Resolution to recommend approval for the proposed sign code amendments with multiple proposed changes. The ZC recommends the following changes to the proposed amendment:

1. Adding a prohibition on signs with fraudulent, libelous, or defamatory language, or with threats of or calls for violence;
2. Changing the limit of window area that can be covered by signage from 20% to 15% and adding a definition of “Window Area” to the code;
3. Clarifying sign separation requirements;
4. Adding a prohibition of signs in residential districts being painted on windows; and
5. Various corrections to scrivener’s errors within the proposed amendment.

Chairman Novack thanked staff and asked the ZC if there were any questions or comments. Chairman Novack added that his read on this is that the Resolution captures the discussions of the ZC over the past two meetings.

PUBLIC COMMENT

Although there was not a requirement for public comment, Chairman Novack asked the audience if there are any public comments. No public comments were made.

A motion was made and seconded to approve the Resolution to amend the Sign Code with the following changes to the proposed amendment:

1. Adding a prohibition on signs with fraudulent, libelous, or defamatory language, or with threats of or calls for violence;
2. Changing the limit of window area that can be covered by signage from 20% to 15% and adding a definition of “Window Area” to the code;
3. Clarifying sign separation requirements;
4. Adding a prohibition of signs in residential districts being painted on windows; and
5. Various corrections to scrivener’s errors within the proposed amendment.

RESULT:	ACCEPTED
AYES:	Novack, Elsasser, Kuppersmith, Holzman, Fox
NAYS:	None
ABSENT:	Kaplan, Ruderman

4. PUBLIC HEARING AND CONSIDERATION OF A REFERRAL FROM THE VILLAGE BOARD FOR A PROPOSED AMENDMENT TO THE ZONING CODE TO INCREASE THE ALLOWABLE BUILDING HEIGHT IN THE B-2 ZONING DISTRICT FROM 33 FEET TO 45 FEET

Mr. Baxter stated that this is a proposed Zoning Code amendment that has been referred to the ZC from the Village Board, and clarified that it is not a Village proposal, it was brought to the Village Board in September 2022 by the owners of the Hubbard Woods Plaza. Mr. Baxter clarified that this is a public hearing and there will be an opportunity for public comment. Mr. Baxter then gave an overview of the Zoning Code amendment process and noted that the ZC recommendation will then go to the Village Board for final review.

Mr. Baxter noted that the B-2 Zoning District is primarily the Hubbard Woods Plaza; located east of Green Bay Road and north of Scott Avenue, though it also includes a parcel on the west side of Green Bay Road, the Bank of America building.

Mr. Baxter reiterated that this proposal came from the owners of the former Walgreens at 63 Green Bay Road (part of Hubbard Woods Plaza), who have been struggling to obtain tenants in the current space, and were recently approved to redevelop the former Walgreens building into a retail and office building with a building height of 33 feet. The owners have noted that with the market conditions and construction costs changing, they do not think that their original plans are feasible to build on that site.

Mr. Baxter clarified that the proposed amendment for increasing the height from 33 feet to 45 feet would cover the entire B-2 Zoning District, not just the former Walgreens site, but the only proposal the Village has is for the former Walgreens site.

Mr. Baxter then shared maps, aerial imagery, and street views with the audience to depict which buildings are owned by the owners of the Hubbard Woods Plaza. Mr. Baxter noted that the B-1 Zoning District maximum height limit is 40 feet, whereas in Hubbard Woods it's 33 feet, though in Winnetka (across the street from Hubbard Woods Plaza) varies between 35 feet and 45 feet. Mr. Baxter clarified that in parts where Winnetka parcels abut residential districts, the maximum height limit drops to 35 feet. Mr. Baxter stated that directly across the Walgreens site, across Scott Avenue to the south, is a 45-foot height limit in the Village of Winnetka.

Mr. Baxter then shared a rough draft elevation of what a 45-foot-tall building could look like and stated that this is simply a rough draft and the Village has not received any official plans to do so.

