



VILLAGE OF HOFFMAN ESTATES PLANNING AND ZONING COMMISSION INFORMATIONAL ITEM

PROJECT NAME: Zoning/Development Code Update – Consultant Kick off Meeting
PZC MEETING DATE: December 21, 2022
STAFF ASSIGNED: Phil Green, AICP - Transportation & Long Range Planner

Introduction

At their regular meeting on December 21, 2022, the Planning & Zoning Commission will be participating in a kick off meeting with the consultants contracted to update the Village's Zoning & Development codes, Teska Associates and Ancel Glink. The intent of the session is to review the project purpose and process with the Commission, and gather Commissioner input on the current zoning process. This input will be gathered in the form of a case study site plan review.

RFP & Proposal Review

Commissioners have previously been provided with an overview of the project by staff at their August 17th meeting. For review ahead of the consultant meeting, staff is providing the Request for Proposals ("RFP") that was issued to solicit interest from qualified firms, as well as Teska's proposal that was ultimately selected and approved by the Village Board. The consultant team requests that the Commission review these materials in preparation for the meeting.

The Consultants

As previously discussed, the Village selected the team of Teska Associates and Ancel Glink to serve as the project team for this zoning code update. Teska is a planning firm, and serve as lead consultants, with responsibility for overall project management and public engagement tasks. Ancel Glink is a law firm with specialty in municipal law and zoning, and will serve as legal advisor on the project in addition to assessing and drafting elements of the new code.

Team Members

Michael Blue, FAICP, Principal – Teska Associates
Andrew Dunham, Associate Planner – Teska Associates
David Silverman, AICP – Partner, Ancel Glink
Dan Bolin, Partner – Ancel Glink

Next Steps

The team will take the feedback from the Planning & Zoning Commission, along with other data gathering efforts, and prepare an Existing Conditions Memo. The team will present the findings of this memo at a public open house, to be held at a future meeting of the Planning & Zoning Commission (expected in Q1 2023).

Attachments

A: Zoning & Development Code Update RFP
B: Team Teska Proposal



Village of Hoffman Estates

REQUEST FOR PROPOSALS

Zoning and Development
Code Update

Issue Date: June 1, 2022

Submittals Due: July 8, 2022 at 4:00 p.m. CST

Contact: Phil Green, Transportation & Long-Range Planner

E: Phil.Green@hoffmanestates.org

P: 847-252-5801



Village of Hoffman Estates
Request for Proposals - Zoning and Development Code Update

Table of Contents

Introduction3
Background & Project Description3
Project Goals4
About the Village4
Scope of Services5
 Project Kick-Off5
 Review Existing Conditions5
 Develop Preliminary Recommendations Memorandum6
 Draft Code Changes.....6
 Final Code and Ordinance Adoption7
Implementation7
Timeline7
Budget.....7
Submittal Requirements.....7
Terms and Conditions8
Questions.....8



Village of Hoffman Estates
Request for Proposals - Zoning and Development Code Update

Introduction

The Village of Hoffman Estates (the “Village”) is soliciting proposals from qualified professional planning and urban design consultants, firms, and individuals (the “Consultant”) to collaboratively review and update [Chapter 9](#) of the Village Code (the Zoning Code) and, as appropriate, [Chapter 10](#) (the Subdivision Code).

The update will include a general modernization of the Zoning Code to provide clarity, improve overall functionality and achieve greater sensitivity to the fabric and character of the Village. The update will focus on portions of the Zoning and Subdivision Codes that are either deficient, outdated, overly complex, inconsistent with state and federal requirements, or that otherwise unnecessarily inhibit development in a manner cohesive with the Village’s vision and adopted plans. The update will include both major and minor editing of the existing code language as well as original authoring of new provisions.

The Village has Planning staff that will work with the selected Consultant throughout the project to support an efficient process and delivery.

Background & Project Description

Like many communities, the Village’s development codes have aged without a significant comprehensive update, and have become increasingly unfit for purpose. Numerous issues render the code difficult to interpret for residents, developers, and staff alike. These include, but are not limited to:

- Inconsistent and/or missing definitions.
- Regulations that exist only within definitions and nowhere else within the Code.
- Long and inconsistent lists of permitted and special uses across zoning districts.
- Outdated and obsolete land uses and other terminology. There is no mechanism for easily addressing ‘new’ or undefined uses (particularly businesses) that are proposed over time.
- A lengthy, complicated “Sign Code” that can be difficult to understand, as well as somewhat inflexible for development.
- A text-heavy, reader-unfriendly publication.
- The need for semi-frequent residential variations, specifically as it relates to accessory structures.
- There is no mechanism for minor variations at a staff level.
- A history of single purpose amendments that have created inconsistencies throughout the code.

The Village seeks the services of the selected Consultant to review the existing Code and develop improvements based on the needs of the community, as well as best practice. The selected Consultant should also work with the Village to preserve and enhance those existing features and functions of the Code that work well, including:

- Flexible and predictable review processes to spur economic development (although this is not clear from a first read of the Code).
- The use of “guidelines” rather than prescribed “minimums” where appropriate, such as the provision of off-street parking.

The existing code is hosted online for review at:

https://library.municode.com/il/hoffman_estates/codes/code_of_ordinances?nodeId=CH9ZOCO

Visit www.hoffmanestates.org/ZoningRFP for useful links and documents related to the RFP.



Village of Hoffman Estates
Request for Proposals - Zoning and Development Code Update

Project Goals

The overarching, high-level goals of the project are as follows:

- ④ Create an easy-to-read Code for all users – residents, staff, developers, elected and appointed Village Officials. It is anticipated that the new Zoning Code will include easy-to-understand graphical depictions of requirements and regulations (e.g., definitions, sight distance triangles, signage allowances) that will assist in attracting and encouraging investment within Hoffman Estates.
- ④ Development standards that facilitate and encourage redevelopment and business reinvestment within existing commercial corridors. The completed code should promote economic development through zoning for a mix of uses that are contemporary in nature, and clearly defined. Non-conformities for existing valued businesses should be avoided where possible.
- ④ Flexibility is key in a mostly built out environment. The code should encourage quality development and re-development, and allow for context-sensitive approaches to requirements such as parking and landscaping without cumbersome variation processes.
- ④ The code should be responsive to recommendations **beyond** the [Village's Comprehensive Plan](#) (adopted in 2007), and instead focus on the implementation of recommendations from the Village's more recent sub-area planning efforts. These include:
 - The [Western Area Plan](#) (adopted 2021).
 - The [Barrington Road & I-90 Sub Area Plan](#) (adopted 2021).
- ④ The business community within the Village wants development that assists in workforce attraction and retention. Interviews with the development community have shown a desire for new housing and amenities for employees, and good access to public transportation. Although a Zoning Code alone cannot create this, the new code should be sensitive to these needs, and encourage this kind of development. The Village is in the process of adopting an Economic Development Strategic Plan. A draft of this will be available for review by the selected Consultant so that the code may support the objectives of this plan. Summaries of the public input received through this effort are included for reference:
 - [Key Stakeholder Engagement Findings](#)
 - [Focus Group Session Summary](#)
 - [Public Input Survey Data](#)

About the Village

The Village of Hoffman Estates was incorporated in 1959 mainly as a bedroom community to Chicago. Beginning in 1961, the first land north of the tollway was annexed to the Village of Hoffman Estates. Some 2,000 acres were annexed by 1962, including the areas that are now Winston Knolls, Westbury and the Paul Douglas Forest Preserve. The annexations more than doubled the incorporated land area.

Various small office buildings were built by 1980, followed by major complexes such as Northwest Corporate Centre, Barrington Pointe, and the Greenspoint Business Park. Ameritech's 1.2 million square foot regional headquarters opened in 1991. The Sears, Roebuck and Co. moved into a 1.9 million square foot headquarters in 1992. The Prairie Stone Business Park was developed with some 800 acres slated for office, research and high-tech industrial uses in the 1990's. In the early 2000's, Prairie Stone diversified with the addition of destination retail and entertainment uses, such as Cabela's, Main Event, and a 10,000-seat indoor Arena.

The late 1980s and early 1990s saw a shift from a primarily residential community with the development of numerous commercial projects. Suburban Medical Center (renamed St. Alexius Medical Center in 1986) was opened in 1979.



Village of Hoffman Estates
Request for Proposals - Zoning and Development Code Update

Along with several retail centers, the Village's first auto dealership, Woodfield Acura, opened in late 1986; subsequently several other dealerships have opened. The Village's future growth is developing along the western boundary with some 900 acres of vacant land slated for a mixture of office, research, high-tech, industrial, and residential uses. Many properties elsewhere in the community are ripe for redevelopment or infill projects. In the early 2000's, construction began on almost 1,000 new single family housing units in the western area of the Village, south of I-90.

Today, the Village's estimated population exceeds 50,000, with a total incorporated land area of about 22 square miles. School District 54, which began with one school in 1952, is now the largest elementary school district in the State of Illinois (outside of the City of Chicago). Other school districts serving Hoffman Estates residents include Districts 46, 15, 211, U-46 and 300.

More recently, the Village has been home to numerous corporate headquarters redevelopments and unique, large-scale development. This includes Bell Works Chicagoland, which transformed the former AT&T headquarters into a 1.65 million square foot office/retail/residential mixed use "metroburbs" development. From a transportation perspective, construction of a full interchange at Barrington Road and I-90 was completed in 2018. Concurrently, Pace Suburban Bus constructed a major suburban transit station at this intersection with a pedestrian overpass over I-90 linking the north and south inline Tollway express bus service, which is served by a park-n-ride lot, kiss-n-ride drop off facility, and extensive multi-purpose paths connecting the adjacent area. In 2021 the Village adopted two sub-area plans, one of which focuses on the transit-oriented opportunities presented by these developments, while the other focuses on the business development opportunities in the western area of the Village, north of I-90. Home to the 50/90 entertainment district (including the Village-owned NOW Arena), the western area of the Village provides key opportunities for recreational opportunities, mixed-use development and business growth.

Current development trends include planning and development of much needed modern multi-family projects, large scale modern industrial development (including data centers), as well as continued small-scale retail development.

Scope of Services

The selected Consultant will work primarily with Village Planning Division Staff, who will provide background information and work closely with the consultant on deliverable reviews, provide guidance on the process, and help coordinate interaction with the Village of Hoffman Estates Village Board, Planning, Building & Zoning Committee, and the Planning & Zoning Commission. The consultant is encouraged to produce deliverables that best fit the project itself, and the particular needs of the Village. Respondents should clearly identify and fully describe their proposed deliverables in their submittals, and should clearly tie these deliverables to the project activities described below:

Project Kick-Off:

The selected Consultant should expect a project kick-off meeting with Village staff to discuss and refine the scope, process, communication methods and expectations during the project. At this meeting the Consultant will be provided with a document detailing Village staff's experiences and issues with the existing Code, as well as required edits that staff have already identified.

Review Existing Conditions:

The Consultant should propose an approach to understanding existing conditions within the community. The existing conditions review should include, at a minimum, a thorough review of plans, ordinances and other documents that the Village shall provide to the selected Consultant. An analysis of bulk regulations may also be necessary. Additionally, the Consultant should work with planning staff to identify "pain points" in bringing forward development, such as repeated requests for relief from Code requirements.



