

COMMUNITY DEVELOPMENT COMMISSION MEETING AGENDA

Date & Time: October 19, 2020 at 7:00 PM

Location: Wood Dale City Call

404 N. Wood Dale Road, Wood Dale, IL 60191

Members: Ron Damasco, Jaime Ochoa, Richard Petersen, Dave Shimanek,

Tereasa Szatko, George Vant, David Woods

Staff Liaison: Ed Cage

Due to the State of Illinois social distancing requirements and limitations on meeting room capacity related to the COVID-19 pandemic, the meeting will be conducted as a hybrid, both in-person and remotely. The public is encouraged to attend the meeting remotely by tuning into the Zoom video conferencing platform via www.zoom.us. The Meeting ID is: 845 9343 9866. Anyone interested can also participate by phone conference at 1-312-626-6799, using the same Meeting ID. Public is encouraged to submit written comments prior to the public hearing to gpociecha@wooddale.com. All written comments will be shared with the Community Development Commission.

I. CALL TO ORDER

II. ROLL CALL

III. BUSINESS ITEMS

A. Approval of Meeting Minutes from September 21, 2020

IV. PUBLIC HEARINGS

A. CDC-2020-08

A request has been submitted for a zoning variation to allow construction of a patio as a permitted side yard obstruction. The subject property is located at 417 Woodside Drive (PIN 03-22-206-032). Kevin Taylor is the owner of the property and the petitioner.

B. CDC-2020-09

A request has been submitted for a map amendment and text amendment to Chapter 17 of the Municipal Code. The purpose of the amendments is to revise the Thorndale Corridor Corporate Overlay district and amend the uses. The City of Wood Dale is the petitioner.

V. STAFF LIAISON REPORT

VI. ADJOURNMENT



COMMUNITY DEVELOPMENT COMMISSION MINUTES

Meeting Date: September 21,2020

Present: Ron Damasco, Dave Shimanek, Dave Woods, George Vant

Richard Petersen, Theresa Szatko, Jaime Ochoa (arrived at

7:20pm)

Absent: None

Also Present: Gosia Pociecha, Attorney Sean Conway, 1 person in

attendance

Meeting Convened at: 7:00 P.M.

CALL TO ORDER:

A motion was made by Mr. Woods to appoint Mr. Shimanek as Chairman Pro Tem. The motion was seconded by Mr. Vant and unanimously approved via voice vote.

Chairman Pro Tem Dave Shimanek then called the meeting to order. Roll call was taken and a quorum was present.

APPROVAL OF THE MINUTES:

Ms. Szatko made a motion to approve the minutes of the August 17, 2020 meeting; the motion was seconded by Mr. Woods and unanimously approved as presented via voice vote.

BUSINESS ITEMS

COMMUNITY DEVELOPMENT COMMISISON TRAINING

Attorney Conway and Ms. Pociecha provided the Community Development Training highlighting topics including the importance of planning, the Comprehensive Plan, development regulations, the application process, and the powers and duties of the CDC. Also discussed were the more common types of requests and few examples were highlighted. Meeting and public hearing procedures, as well as the Open Meetings Act were also discussed.

STAFF LIAISON REPORT:

Staff reported that the next CDC meeting is scheduled for October 19, 2020.





ADJOURNMENT: The meeting was adjourned at 8:24 P.M.

Minutes taken by Gosia Pociecha



CITY OF WOOD DALE

Community Development

MEMO

DATE: October 19, 2020

TO: Community Development Commission

FROM: Gosia Pociecha, AICP, Planner

SUBJECT: Case No. CDC-2020-08, Zoning Variation to Allow Patio as Side Yard

Obstruction, 417 Wood Side Drive

REQUEST

An application has been filed by Kevin Taylor for a zoning variation request to allow construction of a patio as a permitted side yard obstruction for a single family property located at 417 Wood Side Drive.

