I. CALL TO ORDER

II. APPROVAL OF MINUTES OF: December 2, 2019

III. PUBLIC MEETING

CASE: AC 20-01

APPLICANT: Menard, Inc.
5101 Menard Drive
Eau Claire, WI 54703

LOCATION: 6301 Oakton Street
Morton Grove, IL 60053

PETITION: Request for an Appearance Certificate for site, landscape, building plans, and associated landscape waivers proposed under case PC 20-01, a request for amendment to a Special Use Permit for the expansion of a home improvement center for the property commonly known as 6301 Oakton Street in Morton Grove, Illinois (PIN 10-29-100-001-0000; 10-29-100-020-0000)

IV. OTHER BUSINESS:
None

V. CLOSE MEETING

All interested parties are invited to attend and/or provide comments on the application prior to or at the meeting.
Pursuant to proper notice in accordance with the Open Meetings Act, the regular meeting of the Appearance Commission was called to order at 7:00 pm by Chairperson Pietron, who led the assemblage in the Pledge of Allegiance. Secretary Sopkin called the roll. In attendance were:

Members of the Commission Present:
J. Pietron (Chairperson)
P. Minx
M. Ingram
D. Hedrick
R. Block
D. Manno

Members of the Commission absent:
None

Village Staff and Dignitaries Present:
Z. Heidorn, Land Use Planner – Coordinator/Staff Liaison
W. Grear, Village Trustee

Chp Pietron now announced the first order of business which was the approval of the minutes of the August 5, 2019 meeting.

Cmsr Block moved to approve the August 5, 2019 minutes as presented. The motion was seconded by Cmsr Minx. Secretary Sopkin called the roll. The vote was as follows:

<table>
<thead>
<tr>
<th></th>
<th>Aye</th>
<th>Block</th>
<th>Aye</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ingram</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hedrick</td>
<td>Aye</td>
<td>Manno</td>
<td>Aye</td>
</tr>
<tr>
<td>Minx</td>
<td>Aye</td>
<td>Pietron</td>
<td>Aye</td>
</tr>
</tbody>
</table>

Chp Pietron moved on to the next agenda item, Appearance Case AC 19-09, Menard Amoco Food Mart, 5801 Dempster Street, Represented by Jim Williams, ImageFX Corp, Requesting Waivers to Select Sign Requirements at 5801 Dempster Street per Section 10-10. Jim Williams, ImageFX Corp., was present.

Ms. Heidorn, Staff Liaison, started the presentation with an overview describing the project and the site details. The applicant is proposing removal of the current monument sign and base to be replaced with a completely new sign. She discussed the issue of reduced setback in order to maintain visibility from Dempster Street traffic as well as to preserve on-site parking spaces for the business. The proposal also includes some landscaping. All other elements of the proposal are in compliance. Ms. Heidorn next introduced Mr. Jim Williams, who continued the presentation.

Mr. Williams said this project was within the company’s brand imaging parameters, and that upkeep is also part of this. There would be a 3D structure element with lighting, new pumps, painting inside the building as well as outside, and that the owner’s multiple sites were all kept nice. There is currently a
2’ setback, and that parking is tight already. With a conforming setback, this would be made worse. The new sign is proposed to be farther back from Dempster, but at the same spot down Menard, to offer better visibility for Dempster traffic.

Chp Pietron mentioned the landscaping, asking the applicant to make sure the plantings fit in, replacing some bushes and to soften the site. Mr. Williams said he would present a full landscaping plan to Ms. Heidorn at a later date. Chp Pietron asked about the lighting, if it would be auto-dimming, and Mr. Williams confirmed that it would be. There were no further comments or questions by the Commissioners, but Chp Pietron said that this case would not be used as a precedent for future applications either by this location or any other within the Village. Cmsr Block asked about the timing of the project, and Mr. Williams said this should be completed by the end of the year, with the only exception being weather related, as they would have to pour concrete.

Cmsr Ingram moved to approve Appearance Case AC 19-09, Menard Amoco Food Mart, as presented. The motion was seconded by Cmsr Minx.