Village of Hoffman Estates
Request for Proposals - Zoning and Development Code Update

The Consultant should review the stakeholder feedback recently obtained through meetings and surveys conducted as part of the Economic Development Strategic Plan process. If it is determined that additional stakeholder feedback is necessary to aid in identifying key issues to be addressed, the Consultant should propose an approach to obtaining additional feedback.

Develop Preliminary Recommendations Memorandum:

Before drafting the zoning, sign, and subdivision codes, the consultant should develop and present a memo, or equivalent document, describing their major preliminary recommendations and proposed framework or outline for the ordinances. This deliverable should also summarize the analysis and findings of the existing conditions review to provide a basis for the preliminary recommendations and describe the consultant's proposed approach to revising the existing codes.

The development of this memo should be an iterative process, with Village staff available to answer questions and provide input throughout its development before the review of a draft.

Specific questions the Village would hope to be answered within this memorandum are:

- ④ The Village does not currently have a formal Planned Unit Development process. Should the Village consider a PUD (or similar) process?
- ④ Should the Village's existing zoning districts continue to be used with modifications, or should new zoning districts be created?
- ④ Would a Unified Development Ordinance be suitable for the Village's needs?
- ④ The Village's Barrington Road & I-90 Sub Area Plan recommended a form-based overlay for that area. Is that still the most appropriate way to guide development in that area? Should the Village implement a form-based code throughout the Village?
- ④ Given the land use framework recommendation as outlined in the Western Area Plan, should a new zoning district or form-based overlay for portions of this area be considered?
- ④ The current code structure has a vast majority of development standards within the Subdivision Code (Chapter 10), including site design, parking, landscaping, and other regulations. Should this structure remain? What is the best relationship between the Zoning Code and development standards in the Subdivision Code?

Draft Code Changes:

The Consultant should submit drafts of the code that reflects the key focus areas uncovered during the production of the preliminary recommendations memorandum, and the feedback received on said memorandum.

The Village's preference is that the modified code sections are delivered in a "chapter-by-chapter" approach for staff review, rather than one single draft at the end of the Consultant's process. The Village's planning staff will provide feedback on each draft submitted.

The new codes should use clear and concise language, and be organized to encourage the document's accessibility to a wide range of audiences, and utilize graphics and tables wherever possible to illustrate concepts. The new codes must reflect current legal standards and conform to recent Supreme Court decisions and/or changes to state laws. The consultant should carefully keep track of significant points of departure from the existing regulations to ensure clarity and transparency.

Once this iterative process is complete, the Consultant should be prepared to present the draft for feedback at a public meeting of the Village's Planning & Zoning Commission.



Village of Hoffman Estates
Request for Proposals - Zoning and Development Code Update

Final Code and Ordinance Adoption:

The Consultant should prepare a final code document (using the Village’s standard Ordinance from) based on the feedback and comments received on the draft codes. Consultants should assume between two to four public meetings as part of the formal adoption process, including a public hearing before the Planning & Zoning Commission and a public meeting at the Planning, Building & Zoning Committee of the Village Board.

The final codes and approving Ordinance should be provided to the Village in both Word and PDF formats; all illustrations, maps, and graphics contained therein should also be provided in electronic, editable formats. The Village Code is hosted via MuniCode. All provided deliverables should be compatible with this platform.

Implementation

The consultant will have the responsibility to ensure that Village staff is comfortable with the content of the new codes and able to properly implement new regulatory procedures; this could be achieved through a workshop, training, or other type of orientation. Consultants should indicate whether this process will take place during drafting and refining of the codes or after Ordinance adoption.

Timeline

| Event | Date |
|--|---------------------------|
| RFP Distribution | June 1, 2022 |
| Questions Deadline | June 14, 2022 |
| Proposal Deadline | July 8, 2022 by 4:00 p.m. |
| Interviews with Shortlisted Respondents | mid-July 2022 |
| Execute Contract Agreement/Project Start | August 2022 |

Budget

Consultants should provide a total cost to complete the project, including hourly rates and estimated number of hours to complete the project, including any sub-consultants. The proposed budget will be just one of several factors the Village considers when reviewing proposals.

Submittal Requirements

Proposals should be submitted electronically in PDF format **only**. Proposals should be submitted to the project manager at phil.green@hoffmanestates.org no later than 4:00 p.m. (CST) on Friday, July 8, 2022. The email shall contain the subject line “Proposal for the Zoning and Development Code Update.” Proposals should include, at a minimum, the following:

1. Qualifications of the Firm

A Statement of Qualifications, including resume of personnel proposed for assignment to this engagement; the name of the primary person for this work; a list of previous clients; and a description of how the firm will assure quality of staff skills and work product. In addition, provide a summary of relevant experience as it pertains to economic feasibility and development planning in mature communities.

Submittal of a sample copy of pertinent previous work which is related to this assignment is highly encouraged.



Village of Hoffman Estates
Request for Proposals - Zoning and Development Code Update

2. Approach to Engagement and Proposed Work Program

An outline of the proposed work program including description of approach to the assignment tasks; the proposed steps or actions to be taken in the development of the work; and anticipated timelines for work components and assignment completion. It is of most importance to the Village that the proposed timeline is achievable. The Village desires a high quality final product, and the proposed timelines should be realistic about how much time that will take to achieve. The Consultant should have sufficient capacity to meet their proposed schedule. In addition, please provide an estimate of time needed regarding Village staff and the recommending bodies' role in the Consultant's work.

3. Cost

An engagement proposal with an all-inclusive not-to-exceed cost estimate for completion of the assignment and the work program proposed (such a figure to include all estimated out of pocket costs) and a listing by category of all anticipated out of pocket expenses. In addition, hourly rates for additional work, services or meetings that may be deemed necessary at a later date should be included as part of the proposal.

Terms and Conditions

The Village reserves the right, in its sole discretion, to (a) waive any technicalities or irregularities in any proposal, (b) accept the proposal it considers most favorable to the Village, (c) reject any and all proposals, (d) seek new proposals, and (e) change dates.

The Village may seek clarifications from a respondent at any time, and failure to respond promptly may be cause for rejection. The Village may choose to interview respondents prior to awarding a contract to a Consultant. All respondents' costs in responding to the RFP, including, without limitation, attending any interviews, are solely the responsibility of the respondents. The Village reserves the right to interview only those respondents that the Village finds, in its sole discretion, to be best qualified for the project, and to negotiate with one or more respondents to establish contract terms and adjustments to the scope acceptable to the Village.

The final agreement with the successful Consultant(s) shall contain additional standard insurance and indemnification requirements that are utilized in Village professional services agreements, including but not limited to provisions related to additional insured endorsements, notice of cancellation, and proof of coverage.

Questions

All questions must be submitted via email to phil.green@hoffmanestates.org by **June 14, 2022**. Answers will be posted in the form of an addendum with the RFP documents at www.hoffmanestates.org/ZoningRFP on or before **June 17, 2022**.



VILLAGE OF HOFFMAN ESTATES ZONING & DEVELOPMENT CODE UPDATE
TESKA TEAM PROPOSAL

July 8, 2022



Ancel
Glink

HOFFMAN ESTATES ZONING & DEVELOPMENT CODE UPDATE

TESKA TEAM PROPOSAL

| | |
|--|---------|
| SECTION 1: QUALIFICATIONS OF THE FIRMS | PAGE 01 |
| SECTION 2: APPROACH TO ENGAGEMENT AND PROPOSED WORK PROGRAM | PAGE 25 |
| 2.1 Approach | page 25 |
| 2.2 Work Program | page 32 |
| 2.3 Anticipated Timeline | page 34 |
| SECTION 3: COST | page 35 |
| APPENDIX | page 36 |
| <i>"Development Review as Economic Development" - Article by Michael Blue of Teska</i> | page 37 |
| <i>Zoning Information Sheets created by Teska for the City of Champaign, IL</i> | page 44 |
| <i>"Drafting Defensible Regulations" - Article by David Silverman of Ancel Glink</i> | page 48 |
| <i>Ancel Glink Land Use Practice</i> | page 51 |



July 8, 2022

Mr. Phil Green, Transportation and Long Range Planner
Development Services Department
Village of Hoffman Estates
1900 Hassell Road
Hoffman Estates, IL 60169

RE: Proposal for Village Zoning and Development Code Update

Dear Mr. Green,

Hoffman Estate's history provides insight into the challenge in updating its zoning and development codes. As the RFP notes, the Village "...was incorporated in 1959 mainly as a bedroom community to Chicago." Since then, Hoffman Estates has become home to some of the most substantial and innovative commercial development in the region. Quite a change. In fact, bedroom community and regional center may represent complete ends of the development spectrum. From a zoning standpoint, the question is how to best apply regulations and procedures for this variety of activity? How can the codes preserve residential character and quality of life, while allowing for continued large scale and creative development? The answers, again, are embedded in the RFP for this project: "modernization" and "flexibility".

To meet the challenge of addressing such broad use land needs, the update must ensure that the codes are as comprehensive as the range of uses they help to manage. The code update must be just as attentive to accessory structures in residential districts as to finding the right development process for considering refinements at Prairie Stone or the next major project like Bell Works.

Another challenge, modernizing the code and making it user-friendly, is met in part by simply keeping it current. After a fashion the permitted uses, bulk standards, and even zoning procedures no longer find the right balance between maintaining community character and facilitating cutting edge uses of property. For example, the current code provides lists of permitted and special uses, which can quickly become outdated. We generally suggest applying defined land use categories, which can better keep up with economic, technological and market changes.

So how can a zoning and development code update accomplish all this? Our team approach is to apply community input and policy directions to update codes from the ground up. We don't work from preset model codes. We build from existing approaches, incorporate Village policies, recommend practices we believe will serve the community, and test how those new concepts add value to the Village and its development goals. Most importantly, this process is done jointly with Village officials, Village staff, and community members.



In creating locally based codes, we start with the themes we understand to be important to Hoffman Estates.

- **Ease of Use** – Just because a zoning code is a legal document does not mean it must read like a legal brief that must be interpreted by attorneys. Clear, easy to understand, and precise language is the first way in which we modernize codes. And while the words are essential to specify standards, they must be supported by graphics and tables that make the document accessible to anyone – which also should reduce calls to Village Hall and save staff time. An updated code also can turn common variations into permitted or special uses, easing burdens on residents.
- **Flexibility** – Even the best codes cannot predict the future of development or the needs of every property owner; the most effective development codes are not overly prescriptive, which can otherwise discourage development or result in development that is out of context with the community. A well thought out, clearly explained, and predictable development process provides the community with the flexibility needed to secure quality, context-sensitive development. Design guidelines are another tool we provide for clients to clearly convey expectations for development. Just as importantly, the community decides the appropriate way for them to be applied: How much review process is required? What types of improvements are regulated? What triggers application of the guidelines?
- **Economic Development** – Supporting a strong tax base so that the Village can provide for community needs is fundamental to governance, and zoning has a role in that effort. Our experience is that a thoughtful and predictable process is key to attracting new developments and ensuring they reflect Village expectations. In this case, the upcoming Economic Development Strategy will help inform those expectations. As for the process, we find that a planned development approach, customized to the Village's needs, is the soundest approach. The process is flexible enough to encourage unique development and provides criteria by which the community can consider approval.

