

**Questions for Village President and Director of Community Development
From the League of Women Voters of Wilmette
PUD Process & American Legion Property
March 9th, 2016**

1. What is the current zoning for the American Legion property and what are the implications of that zoning in terms of permitted or not permitted uses?

The zoning of the property at 1925 Wilmette Avenue is NR, Neighborhood Retail. A table showing the permitted and special uses in the NR district is attached. Please note if a use is not listed as either a permitted or special use, it is not permitted in the NR district.

VILLAGE OF WILMETTE, ILLINOIS TABLE 9-1: COMMERCIAL ZONING DISTRICTS PERMITTED & SPECIAL USES P = Permitted Use // S = Special Use						
USE	DISTRICT					USE STANDARDS
	NR	NR-1	GC-1	GC-2	OR	
RESIDENTIAL USES						
<i>Dwelling, Above the Ground Floor</i>	P	<i>P</i>	<i>P</i>			<i>Sec. 12.3.G</i>
<i>Residential Care Facility</i>	S					<i>Sec. 12.3.V</i>
INSTITUTIONAL USES						
<i>Cultural Facility</i>	S	<i>S</i>	<i>S</i>			<i>Sec. 12.3.C</i>
<i>Day Care Center, Adult or Child</i>	S	<i>S</i>	<i>S</i>		<i>S</i>	<i>Sec. 12.3.D</i>
<i>Educational Facility, Vocational</i>	S	<i>S</i>	<i>P</i>	<i>S</i>	<i>S</i>	<i>Sec. 12.3.I</i>
<i>Government Facility</i>	P	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	
<i>Park/Playground</i>	P	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	
<i>Place of Worship</i>	S	<i>S</i>	<i>S</i>			<i>Sec. 12.3.U</i>
<i>Public Safety Facility</i>	S	<i>S</i>	<i>S</i>	<i>S</i>	<i>S</i>	
<i>Public Works Facility</i>				<i>S</i>		
<i>Recreation Center</i>	S	<i>S</i>	<i>S</i>	<i>S</i>	<i>S</i>	
<i>Social Club or Lodge</i>	S	<i>S</i>	<i>S</i>			<i>Sec. 12.3.X</i>
COMMERCIAL USES						
<i>Animal Hospital</i>	S	<i>S</i>	<i>P</i>			
<i>Art Gallery</i>	P	<i>P</i>	<i>P</i>			
<i>Art Studio</i>	P	<i>P</i>	<i>P</i>			
<i>Broadcasting Studio</i>			<i>S</i>	<i>S</i>		
<i>Brew Pub</i>	S	<i>S</i>	<i>S</i>			

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USE	DISTRICT					USE STANDARDS
	NR	NR-1	GC-1	GC-2	OR	
Car Wash				S		Sec. 12.3.B
Convenience Mart	S	S	S			
Craft Brewery/Distillery	S	S	S			
Drive-Through Facility	S		S			Sec. 12.3.F
Financial Institution	P	P	P		P	
Garden Center				S		
Gas Station			S	S		Sec. 12.3.J
Health Club	S	S	S			
Heavy Retail, Rental and Service				S		
Hotel/Motel					S	
Indoor Amusement Facility	S	S	S			
Kennel				S		Sec. 12.3.M
Live Performance Venue	S	S	S			
Manufacturing, General				S		
Medical/Dental Clinic, Small	P	P	P		P	
Medical/Dental Clinic, Large	S	S	P		P	
Medical Cannabis Cultivation Center				S		
Medical Cannabis Dispensing Organization			S			
Motor Vehicle Dealership			S	S		Sec. 12.3.N
Motor Vehicle Operations Facility				S		
Motor Vehicle Rental Establishment			S	S		Sec. 12.3.N
Motor Vehicle Service and Repair, Minor	S	S	S	S		Sec. 12.3.P
Motor Vehicle Service and Repair, Major				S		Sec. 12.3.P
Office, Above the Ground Floor	P	P	P		P	
Office, Less than ten percent (10%) linear street frontage of the district (1)	P	P	P		P	