Mr. Baxter reminded the ZC of additional considerations from the staff memorandum, such as the Comprehensive Plan process, which will also include a sub-area plan for the Hubbard Woods Plaza. Mr. Baxter noted that the sub-area plan will be a deep dive into evaluating that area, though he noted that it will likely not be adopted until sometime in 2024. Another consideration Mr. Baxter clarified was that the height limit does not need to cover the entire B-2 Zoning District, and before any building permit is issued, regardless of the outcome of tonight's meeting, the redevelopment of this site would be required to go

through the Village's Plan Commission for an exterior appearance review to review adopted Design Guidelines. Mr. Baxter also noted that there have been questions about parking requirements, which are one off-street parking space per 500 commercial square footage, so the exact number of required parking spaces is to be determined.

Two public comments were received by the Village of Glencoe; one of which was a resident across the railroad tracks against the proposed amendment, and the other was from the Friends of the Green Bay Trail (FGBT) who were requesting a shadow study for the light impacts to their vegetation on the east side of the railroad tracks.

Chairman Novack asked if the ZC determines the proposed amendment is appropriate but only by means of a Special Use Permit (SUP), then would any future applicant have to go through the ZC and Planning Commission (PC). Mr. Baxter clarified that if a SUP was required, it would require ZC to make a recommendation to the Village Board, a public hearing with the Village Board, and PC for an exterior appearance review. Chairman Novack asked if the PC can potentially turn down a project based on appearance and Mr. Baxter confirmed that is correct. Commissioner Sara Elsasser asked for clarification on how the SUP would affect the entire B-2 Zoning District and Mr. Baxter suggested that is how the process could potentially play out as there may be a need for a code amendment that adds additional height limits in the B-2 District to the allowable special uses. Commissioner Michael KupperSmith asked if the Zoning Board of Appeals (ZBA) would be an appropriate avenue to add conditions of approval and Mr. Baxter noted that it is possible though it may not be the best option given that the ZBA evaluates different conditions of the land and hardships, whereas the SUP criteria looks closer at impacts of a project to neighbors. Chairman Novack asked if the PC can deny a project based on height and Mr. Baxter noted that the PC evaluates projects based on Design Guidelines, which do not specify an exact height limit, though they look at building height ratios, which could potentially play a role in denying a project, but the Design Guidelines are more contextual.

Chairman Novack stated that this is a serious task and goes well beyond the applicant's site since it impacts the entire B-2 Zoning District. Chairman Novack noted that there are ways that they can consider addressing this, such as specifying a height increase for just the former Walgreens site by means of a SUP, and not granting a height increase for other areas such as the Bank of America parcel. Chairman Novack noted that there are also limited areas in the Village where someone can increase the height of a commercial building. Commissioner Elsasser asked if there are 45-foot-tall buildings in Winnetka across Green Bay Road and Mr. Baxter said that he is unsure but has had conversations with the Village of Winnetka staff and couldn't get a clear answer, but there are multiple three-story buildings in Winnetka. Commissioner Fox asked if there's a requirement in Winnetka that requires the third story to be residential and Mr. Baxter said he is unsure. Commissioner Michael KupperSmith asked if any of the three-story buildings in Winnetka are as close to the Green Bay Trail as the Hubbard Woods Plaza and Mr. Baxter then shared aerial imagery and street views from Google Maps. There was then a discussion of the elevation of the adjacent Green Bay Trail at Hubbard Woods train station compared to the Winnetka train station and Mr. Baxter stated that he is unsure but guessed that they are likely similar elevations.

Chairman Novack stated that he thinks the Bank of America building that abuts single-family parcels (across Green Bay Road and west of the Hubbard Woods Plaza) should be off of the table for this discussion and the ZC members seemed to agree with that statement.

Mr. Baxter then swore in the applicant, George Giannoulis, who came before the ZC willing to answer any questions. Mr. Giannoulis said that they have been trying to find a solution for the former Walgreen's site ever since Walgreens left in 2019, but have not had any luck with the existing vacant commercial space. Mr. Giannoulis noted that they originally were aiming for a six or seven-story building but that did not work out, so they have reduced their scope, so they decided to meet the zoning requirements without a need for a variance, but the construction costs increased and the project ceased to be feasible due to the economics, so they tabled it. Mr. Giannoulis stated that they do know they can accomplish 20% savings on the project if they can get another floor. Mr. Giannoulis stated they have roughly 110 parking spaces and about 8 or 9 indoor spaces, so an additional floor would not impact the parking requirements. Mr. Giannoulis noted that with the loss of Walgreens, the real estate taxes are 62% of the net income of the property, so that is the urgency for "why now" as opposed to waiting for the Zoning Commission and Comprehensive Plan to potentially be adopted in 2024. Mr. Giannoulis stated that visualize a certain tenant type for some type of outpatient medical use, and they've worked with light Architects, and Chase Banking loved how they had light wells and significant natural light, ground floor retail and offices on the second and third floors, though they do not have any tenants at the moment.