PROPERTY INFORMATION

Site Address: 417 Wood Side Drive

PIN: 03-22-206-032

Property Size: 0.32 Acres (approx. 15,790 square feet)

Existing Land Use: Single Family Residential Future Land Use: Single Family Residential Existing Zoning: R-2, Large Lot Single Family

Surrounding Zoning / Land Use

North: R-2, Large Lot Single Family
South: Forrest Preserve, Unincorporated
East: R-2, Large Lot Single Family
West: R-1, Large Lot Single Family

ANALYSIS

Submittals

The analysis and recommendation provided in this memo are based on the following documents, which are on file in the Community Development Dept. and attached as noted:

- Public Hearing Application
- Proof of Ownership
- Plat of Survey (Exhibit A)
- Petitioner Narrative with supporting images (Exhibit B)

- Variation Standards Responses (Exhibit C)
- Proposed Patio Drawings (Exhibit D)

Project Description

The subject property is located at 417 Woodside Dr, (PIN 03-22-206-032), at the intersection of Wood Side Drive and Oak Meadows Drive (see the location map below) in Wood Dale, Illinois. The property is classified R-2, Large Lot Single Family and is improved with a two-story brick residence (Exhibit A). Kevin Taylor is the owner of the property and the petitioner.



In the early September of 2020, a building permit application was submitted to the City to replace the existing deck with concrete patio at the subject property. However, due to the configuration of the lot, the proposed patio is located within the side yard, which is not a permitted obstruction. The applicant has petitioned for a zoning variation to allow construction of a patio as a permitted side yard obstruction.

Compliance with the Comprehensive Plan

The property is designated as Single Family Residential in the Future Land Use Map of the Comprehensive Plan. The Single Family Residential land use category for properties located in the southeast area of the City is intended to preserve the primarily single-family neighborhood with less of a grid street network and more parks and green spaces throughout.

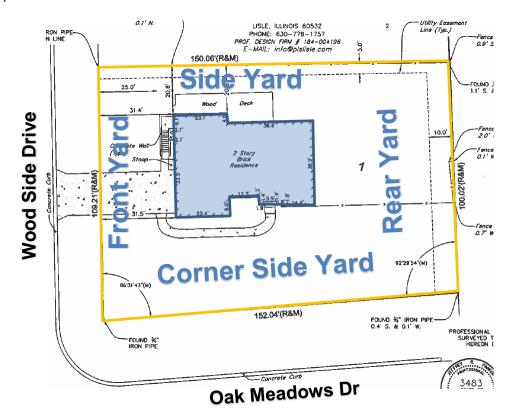
The proposed development will help the City in achieving Goal 2, Objective 4: Support improvements to existing housing stock and investment in residential neighborhoods by supporting improvement to residential property.

The requested zoning variation request will continue the use of the property as a single-family home and is consistent with the Comprehensive Plan.

Compliance with the Unified Development Ordinance (UDO)

Lot Development Standards

The subject property is designated as R-2, Large Lot Single Family. The applicable building type for this property is a Type 2, Large Detached House. The lot development standards reference a table of permitted yard obstructions, in which patios are permitted only in the rear yard. The subject property is a corner lot, and per the Municipal Code, the yard facing Wood Side Drive is considered the front yard, therefore, the yard facing north is defined as side yard (see below).



However, the existing building was constructed with the front elevation facing south, or Oak Meadows Drive. The interior of the residence is designed with sliding glass doors that access an existing deck on the north of the property. While there is an existing open space to the east of the residence, there is no direct access from the interior space, therefore construction of a patio would be less functional for the property owner. The zoning variation request was submitted to allow construction of the patio as a permitted side yard obstruction as depicted on Exhibit D.

Neighborhood Comment

Notice was provided to adjacent property owners in accordance with Section 17.401.D of the UDO. Staff received one phone call from the public asking for clarification of the request, but no objections were submitted. A letter was also submitted by the Forest Preserve, also noting no concerns to the proposed variation request.

Findings of Fact

The Community Development Commission may recommend approval of Variations if evidence is presented to establish that the application meets the standards. The applicant has provided responses to the standards in Exhibit C. The standards are as follows (*staff comments italicized*):

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations of the district in which it is located.

The existing conditions include a wooden deck that is no longer practical or functional to the property owner. The intent is to replace the existing deck with concrete patio in order to improve the property and provide greater functionality. The residence was designed and constructed with multiple sliding glass doors on the north elevation. Granting of the zoning variation would bring the property into compliance with the Municipal Code. This standard is met.

The proposed variation will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship which will result if the strict letter of the regulations were carried out and which is not generally applicable to property within the same district.

The current regulations limit the ability of the existing residence to function as it was originally built. The hardship is related to the original design and layout of the residence. There are practical difficulties in locating the patio in the rear, as it would be remote and not directly accessible from the residence. The proposed variation request would generally not be applicable to other properties in the same district, unless they have a similar building orientation on a lot. This standard is met.

