# MEMORANDUM

*To:* *Chairman Wolfe and Members of the Plan Commission*

*From:* *Bill Enright, Deputy Director Planning and Community Development*

*Date:* *April 11, 2013*

*Subject:* *Chapter 28 Text Amendments: P.C#13-002*
*1) Hickory Kensington Area: Overlay Zoning District*
*2) Location of R-7 Multi Family District*

On January 7, 2013 the Village Board approved the Hickory Kensington Area Plan (Ordinance #13-001). Approval of the Plan included changes to the Land Use Map as depicted on page 17 (and attached as Exhibit A). In addition, several recommendations and actions were adopted in the Plan including the following:

*Recommendation 4*: Rezone properties from M-2 to R-6, R-7 and B-2 as illustrated in the Zoning Map on page 25.
*Action:* Commence Plan Commission public hearing process to rezone said properties as soon as feasible concurrent with consideration of an Overlay Zone.

*Recommendation 5:* Adopt an Overlay Zone specific to the unique characteristics of the area creating development guidelines.
*Action:* Develop specific text amendments to Chapter 28 – Zoning Regulations, creating an Overlay Zone, and proceed with Plan Commission public hearing and Board consideration concurrent with rezoning.

Staff has prepared the Overlay Zoning District text amendment which is attached to this memo. The purpose of the Overlay is to establish development standards unique to this area, providing clear direction to developers as to the desired development in the Overlay. The development standards will complement those outlined in Chapter 28 and where the Overlay standards differ from the underlying zoning, the Overlay will supersede the underlying zoning. Also attached is a chart which compares the current zoning standards with the Overlay Zone. Several standards proposed are less restrictive than current code in order to reflect the vision of the Plan. It should be noted that Design Guidelines will also be proposed for the architecture and streetscaping program at a later date, to be reviewed by the Design Commission.

A separate amendment to Sections 5.1-7 and 5.1-7.1 addresses the location of where the R-7 zoning district is permitted. Currently R-7 is permitted adjacent to the downtown.

This amendment would expand the use of R-7 zoning to include “areas within a designated redevelopment area consistent with a redevelopment plan”.

Overlay Zone

The Hickory Kensington Area Plan (Plan) was the primary guide in determining the standards recommended. Staff also reviewed current lot sizes/dimensions, lot ownership, current use of land, and proposed zoning to test the overlay standards for various development scenarios. Past developments for multi family were reviewed to measure building sizes and floor plans to ascertain the viability of each overlay standard. Existing grade elevations were reviewed to determine how heights may be impacted. Attached to this memo is a map which illustrates ownership and lot dimensions in the Overlay. Most of the platted lots are 25’ wide by 135’ deep, although the minimum ownership is two lots or 50’. Therefore the smallest buildings along Hickory are built over two lots, not on individual 25’ lots.

The following summarizes each overlay standard recommended. Staff will also provide at Ordinance Review Committee some visuals for different development scenarios to illustrate these requirements and how they apply to the area.

*Building Height*

Staff is recommending minimum and maximum heights for the R-6, R-7 and B-2 districts in the Overlay Zone. This will assure the Village of a height range for each area consistent with the Plan. R-6 zoning with a height range of 30’ to 40’ is typical of other recent townhouse developments. However it could permit a three flat style development. Four floors could fit into 40’ but the Plan calls for three floors maximum, and the density standards in the R-6 district are restrictive enough to make a four story building unlikely. Also a Planned Unit Development is proposed for all development thus the Village has control over the type and style of development. R-7 is recommended at 35’ to 55’ to accommodate three to five floors, which would allow for townhouse style or apartment or condo style buildings. The B-2 district would call for 40’ to 60’ to establish buildings in the four to five floor range with commercial on the first floor. The maximum is 5’ taller than in the Plan in order to provide more flexibility for the height of the first floor commercial space. There is no height requirement in B-3 and no change is recommended as the Plan recommends one to two floors.