Chairman Novack asked Mr. Giannoulis if there has been any contemplation about multi-family housing and Mr. Giannoulis stated that they would need a lot more units in order to make it work from a financial standpoint. Chairman Novack asked if the entire Hubbard Woods Plaza height was increased would Mr. Giannoulis consider multi-family housing, and Mr. Giannoulis said that they could consider that. Chairman Novack noted that he is aware that the timing is crucial, but is also that there's not many opportunities for multi-family housing in the Village, especially near a train station. Mr. Giannoulis stated that the cost structure would be prohibitive for additional square footage and underground parking, though the nearby train station is that it's very close to the train station and the Hubbard Woods shopping district.

Chairman Novack reiterated that there is a sub-area plan for the Hubbard Woods Plaza as part of the Comprehensive Plan, which may get into a need for multi-family housing, and then asked Mr. Giannoulis what the ideal timing would be for developing this site in a realistic sense. Mr. Giannoulis stated that they would build to suit in 2023.

Commissioner Jake Holzman asked the applicant if they could elaborate on some of the challenges they've had finding a tenant for the former Walgreens site. Mr. Giannoulis stated that it has been very difficult to find a 12,000-square-foot space tenant, as they have attempted to draw grocers such as Trader Joe's and they've noted that they need single store space. Chairman Novack asked how long they've owned the space and Mr.

Giannoulas stated that they've owned it for about 40 years. Chairman Novack asked if they've planned any ground floor retail along Scott Avenue and Mr. Giannoulas noted that they have explored that option as well as one tenant for the former Walgreens site with two entrances. Board Member Dena Fox asked if the area is zoned for the uses they are looking for and Mr. Baxter stated that it is for the commercial uses, and Village Planner Lee Brown stated that it would allow for multi-family housing above the first floor.

PUBLIC COMMENT

Chairman Novack asked the audience if there are any public comments. Mr. Baxter then swore in those looking to speak.

Jane Girard of 90 Linden Avenue stated that she is also representing 92 Linden and 98 Linden, which are residential parcels west of the Hubbard Woods Plaza. Ms. Girard stated that they love the Hubbard Woods Plaza and that they are trying to invest in the area, and that they do not like the vacant spot in the former Walgreens site. Ms. Girard thinks it's an awesome idea to get tenants in the area but does not like going up to three stories, and has concerns about the parking availability. Ms. Girard said she does not want a larger building with vacancies since there are already vacancies in a two story building. Ms. Girard said that the third floors in Winnetka are all residential so she understands that point but does not want a three-story building across the street from them because they don't feel like it fits the neighborhood and that it would impede on their property values.

Commissioner Fox asked if we know the height of Binny's Beverage Depot and Mr. Baxter noted that it's about 20 feet tall. Commissioner Fox stated that she knows that 92 Linden can see the Binny's sign from their bedroom window, so the lights may be an impact with a taller building.

Chairman Novack asked Mr. Giannoulas if he would consider it a victory to increase the allowable building height at just the former Walgreens site and Mr. Giannoulas confirmed that he would.

Brian Slocum of 99 Linden Avenue was then sworn in for public comment by Mr. Baxter. Mr. Slocum stated that he wants to echo Ms. Girard's comments for the most part, but does not mind if just the former Walgreens site is allowed a height increase, but he would be aggrieved if the entire Hubbard Woods Plaza was a giant monolith with increased height limits. Mr. Slocum stated that the former Walgreens site is set back far enough from the street that it would not impede as much as the entire plaza.