3. The alleged hardship has not been directly created by any person presently having a proprietary interest in the premises.

The subject property was constructed in 1993. The current property owner and application, purchased the subject property in 2015. The hardship related to the exiting

orientation of the residence and existing deck on the north elevation has existed prior to the applicant's purchase. This standard is met.

4. The proposed variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood.

The proposed variation will not be materially detrimental to the public welfare or injurious to other property owners as the proposal calls for property improvements. The existing deck will be replaced by concrete patio. The shape of the patio will be slightly modified, but a 5' setback will be maintained from the north property line. This standard is met.

5. The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, or endanger the public safety.

The proposed variation will not impair an adequate supply of light and air to adjacent property, as the proposed improvements involve flatwork only. There will be no increased congestions in the public streets or increased danger to the public safety. This standard is met.

6. The proposed variation will not alter the essential character of the neighborhood.

The subject site is located within an established residential community. The proposed improvements will not alter the essential character of the neighborhood as the proposed patio fits within the scope of typical residential improvements. This standard is met.

7. The proposed variation is in harmony with the spirit and intent of this chapter.

The proposed variations are in harmony with the spirit and intent of the Unified Development Ordinance. The request is necessitated by the unique orientation of the existing residence on a lot and is driven by the desire of the homeowner to improve their property. This standard is met.

8. The existence of any nonconformity anywhere in the city shall not itself be considered grounds for granting a variation for other property.

The petitioner is not citing nonconformity anywhere else in the city as grounds for variations. The petitioner's request is necessitated by the desire to provide improvements to the subject property. This standard is met.

RECOMMENDATION

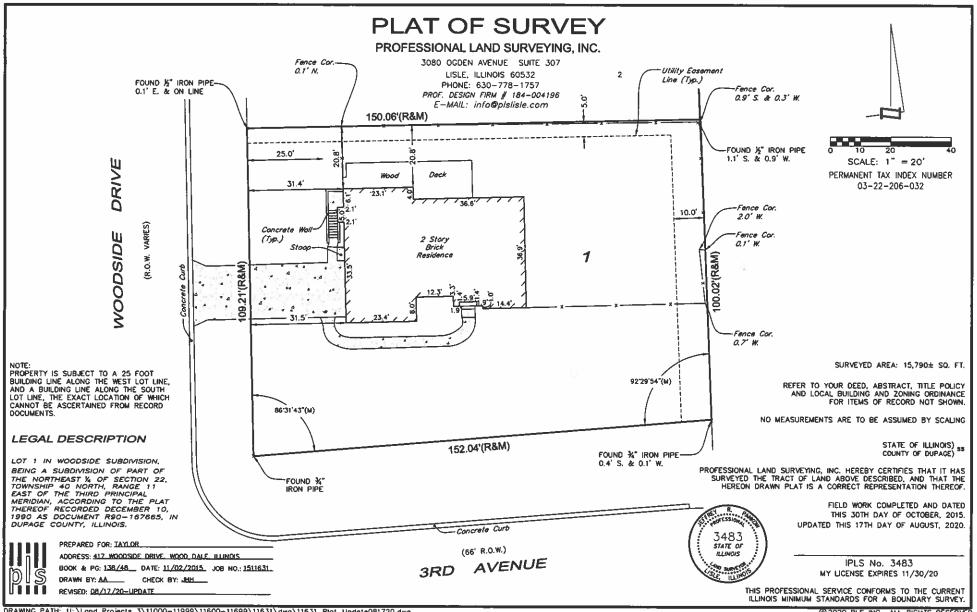
The Community Development Department finds that the request for a zoning variation is compatible with surrounding zoning and land use classifications, meets the requirements in the Unified Development Ordinance and is consistent with the City's Comprehensive Plan.

Based on the above considerations, staff recommends that the Community Development Commission make the following motion recommending approval of this petition:

Based on the submitted petition and the testimony presented, the proposed zoning variation is consistent with the Unified Development Ordinance and Comprehensive Plan; and, therefore, I move that the Community Development Commission adopt the findings of fact included within the staff memo dated October 19, 2020 as the findings of the Community Development Commission, and recommend to the City Council approval of the zoning variation to allow a patio as a permitted side yard obstruction in Case No. CDC-2020-08.