*Floor Area Ratio*

The recommendation for the R-7 district is to increase the FAR from 200% to 250%. In the B-2 district the FAR would be eliminated. The current R-7 FAR is 200%, so assuming the building covers 50% of a site, only a four floor building could be built. This is one floor short of the top limits suggested for R-7 properties. An FAR of 250% would allow for a five floor building. The B-2 FAR is 250% which would allow a five floor building covering 50% of the site, however given the lot dimensions in the proposed B-2 district, this requirement may be too restrictive. Staff is of the opinion that the density, height, and setback requirements of the Overlay are sufficient to guide the development of the B-2 sites consistent with the Plan. The current R-6 and B-3 FAR’s are sufficient for the type of development envisioned therefore no change is recommended.

*Building Lot Coverage*
The R-7 building lot coverage maximum is 45%, which may be too restrictive for the Overlay area. It is recommended that this requirement is increased to 60% to reflect the lot sizes and type of development sought. In addition the setback and density requirements can guide the type of development envisioned. The other districts should remain the same.

*Building Setbacks*
Frontages: Staff recommends that the front yard setback requirements for R-6, R-7, B-2 be eliminated and in lieu of, require a Public Street Frontage setback. This will assure a minimum and maximum setback for buildings in the Overlay consistent with a more "downtown" environment. The minimum and maximum will assure a cohesive street line for the buildings while allowing for some flexibility. The R-6 and R-7 district would require some setback along the street frontages to allow for green space. The B-2 allows for a minimum setback of 0' up to 5' as these buildings contemplate commercial on the first floor. Setback requirements are larger along Kensington (10' to 15') to create a more open feel along that roadway. B-3 (south side of Kensington) would also establish a minimum (10') and maximum (15')setback along Kensington that mirrors the B-2 district which is on the north side of Kensington. This will allow for uniformity of open space on both the north and south sides of Kensington.

Side Yards: Recommended side yards in R-6 and R-7 would be based on 10% of the lot width with a minimum yard of 5' and maximum of 30'. Current code is based on 10% but then adds 1' for each foot of additional height above the height limit for the district. Since a minimum and maximum height is recommended for the Overlay, staff does not think additional side yard setbacks are needed as height increases as that would reduce floor area. Given lot dimensions, adding a foot of setback as height increases could make development in some cases unfeasible if the side yard requirement is too large. In the B-2 district side yards are required if there are windows on either the building proposed or an existing adjacent building. This will assure a 25' setback but also allow buildings in B-2 to abut each other if there are not window openings. Downtown is a good example where some buildings abut to establish a connective line of buildings.

Rear Yards: A 30' rear yard is recommended for R-6, R-7 and B-2. This will assure adequate open space at the rear of buildings given the lot dimensions. B-3 would remain the same which requires a rear yard only if adjacent to residential zoning. In this area that would be zero.

*Minimum Lot Size – Multiple Family*
The current density standards in the R-6 (11 to 17 units per acre), R-7 (48 to 72 units per acre) and B-3 (9 to 12 units per acre) districts are sufficient to allow for the density desired for three, four and five floor buildings. The B-2 district will require a change to allow for more density in order to allow for development in the four to five floor range as

desired in the Plan. B-2 currently allows 9 to 12 units per acre, which is not enough to support a four to five floor building. Therefore the B-2 density standard in the Overlay should mirror the density allowed in the R-7 district.

*Spacing Between Buildings*
Current code in the R-6 and R-7 districts require spacing anywhere from 12' to 50' depending on what rooms are facing each other. It is somewhat of an antiquated zoning requirement. Staff is recommending simplifying the spacing requirement by requiring 10' between buildings irregardless of room type. The 10' standard takes into account the possible development scenarios along Hickory where the narrowest development could be on a 50' development lot. Side yard setback requirements will in some cases require an even larger spacing.

*Parking – Residential*
The recommended parking ratio of the B-2 district is 1.5 per residential unit, which is the same as the R-7 requirement. Given the proximity of the area to downtown and Metra, and based on parking data for other multi family development, a ratio of 1.5 versus 2.0 per unit should be adequate. If a developer desires a higher ratio, than more can be provided. Multi family residential development is trending towards rental housing, which requires less parking than ownership/condo development. Each individual development will need to demonstrate adequate parking.