We are joined in the proposal by Ancel Glink, one of Illinois' leading law firms, with a specialty in municipal law and zoning. Their work adds an essential understanding of the zoning code as a legal document and the proper alternatives available to the communities in using the code. This is particularly important as the sign code will be part of the update, which brings into play unique legal and practical considerations. Teska and Ancel Glink have worked together on several zoning assignments, which has allowed us to hone our approach and how our team effectively serves our clients.

We thank you for this opportunity to submit this proposal and look forward to discussing it with you further.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lee Brown'.

Lee Brown, FAICP
President

A handwritten signature in black ink, appearing to read 'Michael Blue'.

Michael Blue, FAICP
Principal

1 | QUALIFICATIONS OF THE FIRMS

LEAD CONSULTANT



Teska Associates, Inc.
 627 Grove Street
 Evanston, IL 60201
 847.869.2015
 www.TeskaAssociates.com

Teska Associates, Inc. would serve as lead consultant for this the zoning code update. The firm has been in business for 47 years. Teska would be responsible for primary contact with the client and overall project management. Regarding the substantive aspects of the assignment, while both firms are involved in the full update, Teska would conduct all public engagement tasks, lead the exiting conditions and zoning assessment tasks, and take prime drafting responsibilities for code sections related to land uses, zoning district standards, landscaping and urban design, parking, and code definitions. Teska also will lead task related to graphics and document formatting.

Michael Blue, FAICP of Teska Associates would serve as Project Manager and is the primary contact person for this submittal. He can be reached at 847-563-9722 or MBLue@TeskaAssociates.com.

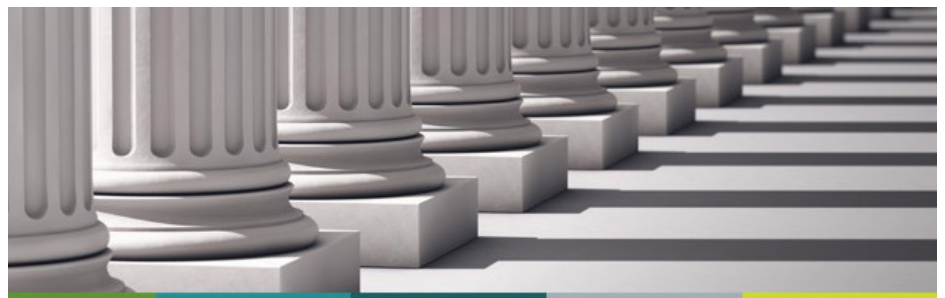


SUBCONSULTANT



Ancel Glink, P.C.
 140 South Dearborn Street, 6th Floor
 Chicago, IL 60603
 312.782.7606
 www.ancelglink.com

Ancel Glink will service as legal advisor on the project, in addition to assessing and drafting elements of the new code. Ancel Glink will share responsibilities for exiting conditions and zoning assessment tasks, and take prime drafting responsibilities for code sections related to administrative functions, signs, and nonconforming uses.



RELEVANT EXPERIENCE

TESKA PROJECTS

- > Rolling Meadows Zoning Update (Lead Firm with Ancel Glink)
- > Bourbonnais Zoning Code Update (Lead Firm with Ancel Glink)
- > Wood Dale Zoning Update
- > Lockport Zoning Update
- > Edwardsville Zoning Update
- > Champaign City Center Zoning Rewrite
- > Plainfield Zoning Ordinance Update
- > Glenview Zoning Review Checklist

Currently working with Roselle, Woodridge and Lake Bluff on zoning assignments.

ANCEL GLINK PROJECTS

- > Village of Round Lake Beach Zoning Regulations
- > Village of Wadsworth Zoning Code Update
- > Village of Lindenhurst Zoning Regulations Rewrite
- > City of Moline Zoning & Sign Code Revisions
- > Village of Davis Junction Comprehensive Plan & Zoning Code Update

TESKA & ANCEL GLINK PROJECTS

- > Rolling Meadows Zoning Update
- > Bourbonnais Zoning Code Update
- > Woodridge Zoning Code Update

Currently working together with Roselle and Woodridge on zoning updates and with DuPage County and CMAP on the development of a Lake Street Corridor Zoning Overlay District.

SELECTED EXAMPLES

Selected projects are highlighted in the following pages. Examples of previous work related to this assignment are linked below:

- > Rolling Meadows Zoning Update: bit.ly/3dVsBnA

Teska and Ancel Glink jointly completed a full zoning update for the City of Rolling Meadows, which can be found on Municode.

- > Wood Dale Zoning Update: bit.ly/3NMdAD3

Another Teska and Ancel Glink collaboration, the above links to the updated City of Wood Dale Unified Development Ordinance (Chapter 17), which is hosted online by American Legal.



Rolling Meadows Zoning Ordinance Update

CITY OF ROLLING MEADOWS, IL

New zoning and sign ordinance replaced out of date and hard to use codes

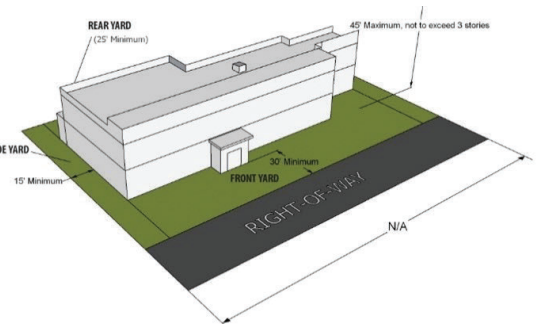
PROJECT HIGHLIGHTS

- A legally sound code and efficient development review was a top priority, supported by Ancel Glink of the team.
- By working closely with City staff, update reflects City's specific zoning practices.
- Updated Ordinance is user-friendly, with ample graphics, tables, and understandable language.
- City's Planning and Zoning Commission gave thoughtful deliberation and policy guidance.
- Recently adopted Comprehensive Plan focused development policy for the update.

Rolling Meadows' Zoning Ordinance had not received a major update in decades. While piecemeal amendments kept it functioning, the Code was out of step with current zoning best practices, technologies, land uses and legal requirements. A complete rewrite was in order. With assistance from Ancel Glink providing a legal review of the work, Teska led a thorough update of the zoning and sign ordinances.

"I want to extend my sincere thanks for helping us through the Zoning Ordinance Update and process. You all really went above and beyond...keeping our eye on the prize to the finish line. It truly has been a great experience..."

Jo Ellen Charlton | Assistance Director of Public Works/Community Development



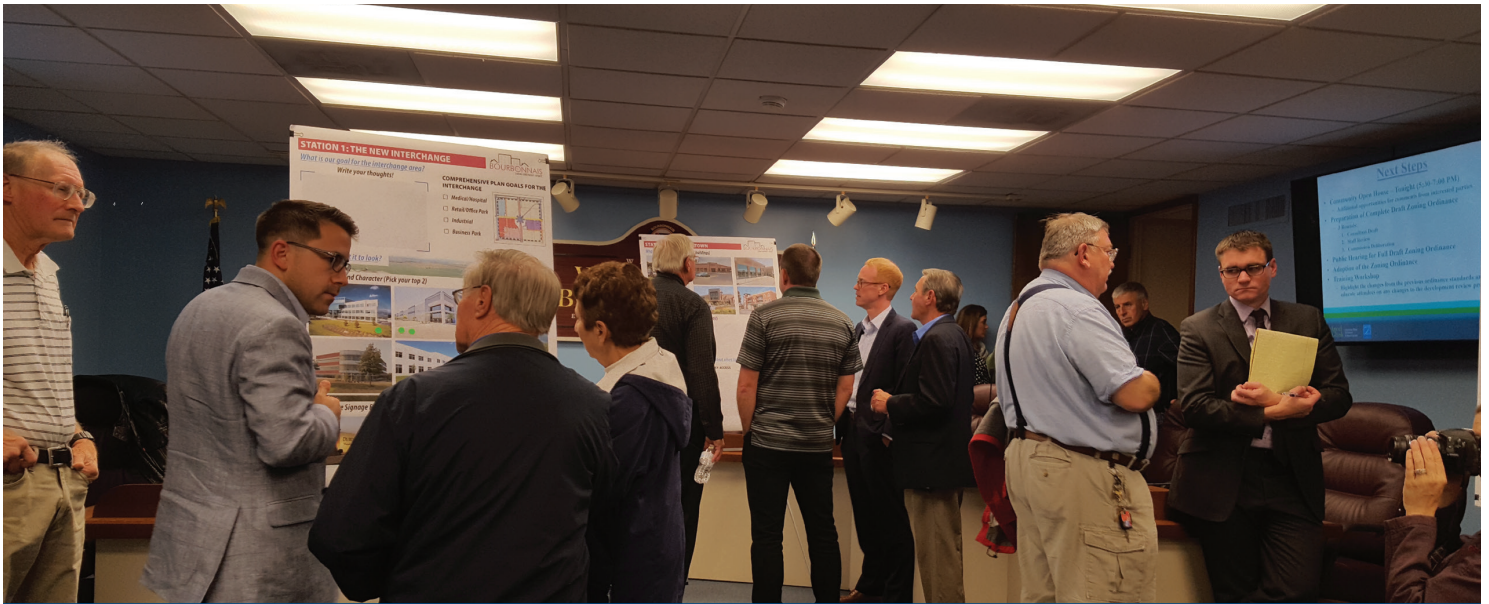
Graphics in the code make zoning concepts easier to understand. | Image Credit: Teska

| New District | R-1 | R-2 | R-3 | R-4 |
|----------------------------------|---------------------------|---------------------------|--------------------------|----------|
| New District Name | Single Family (32,600 SF) | Single Family (10,000 SF) | Single Family (7,800 SF) | Townhome |
| Former district | R-5 | R-1 | R-2 | R-4 |
| Residential Uses | | | | |
| Dwelling, single-family detached | P | P | P | |
| Dwelling, single-family attached | | | | P |
| Dwelling, two-family (duplexes) | | | | S |
| Dwelling, multi-family | | | | |
| Daycare home | P | P | P | P |

Tables provide quick understanding and comparison of district land uses. | Image Credit: Teska



TESKA ASSOCIATES, INC.
www.TeskaAssociates.com



Zoning Ordinance Update BOURBONNAIS, IL

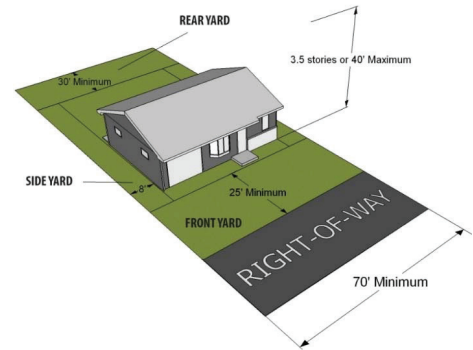
Modernization of zoning ordinance prepared the community to manage future growth potential

PROJECT HIGHLIGHTS

- A zoning overlay district was designed to manage and maximize opportunities stemming from a new interstate interchange
- The code was modernized through format changes and the addition of graphics and tables
- The zoning update created clarity regarding the types of uses allowed in the downtown area and its periphery

The Village of Bourbonnais was facing future growth potential resulting from a soon to be completed highway interchange in the northern part of the community. A major part of the assignment involved modernizing the ordinance in terms of its format and standards, establishing standards for accessory and non-conforming uses, and adding graphics and tables to clarify regulations.