Secretary Sopkin called the roll. The vote was as follows:

<table>
<thead>
<tr>
<th></th>
<th>Aye</th>
<th></th>
<th>Aye</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ingram</td>
<td></td>
<td>Block</td>
<td></td>
</tr>
<tr>
<td>Hedrick</td>
<td>Aye</td>
<td>Manno</td>
<td>Aye</td>
</tr>
<tr>
<td>Minx</td>
<td>Aye</td>
<td>Pietron</td>
<td>Aye</td>
</tr>
</tbody>
</table>

Chp Pietron moved on to the next agenda item, Other Business/Public Comment. There was no other business or public comment.

******************

ADJOURNMENT:

There being no further business, Commissioner Minx moved to adjourn the meeting. The motion was seconded by Commissioner Hedrick and approved unanimously pursuant to a voice vote at 7:09 pm.

Stacy Sopkin  
Minutes by: Secretary Sopkin

Minutes were approved on by a voice vote of the Commissioners, with the votes as follows:

<table>
<thead>
<tr>
<th>Commissioner</th>
<th>Vote</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ingram</td>
<td></td>
</tr>
<tr>
<td>Hedrick</td>
<td></td>
</tr>
<tr>
<td>Minx</td>
<td></td>
</tr>
<tr>
<td>Block</td>
<td></td>
</tr>
<tr>
<td>Manno</td>
<td></td>
</tr>
<tr>
<td>Pietron</td>
<td></td>
</tr>
</tbody>
</table>
To: Chairperson Pietron and Members of the Appearance Commission

From: Zoe Heidorn, Land Use Planner

Date: February 25, 2020

Re: Appearance Commission Case AC 20-01: Menard, Inc. – Request for an Appearance Certificate for site, landscape, building plans, and associated landscape waivers proposed under case PC 20-01, a request for amendment to a Special Use Permit for the expansion of a home improvement center for the property commonly known as 6301 Oakton Street in Morton Grove, Illinois (PIN 10-29-100-001-0000; 10-29-100-020-0000)

Project Overview

Menard, Inc., ("Applicant") has filed an application requesting approval of an amendment to a Special Use Permit approved under Ordinances 01-06, 05-08, 13-14, and 18-06. The requested amendment will authorize the expansion of an existing home improvement center. The subject property is zoned in the C1 General Commercial District, is located on the south side of Oakton Street, between Nagle and Lehigh Avenues, and is commonly known as 6301 Oakton Street.

Menard, Inc., is seeking an amendment to an existing Special Use Permit to expand three portions of the existing home improvement center: (1) a 15,070-square-foot expansion of the eastern outdoor warehouse building, (2) an 8,092-square-foot addition of heated storage space to the east of the principal structure, and (3) a 7,103-square foot expansion of the garden center to the west of the principal structure. 50 additional parking spaces will be provided in the parking lot to the west of River Drive to offset the loss of parking area caused by the garden center expansion.
Appearance Commission Responsibility

Per Section 12-16-2:C. of the Unified Development Code, an Appearance Certificate is required for landscaping (Chapter 12-11) and building design (Chapter 12-12) for all exterior modification to commercial development. The Unified Development Code also requires all Special Use applications to be distributed to the Appearance Commission for review (Sec. 12-16-4:A.2).

Comments, suggested changes, and recommended conditions from the Appearance Commission will be forwarded to the Plan Commission as part of the staff report on the proposed amendment to the Special Use Permit. The Plan Commission will hold a public hearing on the proposed amendment on March 16, 2020, and their recommendation will be forwarded to the Village Board for final action in April.

In accordance with the above requirements, the Applicants filed an Appearance Certificate Application to request the Appearance Commission’s approval of site, landscape, and building plans.

Review of the Appearance Commission Application

Building Design

The 7,103-square-foot expansion of the garden center at the northwest corner of the principal structure will have the most significant impact on the appearance of the building from the public right-of-way. The addition is proposed to extend 71.67 feet from the existing west building line. A new outdoor plant storage space will be located west of the garden center addition and be enclosed with a 14-foot-high wrought iron fence with new brick pillars designed to match the existing fencing located along Oakton Street. The Applicant has designed the garden center addition to be consistent with the existing structure. Proposed materials include 4” utility face brick, emerald green accent panels, and clear polycarbonate panels, all of which match existing exterior materials. A comparison of the existing and proposed west elevation, north elevation, and south elevation (garden center addition only) is provided on the following page.
Existing and Proposed North Elevation

Existing and Proposed West Elevation

Existing and Proposed South Elevation (Garden Center Addition)
The new heated special order area measuring 8,092 square feet will barely be visible from public right-of-way, but has also been designed to incorporate the existing emerald green accent panels, as shown in the east elevation of the principal structure provided below.