*Parking Lots: Surface*
In R-6, R-7 and B-2 districts no more than 33% of a development can be allocated to surface parking lots. The reason for this requirement is to assure that development prioritizes actual buildings fronting the streets verses parking lots. The desired streetscape should consist of buildings to establish a sense of place based on living units and not parked cars. Ideally autos will be parked inside or behind the building.

*B-2 First Floor Commercial*
The focus for additional commercial should be along Kensington Road, therefore first floor commercial shall not be required along Campbell Street but remains optional if determined that commercial is feasible.

*Prohibited Uses*
If the rezonings are approved then the R-6 and R-7 districts would allow certain uses not consistent with the Plan such as Single Family Detached; Institution Residential; and assembly type uses such as Day Care Centers, Schools (Elementary, High and College); and Churches, Synagogues, and other places of worship (including lodging). It is recommended that these are prohibited in the Overlay Zone.

*Use of Existing Buildings (currently zoned M-2)*
This provision will allow buildings zoned M-2 on the current zoning map, which are already constructed at the time the Overlay is adopted, to continue to be used for uses permitted in the M-2 district in Section 5.5-1 (Non manufacturing uses). This will allow re-tenanting of existing buildings for uses currently allowed in Section 5.5-1. Otherwise

the properties currently zoned M-2 that are rezoned to R-6, R-7 and B-2 would require a Land Use Variation in order to re-tenant for M-2 uses. This provision does exclude re-tenanting for uses allowed in the M-2 district under Section 5.5-2 (which is the more intensive Processing and Manufacturing Use section).

*Planned Unit Development Requirement*
In order to assure development consistent with the Hickory Kensington Area Plan, a Planned Unit Development should be required. The benefit of the rezoning and Overlay is that the basic zoning standards for this particular area are articulated in the Plan and Overlay. However, there should be oversight via the public hearing process as this important area transitions from manufacturing to mixed use.

*Additional Height Standards*
On page 23 of the Plan, one standard suggested is a floor window sill height and a first floor ceiling height. The purpose of this idea is to establish windows closer to the ground for a more inviting streetscape (rather than a brick wall). However when reviewing current grade elevation differences, it would become difficult to achieve as the grade rises along Hickory from an elevation of 678 at the north end to 682 at the south end. Therefore no standard is recommended.

Location of R-7 District
Also, staff is recommending a text amendment to Chapter 28, Sections 5.1-7 and 5.1-7.1 Location of R-7 Multi Family Districts. This text amendment is necessary in order for property within the Hickory Kensington Area Plan to be rezoned to R-7.

**Ordinance Review Committee**
The Ordinance Review Committee recommended approval of the Overlay Zone and R-7 text amendments at their March 27, 2013 meeting.

**Recommendation**
The Plan Commission recommends approval of the Overlay Zone text amendment and the text amendment to Sections 5.1-7 and 5.1-7.1, Location of the R-7 District, to the Village Board.

C: Bill Dixon, Village Manager
Department Directors

**5.1-23 Overlay Zoning District – Hickory Kensington Area**. The purpose of the overlay district is to implement the goals of the Hickory Kensington Area Plan by establishing development guidelines specific to the redevelopment area. The following conditions of use shall supplement the underlying zoning for the area, but supersede the underlying zoning where different.