Brian Lammers of 409 Randolph Street stated that he is a Trustee of the Friends of the Green Bay Trail (FGBT) and is representing the FGBT, and stated that the FGBT have spent a lot of effort planting vegetation along the railroad tracks, which is north of the Hubbard Woods Plaza. Mr. Lammers stated that the FGBT is requesting light and shadow impacts of a proposed height increase to the Hubbard Woods Plaza, perhaps the impact of sunlight from the structure at a 45-degree angle for a shadow line to see if it hits the area where the FGBT has planted vegetation. Chairman Novack asked Mr. Lammers if that area is below

grade and Mr. Lammers confirmed that it is significantly lower than grade and thinks that a 45-degree angle is a typical angle used in codes with regards to sunlight. The applicants stated that they are willing to work with anyone who has a concern with the area. Mr. Lammers stated that they are open to having a conversation. Mr. Baxter then shared aerial imagery of the area where the FGBT has vegetation.

Terry Dason, the Executive Director of the Winnetka-Northfield-Glencoe Chamber of Commerce, was then sworn in by Mr. Baxter. Ms. Dason stated that he has been the Director for the past 17 years, and is very familiar with the Village of Winnetka businesses. Ms. Dason noted that there is a real big need for second and third floor offices, especially if they are elevated buildings, because there are several existing buildings in Winnetka that do not afford elevator access to second and third floors. Ms. Dason said that she gets phone calls about these types of buildings all of the time.

Chairman Novack asked Ms. Dason if she thinks a three-story building that caters to offices in this particular location is a good idea from a Chamber of Commerce perspective and Ms. Dason stated that she does. Ms. Dason clarified that she is representing the Chamber of Commerce.

Chairman Novack reiterated that there are options to consider for zoning changes, which ideally would be through the Comprehensive Plan, but we are clearly in a difficult position due to the proposed amendment tonight. Commissioner Fox asked if there were letters sent to residents on Scott Avenue and Mr. Baxter confirmed that residents along Scott Avenue within a radius of the Hubbard Woods Plaza were notified.

Chairman Novack stated that he does think this is a good spot to increase the height knowing that there are limited options in the Village to do so, though it would be ideal to go through this process through the Comprehensive Plan and sub-area plan. Commissioner Elsasser asked if the ZC can potentially allow for a height increase for a specific area, such as the former Walgreens site. Mr. Baxter said that is an option to look at these at a project-by-project basis. Commissioner Elsasser asked what the second floor vacancy rate in Glencoe is and Mr. Baxter said that he is unsure about the second floors but the ground floor vacancy rate is very low.

Chairman Novack noted that this may be a good spot to increase the height because it abuts a commercial district in Winnetka that allows for 45-foot-tall buildings, and it does not abut residential parcels, so perhaps the height limit increase is granted to an area east of Green Bay Road and north of Scott Avenue by means of a SUP. Chairman Novack noted that this may be a potential avenue given the timing with the upcoming Comprehensive Plan. Commissioner Elsasser stated that a SUP would allow for additional opportunities for public comment and Chairman Novack noted that this could be like a halfway point between the Comprehensive Plan for future evaluation of this district. Commissioner Kupper-Smith suggested perhaps applying the height increase to just the buildings abutting Scott Avenue and still require a SUP, but not necessarily granting an opportunity to the other areas in the B-2 District before the Comprehensive Plan. Chairman Novack stated that he shares concerns from both sides and is not in a position to recommend a

height increase for the entire B-2 District at this time, but perhaps just the commercial buildings in the Hubbard Woods Plaza along Scott Avenue by means of a SUP. There was then discussion of how long the Village Board, Special Use, and Plan Commission review processes could take and options for the ZC to consider moving forward. Commissioner Elsasser stated that she thinks a SUP should be required regardless of the height increase. Village Planner Brown stated that it is common for applicants to obtain a height increase by means of a SUP.

Chairman Novack stated that a potential motion could be anything east of Green Bay Road that has frontage on Scott Avenue could have the ability to increase the height up to 45 feet by means of a SUP.