In terms of the new interchange, a zoning overlay district was developed to advance the Village goals of attracting new development and ensuring that the development met Village expectations for appearance and character. The overlay presents flexibility in the types of business uses to be allowed but has specific bulk regulations and detailed design guidelines for the area to assure the envisioned form of development is secured.



Graphics help users understand and apply zoning standards. | Image Credit: Teska

DESIGN GUIDELINES 5.0

Design Techniques:
Architectural Treatments
Windows and Doors

Building Materials

Commercial, Office and Industrial Design Guidelines in Bourbonnais

21

Design guidelines set building and site development standards. | Image Credit: Teska



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Zoning Ordinance Update LOCKPORT, IL

Addressing unique needs to preserve community history and manage modern development

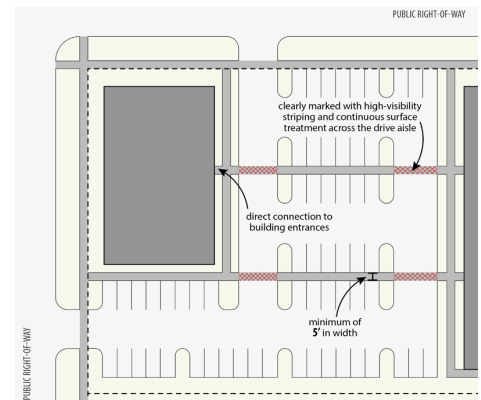
PROJECT HIGHLIGHTS

- Update addressed preservation of historic structures, signage and non-conforming standards for small residential lots
- Signage regulations were refined to preserve historic wall signs but avoid unintended consequences of allowing more signage than would be appropriate
- Clarified use of design guidelines, specified what types of minor variations could be authorized administratively, coordinated zoning and subdivision review, and eliminated regulations and review steps that did not add value to the process

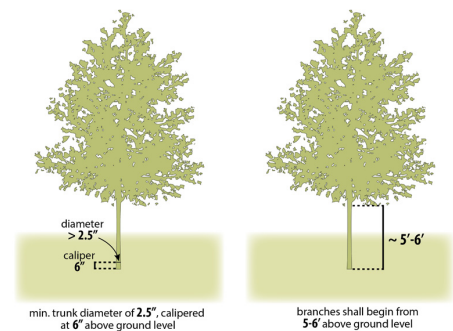
The zoning update was conducted concurrently with City work updating the Development Code to create a more effective set of development standards and review processes. The code had a sound development review process, but it was not reflective of modern best practices. The update clarified use of design guidelines, specified what types of minor variations could be authorized administratively, coordinated zoning and subdivision review, and eliminated regulations and review steps that did not advance the process.

"Much effort in the update addressed nonconforming standards to ensure they supported needs of homeowners in olde parts of the City."

Michael Blue | Project Manager



Graphics help to explain parking lot design requirements, from landscaping to pedestrian pathways. | Image Credit: Teska



Landscape requirements are shown visually with graphics. | Image Credit: Teska



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Unified Development Ordinance (UDO) Update WOOD DALE, IL

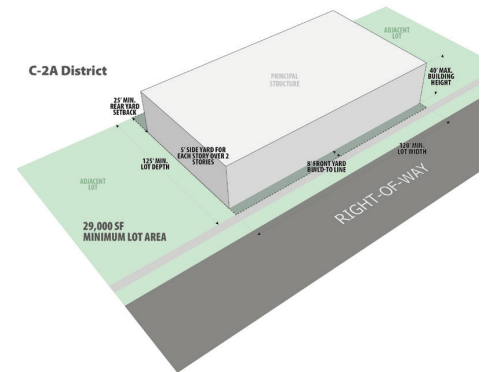
Complete update addressed changing market conditions and improved approval processes

PROJECT HIGHLIGHTS

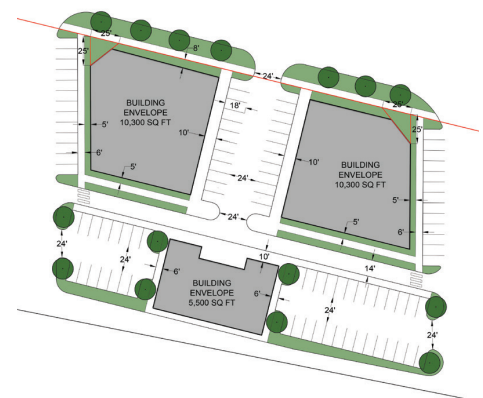
- The UDO was prepared working with a Steering Committee that included elected official, appointed officials, and community representatives
- Graphics and tables were added or refined to make the UDO a more user-friendly document
- Replaced a form-based code and added a set of design guidelines to ensure the desired form and character of development
- Implemented recommendations from the Comprehensive Plan (also prepared by Teska) to improve development regulations

The Wood Dale Unified Development Ordinance (UDO) update addressed a number of concerns. The existing form-based code included a complex development process and standards, often requiring the City to rely heavily on its planned unit development regulations to consider developments proposals. In addition, the real estate environment for the City had recently changed due to opening of a new section of highway (I-390) through the city's industrial district. The new highway provided enhanced regional access to the development market and made the city a prime location for new logistical uses.

The update was conducted jointly with law firm Ancel Glink. They provided overall legal support and recommendations that focused on zoning procedures, non-conformities, and ensured all aspects of the code were in keeping with the latest state and federal statutes.



Graphics were created to illustrate bulk standards for each district. | Image Credit: Teska



Example redevelopment site plan based on updated UDO regulations. | Image Credit: Teska



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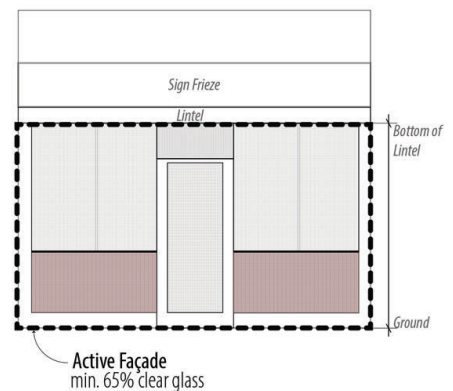
Edwardsville Zoning Assessment + Update

EDWARDSVILLE, IL

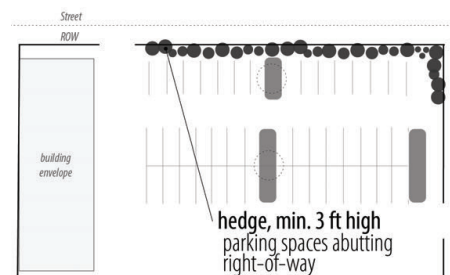
Updating zoning requirements to preserve community character

- Six policy recommendations were made for elements of the Zoning Ordinance that would most benefit from revision.
- As a follow up, Teska led updates to downtown (B-1) regulations and preparation of Design Guidelines.
- The B-1 zoning update combined conventional and form-based zoning to preserve the historic and pedestrian character of downtown.
- Teska and the City staff continue working together on the remaining for zoning update recommendations

The City of Edwardsville hired Teska Associates to evaluate its existing zoning ordinance and development processes. The assignment was in response to concerns that parts of the code were difficult to apply and that development entitlement procedures were long. A policy and technical evaluation of development codes and procedures included review of the City's comprehensive plan, meetings with stakeholders, and working with City staff to understand development procedures and development goals. A Review Memorandum of the full Zoning Ordinance was prepared to present findings and recommendations.



Form based zoning regulations were incorporated where specific design elements were important.



Landscape requirements were added to enhance screening of downtown parking lots.





Champaign City Center Zoning Rewrite CHAMPAIGN, IL

Modernizing zoning regulations to meet latest market realities

PROJECT HIGHLIGHTS

- Outdated parking and open space requirements for private student housing, which resulted in odd and unattractive building designs, were eliminated.
- Feedback from developers about parking demand led the City to eliminate that parking requirement; leaving developers to provide parking as need per the market.
- The Central Business (CB) Zoning District covered multiple unique business areas and was recommended to be three new districts: Downtown, Midtown, and Campustown.
- The outdated In-Town (IT) Districts was reorganized into a new Urban Neighborhood District to allow mixed density development and improve designs.

As part of its ongoing planning and plan implementation, the City of Champaign retained Teska Associates to assist with updating the City's Zoning Ordinance. The work was done in concert with City staff and focused on changes to zoning standards to incentivize new development, encourage development reflective of unique locational characteristics, and revise standards that were not supportive of desirable development. Work focused on the Champaign's City Center, surrounding neighborhoods, and housing areas adjacent to the University of Illinois campus.

Proposed amendments were presented through graphically rich information sheets using understandable language (no jargon).



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Zoning Ordinance Update PLAINFIELD, IL

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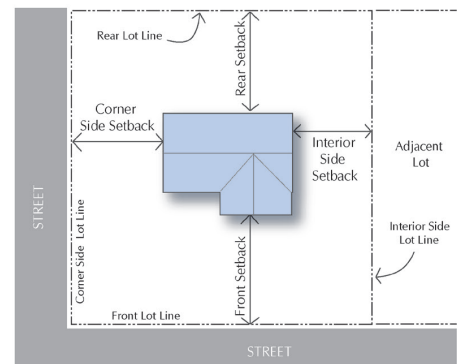
PROJECT HIGHLIGHTS

- Update was attentive to reoccurring variation requests e.g. fences
- Graphics, flow charts, and imagery used to make the code more user friendly
- Part of implementation of the Village's Comprehensive Plan (also prepared by Teska)

Teska suggested the creation of two new zoning districts to encourage variety and improve the quality of growth: a Conservation Design District and a Traditional Neighborhood District. Provisions were also added to make mixed-use development easier. With the goal of increasing user friendliness, Teska reorganized the sign regulations and added a flow chart to direct users to the appropriate guidelines. Other key elements of the update include the incorporation of much of the text into tables and charts (e.g., permitted and special uses), the addition of illustrations to clarify issues, a total revamp of the definitions section, and revised approval procedures for planned developments.

"Insert a powerful call-out here; this can be a quote, testimonial, project metric, fact, or "did you know..." statement related to your project. Be sure to include the source in the caption below."

Insert Source | Add context and a 1-sentence caption or context to pair with your quote or testimonial. Font: Roboto Light, Size: 8 pt



Insert 1-sentence caption | Image Credit: Teska



Insert 1-sentence caption | Image Credit: Teska



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GLENVIEW

APPEARANCE COMMISSION

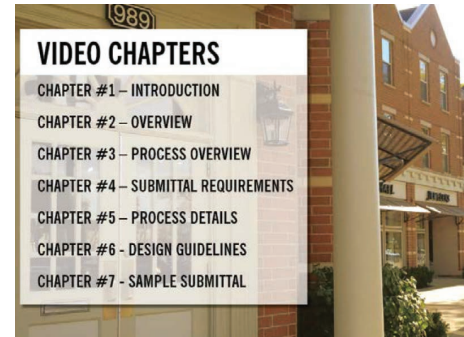
Glenview Zoning Video + Checklist GLENVIEW, IL

Preparing zoning guides to explain complex development standards

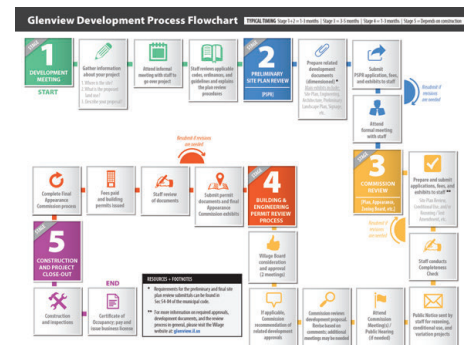
PROJECT HIGHLIGHTS

- The Village sought to convey Architectural Review guidelines and processes through a website video. Teska prepared a video script with accompanying photos and graphics.
- The Architectural Review script was divided into brief chapters that were easy to view and understand, and when viewed together spelled out the full process.
- A Zoning Review Workbook for single family zoning review (prepared by Teska) allowed applicants and Village staff to confirm requirements across multiple code sections.
- The Zoning Review Workbook broke the process into management steps and was color coded to help ensure that one step was completed before the next was started.