(Yes vote would be to approve; No vote would be to deny)

Exhibit A



Variation Application Summary Letter

417 Woodside Drive Project: 'The Patio'

To whom it may concern,

When originally applying for a permit for this project, it was declined being that the location of it is considered to be in my 'side' yard, in which due to certain regulations in the codes, it does not allow for obstructions to be built in 'side' yards. The reason this is considered to be the 'side' yard is due to the fact that the house is located on a corner lot, in which the front of the house faces the busy road of Oak Meadows Drive, and not Woodside Drive in which it is addressed to. As you will see in the following documentation, what is technically considered the 'side' of my house by code, is actually the 'rear' of the house in the way it was built. This is the side of the house that has an existing deck, and is the side of the house in which all the patio doors are located.

Therefore I am seeking a variance approval to put in a new concrete patio at the property of 417 Woodside Drive as the plans attached show.

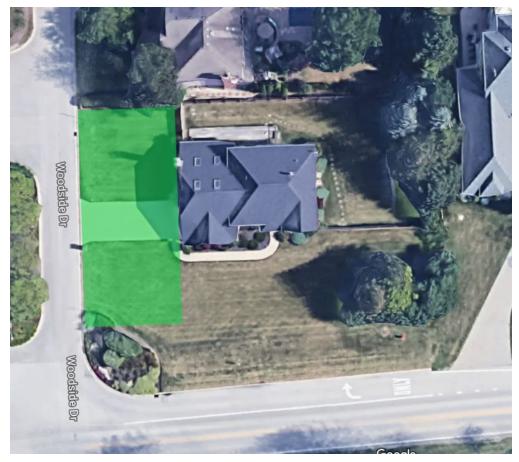
Sincerely,

Kevin Tavlor

417 Woodside Drive, Wood Dale, IL 60191

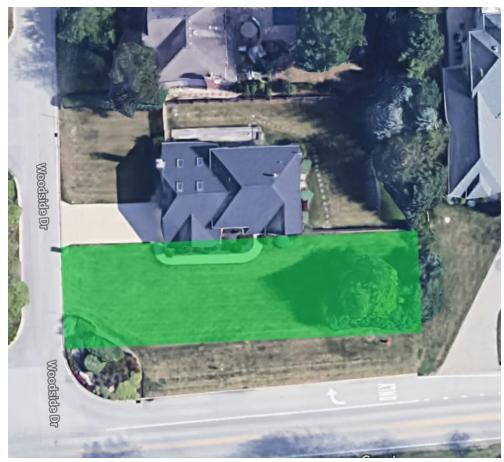
847-630-6389

Front of House by Code



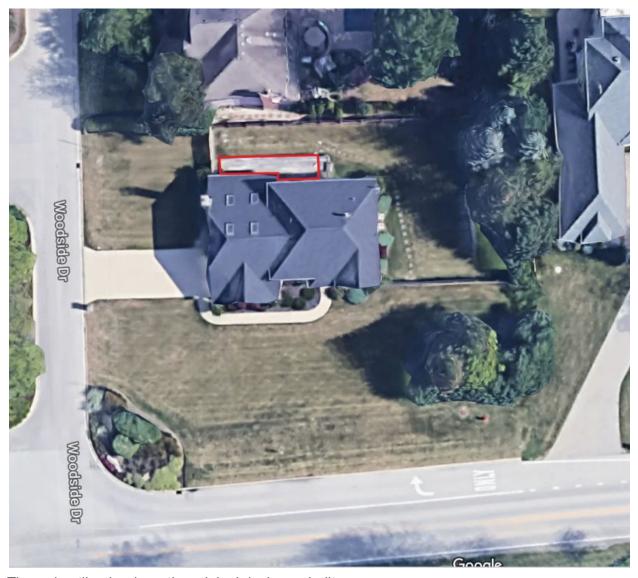


Front of House by Build





Existing Deck Outlined



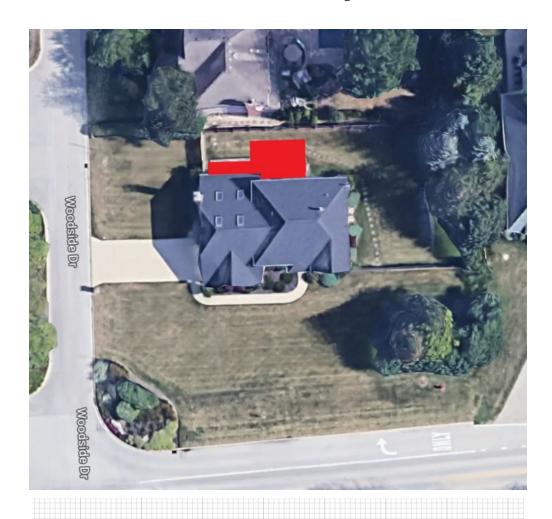
The red outline is where the original deck was built.