Commissioner Kuppersmith stated that it's important for the ZC to specify that the height increase would be for the footprint of the former Walgreens unit abutting Scott Avenue as well as the building west of the former Walgreens unit abutting Green Bay Road, rather than the entire Hubbard Woods Plaza site. Mr. Baxter noted that Village staff can create a map to specify if that's the direction the ZC wants to go. Commissioner Elsasser asked if there's a suite number for the individual space at the former Walgreens site. Mr. Giannoulis stated that it is 63 Green Bay Road and clarified that their proposed building just goes over the former Walgreens footprint, and that they are technically allowed three stories but the allowable height is what limits them because they cannot give a commercial tenant 8-foot-tall ceilings because it would not be as unique or attractive to prospective tenants.

A motion was made and seconded to recommend to the Village Board to increase the height to 45 feet along a portion of the B-2 Zoning District, east of Green Bay Road and along Scott Avenue, limited to the former Walgreens site and the building directly west of the former Walgreens site, by means of a Special Use Permit, and to further evaluate the Hubbard Woods Plaza by means of the Hubbard Woods Plaza sub-area plan in the upcoming Comprehensive Plan.

RESULT:	ACCEPTED
AYES:	Novack, Elsasser, Kuppersmith, Holzman, Fox
NAYS:	None
ABSENT:	Kaplan, Ruderman

5. CONTINUED DISCUSSION OF COMPREHENSIVE PLAN PROCESS AND ZONING-RELATED ISSUES

The ZC agreed that this would be a relatively short discussion due to the time of night.

Village Planner Lee Brown encouraged the ZC to take the poll for additional information and feedback on the upcoming Comprehensive Plan process. Mr. Brown noted that a successful planning process and outcome is the ability to weave together the perspectives and range of issues understood by all partners in Village leadership, so the poll will help this discussion move forward.

Commissioner Fox asked for feedback from Mr. Baxter and Mr. Brown on questions from the last ZC meeting, such as potential sites for Public Works Operations. Mr. Baxter clarified that his question was to relay feedback from developers and Mr. Brown's questions were more so for pros and cons of potential zoning changes, as well as some historical context.

Mr. Brown noted that the single-family home is the primary use of the vast majority of the Village and that there have been several unsuccessful discussions of sites for multi-family housing because of opposition from neighbors. Mr. Baxter then shared a map of some of the areas currently zoned for R-D multi-family housing. Mr. Brown stated that during the update of Chapter 10 in the downtown district planning process, there was considerable discussion of the potential redevelopment of the Public Works Garage and Temple Court parking lot. Mr. Brown stated that various redevelopment opportunities have been discussed for this site for over 30 years, paired with an opportunity for the Public Works Garage to relocate to an existing parcel owned by the Village in the Highway Frontage (HF) Zoning District. Mr. Brown stated that the notion of scale was very important, rather than redeveloping with one building for the entire site, and this is something that can be considered as part of the Comprehensive Plan process.

There was then a brief discussion over the parking availability in downtown Glencoe, and Mr. Brown stated that there was a recent parking study and the conclusion was that there are plenty of parking spaces, but since many of the spaces are east of the railroad tracks, but the perception is that they are too far away. Commissioner Fox noted that there seems to be issues with curbside pickup parking spaces being utilized for more than their allotted time.

The ZC agreed that it would be best to continue this discussion at the December 5th, 2022 ZC meeting.

6. MOTION TO ADJOURN

The meeting adjourned at 10:11 p.m.

RESULT:	ACCEPTED
AYES:	Novack, Elsasser, Kuppersmith, Holzman, Fox
NAYS:	None
ABSENT:	Kaplan, Ruderman



VILLAGE OF GLENCOE MEMORANDUM

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Zoning Commission Memorandum – Outdoor Dining

DATE: December 28, 2022

TO: Village Board

FROM: Taylor Baxter, AICP, Development Services Manager

SUBJECT: Consideration of a proposed Zoning Code amendment to allow permanent outdoor dining in business zoning districts with the approval of a Special Use Permit

BACKGROUND:

Village staff has on multiple occasions since 2020 received questions about the possibility of allowing permanent outdoor dining areas on private property within the Village's commercial zoning districts (B-1 and B-2). Current Zoning Code regulations in Sec. 4-107(D) (Special Development and Use Regulations) allow only indoor dining within an enclosed building, which has the effect of a prohibition on permanent outdoor dining on private property:

D. Enclosed Building. All operations including sales and storage shall be conducted within a completely enclosed building, except for permitted temporary uses, operations at a financial institution drive-in facility, and the dispensing of gasoline and oil at gasoline service stations.