Teska Associates worked with the Village of Glenview to create tools that more effectively conveyed the intent and standards of certain code requirements. While complex, Glenview's code standards for Architectural Review and Single-Family zoning were effective. It was the Village's desire to keep the current codes and create tools to clearly explain them. Teska's role was to present the standards for use by customers, and staff, in an easily understandable form.



Graphics prepared by Teska for the Appearance Commission Process video were merged into the video prepared by Village staff.



To explain the process overview, a flow chart of the process was created.



VILLAGE OF LINDENHURST - ZONING REGULATIONS REWRITE

Ancel Glink recently led a comprehensive rewrite of Lindenhurst's zoning regulations. The rewrite replaced redundant, conflicting, and outdated zoning regulations with streamlined and easily-understood requirements that advance the community's vision. Ancel Glink's efforts resulted in eliminating nearly 100 pages of text from Lindenhurst's zoning regulations. In adopting the comprehensive amendment, Lindenhurst's Village Board found the document would be more business-friendly for property owners and developers, creating a more streamlined development review process.

VILLAGE OF ROUND LAKE BEACH - ZONING REGULATIONS

Ancel Glink has assisted the Village in a number of efforts to streamline and bolster its land use regulations. In late 2005, the Board of Trustees asked the Planning and Zoning Commission to examine zoning regulations as they relate to the protection of environmental quality and to establish a design review process to improve the quality of architectural design around the lake. The result of this process was the creation of the Lake Overlay (L-1) Zone that increased lot width and area requirements for various types of development activities and created a design review process. The Village adopted these regulations in 2007.

More recently, we helped the Village adopt text amendments regulating cannabis businesses and processed zoning approvals for a cannabis dispensary. Additionally, we assisted in creating two new overlay districts to address unique development challenges in an area of the Village used for sanitary sewer and storm water overflow and an area heavily encumbered by wetlands. The new regulations are designed to implement land use goals and objectives for this area—identified in the Village's recently amended Comprehensive Plan—that will transform it from a strictly uninviting operational area to one that incorporates passive and active recreational and open space features for surrounding neighborhoods and institutions.

Village of Round Lake Beach Municipal Code available at:
www.municode.com/library/il/round_lake_beach/codes/code_of_ordinances

VILLAGE OF WADSWORTH - ZONING CODE UPDATE

Ancel Glink has worked closely with the Village to rewrite various provisions in the Village's Zoning Code, including changes to sign regulations, planned unit development regulations, adult use regulations, and vehicle parking requirements. We also prepared renewable energy regulations to respond to an increasing demand for clean energy sources.

Village of Wadsworth Municipal Code available at:
www.sterlingcodifiers.com/codebook/index.php?book_id=539

CITY OF MOLINE - ZONING & SIGN CODE REVISIONS

Ancel Glink serves as corporation counsel for the City of Moline and has been working with staff strategically revising and updating portions of the City's zoning and sign code regulations, particularly evaluating sign regulations to comply with recent Supreme Court decisions on the First Amendment. We have also worked with the City on accessory dwelling unit ordinances and regulations for hotels and extended stay occupancies.

City of Moline Municipal Code available at:
www.moline.il.us/559/Moline-Code-of-Ordinances

REFERENCES

Clients served on recent development code projects

TESKA ASSOCIATES, INC.

CITY OF ROLLING MEADOWS

JoEllen Charlton

Public Works Director
3600 Kirchoff Road
Rolling Meadows, IL 60008
(847) 394-8500
CharltonJ@cityrm.org

PROJECT

Rolling Meadows Zoning Update

VILLAGE OF WOOD DALE

Gosia Pocięcha

Planner
404 N. Wood Dale Road
Wood Dale, IL 60191
(630) 766-5133
gpocięcha@wooddale.com

PROJECT

Wood Dale Zoning Update

CITY OF EDWARDSVILLE

Emily Calderon, AICP

City Planner
200 East Park Street
Edwardsville, IL 62025
Phone: (618) 692-7535
ecalderon@cityofedwardsville.com

PROJECTS

*Zoning Ordinance Assessment
Revising B-1 District
Preparing Design Guidelines
Supporting staff in code section updates*

ANCEL GLINK

CITY OF MOLINE

Sean Foley

City Planner
619 16th Street
Moline, IL 61265
(309) 524-2038

PROJECTS

*Sign Code Revisions
Accessory Dwelling Unit Regulations
Hotel and Short Term Rental Regulations*

VILLAGE OF SOUTH ELGIN

Steve Super

Village Administrator
10 N. Water Street
South Elgin, IL 60177
(847) 742-5780

PROJECT

Zoning Ordinance Update

CITY OF MONTICELLO

Callie Jo McFarland

Director of Community Development
210 N. Hamilton St
Monticello, Illinois 61856
(217) 762-2583

PROJECTS

*Zoning Ordinance Update
Land Subdivision and Development*

TESKA ASSOCIATES, INC. | MICHAEL BLUE, FAICP, PRINCIPAL**SELECTED EXPERIENCE**

Mr. Blue has a unique background working in both the public and private sectors of planning. He started his career as a consultant working in the areas of comprehensive and commercial area plans, development land use and economic impacts, and public engagement. After more than a decade, he moved to the public sector and spent 15 years working as a community development department manager, where his focus shifted to the day to day operations of development approval, economic development, managing public commission processes, personnel, and municipal governance. Having returned to consulting, these experiences afford Mr. Blue a wide-ranging perspective when conducting planning assignments, helping him to appreciate the viewpoints of multiple stakeholders and understanding their expectations regarding different situations and issues.

Prior to joining Teska Associates in 2013, for eleven years Mr. Blue was the Director of Community Development in Highland Park, IL. There he managed a department of 30 staff and focused on long range planning, review and approval of proposed development projects, building permit approval, and support of City Council and Commission activities. The Department served nine City Commissions addressing issues of development, housing, historic preservation, cultural arts, and the natural environment. While in Highland Park, Mr. Blue managed passage and implementation of the City's affordable housing ordinance. Before his position in Highland Park, Mr. Blue served as Deputy Community Development Director in the Village of Mount Prospect, IL for five years, managing staff in day to day operations related to planning, building permits and code enforcement.

Mr. Blue is actively involved in local and national leadership of the American Planning Association, and is currently the Planning Officials Development Officer for the IL - APA. In this role he aided in developing a curriculum for training plan commissioners throughout the State; a program for which he and others received the organization's 2013 Distinguished Service Award. In 2008 Michael was selected to the College of Fellows of the American Institute of Certified Planners. He regularly speaks at local, state, and national conferences on a range of planning themes, most recently on topics related to the development approval process, economic development, and local government organizational management. He also has been a guest lecturer at a number of university classes on topics like the development approval process and affordable housing.



MICHAEL BLUE, FAICP
PRINCIPAL

EDUCATION**B.A. Urban Planning**

University of Illinois (Urbana)

M.U.P. Urban Planning

University of Illinois (Urbana)

PROFESSIONAL AFFILIATIONS

College of Fellows of the American Institute of Certified Planners (FAICP)
American Planning Association (APA)
Lambda Alpha Economics Society
Planning Officials Development Officer for the Illinois Chapter of the APA



TESKA ASSOCIATES, INC. | MICHAEL BLUE, FAICP, PRINCIPAL**REPRESENTATIVE PROJECTS****Development Ordinances**

Drafted zoning ordinance updates for Bourbonnais, Elk Grove Village, and Des Plaines, IL, and Elkhorn WI. Prepared zoning ordinance evaluations to identify code strengths and needs for Edwardsville, Rolling Meadows, and Wood Dale, IL, leading to working with Edwardsville staff to update deficient code elements and a full update in Rolling Meadows. Worked with Champaign, IL to revise select commercial and residential zoning districts to facilitate desired development forms; and with Glenview, IL to make regulations easier to understand for the public and staff (included scripts for informational videos and zoning review checklists). Drafted a zoning district adopted jointly by Mattoon and Charleston, IL to facilitate development in the corridor between the communities (district won an award from the IL-APA). While working for the City of Highland Park, oversaw numerous amendments to zoning and subdivision ordinances related to planned developments, signs, permitted uses, bulk regulations, and development approval procedures.

Economic Development / Strategic Planning

Worked with Warrenville, IL to prepare a Strategic Plan that focused on economic development and addressed community character, natural resources, and public services. As follow-up, prepared the Southwest District Plan for the City, which along with a TIF has supported new development in the area. Prepared the first Strategic Plan for Round Lake, IL. Prepared market studies for Winfield, and Urbandale, IA. Developed land use guidelines for Metra Commuter Rail for optimal land use configurations that encourage economic development around commuter stations. Prepared CMAP Homes for a Changing Region Plan for NW DuPage cluster. Developed unique “market studies” to determine growth opportunities for the Salvation Army and the Rosenwald religious school in Chicago. As Deputy Community Development Director for Mount Prospect, worked with Village’s Economic Development Commission and conducted business retention / attraction assignments.

Comprehensive Plans

Conducted comprehensive plans for Illinois communities including Wood Dale, Round Lake, Rolling Meadows, Des Plaines, Manteno, Mokena, New Lenox, Glencoe, Carbondale, and Darien (village and park district). Also prepared comprehensive plans for Brownsberg, IN, Dublin, OH, Urbandale and West Des Moines, IA, and Elkhorn, WI.

Current Planning and Development Review

Managed all aspects of development zoning approval and building permit application review while working in Mount Prospect and Highland Park. Conducts plan development review services for Salem Lakes, WI and served as outside planning consultant to Villages of Round Lake, Mokena and River Forest. Have also provided development support services / zoning testimony for private sector clients.

Downtown & Commercial Area Planning

Prepared downtown, business district and corridor plans, including in Winnetka, Libertyville, Northfield, Des Plaines, Kenilworth, River Forest, and Melrose Park, IL and Toledo, OH. Led downtown planning projects while working for Mount Prospect and Highland Park. In Mount Prospect, plan was geared toward implementing the Tax Increment Finance (TIF) District and highlighted redevelopment opportunities. For Highland Park, downtown plan involved extensive public input and a large working committee structure. The work created a new vision of the downtown and considered potential for redevelopment. In Highland Park, also led establishment of TIF District and development plan for the Ravinia Business District.

Development Review Process Evaluation

Prepared audit of new Development Services function for Greensboro, NC to identify system enhancements and opportunities to use new technologies. Also worked with the Greensboro Planning Department to develop a Strategic Plan, Work Program, and revised job designations. In Lake Forest, IL, conducted an assessment of Community Development plan review functions, including, building permits, design review, and zoning entitlements. While working for Mount Prospect, prepared assessment of development review functions conducted over multiple departments. In Highland Park, oversaw evaluation of permitting functions and review of commission operations, with intent of consolidating those functions where appropriate.