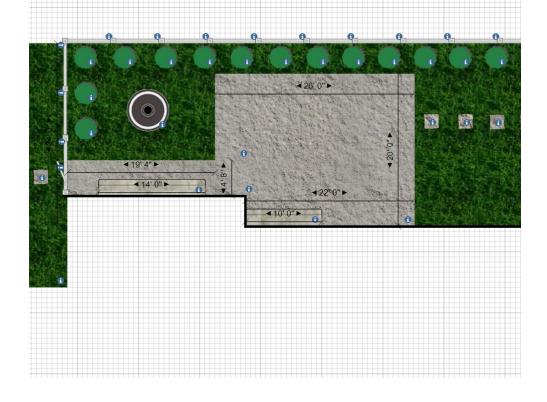
Existing Deck View also displaying Patio Doors





New Patio Layout



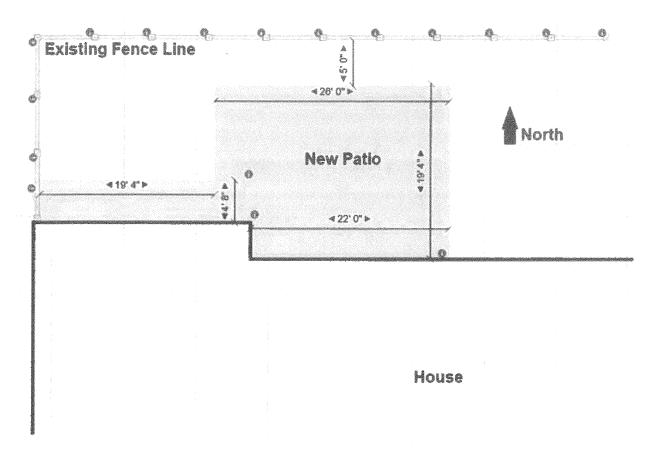


Variation Standards Questionnaire Responses

No variation shall be authorized by the City Council unless the Community Development Commission shall find evidence establishing the following general standards and criteria (found in Chapter 17, Article IV, Section 17.404.A.5 of the Municipal Code):

- 1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations of the district in which it is located. This isn't so much about yielding a reasonable return, as it is a practicality of the use of the property in regards to the location of a patio due to the orientation of the house on the property.
- 2. The proposed variation will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship which will result if the strict letter of the regulations were carried out and which is not generally applicable to the property within the same district. It is not viewed as a convenience, and will alleviate any hardship created by otherwise installing the patio on the east side of the property which is not meant for a patio to be located due to the way the house was originally built.
- 3. The alleged hardship has not been directly created by any person presently having a proprietary interested in the premises. No.
- 4. The proposed variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighbourhood. Correct, this variation will not have an affect in any such way.
- 5. The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, or endanger the public safety. Correct, it will not impair any such things mentioned.
- **6.** The proposed variation will not alter the essential character of the neighborhood. Correct, it will not alter the essential features of the neighborhood.
- 7. The proposed variation is in harmony with the spirit and intent of Chapter 17 of the Municipal Code. That is correct.
- 8. The existence of any nonconformity anywhere in the city shall not itself be considered grounds for granting a variation for other property. I wouldn't think so, however, I have learned that this has been a very common issue for many corner lots in which variations have been granted, and further understand that there will be a possible amendment to the existing code to allow for such locations of outdoor living spaces without the need for a variation.

New Patio Drawing



Drawing Prepared by: Kevin Taylor

Date: 9/29/2020

Address: 417 Woodside Drive, Wood Dale, IL 60191

CITY OF WOOD DALE

Community Development

MEMO

DATE: October 19, 2020

TO: Community Development Commission

FROM: Ed Cage, AICP, Community Development Director

SUBJECT: Case No. CDC-2020-09, Amending the Thorndale Corridor Overlay (TCO)

REQUEST

An application has been made by the City to amend the Thorndale Corridor Overlay.