This section of the Zoning Code allows "permitted temporary uses" to operate outside a completely enclosed building. Section 5-102 (Temporary Uses) of the Zoning Code lists these allowable temporary uses and provides conditions of their operation. This list includes "Outdoor Cafes", which are only allowed to operate with the "Specific prior approval of the Village Manager" between April 1 and November 30th. This Village Manager approval currently occurs through the annual review and issuance of outdoor dining permits, which is an administrative process that does not require a public hearing. Additionally, although permanent structures (including permanent seating, pergolas, or shade structures) may help mitigate the potential negative effects of outdoor dining, the Zoning Code prohibits them for temporary uses, including Outdoor Cafes, and prohibits the permanent occupation of such uses:

Sec. 5-102(B). Definition. A temporary use is a building or use that:

1. Is established for a fixed period of time with the intent to discontinue such use upon the expiration of such time; and
2. Does not involve the construction or alteration of any permanent structure.

Based on conversations with restaurateurs and in response to the COVID-19 pandemic, there appears to be an increased and ongoing interest in permanent outdoor dining opportunities within Glencoe that could include the installation of permanent structures that support outdoor dining. Because outdoor dining has the potential for significant impacts on neighboring properties and residents, including those related to noise, light, traffic, and parking, the Village may wish to retain the ability to review and approve proposals on a case-by-case basis and include conditions of approval as determined to be appropriate. Because of this, staff recommends consideration of allowing permanent outdoor dining with the approval of a Special Use Permit (SUP), which would require a public hearing and a case-by-case review of proposals by the Zoning Commission and Village Board.

ZONING CODE AMENDMENT PROCESS

The Zoning Code Amendment process begins with this initial review by the Village Board, at which point the Board may either deny the amendment or refer it to the Zoning Commission for a public hearing and a recommendation. At its December 5, 2022 meeting, the Board referred the proposed amendment to the Zoning Commission. The Zoning Commission's role in this process is to hold a public hearing and provide a recommendation on the amendment to the Village Board, including any changes determined to be appropriate. The amendment will then return to the Village Board for a final decision.

POTENTIAL CODE AMENDMENT:

Potential new text in **bold underline**:

Sec. 4-103 (Special Uses)

Except as specifically limited in the following paragraphs, the following may be permitted in any business district subject to the issuance of a special use permit as provided in Section 7-502 of this Code, and subject to the additional standards hereinafter set forth:

J: Permanent Outdoor Dining. Such outdoor dining may include permanent structures.

This code amendment would allow temporary outdoor dining to continue to operate under the Village's current regulations without the requirement of a public hearing or SUP, while permanent outdoor dining proposals would be reviewed by the Zoning Commission at a public hearing, with a final approval being at the discretion of the Village Board. This SUP process would apply to permanent outdoor dining on private property and would not apply to outdoor dining within the public right-of-way.

ADDITIONAL CONSIDERATIONS:

Comprehensive Plan:

The Village's Comprehensive Plan process began this summer, with an anticipated completion within 18-24 months. This plan will include a process to "review and refine" the existing Plan for Downtown (B-1 zoning district), which was adopted in 2016. (The Plan for Downtown is available on the Village of Glencoe website: https://www.villageofglencoe.org/business/building_and_zoning/adopted_plans.php.) The Comprehensive Plan will also include a "subarea plan" for the Hubbard Woods area (B-2 zoning district), which "will work to identify the core purpose [this area] serves in Glencoe and evaluate the extent to which those functions remain or have evolved" (Teska Comprehensive Plan Proposal, p. 5). The Commission may wish to consider and discuss the timeline of the proposed code amendment within the context of the ongoing Comprehensive Plan process.

STANDARDS FOR AMENDMENTS:

Per Sec. 7-501 of the Zoning Code, the Board of Trustees should consider the following standards for amendments to the Zoning Code. Staff comments are italicized below.

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

The “overall purpose” of the Zoning Code is “to maintain Glencoe as a community comprised principally of well-maintained single family residential neighborhoods and separately located, thriving business areas that complement the residential neighborhoods.” Other stated purposes include protecting existing development from “the encroachment of incompatible uses”, to “Implement and foster the goals and policies of the Village’s Official Comprehensive Plan”, and to “Protect and enhance the taxable value of land and buildings” (Sec 1-102).