TESKA ASSOCIATES, INC. | MIKE HOFFMAN, AICP, PLA, VICE PRESIDENT

SELECTED EXPERIENCE

Mr. Hoffman brings to his clients a blend of planning and landscape architecture experience. This combination of skills enables him to serve the needs of both municipal governments and private developers. Prior to joining Teska Associates, Inc. in 1990, he held positions with J.T. Dunkin & Associates, Inc. in Dallas TX, and with the City of Allen TX.

Project management experience includes leading multi-disciplinary teams and facilitating local advisory committees with a goal of development of inventive solutions built on consensus.

Mr. Hoffman’s municipal planning assignments have focused on the development of planning tools to direct and manage the growth of small and mid-sized communities and counties. His recent assignments have included comprehensive plans for Dubuque, IA and Cape Girardeau, MO, the historic West Des Moines Master Plan, a new zoning ordinance for Olympia Fields, and development plan review in Morris and Kankakee, IL.

Mr. Hoffman has had a wide variety of responsibilities in land planning and landscape architecture, including site analysis, design and presentation. For both municipalities and for private developers, he has designed civic, commercial and residential land plans and landscape improvements. His recreational assignments have ranged from detailed design of sports complexes to the conceptual design of a four-hundred acre green belt park, and several park and recreation master plans.



MIKE HOFFMAN, AICP, PLA
VICE PRESIDENT

EDUCATION

B.L.A. Landscape Architecture
University of Illinois (Urbana)

M.B.A. Business Administration
Texas A & M University

National Charrette System
Certificate Training

PROFESSIONAL AFFILIATIONS

- American Institute of Certified Planners
- American Planning Association
- Lambda Alpha International
- State of Illinois, Registered Landscape Architect (License No. 157-001160)

SPEAKING ENGAGEMENTS

- Community Engagement: From the Mississippi Delta to Dubuque, 2018 APA National Conference
- New Voices, New Ideas: Engaging the Whole Community, 2017 APA Upper Midwest Conference
- Best Practice for Tourism Planning, 2017 IML
- The Importance of the Plan in TIF, 2016 IML
- Economic Development in Small Towns, 2015 Illinois APA
- Assessing the Cost of Development, Chicago Metro APA Seminar
- Smart Growth Regulations, Illinois APA
- Planned Development, Chicago Metro APA

CIVIC ACTIVITIES

- Chairman of the Board, New Life for Haiti
- Past Chairman, Mt. Prospect Plan Commission
- Past Chairman, Downtown Mt. Prospect Redevelopment Committee



TESKA ASSOCIATES, INC. | MIKE HOFFMAN, AICP, PLA, VICE PRESIDENT

REPRESENTATIVE PROJECTS

Mr. Hoffman's multidisciplinary skillset has allowed him to work in various municipalities and implement practicable strategies for projects such as comprehensive/park master plans, site planning, fiscal impact analysis, and economic development. This is important for clients wanting to focus on key areas to guide land use, improving local infrastructure, addressing multi-modal policies for all people and ages, and monitoring current market trends. These characteristics are dependent on transparency and consistent communication between the client, the community, and other essential stakeholders. Mr. Hoffman works closely with these groups to deliver the best approach in accomplishing a client's goals and objectives.

Transit Oriented Development

Lead multi-disciplinary teams in development of plans for: Western Springs, IL; Plainfield, IL; Sugar Grove, IL; Elburn, IL (development review).

Business District Revitalization

Worked with a steering committee of business and community leaders in Valley Junction, IA; Lincoln/Western Corridor, Olympia Fields and Chicago Heights, IL; Plano City Center; Main Street Sugar Grove; 4 commercial corridors in South Bend; Roosevelt Road Corridor, Broadview, IL; Route 31 Corridor, North Aurora, IL.; Atkinson Road Corridor in Grayslake, IL.

Comprehensive Plans

Algonquin; Bartlett; Calumet City; Canton; Cape Girardeau, Carlinville; Cicero; Coal City; DeKalb Co.; Diamond; Dubuque; Forsyth; Galesburg; Gardner; Glenwood; Kendall Co.; Macomb; Markham; North Aurora; Plainfield; Plano; University Park; Utica.

Land Planning

Mixed use developments for Carroll Investments, Lake Forest; Goode Ranch, Rayburn, Mo.; Terra Cotta Industries, Prairie Grove; Allen, Mount Pleasant, Murphy, Amarillo and Flower Mound TX.

Fiscal Impact Analysis

Economic Analysis for City Gate West in Naperville and Senior Living in River Forest. Village of Bartlett impact fee ordinance. Preparation of fiscal models and training staff members in the Cities of Sugarland, Garland, and Odessa TX.

Economic Development

The I-294/I-57 Interchange Economic Development Study for SSMMA; South Suburban Retail Investment Study; Dwight Economic Recovery Strategy.

Tax Increment Financing

TIF eligibility and redevelopment plans in Kankakee; Arthur; Roosevelt Road, Headly, 17th Ave. and 19th Ave., Broadview; Fox River Grove Downtown; Downtown and Kedzie, Hazel Crest; N. Aurora Lincolnway and TIF #2; Sugar Grove Industrial; Peoria East Village and South Village; Diamond I55 Corridor; Olympia Fields Lincoln/Western.

Site Plan Review

Analyzed and prepared project reviews and testimony for 100's of large and small scale projects for Algonquin; Bartlett; Broadview; Elburn; Kankakee; Kendall County; Morris; North Aurora; Olympia Fields; Palos Heights; Plainfield; Plano; Sugar Grove.

Park Master Plans and Park Site Design

Preparation of Park Master Plans and comprehensive park and recreation elements for Dolton Park District; Glencoe Park District; City of Galesburg; Village of Palos Heights; Village of Seneca.

Landscape Architecture

Landscape plans for Algonquin and Morris City Halls; Learning Resources, Vernon Hills IL, Streetscape Conceptual Design in Western Springs IL, Valley Junction IA, and Broadview IL.

Zoning and Subdivision Ordinance

Development of zoning and subdivision amendments for DeKalb and Kendall Counties (Zoning); Broadview, IL (Zoning and Subdivision); Kankakee, IL (Zoning); Plainfield, IL (Zoning); Morris, North Aurora, Plano, and Olympia Fields, IL (Sign, Site Plan); Galesburg and Forsyth, IL UDO, Diamond, IL (Zoning).

Neighborhood Planning

Southeast Villages, McCarty-Burlington, University Neighbors, and Light-of-the-Community neighborhoods in Aurora, IL., Historic West Des Moines, IA.



TESKA ASSOCIATES, INC. | CAROL BROBECK, AICP, ASSOCIATE

SELECTED EXPERIENCE

Carol is a bilingual planner who has worked with communities large and small on a range of community planning and economic development tasks. Since joining Teska in 2018, her work has centered on land use and data analysis, the application of economic development tools, and on refining bilingual engagement + outreach. Combined with a lifelong passion for languages and promoting cross-cultural understanding, Carol's skills and experience have given her a unique perspective and skillset to offer when partnering with towns and organizations to advance quality of life.

During her tenure at Teska, Carol has contributed to research, analysis, design and outreach for a variety of planning projects, including comprehensive and corridor plans, zoning ordinance updates, feasibility analyses, tax increment financing and special service area districts. Additionally, she has provided on-site auxiliary planning support for Warrenville, IL and Kenilworth, IL; designed zoning graphics; executed bilingual outreach; and helped reconstitute or establish 9 SSA districts.

Before coming to Teska, she compiled economic development research for the University of Illinois Extension to assist small and rural communities in Illinois and interned with the Village of Mount Prospect.

Tools + Software Knowledge: ArcGIS + Web Maps / WebApps, ESRI Storymaps, ESRI Business Analyst, Adobe Design Suite.



CAROL BROBECK, AICP
ASSOCIATE

EDUCATION

M.U.P. University of Illinois
Urbana-Champaign (UIUC)
Community Economic
Development

B.A. Berea College
Spanish and Sociology

LANGUAGES

| | |
|---------|-----------------|
| Spanish | ● ● ● ● ● ● ● ○ |
| French | ● ○ ○ ○ ○ ○ ○ ○ |
| Hindi | ● ○ ○ ○ ○ ○ ○ ○ |

PROFESSIONAL AFFILIATIONS

AICP | American Institute of Certified Planners
DEL | Delta Emerging Leader, Delta Institute
Project Manager, APA-IL Pro Bono Program

REPRESENTATIVE PROJECTS

Village of Matteson Comprehensive Plan Update
Completed all aspects of the planning process, including existing conditions research, data analysis, outreach and engagement. Plan components include future land use, transit access, parks access, sidewalk gap priorities, and trails plans.

SSA Reconstitutions - City of Chicago
Prepared cost projections for property owners, assisted with outreach, and prepared final application for the reconstitutions of SSA #19, #54, #23, #55, and #24. Assisted with the establishment to SSA #79.

DuPage County Route 83 Corridor Plan
Update to the County's land use plan in coordination with future land use visions of five municipalities adjacent to Route 83. (CMAP LTA project)

City of Edwardsville Zoning Ordinance Update
Partnering with City staff to revise zoning for future development areas and streamlined zoning graphics to illustrate design concepts in the downtown.

City of Kankakee Parking Requirements Reform
Provided research and guidance for the relaxation of parking requirements in the City's Downtown.

Stratford Square TIF Districts + Re-envisioning
Assisting the Village of Bloomingdale with re-envisioning Stratford Square Mall. Prepared eligibility studies and helped establish two TIF Districts to assist the Village with incentivizing redevelopment.

Translation of Rolling Meadows Comprehensive Plan
Prepared a standalone Spanish version of the 2019 adopted Plan, with a glossary and links to translated resources highlighted in Plan.

Central Street Evanston SSA Establishment
Prepared cost projections for property owners, assisted with outreach, and prepared final application for the establishment of Central Street SSAs #7 and #8.



TESKA ASSOCIATES, INC. | YUCHEN DING, AICP, LEED AP ND, ASSOCIATE**SELECTED EXPERIENCE**

Yuchen is known for pairing his creativity in urban planning and design with his technical background. He joined Teska in February 2022, after having served as Associate Planner for the Village of Plainfield for four and a half years. Working in the heart of a growing community allowed Yuchen to manage a full array of planning cases—from those involving large national developers to others involving longtime residents and businesses. He regularly served as staff liaison to the Village’s Plan Commission, Zoning Board of Appeals, Historic Preservation Commission, and Board of Trustees. In addition, he conducted municipal planning affairs such as amending zoning ordinances, reviewing and processing all types of planning applications, facilitating historic preservation requests and landmark identifications, and responding to planning inquiries. Yuchen drew upon his technical experience to design numerous publications for the Village’s presentations, community events, media posts, and economic development outreach. Prior to Plainfield, Yuchen interned with the Cities of Ferndale and Dexter in Michigan as a Planning intern while pursuing a master’s degree in Urban Planning with a concentration of Physical Planning and Design at the University of Michigan in Ann Arbor, which he completed in 2017. Prior to his time in Michigan, he graduated from the University of Illinois at Urbana-Champaign in 2015, with a Bachelor of Arts in Urban Planning and a minor in Landscape Studies.

