



Village of Arlington Heights
Conceptual Plan Review Committee
Community Room, 3rd Floor
Arlington Heights Village Hall, 33 S. Arlington Heights Rd.
March 22, 2023
7:00 PM

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

IV. REPORTS

V. OLD BUSINESS

VI. NEW BUSINESS

- A. HANA Downzoning - 121 W. Fremont, 116 W. St. James, 200 W. St. James, 204 W. St. James, 206 W. St. James, 208 W. St. James, 407 N. Chestnut - T1768
Rezone from R-6 to R-3, Comprehensive Plan Amendment, Variations

VII. OTHER BUSINESS

- A. Public Comment

VIII. ADJOURNMENT

Persons with disabilities requiring auxiliary aids or services, such as an American Sign Language interpreter or written materials in accessible formats, should contact Erin Mercado, at 33 S. Arlington Heights Road, Arlington Heights, Illinois 60005, emercado@vah.com or (847)368-5793.



Conceptual Plan Review Committee
3/22/2023

Item: HANA Downzoning - 121 W. Fremont, 116 W. St. James, 200 W. St. James, 204 W. St. James, 206 W. St. James, 208 W. St. James, 407 N. Chestnut - T1768

Department: Planning & Community Development

Requested Action

1. Rezoning from the R-6, Multi-Family Dwelling District to the R-3, One-Family Dwelling District.

Variations Required

1. Chapter 28, Section 5.1-6.1, to allow an area of R-6 zoning of approximately 15,150 square feet (0.35 acres) where Code requires the minimum size of R-6 zoning to be no less than one acre.

2. Chapter 28, Section 6.12-1.3, to waive the requirement for a traffic and parking study.

Recommendation

The Staff Development Committee (SDC) reviewed the proposed rezoning from the R-6, Multi-Family Dwelling District, to the R-3, One-Family Dwelling District, and the following variations to Chapter 28 of the Municipal Code:

1. Section 5.1-6.1, to allow an area of R-6 zoning of approximately 15,150 square feet (0.35 acres) where Code requires the minimum size of R-6 zoning to be no less than one acre.

2. Section 6.12-1.3, to waive the requirement for a traffic and parking study.

The SDC is generally supportive of the application, subject to the addressing the following:

1. The petitioner shall provide written justification addressing compliance with the following hardship criteria for each variation requested:

- The proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property.
- The plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned.
- The proposed variation is in harmony with the spirit and intent of this Chapter.
- The variance requested is the minimum variance necessary to allow reasonable use of the property.

2. As part of any Plan Commission application, the Village will review the petitioner's justification outlining the need for the proposed rezoning.

3. The Village will analyze if a reclassification of the subject property into the Single-Family Detached designation is warranted as part of the requested rezoning.

4. The petitioner shall comply with all Federal, State, and Village Codes, Regulations, and Policies.

5. These are preliminary comments only and should not be relied upon as identification of the only major issues. The Staff Development Committee reserves the right to change its position on issues upon submittal of a formal application and detailed review.

ATTACHMENTS:

Description

Staff Report

Aerial

Project Narrative

Type

Board or Commission Report

Exhibits

Correspondence



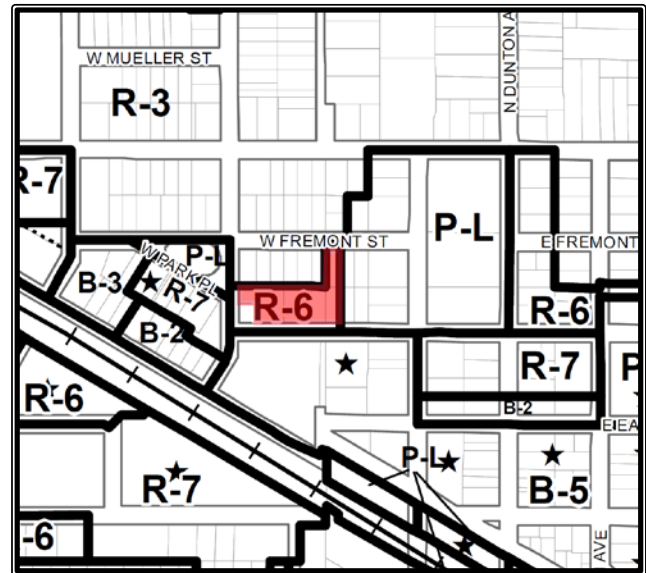
VILLAGE OF ARLINGTON HEIGHTS STAFF DEVELOPMENT COMMITTEE REPORT

Temp File Number: T1768
Project Title: HANA Downzoning
Location: 121 W. Fremont, 116 W. St. James, 200 W. St. James, 204 W. St. James, 206 W. St. James, 208 W. St. James, 407 N. Chestnut
PIN: Multiple PINs