Proposed elevations are also enclosed for the 15,070-square-foot addition to the accessory storage building located to the northeast of the subject property. The green steel exterior and white roof of the existing storage building will be carried through to the expansion. The accessory warehouse space is largely screened from public view by solid wood screening and landscaping, as shown in the image below. The existing solid wood screening and landscaping will be transplanted 68.67 feet to the east to accommodate a new drive aisle around the accessory structures. The solid wood screening will be extended south to the south lot line.

**Landscape Plan**

The Applicant submitted landscape plans that are incorporated into the overall site plans. The following table compares the proposed landscape plan with the Village’s current landscaping requirements, established in Chapter 12-11 of the Unified Development Code. The landscape plan analysis is limited to the property located east River Drive, as no change is proposed to the property located west of River Drive, which is intended for future redevelopment.

<table>
<thead>
<tr>
<th>LANDSCAPING CONTROL</th>
<th>ORDI NANCE REQU IR EMENT</th>
<th>PROPOSED</th>
<th>COMMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>General Landscaping Requirements</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Percentage Landscaping Requirement (Sec. 12-11-1:B.1)</td>
<td>Commercial: 5% of total site = 38,100 sq. ft.</td>
<td>&gt; 94,500 sq. ft.</td>
<td>Compliant</td>
</tr>
<tr>
<td>Trees in public parkways, areas or rights of way adjacent to private property (Sec. 12-11-1:B.4)</td>
<td>Placement of trees in adjacent public ROW required, with trees spaced not more than forty feet (40') apart</td>
<td><strong>Oakton St.: No placement of trees in adjacent public ROW</strong></td>
<td><strong>Waiver requested</strong></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lehigh Ave.: Existing trees</td>
<td>Compliant</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Kirk St.: Insufficient public ROW for tree plantings</td>
<td>Compliant</td>
</tr>
</tbody>
</table>

**Parking Lot Landscaping Requirements**

<table>
<thead>
<tr>
<th>LANDSCAPING adjacent to public</th>
<th>LANDSCAPING adjacent to public</th>
<th>LANDSCAPING adjacent to public</th>
<th>LANDSCAPING adjacent to public</th>
</tr>
</thead>
<tbody>
<tr>
<td>Landscaping yard at least five feet (5') in width containing a year round dense opaque screen of landscaping three feet</td>
<td>Landscape yard &gt; 5 ft. planted with alpine currant</td>
<td>Compliant</td>
<td></td>
</tr>
<tr>
<td>ROW (Sec. 12-11-3:B.1.a)</td>
<td>(3’) in height, or an earth berm at least three feet (3’) in height</td>
<td>and juniper shrubs, and existing trees</td>
<td></td>
</tr>
<tr>
<td>---------------------------</td>
<td>-----------------------------------------------------------------</td>
<td>-------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Tree planting along adjacent non-residential property (12-11-3:B.2.b)</td>
<td>1 tree per 80 linear ft. of common lot line, or fraction thereof, planted within buffer area = 8 trees required for 593 ft. future common lot line (along River Drive)</td>
<td>18 trees located along River Drive</td>
<td></td>
</tr>
<tr>
<td>Parking lot islands (Sec. 12-11-3:B.2)</td>
<td>40 ft. minimum</td>
<td>Smallest contiguous parking lot planting area approx. 80 sq. ft.</td>
<td></td>
</tr>
<tr>
<td>Internal landscaping as a % of paved parking lot area (Sec. 12-11-3:3.C.2)</td>
<td>7% of paved parking lots over 20,000 sq. ft. Approx. 135,700 sq. ft. of paved parking lot area = 9,500 sq. ft. of required landscaping</td>
<td>Approx. 13,400 sq. ft. (9.0%) of internal landscaping provided</td>
<td></td>
</tr>
<tr>
<td>Parking lot islands (12-11-3:B.3.c.2)</td>
<td>Max. 20 parking stalls in an uninterrupted row</td>
<td>&gt; 20 parking stalls in an uninterrupted row Waiver previously approved under Ord. 01-06</td>
<td></td>
</tr>
<tr>
<td>Parking lot trees (Sec. 12-11-3:B.3.C.2)</td>
<td>1 tree for every 100 sq. ft. of required interior landscaping 10,437 sq. ft. of required landscaping = 95 trees required</td>
<td>54 trees proposed within interior landscaping area Waiver of 41 trees requested</td>
<td></td>
</tr>
</tbody>
</table>