PROPERTY INFORMATION

Existing Thorndale Corridor Overlay (see attached Exhibit A)

ANALYSIS

The Thorndale Corridor Overlay (TCO) was adopted in 2009. The Overlay created subareas such as the Corporate Main Street, Business park, Wood Dale Road Frontage, Recreation Complex, etc. Although the TCO anticipated and encouraged *certain* types of major redevelopment of this area on the north side of the City, this simply did not occur, as anticipated. Teska Associates recommended considerable modifications to the TCO in the adopted 2018 Comprehensive Land Use Plan due to the restrictive nature of the TCO and the failure to allow quality new redevelopment.

Amazingly, economic development within the I-1 Light Industrially zoned properties in the City of Wood Dale is occurring, despite the Thorndale Corridor Overlay and despite Covid-19. Examples of property that have redeveloped, in spite of the TCO, are Forward Space at 650 N. Wood Dale Road and Nippon Express at 800 N. Illinois Route 83. It is important to note that these developments have been approved as Planned Unit Developments (PUD) with numerous exceptions, often due to the restrictive nature of the TCO. However, there are a number of other properties which are not redeveloping due to the existence of the TCO. This is creating some frustrations and unease with property owners, business owners and developers and could steer potential economic development to our neighboring communities.

Amending the TCO follows the recommendations of the adopted 2018 Comprehensive Land Use Plan. Also it is low-hanging fruit in a sense, because it allows the City to amend the TCO, while retaining the protections against undesirable land uses.

Consequently, Staff believes that the Business and Development Communities will see some practical and reasonable modifications to the TCO as a clear indication from the City, that we are indeed open for quality business attraction and retention.

The City Council have recently discussed this item at a Committee meeting with Staff, City Attorney and our planning consultant Teska Associates in attendance. Overall, the Committee felt that this was the correct time to amend the TCO, as long as protections were maintained to eliminate undesirable uses. The Committee felt that this amendment to the TCO would promote quality redevelopment that would allow existing businesses to expand and new businesses to be attracted. All while freeing the redevelopments from the unnecessary burdens of the UDO.

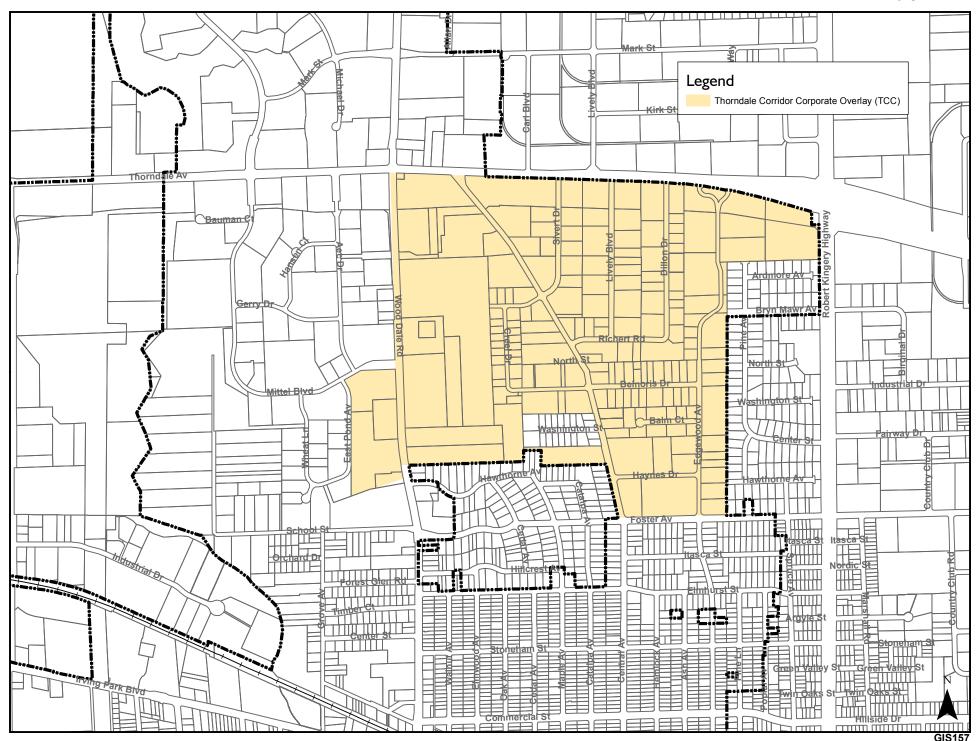
Neighborhood Comment

Notice was provided to adjacent property owners in accordance with Section 17.401.D of the UDO. There has been significant interest from various property owners, attorneys businesses and developers in this proposed change to the TCO. Generally, the various groups contacting the City seem to support the proposed modifications to the TCO. This is because the modifications would allow uses that are currently being developed within the City and require less exceptions or variations.