To: Conceptual Plan Review Committee
Prepared By: Sam Hubbard, Development Planner
Meeting Date: March 22, 2023
Date Prepared: March 17, 2023

Petitioner: Historic Arlington Heights
 Neighborhood Association
 Tom Gaynor - President
Address: 208 W. Fremont Street
 Arlington Heights, IL 60004

Existing Zoning: R-6: Multi-Family Dwelling District
Comprehensive Plan: Single-Family Attached



SURROUNDING LAND USES

Direction	Existing Zoning	Existing Use	Comprehensive Plan
North	R-3: One Family Dwelling District	Single-Family Homes	Single-Family Detached
South	B-5: Downtown District	Bank w/Drive-thru, Office Buildings	Mixed Use
East	P-L: Public Lands District	Surface Parking Lot	Government Single-Family Attached
West	R-6: Multi-Family Dwelling District R-7: Multi-Family Dwelling District P-L: Public Lands District	Memorial Park Two-Family Dwellings	Single-Family Detached High Density Multi-Family Parks

Requested Action:

- Rezoning from the R-6, Multi-Family Dwelling District to the R-3, One-Family Dwelling District.

Variations Required:

- Chapter 28, Section 5.1-6.1, to allow an area of R-6 zoning of approximately 15,150 square feet (0.35 acres) where Code requires the minimum size of R-6 zoning to be no less than one acre.
- Chapter 28, Section 6.12-1.3, to waive the requirement for a traffic and parking study.

Project Background:

The subject property consists of six platted lots along West St. James Street and one platted lot along West Freemont Street. Each lot is developed with a single-family home of varying ages; most were developed around 100 years ago with the youngest home being developed around 73 years ago. The Historic Arlington Heights Neighborhood Association (HANA), which was established in 1979, is the primary petitioner and is proposing that the lots be rezoned from the R-6, Multi-Family Dwelling District, into the R-3, Single-Family Dwelling District. The co-petitioners on this potential application are the owners of each of the seven lots proposed for rezoning. Other than the requested rezoning, no additional modifications are proposed.

Zoning and Comprehensive Plan

As outlined above, the subject properties are currently zoned R-6, which is a multiple-family residential zoning district, and owners of these properties wish to rezone them into the R-3 District, which is a single-family zoning district. Multi-family uses are permitted within the R-6 District but are not allowed within the R-3 District, and the primary zoning implications of this rezoning relate to the following areas:

- **Future Redevelopment with Multi-Family Uses:** Should the properties be rezoned into the R-3 District, the properties could not be combined and redeveloped as higher density multi-family residential uses. At this time, the R-3 district would only allow detached single-family residential uses, places of worship, schools, and a limited number of additional low intensity uses (see Chapter 28 of the Municipal Code for details).
- **Building Height:** The R-6 district allows maximum building heights of 50', whereas upon rezoning into the R-3 district, the subject properties would be restricted to a maximum building height of 25'.
- **Minimum allowable lot size and lot width for Single-Family Homes:** The minimum allowable lot size and lot width for a single-family home in the R-6 District is identical to that of the R-3 District. It should be noted that all seven properties do not comply with these minimum required lot widths and lot sizes. However, the R-3 district contains a provision (Section 5.1-3.2b) that allows a new residence (or alterations to an existing residence) on a lot that doesn't conform to the lot size or lot width requirements, provided that the lot is occupied by an existing principal residence.

The R-6 regulations do not afford this allowance, meaning that any proposed demolition and rebuild of the homes on any of these seven lots would require a variation to allow development on a substandard lot. If rezoned into the R-3 District, the properties could be redeveloped with single-family homes without the need for a variation to allow a substandard lot size and lot width.