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TABLE 9-1: COMMERCIAL ZONING DISTRICTS PERMITTED & SPECIAL USES

P = Permitted Use // S = Special Use

USE	DISTRICT					USE STANDARDS
	NR	NR-1	GC-1	GC-2	OR	
Office, ten percent (10%) or greater of linear street frontage of the district (2)	S	S	P		P	
Outdoor Dining	P	P	P			Sec. 12.3.S
Outdoor Storage				S		Sec. 12.3.T
Pawn Shop	S	S	S	S		
Personal Services Establishment	P	P	P			
Pet Day Care Facility	S	S	S			Sec. 12.3.M
Printing and Photocopying Establishment	S	S	S			
Research and Development Facility				S	S	
Restaurant, Carry-Out/Delivery	S	S	S			Sec. 12.3.W
Restaurant, Full Service	P	P	P			
Restaurant, Limited Service	S	S	S			
Restaurant, Specialty	P	P	P			
Retail Goods Establishment	P	P	P			
Twenty-Four Hour Business Use	S	S	S	S	S	Sec. 12.3.Y
Warehouse/Distribution				S		
OTHER						
Car-Sharing Spaces (Accessory Use)	P	P	P	P	P	Sec. 12.3.B
Parking Lot (Principal Use)	S	S	S			Sec. 12.3.R
Parking Structure (Principal Use)	S	S	S			Sec. 12.3.R
Planned Unit Development	S	S	S	S	S	Article 6
Utility	S	S	S	S	S	Sec. 12.3.Z
Wind Turbines	S	S	S	S	S	Sec. 13.4.Y
Wireless Telecommunications Equipment	S	S	S	S	S	Sec. 12.3.AA

NOTES

(1) Offices located at grade or up to eight (8) feet above or below grade, which occupy less than ten percent (10%) of frontage in the district where it is located.

(2) Offices located at grade or up to eight (8) feet above or below grade, which occupy ten percent (10%) or more of frontage in the district where it is located.

2. What is a Planned Unit Development (PUD)?

A PUD is a regulatory process that allows more flexibility in the development of land than the typical zoning process. In Wilmette the PUD process combines the Zoning Board of Appeals (variation and special use), Plan Commission (subdivision, consolidation and rezoning) and Appearance Review Commission (appearance certificate, sign and landscape variations) into one process. A PUD is heard by the Plan Commission as a Special Use with approval resting with the Village Board. For relief to be granted in the PUD process, some form of public benefit is typically required.

While the complete PUD process can be found in Chapter 6 of the Village of Wilmette Zoning Ordinance, the purpose section is provided below

6.1 PURPOSE

The purpose of these planned unit development regulations is to:

- A. Encourage flexibility in the development of land and in the design of structures.*
- B. Encourage planned diversification in the location of structures.*
- C. Encourage a creative approach to the use of land that results in better development and design than might otherwise be accomplished under the strict application of other Articles of this Ordinance.*
- D. Provide for the efficient use of land to facilitate a more effective arrangement of land uses, buildings, circulation systems and utilities.*
- E. Provide for more usable and suitably located open space and recreation areas than might otherwise be provided under the application of other Articles of this Ordinance.*
- F. Encourage the construction of appropriate amenities which will enhance the character of the site.*
- G. Guarantee quality construction commensurate with other developments within the community, and compatible with the character of the surrounding area and adjoining properties.*

H. Provide an efficient application procedure that is sensitive to the need for expeditious development review.

3. When was the PUD process added to the Wilmette code and why?

The PUD regulations were first adopted in the mid-90s. At that time there was a development built by right that members of the community felt could have been done better. The PUD regulations were seen as a way to bring about better development. To encourage the use of the PUD process, the pre-2014 PUD regulations required any development containing greater than 20,000 square feet of gross floor area to be developed under the PUD process if the development required zoning or subdivision approval. In addition, the height limit in the Village Center district was lowered from 4 stories by right to 3 stories, thus requiring a variation or PUD special use to be granted for a 4 story building.