Outdoor dining options enhance Glencoe’s thriving business areas, and the Plan for Downtown specifically encourages the Village to support new restaurants (pp. 9, 11, 12). The Plan for Downtown also encourages the Village to “be flexible and responsive to the way people work and shop (p. 12). Village staff believes that outdoor dining is becoming an increasingly important consideration for restaurateurs.

At the same time, the Zoning Commission should consider whether the potential negative effects of permanent outdoor dining, including noise, light, and traffic, would be adequately mitigated through the SUP process, which provides multiple opportunities for public comment on any proposals.

2. The existing uses and zoning classifications for properties in the vicinity of the subject property.

The “subject property” is the entirety of the B-1 and B-2 zoning districts.

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 its present zoning classification.

Since the start of the COVID-19 pandemic, outdoor dining has been an essential component of many restaurants. Staff believes that an increased emphasis on outdoor dining options is likely to continue for the foreseeable future.

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

The Village’s prohibition on permanent outdoor dining may diminish the desirability of Glencoe’s commercial properties for potential restaurants. The Plan for Downtown notes that restaurants are “destination” businesses that attract customers that would not likely have otherwise come into Glencoe’s business districts, and that other Glencoe businesses depend on these restaurant customers (p. 11). This suggests that the success of Glencoe’s restaurants may help increase the value of other nearby commercial properties.

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

Outdoor dining has the potential to negatively impact nearby properties due to such issues as noise and light. The Commission should consider whether requiring such dining to receive a SUP would provide an adequate opportunity to analyze and mitigate these potential impacts on a case-by-case basis.

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

Without proper mitigation in place, the use and enjoyment of immediately adjacent residential properties may be affected by outdoor dining. Currently, temporary outdoor cafés are allowed in the Village's businesses districts. By requiring an SUP, the proposed code amendment would require multiple opportunities for public comment and the ability for the Village to place conditions of approval on permanent outdoor dining proposals, or to deny them outright when determined to be inappropriate. This process may be sufficient to maintain the use and enjoyment of adjacent properties. SUP proposals for outdoor dining may also include permanent structures that could help mitigate sound and light impacts. Such structures are currently prohibited.

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

The Zoning Commission should consider whether the requirement of an SUP for permanent outdoor dining would be sufficient to protect the value of adjacent properties.

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

The proposed amendment would not be likely to have a significant impact on the orderly development of adjacent properties.

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

Glencoe's business districts are suitable for all uses that are currently permissible. At the same time, the Village's adopted plans and the stated purposes of the Zoning Code encourage thriving business districts. The Plan for Downtown highlights the importance of restaurants and other "destination" uses and encourages the Village to support them. As outdoor dining increases in importance, the Village's current zoning requirements could make Glencoe's business districts less suitable for restaurant uses. Likewise, compared to a discretionary annual outdoor dining permit, an SUP could make Glencoe more restaurant-friendly by providing more certainty before operators make substantial investments in renovations or expansions.

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.

If the proposed amendment is adopted, permanent outdoor dining proposals would be required to go through an SUP process, which includes a review of adequate ingress and egress and traffic conditions on a case-by-case basis.

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.

Glencoe's business districts have adequate utilities and essential public services to accommodate permanent outdoor dining.

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.

There are a small number of vacancies in Glencoe's business districts that could potentially be filled by restaurant uses. Some have been vacant for a few months, while others have been vacant for several years.

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

The Village's adopted plans suggest a community need for more restaurants and similar "destination" uses that bring people to Glencoe's business districts.

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.

