

**STAFF REPORT**

**2022-31P: Zoning Chapter Amendment**

Community Development Department

Council Chambers, 7:30 PM, September 15, 2022

To: Paul Luke, Chairman, Skokie Plan Commission

From: Peter Peyer, AICP

Case: **2022-31P: Zoning Chapter Amendment**

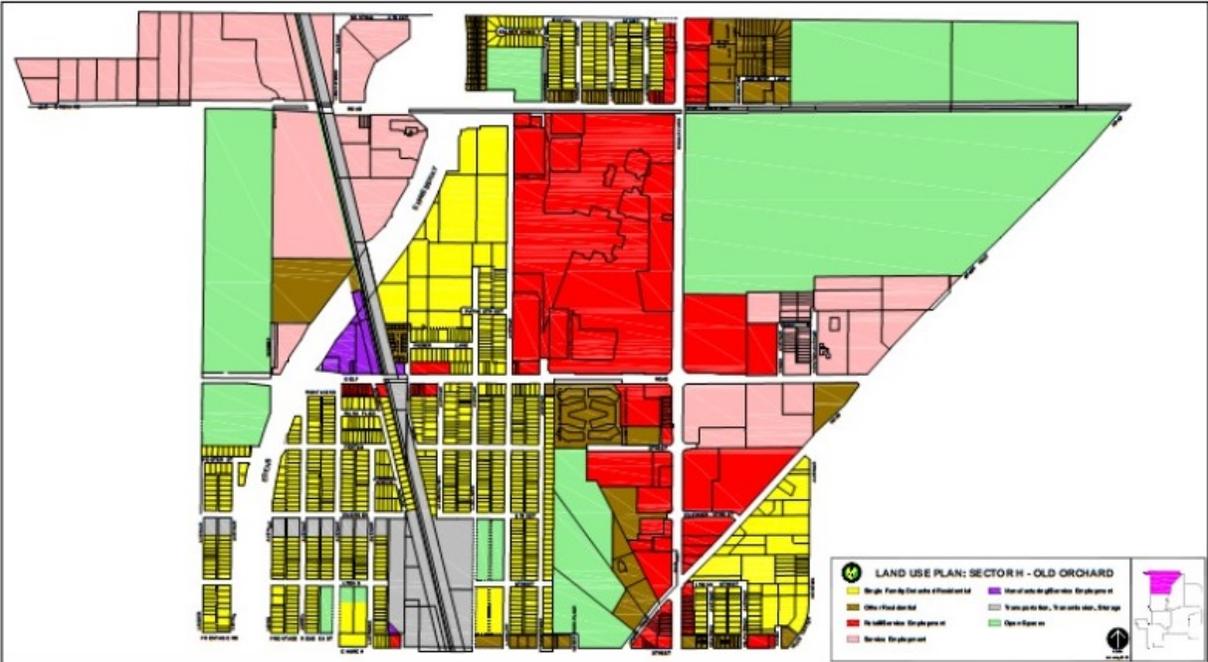
To allow residences north of Old Orchard Road within the OR Office Research District

<b>General Information</b>	
<i>Petitioner</i>	Village of Skokie
<i>Purpose</i>	The Village of Skokie is requesting a Zoning Chapter amendment to add "medium density" residential adjacent to single-family residential zoning in a "park-or campus-like" setting to the purpose statement of the OR Office Research district; allow residence, townhouse, and residence, 3- or more unit multiple family uses in the OR district north of Old Orchard Road; allow a limited service restaurant with drive-through and general commercial uses in the OR district; reduced side and rear yard setbacks; and related corrections within the overall Village Code.

**STAFF REVIEW**

Staff reviewed the Comprehensive Plan, the OR Office Research District, and Appendix A "Use Table" in its analysis of the proposed text amendment.

The OR district is entirely located near the Old Orchard and Woods Drive intersections and adjacent to I-94. This area is denoted as "Service Employment" in the Comprehensive Plan – shown as pink in the map below. The brown area shown on the map is Optima Old Orchard Woods, which is zoned OR but is shown as "Other Residential" on the map.



The “Service Employment” area land use designation is not limited to the OR district. It can be found throughout the Village and includes B4, B6, H1, M2, and OR zoning districts and consists of a wide variety of permitted office, retail, and service uses.

The OR district is considered part of the Industrial class of zoning districts. Like most municipalities, the different classes of districts include Residential, Business, Mixed-Use, and Industrial zoning. The classes represent a hierarchy of least flexible to most flexible regulations where industrial zoning provides the most flexibility.