5.1-23.1 Conditions of Use:

a. Building Height

| | | |
|---|---|---|
| R-6 | Minimum: | 30' |
| | Maximum: | 40' |
| R-7 | Minimum: | 35' |
| | Maximum: | 55' |
| B-2 | Minimum: | 40' |
| | Maximum: | 60' |

b. Floor Area Ratio

| | |
|---|---|
| R-7 | 250% |
| B-2 | no requirement |

c. Building Lot Coverage

| | |
|---|---|
| R-7 | 60% |

d. Building Setbacks

| Public Street Frontages: | | R-6 | R-7 | B-2 | B-3 |
|---|---|---|---|---|---|
| | Minimum | 10' | 8' | 0' (10' on Kensington) | 10' on Kensington |
| | Maximum | 15' | 10' | 5' (15' on Kensington) | 15' on Kensington |

| | | |
|---|---|---|
| Front: | R-6, R-7, B-2 | No Requirement |
| Side: | R-6 | 10% of lot width (5' minimum, 30' maximum) |
| | R-7 | 10% of lot width (5' minimum, 30' maximum) |
| | B-2 | In the case of walls having window openings there shall be a minimum open space of 25' between buildings. |
| Rear: | R-6 | 30' |
| | R-7 | 30' |
| | B-2 | 30' |

e. Minimum Lot Size - Multiple Family

| | | |