RECOMMENDATION

The Community Development Department recommends the modifications to the Thorndale Corridor Overlay to consolidate it into one district, modify the allowed uses within that district per the Teska Memo, and the removal of both the regulating framework (17.902) and the parking section (17.906).

Exhibit A





Memorandum

To: Ed Cage, AICP, Director of Community Development, City of Wood Dale

From: Michael Blue, FAICP, Principal, Teska Associates, Inc.

Date: October 13, 2020

RE: Amendments to Thorndale Corridor Corporate District Zoning Overlay

Amendments to the current TCC Overlay District are being evaluated as part of the UDO update process. The intent is to bring land use regulation there in tune with current real estate markets, development practices and economic development opportunities for the City. These changes were recommended in the Wood Dale Comprehensive Plan and noted in the UDO Assessment Report (prepared as an initial step in the UDO update process). As part of that assessment, the consultant team met with representative property owners in the Overlay area. They conveyed that the narrow list of permitted uses in the Overlay limited their ability to lease space to industrial, logistics, and warehouse uses. These uses are naturally drawn to the area by I-390, O'Hare Airport and the City's reputation as a good place to do business.

Currently the City is receiving calls from a number of property and business owners seeking to locate new industrial, logistics, and warehouse businesses in the City's Overlay area. In order to seize the economic development opportunities presented by these types of businesses, an amendment to the TCC District Overlay District Overlay is being contemplated in advance of finalizing the UDO Update.

The concept of an interim Overlay amendment providing flexibility to accommodate new businesses was discussed at the Committee of the Whole – Planning, Zoning & Building Committee on October 8th. Feedback from that discussion and our subsequent conversations set out a few clear objectives:

- Advance City economic development;
- Apply a broad approach that supports consistent and positive outcomes for property owners; and
- Maintain regulations to prevent inappropriate uses from adversely impacting the area.

To accomplish these aims, the following TCC map and use list (Section 17.903) changes can be considered:

- 1. Consolidate the current CMS, BP, WDR, and REC subdistricts into a single Thorndale Corridor Overlay (TCO) this would combine the subareas shown in Figure 1.
- 2. Consolidate the subdistrict land uses into a single list of permitted and special land uses. Tables 1 (current) and 2 (potential revision) show how this can be done.
- 3. Add land uses that represent current economic development opportunities for the City: Freight Handling Facility, Manufacturing, Warehouse, and Warehouse And Distribution (see Table 2). Definitions for these uses and others in Table 2 are currently in the UDO.

- 4. Eliminate residential uses from the use list. These are not currently located in the district and were possible only along small portions of Wood Dale Road where other uses are more likely.
- 5. Keep Parks and Recreation as special uses which is how they currently are designated in all residential zoning districts to reflect the existing parks. In the unlikely event that a new park would be proposed in the industrial area it would require special use consideration by the City.
- 6. Keep Education Facility as special use which is how they currently are in all zoning districts. As with parks, this approach maintains the existing schools in the Overlay and would require special use consideration for any new such uses.
- 7. Keep the transit facility as a special use, should such an opportunity arise in the near future.

To advance the three objectives noted above, the City may also consider text amendments to eliminate aspects of the existing TCC District Overlay that no longer match current markets and development trends.

- 1. Section 17.902: Regulating Framework presents very detailed setback, open space, landscape, and parking zone requirements for each block in the Overlay. As with the limitations on land use, these development requirements do not match current real estate markets and represent disincentives to development. As an example, relief from these requirements has been granted by the City through Planned Unit Developments for recently approved new construction. In removing these standards, the bulk requirements of the underlying zoning district (I-1 or C-2) would apply, as would the landscaping, buffering, and other relevant regulations of the current UDO.
- 2. Section 17.906: Parking also is not well matched to current development practices, and the City has granted relief from these strict requirements in the past. Eliminating this section will have parking requirements of the current UDO (Section 17.607) applicable in the Overlay area.