As shown in the table on the previous page, the proposed landscape plan would require waivers to the following sections of the Unified Development Code:

- **Section 12-11-1:B.4** – A waiver to the requirement to plant trees in public parkways, areas, or rights of way adjacent to private property.
- **Section 12-11-3:B.3.C.2** – A waiver of 41 trees to the minimum interior parking lot tree planting requirement to allow 54 trees for 9,500 square feet of required landscaping area.

The original landscape plan included trees planted in the adjacent public right-of-way along Oakton Street. According to aerial imagery records, these trees were planted in accordance with the approved landscape plan, but were removed at some point between 2015 and 2017. Neither the Village’s Public Works staff nor the Applicant have any record of authorizing or conducting the tree removal.

However, the Village is now planning to construct a ten-foot-wide multi-use path within public right-of-way along the south side of Oakton Street, just north of the subject property. The Village worked with Niles and Skokie to obtain $1.76 million in federal funding to assist with the construction of the multijurisdictional path, which will run along the south side of Oakton Street between Caldwell Avenue and Gross Point Road, and the east side of Caldwell between Howard and Oakton. Planting of any trees within the public right-of-way along the south side of Oakton Street would conflict with engineering plans for the proposed path. Menards is cooperating with the Village on construction of the path.

Due to the planned multi-use path, Village staff is supportive of a waiver to the requirement for tree plantings within the adjacent public right-of-way along Oakton Street.

The original landscape plan for the Menards development was approved in 2001 and did not include 1 tree for every 100 square feet of interior landscaping. The requirement did not apply at that time, as the current regulation was not adopted until 2007. The Applicant’s proposed alteration of the parking lot triggers the requirement for 41 additional tree plantings within the parking lot’s interior, as the non-conformity is not protected under Chapter 12-15 “Nonconformities.” However, because Ordinance 01-06 approved a waiver to allow parking bays longer than 20 stalls, few landscape islands were incorporated into the original design. As such, the areas within which trees can be planted in the parking lot interior are limited. The Applicant is requesting approval of the non-conformity and is not proposing to increase the non-conformity. In fact, the three trees that are being removed as a result of the building expansion are proposed to be replanted in nearby landscape areas.
Staff notes that Ordinance 01-06 did require that additional trees, no less than one tree for every 30 linear feet, be planted along the east elevation of the storage area, as shown in the image below. The requirement was above and beyond the Village’s landscape requirements at the time, and serves to offset the lack of trees within the parking lot interior. The required tree and hedges along the fence line are proposed to be removed and transplanted 68.7 feet west.

Overall, no landscaping on the site will be removed as a result of the proposed improvements. Rather, additional landscaping will be provided as a denser arborvitae and cranberrybush hedge is proposed to extend westward to buffer the garden center expansion along the north lot line.

