



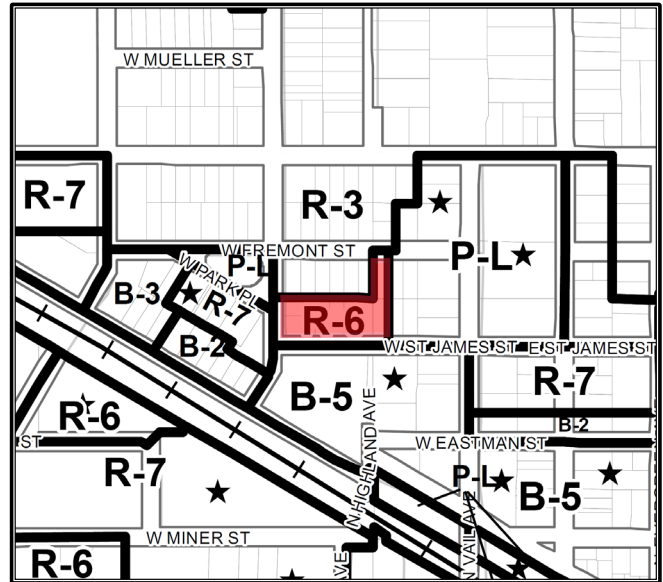
VILLAGE OF ARLINGTON HEIGHTS **STAFF DEVELOPMENT** **COMMITTEE REPORT**

Project Number: PC 23-005
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, 401 & 403 N. Chestnut
PIN: Multiple PINs

To: Plan Commission
Prepared By: Sam Hubbard, Development Planner
Meeting Date: June 28, 2023
Date Prepared: June 23, 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-7: Multi-Family Dwelling District P-L: Public Lands District	Memorial Park Two-Family Dwelling	Single-Family Detached High Density Multi-Family Parks

Requested Action:

- Rezoning from the R-6, Multiple-Family Dwelling District to the R-3, One-Family Dwelling District for certain portions of the subject property (see Exhibit I).
- Amendment to the Comprehensive Plan to reclassify certain portions of the subject property from the Single-Family Attached classification to the Single-Family Detached classification (see Exhibit II).

Variations Required:

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

Project Background:

The subject property consists of five lots along West St. James Street, one lot along West Freemont Street, and two lots along North Chestnut Avenue. With exception to one of the lots along Chestnut Avenue, 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 seven of the eight lots be rezoned from the R-6, Multi-Family Dwelling District, to the R-3, Single-Family Dwelling District and reclassified on the Comprehensive Plan from Single-Family Attached to Single-Family Detached. The eighth lot, which is located at 401 & 403 North Chestnut Avenue and contains a two-family dwelling, would remain in the R-6 District but would require a variation due to the reduced size and elimination of the abutting R-6 zoning district. The co-petitioners on this application are the owners of each of the eight lots that compose the subject property. Other than the requested zoning actions, no additional modifications are proposed to the subject properties.

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 only allows 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 proposed for rezoning 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 single-family 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 all eight lots, however, only seven have been proposed for rezoning. 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 I** 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 has been included as a co-applicant to this application and has requested approval of this variation. Variations are only to be approved when they conform to the four standards for variation approval, which have been summarized 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.**

Maintaining this isolated lot as R-6 constitutes spot zoning, which would not normally be supported. However, as this is existing zoning for the property the Staff Development Committee would not object to leaving this parcel as R-6.

The Staff Development Committee is supportive of the requested variation as it would allow the property at 401 & 403 N. Chestnut to remain as a two-family dwelling, which will help to preserve the essential character of the locality and is compatible with existing uses and zoning of nearby property; to the west is an existing two-family dwelling and multi-family uses are located further west along Park Place.

In 1964 (Ordinance 64-106) the B-5 Downtown Zoning District was created and the downtown area was reclassified from B-2 to B-5. In 1965 (Ordinance 65-032) all land within 330 feet of the external boundary of the B-5 district was reclassified to R-6 including the HANA neighborhood north of St James.

The 1987 Downtown Master Plan designated the areas surrounding the downtown for R-6 and R-7 type developments, which would serve as a transition area. 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. However, rezoning of the seven properties into the R-3 District would be compatible with one of the Historic Preservation policies in the Comprehensive Plan: To prepare realistic plans [i.e. R-3 zoning] for the areas in and around downtown with all necessary safeguards for fine residential and historical properties. Rezoning into the R-3 District would restrict the ability of a developer from assembling several of the properties for redevelopment with multi-family uses, whereby increasing the likelihood for preservation. It should be noted that rezoning of these properties into the R-3 District would not prevent a current or future owner from demolishing their home and reconstructing a new single-family home in its place. The Staff Development Committee does not oppose the requested 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.

The proposed rezoning 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 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.

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 petitioner has requested reclassification of the six single-family homes from the Single-Family Attached designation to the Single-Family Detached designation. This reclassification would be compatible with the proposed rezoning and would further restrict the ability for a developer to assemble the properties for multi-family uses in the future.

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 in traffic and parking supply or demand on the subject properties.

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 for certain portions of the subject property, and the Amendment to the Comprehensive Plan to reclassify certain portions of the subject property from the Single-Family Attached classification to the Single-Family Detached classification, along with 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 Staff Development Committee recommends **APPROVAL** of the application subject to the following condition:

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

_____, June 23, 2023

Michael Lysicatos, Assistant Director of Planning and Community Development

Cc: Randy Recklaus, Village Manager
All Department Heads

Exhibit I:

Existing Zoning



Proposed Zoning



Exhibit II:

Existing Comprehensive Plan Land Use Classification



Proposed Comprehensive Plan Land Use Classification