|---|---|---|
| B-2 | 1 BR | 600 sq ft per unit |
| | 2 BR+ | 900 sq ft per unit |

f. Spacing Between Buildings

| | |
|---|---|
| R-6 | 10' |
| R-7 | 10' |

g. Parking - Residential

| | |
|---|---|
| B-2 | 1.5 spaces per unit |

| | | | |
|---|---|---|---|
| h. | Parking Lots: Surface | R-6, R-7 & B-2 | No more than 33% of a development can be allocated to surface parking lots. |

i. B-2: First floor commerical shall not be required fronting Campbell Street

j. Prohibited Uses

Single Family Detached;
Institution, Residential;
Schools, Elementary, High and College (Public and Private);
Churches, Synagogues, and other places of worship (including lodging);
Day Care Centers;

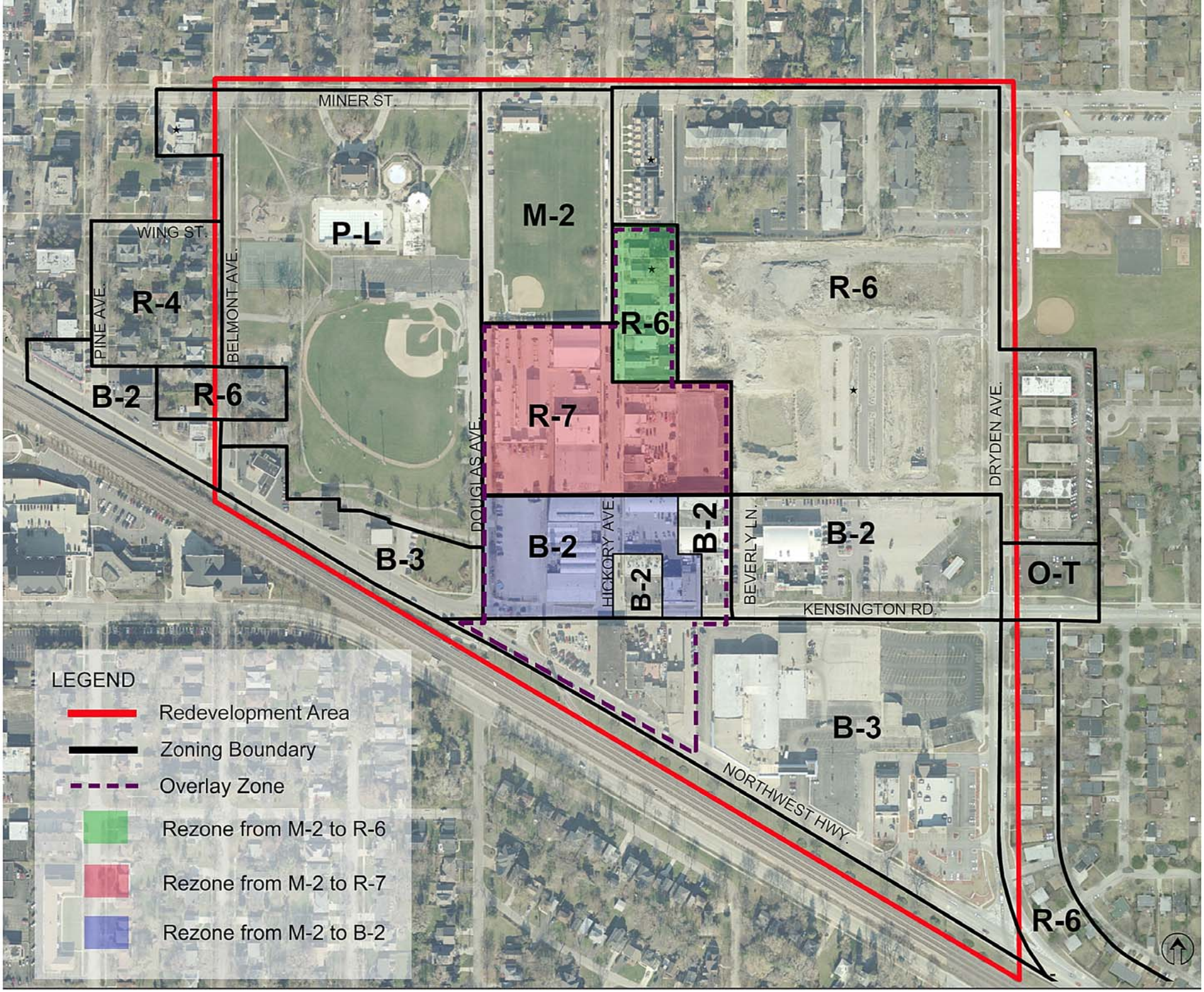
k. Buildings constructed prior to adoption of this Ordinance, in areas zoned M-2 as set forth on the Village's Zoning Map dated January 1, 2013, can be occupied by uses permitted in the M-2 Limited Heavy Manufacturing District as outlined in Section 5.5-1.