4. What are the advantages and disadvantages of using a PUD?

The flexibility offered by the PUD process and the potential for a better development than by right zoning are two potential advantages of the PUD process. The flexibility offered by the PUD process can also be seen as a negative depending on one's feelings about a particular development. Also, because the PUD process doesn't follow the normal zoning process, it can be difficult for the public to understand the process.

5. What is the process/timeline the project has to follow under a PUD? What boards/commissions have to sign off in what order and who gets to decide what?

The process includes a pre-application meeting with staff, a preliminary PUD meeting with the Plan Commission, a preliminary PUD meeting with the Village Board and a final meeting with the Village Board. It is at the preliminary meeting at which the Plan Commission will take public testimony, deliberate and formulate a recommendation to the Village Board. If the Village Board grants preliminary PUD approval, final approval is largely ministerial in nature.

6. At what junctures in the process can members of the public provide input?

It is at the preliminary Plan Commission meeting where the applicant and public will provide testimony to be considered by the Plan Commission when formulating their recommendation to the Village Board. The Preliminary PUD Plan Commission meeting is where findings of fact are developed. Public testimony is also accepted at the preliminary and final PUD Village Board meetings.

7. Does the developer have a choice about whether or not to use a PUD? What are the potential advantages and disadvantages for a developer?

Yes. If a development requires multiple variations, one advantage may be that the PUD standards do not require a hardship or practical difficulty to be proven for the relief to be granted. However, for relief to be granted the applicant would need to demonstrate that enough public benefit will be provided by the development and that all the other PUD standards have been met.

8. Does the Village have a say in whether or not a developer applies under a PUD? What are the potential advantages and disadvantages for the Village?

The Village cannot require a developer to apply under a PUD.

9. What is the history of PUD use in Wilmette? What have we learned from our experiences with PUDs?

The PUD process has been used five (5) times in the village. Three (3) of the requests were for development at 611 Green Bay Road, with two (2) of those requests being granted. The other two requests were for the hotel at 3205 Old Glenview Road, which was approved, and a mixed use building at 171 Green Bay Road, which was not approved. One lesson we have learned is the need to disseminate information about proposed PUDs in a timely fashion so that the public does not feel a PUD request is being rushed through the approval process.

10. Does using a PUD have any implications for the zoning or permitted uses of the property?

The rezoning of a property can be requested under the PUD process and a use not permitted in the underlying zoning district can be approved as part of the PUD process.

11. How best can members of the public become informed about a PUD proposal and where it is in the process?

The local papers have been very good about reporting on PUDs in the Village. In addition, the Village has started to post all PUD applications online at www.wilmette.com.

12. What are the developer's private property rights during this process?

The developer does not secure any additional property rights until after preliminary approval has been granted and those rights are considered vested after final approval is granted by the Village Board.

13. Who sets income levels for affordable housing? What are the income guidelines for various family sizes to qualify to live in an affordable housing development?

Under the Affordable Housing Planning and Appeals Act defines units that qualify as being affordable as 60% of the HUD's Median Family Income (HAMFI) for rentals and 80% of HAMFI for owner occupied units. That said, the Village can determine its own definition of affordable.

The latest HUD income limits for the Chicago area are attached.

	PROGRAM	1 PERSON	2 PERSON	3 PERSON	4 PERSON	5 PERSON	6 PERSON	7 PERSON	8 PERSON
Chicago-Joliet-Naperville, IL HMFA									
FY 2015 MFI: 76000	EXTR LOW INCOME	\$16,000	\$18,250	\$20,550	\$24,250	\$28,410	\$32,570	\$36,730	\$40,890
	VERY LOW INCOME	\$26,600	\$30,400	\$34,200	\$38,000	\$41,050	\$44,100	\$47,150	\$50,200
	LOW-INCOME	\$42,600	\$48,650	\$54,750	\$60,800	\$65,700	\$70,550	\$75,400	\$80,300