The R-6 zoning in this area applies to eight lots, however, only seven have been proposed for rezoning at this time. The eighth lot, located on the northeast corner of St. James Street and Chestnut Avenue, is an existing two-family residence (401 & 403 N. Chestnut Avenue). As two-family uses are not allowed within the R-3 District, this property is not proposed for rezoning, meaning that it would remain as the only piece of R-6 zoned property within this area. The minimum allowable size of any portion of R-6 zoning is one acre, and the leftover portion of R-6 zoning would be approximately 15,150 square feet (0.35 acres) in size. **Exhibit A** at the end of this report shows this change visually. The proposed rezoning creates the need for the following variation:

- **Chapter 28, Section 5.1-6.1, to allow an area of R-6 zoning of approximately 15,150 square feet where Code requires the minimum size of R-6 zoning to be no less than one acre.**

The owner of the leftover portion of R-6 Zoning is encouraged to join as a co-applicant to this application, and their consent would be required to request the variation as identified above. Should the aforementioned variation not be granted, the property at 401 & 403 N. Chestnut would become non-conforming as a result of the rezoning. This would create issues for that property owner should redevelopment of that property be proposed in the future.

In order to grant the variation to allow the substandard R-6 zoning area size, the petitioner must provide written justification addressing the four standards necessary for variation approval as included below:

- **The proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property.**
- **The plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned.**
- **The proposed variation is in harmony with the spirit and intent of this Chapter.**
- **The variance requested is the minimum variance necessary to allow reasonable use of the property.**

The existing R-6 zoning of the subject properties is based on best practices for land use planning; the moderate density multi-family area of R-6 zoning functions as a transition between the higher intensity B-5, Downtown District zoning to the south of the subject properties and the lower intensity R-3, One-Family Dwelling District zoning to the north. As part of any Plan Commission application, the Village will review the petitioner's justification for the need and goals of the proposed rezoning.

The land to the south of the subject properties and directly across St. James Street is located in the B-5 District. The Staff Development Committee notes that required building setbacks in the B-5 District (where a building fronts on a public street) are based on the zoning of the property on the opposite side of that street. Specifically, where 50% or more of the property directly across the street frontage is located in a R-3 District, a 20' building setback is required along that public street frontage. If the property directly across the street is not within an R-3 District, B-5 developments can be built up to a property line fronting a public street.

Accordingly, the proposed rezoning of the subject properties would impact the property located at 210-234 W. Northwest Highway, which is currently zoned B-5 and occupied by Village Bank & Trust and Baird & Warner. Absent of the requested rezoning, Code would not require a building setback on the northern side of that site. Should the requested rezoning on the subject properties be approved, a 20-foot setback would now be required on the north side of the 210-234 W. Northwest Highway property where that property abuts St. James Street.

There is an active redevelopment proposal for the site immediately to the east of the Village Bank & Trust property, which property is also in the B-5 District. The proposed development on that property entails demolition of the two vacant office buildings on the site and construction of a seven story multi-family residential building with limited ground floor retail. The proposed rezoning on the subject properties would not impact the required setbacks for that development as that property would continue to have over 50% of the property located directly across the street zoned as P-L, Public Lands District (i.e. 50% of the property directly across the street would not be in the R-3 District).

With exception to 121 W. Freemont Street, the Comprehensive Plan designates the subject properties as suitable for Single-Family Attached uses, which generally correlates to townhome uses. The lot at 121 W.

Freemont is classified as Single-Family Detached. The Village will need to analyze if a reclassification of the remainder of these properties into the Single-Family Detached designation is warranted as part of the requested rezoning.

Building, Site, and Landscaping:

No changes to the buildings, lots, or landscaping are proposed as part of this petition.

Parking & Traffic:

Per code, the petitioner is required to provide a traffic and parking study by a certified traffic engineer that assesses access (location, design, and Level of Service), on-site circulation, trip generation and distribution, and parking. However, the petitioner has requested the following variation:

- ***Variation to Section 6.12-1.3, to waive the requirement for a traffic and parking study by a qualified professional engineer.***

The Staff Development Committee is supportive of the requested variation as the proposed rezoning will not result in any increase to traffic and will not impact the parking supply or demand on the subject properties. The petitioner will need to provide written justification to the four hardship standards relative to this variation request.

RECOMMENDATION

The Staff Development Committee (SDC) reviewed the proposed rezoning from the R-6, Multi-Family Dwelling District, to the R-3, One-Family Dwelling District, and the following variations to Chapter 28 of the Municipal Code:

1. Section 5.1-6.1, to allow an area of R-6 zoning of approximately 15,150 square feet (0.35 acres) where Code requires the minimum size of R-6 zoning to be no less than one acre.
2. Section 6.12-1.3, to waive the requirement for a traffic and parking study.