Yuchen has a wide interest in Urban Planning and Design projects and a persistent passion to remain on the cutting-edge of new practices in the field. His life experiences have particularly drawn him toward transit-oriented development, complete street design, and mixed-use development, among many other pursuits. His academic background and professional experience feature sophisticated technical skills, including Adobe Create Suite, SketchUp, V-Ray, Lumion, AutoCAD, and ArcGIS. Yuchen is certified by the AICP and is a LEED Accredited Professional for Neighborhood Development.

PROFESSIONAL AFFILIATIONS

American Planning Association
 American Institute of Certified Planners
 U.S. Green Building Council

REPRESENTATIVE PROJECTS**First Street Park Plan | Dexter, MI**

Role: Planner

Project Tasks: Interviewed community residents for feedback, researched and reviewed the City’s zoning ordinance, engineering specifications, and site plans; Hosted open house event to engage the community by creating flyers and posters, designing survey questions, answering attendees’ questions, and analyzing survey results; Connected with Dexter Parks and Recreation Commission and City Council by attending general meetings for progress reporting and final presentation; Conducted graphic work through designing presentation slides and final report layout, rendering visioning of the Park, creating maps and infographics, and proofreading the final report using Adobe Illustrator, InDesign, and SketchUp.

Sign and Mobile Food Truck Code Update | Plainfield, IL

Role: Planner

Project Tasks: Conducted research, coordinated discussions with the Village Planning Department, Building Department, Police Department, and Community Relations Director, prepared staff report and code amendments, presented proposals to the Plan Commission and the Board of Trustees to receive feedback and final approval.



YUCHEN DING
AICP, LEED AP ND
 ASSOCIATE

EDUCATION**M.U.P. Urban Planning**

*Physical Planning and Design
 Concentration*
 University of Michigan

B.A. Urban Planning

Minor in Landscape Studies
 University of Illinois at Urbana-
 Champaign



David S. Silverman, AICP

Partner



David effectively and efficiently navigates the political, practical, and legal aspects of the zoning and entitlement process for the firm's public and private sector clients.

Chicago Office

140 S. Dearborn Street, 6th Floor
Chicago, IL 60603

Direct Phone:

312.604.9160

Email:

dsilverman@ancelglink.com

Practice Areas

Land Use
Economic Development
Real Estate
Local Government

Education

J.D., The John Marshall Law School
M.U.P., Wayne State University
B.A., Indiana University

Bar & Court Admissions

Illinois
Northern District of Illinois

David has a thorough understanding of the zoning and entitlements process. His prior career as a professional planner informs his practice as an attorney, giving him an unprecedented understanding of the dynamics that influence the zoning and entitlement process. His multi-faceted professional background also provides public and private sector clients with advisory services that extend beyond legal representation to help them achieve their goals and objectives.

David is co-chair of Ancel Glink's Zoning and Land Use Group and co-editor of the group's e-newsletter, *In the Zone*. David also serves as moderator for the Zoning and Land Use Group's Twitter site, @AncelGlinkLand.

David is involved with several organizations that promote better land use and development practices. David serves on the Executive Board of the Illinois Chapter of the American Planning Association as its Legislative Committee chair and serves as the Education and Outreach Chair for the Planning and Law Division of the American Planning Association. In addition, David is also a member of the Ely Chapter (Chicago) of Lambda Alpha International, Urban Land Institute, and is a member of the American Institute of Certified Planners.

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Experience

Highlights of David's practice include:

- Advising boards of trustees on a wide range of legal and policy matters
- Advising plan commissions and zoning boards on zoning and planning matters
- Preparing numerous zoning, subdivision and unified development ordinances, including creating innovative zoning regulations designed to implement and accomplish specific and unique land use goals
- Negotiating and structuring complex annexations and real estate transactions
- Negotiating and preparing various intergovernmental agreements
- Establishing tax increment financing districts, special service areas, and business development and redevelopment districts
- Representing private and public sector clients in front of the Illinois Commerce Commission and Illinois Liquor Control Commission

Presentations

David is a frequent speaker at local and national conferences on local government and land use issues, including the following:

- Legal trends in land use law and innovative land use regulation techniques and practices
- Climate change and environmental conservation
- Economic development and tax increment financing (TIF)
- Social networking

Publications

David has published on a variety of land use, local government, and related matters, including the following recent publications:

- "Drafting Defensible Regulations," Planning (APA, December 2016)
- "It's Time to Rethink Temporary Use," Planning (APA, July 2016)
- "Land Use Law: Zoning in the 21st Century" (Law Journal Press, 2015)
- "Urban Agriculture: Policy, Law Strategy, and Implementation" (ABA Press, 2015)
- "The Temporary Use and Economic Development" (Planning & Environmental Law, July 2014)
- "Rules of the Game: A Framework for Fair and Effective Zoning Hearings," The Commissioner (APA, 2013)
- "Green Transportation: 'Roadblocks' and 'Avenues' for Promoting Low-Impact Transportation Choices," Legal Strategies for Greening Local Government (ABA Press, 2012)
- "Illinois' Tax Increment Allocation Redevelopment Act and Case Study," Tax Increment Financing (ABA Press, 2012)
- "Annexation and Annexation Agreements," IICLE Municipal Law Series Handbook (2012)
- "Subdivisions, Subdivision Controls, and Drainage," IICLE Municipal Law Series Handbook (2012)
- "Annexation, Disconnection, Consolidation and Dissolution of a Park District," Illinois Park District Law Handbook (Illinois Association of Park Districts, 6th Edition, 2010)
- Policy Guide on Planning and Climate Change (American Planning Association Policy Guide, 2008)
- Zoning Administration Handbook, Ancel Glink Library
- "The Zoning Game in Ten Easy Lessons", 10 Things You Need to Know About 14 Local Governmental Issues, Ancel Glink Library

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Daniel J. Bolin

Partner



Chicago Office

140 S. Dearborn Street,
6th Floor, Chicago, IL 60603

Direct Phone:

312.604.9178

Email:

dbolin@ancelglink.com

Practice Areas

Land Use
Local Government
Elections
Litigation

Education

J.D., University of Illinois
B.A., University of Illinois

Bar & Court Admissions

Illinois
Northern District of Illinois
7th. Cir. Court of Appeals

Memberships

Engaging Local Government Leaders
American Planning Association,
Planning and Law Division
Chicago Bar Association,
Election Law Committee (Past Chair)

Honors and Awards

Lake County Municipal League,
Innovation Award
GovLove Podcast, Govie Lovie Award
CALI Award, Real Estate Development

Dan represents public entities and property owners in wide-ranging local government, land use, and election matters across Illinois.

Dan has spent all of his nearly 15-year legal career counseling local governments at Ancel Glink, regularly advising clients at board and commission meetings and managing land use and development matters. Dan's creative strategies for the repair and demolition of blighted, vacant, and abandoned properties helped his client earn a Lake County Municipal League Innovation Award. Dan prosecutes local ordinance violations, and defends local laws involving controversial land uses and novel civil rights challenges.

Dan is an accomplished election attorney appearing before, serving on, and counseling local electoral boards on challenges to candidate nominating petitions. He is a past chair of the Chicago Bar Association Election Law Committee. Before attending law school, Dan worked for legislators across the state as a policy analyst in the Illinois General Assembly, and worked on municipal, county, legislative, judicial and other political campaigns.

Dan regularly speaks at state and national conferences regarding controversial land uses and emerging municipal law topics. Dan often discusses legal issues affecting local governments as host of Ancel Glink's Quorum Forum podcast and as co-host of GovLove, the nation's leading local government podcast presented by the Engaging Local Government Leaders Network (ELGL). Dan's guest appearance on GovLove earned a Govie Lovie award.

Dan earned his B.A. from the University of Illinois at Urbana-Champaign. Dan graduated magna cum laude from the University of Illinois College of Law, where he served as an associate editor on the University of Illinois Law Review and earned a CALI Award in Real Estate Development.

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Experience

Highlights of Dan’s recent practice include:

- Comprehensive rewrites of zoning, subdivision, sign, and other development regulations.
- Regularly drafting ordinances, agreements, and other transactional documents for cities, villages, park districts, libraries, townships, and other units of local government.
- Local responses to recreational cannabis, including business regulations, prosecutions, taxation, and employment matters.
- Helping local governments respond the COVID-19 pandemic with remote meeting participation for elected officials and the public, state and federal funding opportunities, and other emergency actions.
- Developing an efficient municipal demolition program, successfully remediating more than 19 open, vacant, and hazardous structures.
- Successfully defending a lawsuit challenging authority of local building official under annexation agreement.
- Defeating billboard company’s challenge to local building and zoning decisions in consecutive lawsuits.
- Managing real estate transactions for local governments, including multimillion-dollar sale of surplus property.
- Advising and training local zoning boards and municipalities on all manner of controversial land use applications, from short-term rentals to firing ranges, and defending village in novel Second Amendment challenge to gun shop regulations.

Presentations

Dan is a frequent speaker on a variety of local government and land use issues on podcasts and at conferences, including:

- Ancel Glink’s Quorum Forum Podcast, including “Statement of Economic Interests” and 63 more episodes
- GovLove Podcast, episodes including “Zoning Reform with Jake Seid, CMAP”
- American Planning Association, National Planning Conference, “Troubling Signs at the Supreme Court” (2022)
- American Planning Association, Illinois Chapter State Conference, “APA-IL Planning Law Holiday Special!” (2021) and “APA-IL Planning Law Symposium” (2020)
- American Planning Association, Chicago Metro Section, “Bar Exam! Planning Law Session” (2015-2022)
- Illinois Association of Park Districts/Illinois Parks and Recreation Association, Soaring to New Heights Conference, “Not in my Park! Regulating Controversial Park Activities” (2022) and “Get the 4:20 on the Impact of Recreational Cannabis for your Agency” (2020)
- Forward Together Virtual Conference for Local Government, “Bells That Can’t Be Unrung After COVID-19” (2020)

Publications

Dan’s writing on important local government and land use issues is included in many publications, including:

- Municipal Minute, regular contributions including “Illinois Liquor Control Commission Issues Guidance on Liquor Delivery,” “More Detail on Governor’s Most Recent Disaster Declaration & Remote Meetings,” and “Liquor Laws to Know for Phase 5 and Beyond” (2021)
- “Subdivisions,” IICLE Municipal Law Series Handbook, co-author (2021)
- Engaging Local Government Leaders, “Supreme Court Decision Affects Local Governments on Social Media” (2017)
- ILCMA Magazine, “Sharing with Care: Regulations for Responsible Short-Term Rentals” (2017)
- “Land Use Law: Zoning in the 21st Century,” Law Journal Press (2015), “Second Amendment and Zoning” and “Urban Agriculture” book chapters
- “Urban Agriculture: Policy, Law, Strategy, and Implementation,” American Bar Association (2015), “Stockyards to Backyards: Local Food Production in Chicago’s Urban Jungle” book chapter

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Megan A. Mack

Associate



Megan represents a variety of governmental bodies in the areas of municipal law, zoning and land use, economic development, and code compliance and enforcement litigation.

Chicago Office

140 E Dearborn St, Suite 600
Chicago, IL 60603

Direct Phone:

312-604-9122

Email:

mmack@ancelglink.com

Practice Areas

Land Use & Zoning
Local Government
Litigation
Worker's Compensation

Education

J.D., DePaul University Chicago
B.A., Rosary College
Providence College, R.I.