The OR district was established to, “to allow the development of business and professional offices, uses with "higher intensity" multifamily residences, and other compatible uses in a planned park-like setting. The district is intended to serve the Village and the surrounding urban region. Because of the unique character of properties located within this district and its proximity to the Edens Expressway, the Old Orchard Interchange, Cook County Forest Preserve and adjacent residential properties in other municipalities, all properties within this district require site plan approval in accordance with Article II of this chapter. Relief from any of the requirements of this district shall only be granted by the Mayor and Board of Trustees. The petitioner shall have the burden of providing evidence and persuasion that any such relief is necessary and desirable. Similarly granted relief to existing developments in the district shall not be sufficient to base justification for approval upon an already existing development. Each development shall be presented and judged on its own merits.”

For many years only, office uses were allowed in the district and by the 1990s most development sites were developed in accordance with the regulations and intent of the district. However; it became apparent that redevelopment and upgrading of sites was needed and that some sites would be difficult to develop strictly as office uses, thus, other compatible

uses were starting to be considered. In 2000, a portion of the Portland Cement property at 5400 Old Orchard Road was sold off for the development of a Lifetime Fitness health facility. The Illinois Holocaust Museum & Education Center was approved and constructed in 2003 at 5330 to 5350 Woods Drive. Both of these facilities were similar, supportive and compatible with the development in the area. In 2004, a major change occurred by amending the district's allowable uses and purpose statement to allow "higher intensity" multifamily residences in the OR district south of Old Orchard Road. This change resulted in the construction of the 700-unit Optima residential development in 2004 at 9645-9739 Woods Drive. Most recently, in 2021, the district regulations were modified to allow the "Car Dealer and marine craft" use in the district as a restricted use. A Carvana car dealership was approved but has not been constructed.

The advent of the COVID pandemic has result in changed work patterns and the reduced need for office building space. Even before COVID, suburban office space was starting to lose its appeal as corporations were relocating to downtown Chicago locations. As a result, it has been difficult to maintain tenants in some OR district office buildings. The Portland Cement Corporation site, the subject of Case 2022-32P, has been on and off the market for many years since the association moved to Washington, DC. The OR properties north of Old Orchard Road also have restrictions to development because they are almost all located adjacent to residential properties in Glenview and Wilmette. The allowable height of buildings north of Old Orchard Road in the OR district is lower and there is a greater setback requirement as building height increases. In the past, there have been lawsuits from residential property owners to the north that have modified office building height, setback and landscaping.

It is staff's opinion that a mix of residential unit types and limited retail uses north of Old Orchard would be compatible with the existing office development and the residential properties to the north. The location of townhouses, with a limited height of 40 FT (3 stories), would create a good buffer between the single-family homes and more intense residential and office buildings. Taller residential buildings, as the currently allowed office buildings, would be required to have a setback of not less than 150 feet from residentially used property. Limited commercial uses in the area fronting Old Orchard Road would also be desirable to provide the service needs of businesses and residents in the area. The Optima development has been compatible with adjacent uses allowed in the OR district as all developments have been constructed under site plan approval and have adhered to the district principal of creating a "planned park-like setting".

Staff has encouraged potential developers of residential developments in the OR district to include a commercial component. However, at present there are very few commercial uses allowed in the district and most of them are heavily restricted. As commercial uses will now be allowed staff recommends that uses allowed in the CX Core Mixed Use district also be allowed in the OR district. This district excludes heavier uses such as motor vehicle repair, car washes, gas stations, etc.

### **STAFF RECOMMENDATION**

Staff recommends that Chapter 118 Zoning of the Skokie Village Code be amended with the text in **BOLD** as follows:

Sec. 118-175. OR Office Research district.

The OR Office Research district is established to allow the development of business and professional offices, uses with "higher intensity" multifamily residential developments with a mix of residences types, and other compatible uses in a planned park-like setting. The district is intended to serve the Village and the surrounding urban region. Because of the unique character of properties located within this district and its proximity to the Edens Expressway, the Old Orchard Interchange, Cook County Forest Preserve and adjacent residential properties in other municipalities, all properties within this district require site plan approval in accordance with Article II of this chapter. Relief from any of the requirements of this district shall only be granted by the Mayor and Board of Trustees. The petitioner shall have the burden of providing evidence and persuasion that any such relief is necessary and desirable. Similarly granted relief to existing developments in the district shall not be sufficient to base justification for approval upon an already existing development. Each development shall be presented and judged on its own merits. The following requirements shall apply to the OR district:

- (1) Building height. The maximum building height shall be:
  - a. North of Old Orchard Road: 105 feet. Buildings that exceed a height of 60 feet are required to have a yard to building height ratio of 2.5 to 1, from residentially zoned property. **Residential uses located within 100 feet of a residentially zoned or used property shall have a maximum height of 40 feet or less.**
  - b. South of Old Orchard Road: 180 feet. Buildings that include residences shall have a minimum height of 80 feet.
- (2) Front yard. A front yard of 50 feet is required. **Residential uses located north of Old Orchard Road with a maximum height of 40 feet or less shall have a front yard of 25 feet.**
- (3) Side yards. Side yards of 50 feet are required. **Residential uses located north of Old Orchard Road with a maximum height of 40 feet or less shall have a side yard of 8 feet.**
- (4) Rear yard. A rear yard of 50 feet is required. **Residential uses located north of Old Orchard Road with a maximum height of 40 feet or less shall have a rear yard of 30 feet.**
- (5) Yards, **of properties primarily developed with non-residential uses,** abutting residential districts.
  - a. All yards abutting residentially used property, whether or not such a residential district is located within the Village or is separated by a street or other public right-of-way, shall be not less than 150 feet in depth, from the nearest lot line of the residentially used property outside the OR district.
  - b. Within the yards abutting residentially used property, no building or structure of any kind, **other than screening structure,** is permitted.
  - c. On-grade off-street **uncovered** parking is permitted as close as 50 feet away from a lot line that abuts residentially used property, provided it is landscaped or screened as provided in this chapter.
- (6) Maximum land coverage by buildings. Land coverage of all buildings shall not exceed 30 percent of the lot area.

- (7) Landscaping and site development. Berms, trees, walls and/or other forms of landscaping and site development are to be used to screen receiving and service areas as well as off-street parking which are visible from side and rear boundaries. This landscape screening may be located within the required yards. Earth berms banked on both sides, or with 1 side banked toward the yard boundary line and a retaining wall, shall have a side slope ratio of 3 to 1 for ease of maintenance. Planting used for screening shall be a mixture of low wide-spreading evergreens, with taller deciduous trees. **North of Old Orchard Road a solid 6-foot-high wall or fence shall be used, in addition to landscaping, to separate a development from any abutting residentially used property.**
- (8) Landscaping and site development plan. A plan showing the proposed landscaping and site development must be prepared. It must be submitted as a part of or in addition to the site plan. Such items as embankment ratios, types of planting, materials and their quantities **and fencing/walls** are to be spelled out.
- (9) Materials testing. All testing activities shall be conducted within a building or enclosed structure. Outdoor testing of materials and products, such as done by the Portland Cement Association, shall be limited to natural weathering only, and is to be located in either side or rear yard areas. The materials and products themselves may not exceed 2 stories or 26 feet in height.
- (10) [Reserved.]
- (11) *Restricted uses.* Uses listed as restricted uses in the district shall be permitted uses and be located within buildings containing other unrestricted uses or residences.

**~~(a) Residences shall only be located south of Old Orchard Road. Buildings containing residences facing Old Orchard Road shall include a commercial or office component.~~**

**(b) Restaurant, limited service – with drive-through (except carryout restaurants)**

(c) Auto Dealer and Marine Craft Dealer shall be restricted as follows:

(1) All inventory shall be located within the building or within a parking space that meets dimensional standards for parking spaces.

(2) Auto repair is prohibited.

(3) Outdoor intercom or speaker systems are prohibited.

**(d) Up to 15,000 square feet in a property primarily developed with residential uses may, in addition to those uses already allowed in Appendix A, include any uses(s) allowed in the General Sales or Services categories in Appendix A for CX districts.**

Amend the following subsections of Section 118-212 as follows

(k) *Lighting.*

(3) The illumination level for all off-street parking areas shall be as follows, **unless otherwise approved by the Plan Commission as part of Site Plan approval:**

- a. The illumination level for an off-street parking area shall be an average maintained horizontal footcandle ratio of 1.0 to 3.0 footcandles or per IES required standards for other application purposes.
- b. Uniform illumination is desirable, and the lowest footcandle value at any point on the pavement should not be less than ¼ the designed average maintained horizontal footcandles.
- c. The type of luminaries, shielding, pole height and the lighting design, uniformity ratio and the entire lighting scheme shall be subject to the approval of the Village Traffic Engineer. All lighting units shall be of the full cutoff type.

Amend Appendix A – Use Table to identify “Residence, Townhouse” as a permitted use in the OR District  
 Restaurant, limited service – with drive-through (except carryout restaurants)

Appendix A

Use	Residential					Mixed-Use				Business						Industrial			
	R1	R2	R3	R4	R5	NX	TX	CX	Retail	B1	B2	B3	B4	B6	H1	M1	M2	M3	OR
Residence, Townhouse	S	S	P	P		R	R												<b>R</b>
Restaurant, limited service – with drive- through (except carryout restaurants)											S	S				S			<b>R</b>