**Appearance Commission Review**

In accordance with Section 12-16-2:C.2, the Appearance Commission is charged with reviewing the exterior elevations, sketches, materials, and exhibits as to whether they are appropriate to or compatible with the character of the immediate neighborhood and whether the submitted plans comply with the provisions of the regulations and standards set forth in Chapter 11 “Landscaping and Trees” and Chapter 12 “Design Standards” of the Unified Development Code. The Design Standards (Sec. 12-12-1:D) established in the Code are as follows:

*D. Criteria and Evaluation Elements: The following factors and characteristics relating to a unit or development and which affect appearance, will govern the appearance review commission’s evaluation of a design submission:*

1. **Evaluation Standards:**
   a. *Property Values:* Where a substantial likelihood exists that a building will depreciate property values of adjacent properties or throughout the community, construction of that building should be barred.
   b. *Inappropriateness:* A building that is obviously incongruous with its surroundings or unsightly and grotesque can be inappropriate in light of the comprehensive plan goal of preserving the character of the municipality.
   c. *Similarity/Dissimilarity:* A builder should avoid excessively similar or excessively dissimilar adjacent buildings.
   d. *Safety:* A building whose design or color might, because of the building’s location, be distracting to vehicular traffic may be deemed a safety hazard.

2. **Design Criteria:**
   a. *Standards:* Appearance standards as set forth in this chapter.
   b. *Logic Of Design:* Generally accepted principles, parameters and criteria of validity in the solution of design problems.
   c. *Architectural Character:* The composite or aggregate of the components of structure, form, materials and functions of a building or group of buildings and other architectural and site composing elements.
   d. *Attractiveness:* The relationship of compositional qualities of commonly accepted design parameters such as scale, mass, volume, texture, color and line, which are pleasing and interesting to the reasonable observer.
   e. *Compatibility:* The characteristics of different uses of activities that permit them to be located near each other in harmony and without conflict. Some elements affecting compatibility include intensity of occupancy as measured by dwelling units per acre; floor area ratio;
pedestrian or vehicular traffic generated; parking required; volume of goods handled; and such environmental effects as noise, vibration, glare, air pollution, erosion, or radiation.

f. Harmony: A quality which produces an aesthetically pleasing whole as in an arrangement of varied architectural and landscape elements.

g. Material Selection: Material selection as it relates to the evaluation standards and ease and feasibility of future maintenance.


The Landscape Design Standards (Sec. 12-16-2:C.2) established in the Code are as follows:

C. Landscape Design Standards:

1. Landscape elements included in these criteria are all forms of planting and vegetation, ground forms, rock groupings, water patterns and all visible construction, except buildings and utilitarian structures.

2. Where natural or existing topographic patterns contribute to beauty and utility of a development, they shall be preserved and enhanced. Modification to topography will be permitted where it contributes to good appearance and does not adversely affect adjacent properties.

3. Grades of walks, parking spaces, terraces and other paved areas shall provide an inviting and stable appearance for walking, and if seating is provided, for sitting.

4. Landscape treatment shall be provided to enhance architectural features, strengthen vistas and important axis.

5. Unity of design shall be achieved by repetition of certain plant varieties and other materials, and by correlation with adjacent developments.

6. Plant material shall be selected for interest in its structure, texture, color and for its ultimate growth. Plants that are indigenous to the area and others that will be hardy, harmonious to the design, and of good appearance shall be used.

7. In areas where general planting will not prosper, other materials such as fences, walls and pavings of wood, brick, stone, gravel and cobbles shall be used. Carefully selected plants as noted on the following lists shall be combined with such materials where possible.

Recommendation

If the Appearance Commission recommends approval of an Appearance Certificate for site, landscape, building plans, and associated landscape waivers proposed under case PC 20-01, a request for amendment to a Special Use Permit for the expansion of a home improvement center for the property commonly known as 6301 Oakton Street in Morton Grove, Illinois, staff recommends the following conditions to that approval:

1. Prior to filing building permit applications, the Owner/Applicant shall provide the Village with any updated elevations for review and approval. Such updated elevations must be deemed to be consistent with the approval elevations, as determined by the Land Use Planner, Village Administrator, and Chairperson of the Appearance Commission. If such designs are deemed to be inconsistent with the approved plans, then the Owner/Applicant will be required to file an application for an amendment to their Appearance Certificate and/or Special Use application.

2. Prior to filing building permit applications, the Owner/Applicant shall provide the Village with any and all final material specifications and samples for review and approval by the Land Use Planner, Village Administrator, and Chairperson of the Appearance Commission. If such materials are deemed to be inconsistent and/or of a lower quality than the approved materials, the Owner/Applicants will be required to file an application for an amendment to their Appearance Certificate and/or Special Use application.