The SDC is generally supportive of the application, subject to the addressing the following:

1. The petitioner shall provide written justification addressing compliance with the following hardship criteria for each variation requested:
 - **The proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property.**
 - **The plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned.**
 - **The proposed variation is in harmony with the spirit and intent of this Chapter.**
 - **The variance requested is the minimum variance necessary to allow reasonable use of the property.**
2. As part of any Plan Commission application, the Village will review the petitioner's justification outlining the need for the proposed rezoning.
3. The Village will analyze if a reclassification of the subject property into the Single-Family Detached designation is warranted as part of the requested rezoning.
4. The petitioner shall comply with all Federal, State, and Village Codes, Regulations, and Policies.

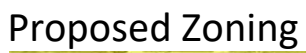
5. These are preliminary comments only and should not be relied upon as identification of the only major issues. The Staff Development Committee reserves the right to change its position on issues upon submittal of a formal application and detailed review.

March 17, 2023

Michael Lysicatos, Assistant Director of Planning and Community Development

Cc: Randy Recklaus, Village Manager
All Department Heads
Temp File 1768

Existing Zoning





W Fremont St

N Chestnut Ave

N Vail Ave

W St James St

Private

W Eastman St

W Northwest Hwy

PACIFIC NORTHWEST (METRA) UP NW

October 2022

To: Village of Arlington Heights Conceptual Plan Review Committee

RE: **Proposed Downzoning**, 121 W. Fremont, 116 W. St. James, 200 W. St. James, 204 W. St. James, 206 W. St. James, 208 W. St. James, 407 N. Chestnut

We request that the Arlington Heights Plan Review Committee consider **changing the zoning** of these properties **from R-6** (Multiple Family Dwelling District) **to R-3** (One Family Dwelling District).

The requested rezoning would preserve the **essential character** of this historic neighborhood by ensuring that these restored homes would be officially recognized as the single-family homes they have been for all these years. These properties range in age from 73 to 103 years and constitute the southern boundary of the Historic Arlington Neighborhood Association (HANA). This is a vibrant neighborhood community which hosts block parties and the HANA Old Fashioned Christmas and contains the Arlington Heights Historical Museum grounds and Memorial Park.

This neighborhood has very **unique circumstances** where owners preserved and restored these houses with the goal of making this special neighborhood their home. The proximity to the central business district, Metra, AH Memorial Library, parks, and schools make this a highly desirable place to live. The neighborhood is a grass roots “historic district”, without official designation as such, with improvements and investments in these homes ongoing for over 40 years.

This neighborhood is well aligned with the **spirit and intent** of the Village of Arlington Heights Comprehensive Plan. The Comprehensive Plan has a chapter dedicated to Historic Preservation. Chapter Six summarizes the study performed by the School of the Art Institute of Chicago (SAIC) titled “Maintaining the Character of Arlington Heights”. The homes under consideration for this rezoning proposal are covered in this study and are located in the potential Neighborhood Conservation District F. Official recognition of the seven historic areas in Arlington Heights has not been pursued; though, the home owners have brought this concept to life through their ongoing preservation investments.

The proposed variance to R-3 is a downzoning which represents the **minimum variance necessary** to preserve the historic nature and integrity of this special neighborhood.

Based on guidance provided by the Staff Development Committee in the April 25, 2022 memo from Sam Hubbard to Tom Gaynor, we acknowledge that the **Traffic and Parking Study** requirement is waived for this proposal.

As noted in the April 25, 2022 memo there is a special zoning consideration for the property at 401 N. Chestnut as follows:

The rezoning the seven properties identified above will create a non-compliant situation at 401 N. Chestnut Avenue: all portions of R-6 zoning must be no less than 1 acre in size and by rezoning all land around 401 N. Chestnut into the R-3 District, the remaining R-6 zoning on 401 N. Chestnut would be only 0.36 acres in size. This would require a variation for that property to remain as R-6. As part of the requested rezoning into the R-3 District, the property owner at 401 N. Chestnut should agree to become party to the overall application and their signature and permission would be needed to grant the necessary variation for the property.

As part of this proposal, we have discussed and received permission from the owner of the 401 N. Chestnut property.

Pictures of these homes are provided below:



401 / 403 N. Chestnut Ave.

PIN 03304080080000



121 W. Fremont St.

PIN 03293080010000
Age 101 years



116 W. St. James St.

PIN 03293080020000
Age 98 years



200 W. St. James St.

PIN 03304080120000
Age 73 years



204 W. St. James St.

PIN 03304080110000
Age 103 years



206 W. St. James St.

PIN 03304080100000
Age 91 years



208 W. St. James St.

PIN 03304080090000
Age 98 years



407 N. Chestnut St.

PIN 03304080070000
Age 101 years

Sincerely,

Tom Gaynor
HANA President