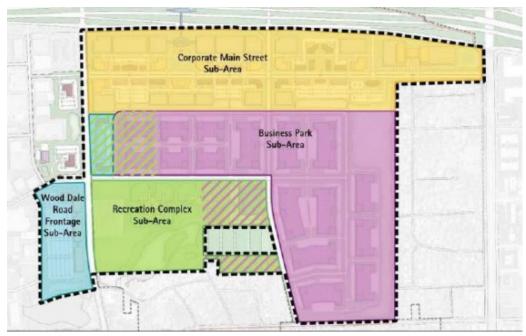


Figure 1: Current Thorndale Corridor Corporate District

Sec. 17.903. Allowed Uses.

TABLE 1: ALLOWED USES

(CMS	=	Corporate Main Street	BP	=	Business Park
	REC	=	Recreation Complex	WDR	=	Wood Dale Road

		Thorndale Corridor Corporate District						
Land Use		CMS ¹	ВР	REC ²	WDR	Standards/ Conditions		
Corporate/co	mmercial:							
	Eating and drinking establishment	Р	-	-	Р			
	Lodging	Р	-	-	Р			
	Office, administrative and professional	Р	-	-	Р			
	Office, medical	S	-	-	S			
	Parking, non-accessory	Р	Р	-	Р			
	Personal service	Р	-	-	S			
	Retail	Р	-	-	Р			
Industrial:								
	Limited manufacturing	-	Р	-	S			
	Product showroom	-	Р	-	-			
	Research services	S	Р	-	-			
	Warehouse and distribution	-	Р	-	-			
Public and civic:								
	Educational facility	-	-	Р	-			
	Parks and recreation	-	-	Р	-			
	Transit station/facility	Р	-	-	-			
Residential:								
	Mixed-use (residential above ground floor)	Р	-	-	Р			
	Multi-dwelling building (without ground floor retail or office use)	S	-	-	Р			
	Townhouse/rowhouse	-	-	-	Р			

Notes:

- 1. The following standards apply in the Corporate Main Street sub-area:
- a. Mixed-Uses: Office, hotel, restaurant, retail, residential and parking uses can be mixed or incorporated within the same site and within the same building.
- b. Same Floor Uses: Residential uses cannot be mixed on the same floor with office, hotel, restaurant or retail uses in a building, i.e., a floor with housing units cannot contain the other uses.
- c. Ground-Floor Uses: The ground floor of all buildings and parking decks along Corporate Main Street must contain active visible uses facing the street to activate the streetscape.
- d. Retail: Retail and restaurant uses are encouraged to be located on the ground floor of all properties facing Corporate Main Street to activate the streetscape.
- e. Ground-Floor Parking: Parking on the ground floor of a building and parking decks is allowed if they are set back 50 feet from the facade facing Corporate Main Street.

TABLE 2: ALLOWED USES - REVISED

Land Use

Thorndale Corridor Overlay District (TCO)

Land use	P= Permitted Use / S= Special Use				
Corporate/commercial:					
Eating and Drinking Establishment	P				
Lodging	Р				
Office, administrative and professional	P				
Office, medical	S				
Parking, non-accessory	P				
Personal service	P				
Retail	P				
Industrial:					
Freight Handling Facility	P				
Limited Manufacturing	P				
Manufacturing	P				
Product Showroom	P				
Research Services	P				
Warehouse	P				
Warehouse and distribution	P				
Public and civic:					
Educational facility	S				
Parks and recreation	S				
Transit station/facility	S				

Notes: The following standards apply:

- a. Mixed-Uses: Office, hotel, restaurant, retail, residential and parking uses can be mixed or incorporated within the same site and within the same building.
- b. Same Floor Uses: Residential uses cannot be mixed on the same floor with office, hotel, restaurant or retail uses in a building, i.e., a floor with housing units cannot contain the other uses.
- c. Ground-Floor Uses: The ground floor of all buildings and parking decks along Wood Dale Road must contain active visible uses facing the street to activate the streetscape.
- d. Retail: Retail and restaurant uses are encouraged to be located on the ground floor of all properties facing Wood Dale Road to activate the streetscape.
- e. Ground-Floor Parking: Parking on the ground floor of a building and parking decks is allowed if they are set back 50 feet from the facade facing Corporate Main Street.