l. All development shall be subject to an approved Planned Unit Development consistent with the Hickory/Kensington Area Plan.

Location of R-7 Multi Family Districts

5.1-7 Multiple-Family Dwelling District (R-7). The purpose of the R-7 district is to provide high density multiple family developments which will provide a buffer between the Downtown (B-5) District and the single family neighborhood, reduce transportation needs by locating high density developments close to public transportation facilities and provide a consumer base for the Downtown District area. In addition the purpose of the R-7 district is to stimulate development in areas within a designated redevelopment area consistent with a redevelopment plan.

**5.1-7.1 Location.** All Land within the R-7 zoning district classification, shall be located in the areas adjoining the area designated Downtown District mixed use or areas within a designated redevelopment area consistent with a redevelopment plan and also designated for "High Density Multi-Family" on the Village of Arlington Heights General Comprehensive Plan. All other parcels of land zoned R-7 prior to the adoption of this amendment, but not indicated as "High Density Multi-Family" shall conform to the requirements of the R-6 District, except that the minimum lot area for two or more dwelling units shall be 2,100 square feet per dwelling unit. ~~Not withstanding the provisions of the paragraph, no property which is not presently zoned R-7, but is within "High Density Multi-Family" areas designated on the Village of Arlington Heights General Comprehensive Plan shall be classified R-7 Multiple- Family Dwelling District, except after proper notification, public hearing and approval of the Arlington Heights Village Board, as required by the provisions of this ordinance~~. (See Map on following page.)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PINE AVE.
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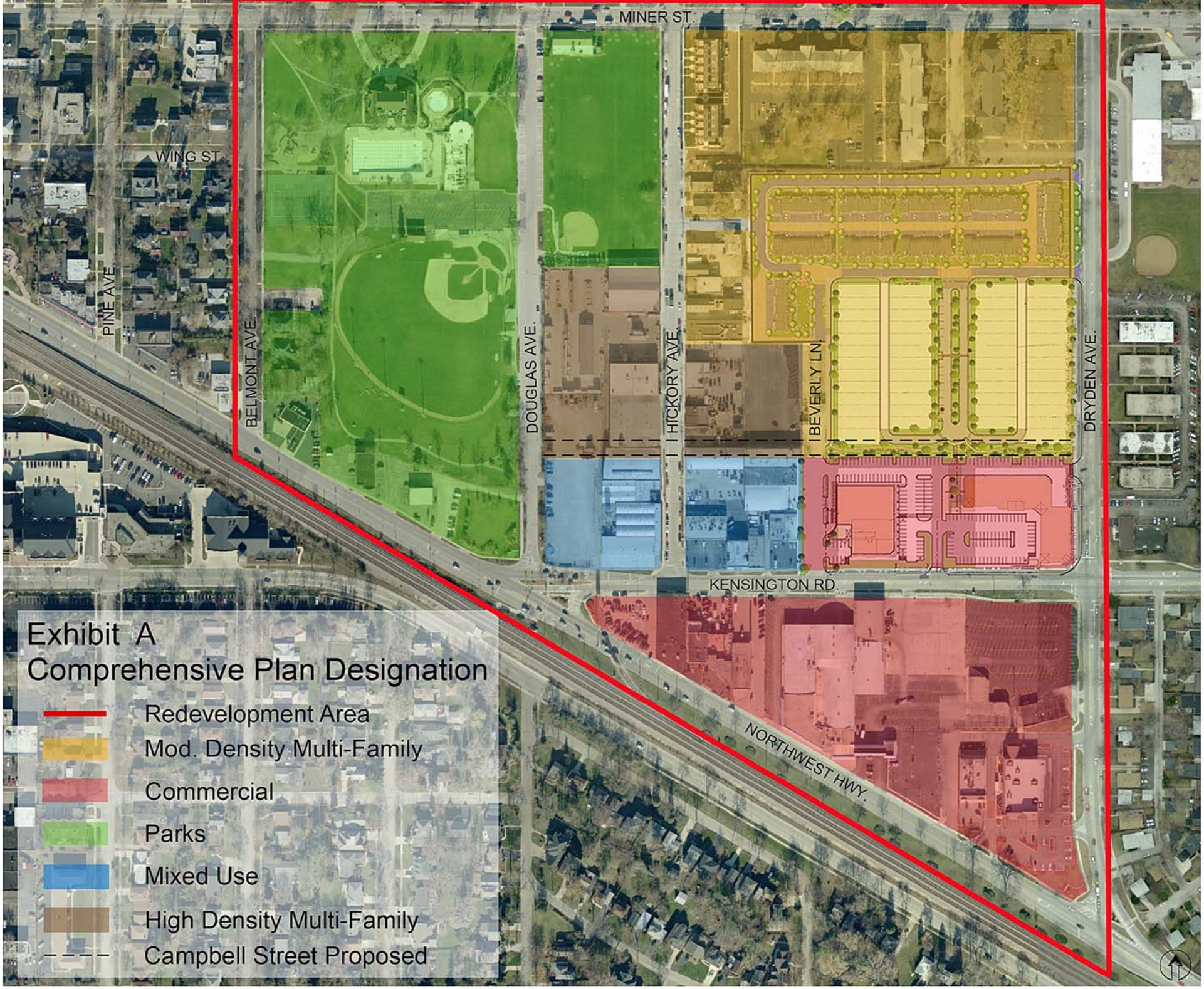
DOUGLAS AVE.
HICKORY AVE.
BEVERLY LN.
DRYDEN AVE.
KENSINGTON RD.
NORTHWEST HWY.
P-L
M-2
R-4
R-6
R-7
B-2
B-3
O-T
LEGEND
Redevelopment Area
Zoning Boundary
Overlay Zone
Rezone from M-2 to R-6
Rezone from M-2 to R-7
Rezone from M-2 to B-2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BELMONT AVE.
DOUGLAS AVE.
HICKORY AVE.
BEVERLY LN.
DRYDEN AVE.
KENSINGTON RD.
NORTHWEST HWY.
Exhibit A
Comprehensive Plan Designation
Redevelopment Area
Mod. Density Multi-Family
Commercial
Parks
Mixed Use
High Density Multi-Family
Campbell Street Proposed