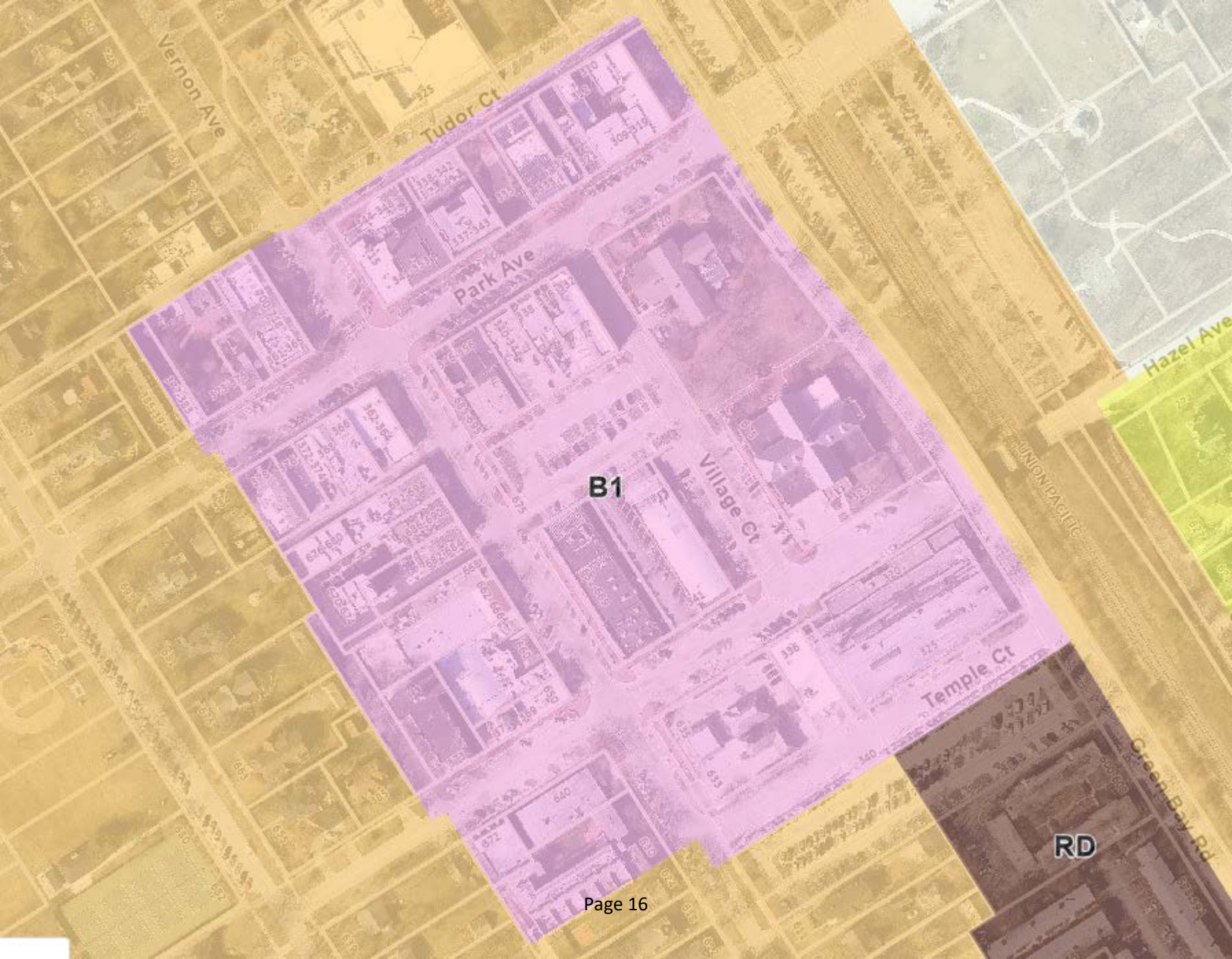
An overlay district is not proposed as part of this amendment.

RECOMMENDATION:

The Zoning Commission's role in this process is to hold a public hearing on the proposed amendment, consider public input, and make a recommendation to the Village Board. The Commission may recommend changes to the proposed amendment as it determines to be appropriate. Per the Zoning Code, "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" (Sec. 7-103(H)). The recommendation may be made in the form of a motion, or the Commission may direct staff to prepare a resolution to bring back to the Commission for consideration and approval at a later meeting.

MOTION:

Move to recommend approval/denial of the proposed Zoning Code amendment, with any changes determined to be appropriate by the Commission, or move to direct staff to prepare a resolution with the Zoning Commission's recommendation and associated considerations and conditions.



Vernon Ave

Tudor Ct

Park Ave

Village Ct

Temple Ct

Hazel Ave

Union Pacific

Green Bay Rd

B1

RD