Bar & Court Admissions

Illinois
Northern District of Illinois

Memberships

Chair, Local Government Committee,
Lake County Bar Association
McHenry County Bar Association

Megan practices in a variety of legal areas within the firm as a civil litigator, zoning and land use attorney, municipal prosecutor. As a member of the firm's Zoning and Land Use practice, Megan has successfully litigated demolition, abandonment and foreclosure cases. Building on her earlier career in planning, Megan has assisted clients in planning and zoning commission hearings and negotiating and drafting redevelopment agreements. In addition, Megan's familiarity with federal transportation planning is a resource to assisting clients in transit oriented development and obtaining grants.

Megan also works with municipal, park district and township officials and staff in drafting ordinances and resolutions, reviewing contracts and policies, drafting intergovernmental agreements, and attending board meetings.

Megan joined the firm after serving for ten years as an Assistant State's Attorney. During that time she tried hundreds of bench and jury trials to verdict. Megan worked closely with local law enforcement and investigators to prosecute misdemeanor and felony offenses.

Megan is a graduate of De Paul University College of Law where she concentrated in public interest law. While attending law school, Megan served as the Planning Liaison Manager for the Illinois Department of Transportation's Chicago Area Transportation Study. At CATS, Megan oversaw all eleven Councils of Mayors and over \$270 million in Surface Transportation Program funding.

Megan also served as the Transportation and Environmental Policy Analyst for Northwest Municipal Conference. She was the Planning Liaison for the North Shore Council of Mayors and chaired the Economic Development Committee. Prior to that, Megan was the Transportation Coordinator for West Central Municipal Conference where she was the Planning Liaison for the West Central Council of

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Experience

- Obtained judicial deeds for over twenty abandoned properties in the Village of Round Lake Beach as part of the IHDA’s Blight Reduction Program;
- Prosecuted hundreds of criminal cases to verdict.
- Represented the Village in *Youngberg v. Village of Round Lake Beach*, 2017 IL App (2d) 160539, in an opinion by the Second District Appellate Court upholding the constitutionality of the Village’s ordinance related to unregistered motor vehicles on private property;

Presentations

- Who’s Watching You; IAPD Soaring to New Heights Conference, January 2020
- Quorum Forum, Land Use and Zoning Episode, February 2019
- Bar Exam; American Planning Association-Chicagoland Metro Section, February 2019
- Use of Video Surveillance in Parks and Facilities, Property Siblings: The A to Z’s in Acquiring, Disposing, and Leasing Real Property for Park Districts; IAPD Soaring to New Heights Conference, January 2019
- Code Enforcement; Prosecuting Park District Ordinance Violations; IAPD Soaring to New Heights Conference, January 2018
- Use of Video Surveillance in Parks and Facilities; IAPD Soaring to New Heights Conference, January 2018
- Lesser Known Funding for Park Districts; IAPD Soaring to New Heights Conference, January 2018
- *Youngberg v Village of Round Lake Beach*; Lake County Bar Association October 2017
- Speed Planning; Economic Development Tools IL APA, Naperville September 2017
- Video Surveillance; How it Impacts Parks; IAPD Soaring to New Heights Conference, January 2017

Publications

- “Court Interprets 4th Amendment Protection to Extend to Vehicles Parked in Driveways & Apartment Doorways,” *The Docket* (February 2019)
- FOIA and OMA Handbook, Township Officials of Illinois, 2018
- “Navigating the Abuse and Neglect System”, *The Docket* (February 2016)
- Criminal Identification Act,” *The Docket* (January 2017)

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2 | APPROACH TO ENGAGEMENT AND PROPOSED WORK PROGRAM

>> 2.1 APPROACH

Our team's approach to updating zoning codes is described in this section.

QUALITY OF STAFF AND WORK PRODUCT

Teska and Ancel Glink have over a century of combined experience preparing, administering, and defending zoning regulations across Illinois. We also regularly conduct planning and zoning training sessions for elected officials, appointed officials, and local planning professionals throughout the state. Our collective backgrounds in zoning administration, law, urban design, and planning education is fully resourced for all our assignments. Teska and Ancel Glink have worked and are currently working together on several zoning assignments.

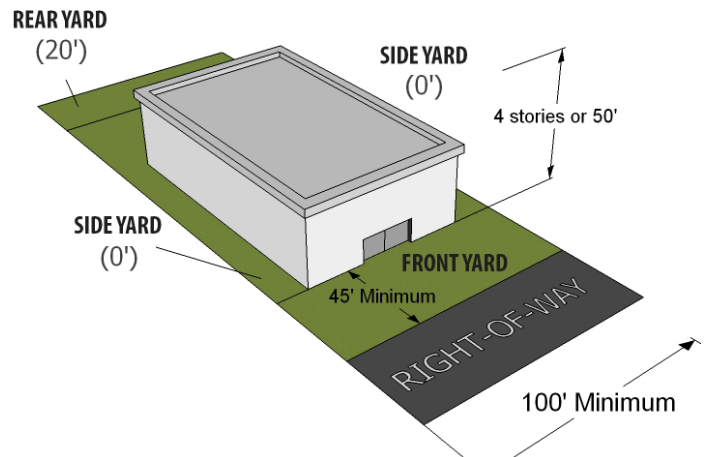
Every section of the zoning ordinances we prepare is drafted or fully reviewed by a well experienced member of each firm. Those personnel bring years of relevant experience to every line of the code. Most importantly our drafting is not theoretical or based on general zoning concepts. Our approach is based on years of front line zoning administration. We know that the code only works if every definition, standard, and dimension can be clearly understood by residents and interpreted by Staff.

Quality deliverables is also why we work as a team of planners and attorneys. Zoning ordinances are fundamentally legal documents. There are choices in how to draft code sections and present information. These have to be practical, specific to Hoffman Estates, and legal. Working as a team of planners and attorneys allows us to check all those boxes and bring our municipal clients and their attorneys confidence that the new code is clear to administer and legally defensible.

The effectiveness of our team is further enhanced by the landscape architects in the Teska's design studio and Ancel Glink's representation of private sector developers. Both firms assist developers in obtaining zoning entitlements across the Chicago metropolitan region. In this way, we bring to the assignment the insights of zoning customers. Further, zoning must work on the ground – not just on the page – and we work closely with the studio to ensure that bulk standards encourage quality development and that landscape standards support quality and realistic installation.

ZONING AND ECONOMIC FEASIBILITY

The relationship between zoning and economic feasibility has two key elements. The first is how the code helps the municipality manage changes in local economies, often influenced by national macro-economic trends, and find the balance between local real estate activity and community goals. In this regard, it is important that each code requirement have a specific purpose – it must add value to community and the development. Requiring plan review or applying standards “because we’ve always done it that way” is not an acceptable answer. Many of our code updates replace processes, meetings, and unclear goals with specific regulations to manage outcomes and performance of the use. For example, home occupations and outdoor dining are often considered as special uses or require detailed local review that adds little value. We work with clients to be sure the right amount of regulation is applied so that businesses can thrive while meeting local development objectives.



Examples in sketches can greatly advance regulatory intent

The second key element is the extent to which the zoning code supports flexibility, mixing of uses, and efficiency. For example, development standards can be met through entitlement processes like site plan review and administrative relief that bring about community development objectives without unnecessary extra meetings or approvals. Even communities that have these tools often apply them with more process than is needed. We will work with the Village to find which of these tools works best and refine them to be efficient and effective.

The end result of code refinements like these is that Hoffman Estates becomes a more attractive place for development, redevelopment, and reuse to occur. We encourage our clients to consider the development review process as economic development. Both our firms have private sector clients, we understand they will always prefer working in a community with a clear and predictable process; not one that assures approval, but one where they know what to expect. An in-depth paper on this topic by proposed Project Manager Michael Blue is included with this proposal.

ZONING IN MATURE COMMUNITIES

Zoning and development in mature communities is different because someone already lives near the subject of the zoning case. Greenfield development does not always about an established neighborhood or commercial corridor. A zoning change in a developed area impacts the daily routine, expectations, and comfort level of neighbors much more profoundly than development on greenfield sites. They must have confidence that the zoning process will help them manage change and lead to a desirable outcome. From the applicant's perspective, zoning and development in a mature community also comes with challenges: existing buildings and shopping centers are more difficult to repurpose than build anew.

Many of our team's clients are mature communities and we help them face challenges like these all the time. It requires not being too quick to embrace what feels like the right answer. In fact, it is essential to take a step back and evaluate choices to find the best answer. As one Plan Commission chair we worked with once asked "Now, are you sure you've considered all the unexpected consequences of this option?". That question best exemplifies working in a mature community, there are always surprises to manage. In terms of zoning, this reflects the need to have flexible review and approval tools to address them.



► I-55 Development Plan

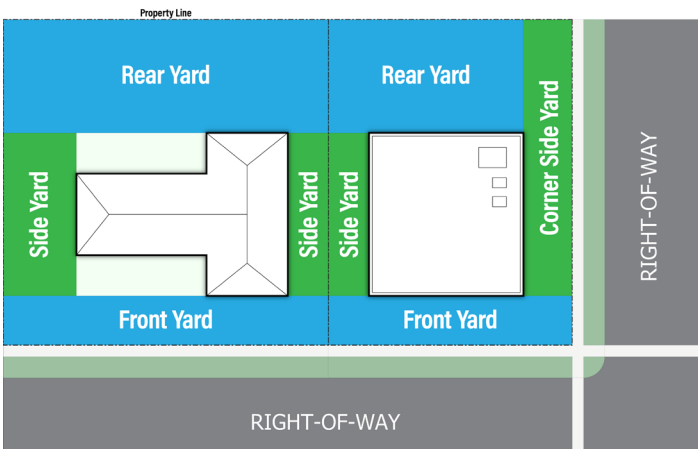
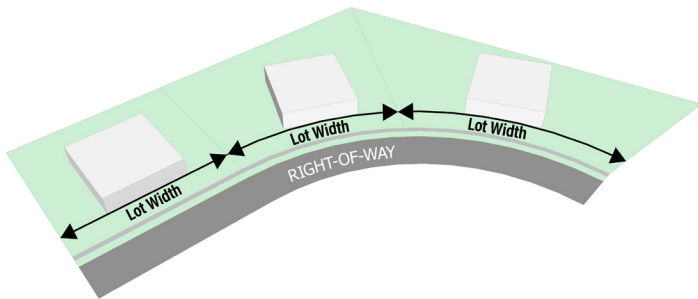
The City of Edwardsville, Illinois had adopted the I-55 Corridor Plan and development code with the Village of Glen Carbon and Madison County. The plan included Form-Based Codes and established land use zones.

After seeing limited development near the I-55 interchange, finding issues with implementing the form-based code, and shifting priorities with the other jurisdictions, the City asked Teska to review the development code and make recommendations to modify the code to reflect the City's priorities and desired development in the area.

CREATE A MODERN AND EFFECTIVE CODE

Our team has a very practical approach to development regulation updates. The code’s standards must recognize development and market realities, legal standards, and desired community character. We work with many communities on a long-term basis, which gives us a solid understanding as to the relative success of their development codes. Further, our hands-on experience serving as municipal planners and municipal attorneys helps us understand local code complexities and what works – and what doesn’t – when an ordinance is applied to a development proposal.

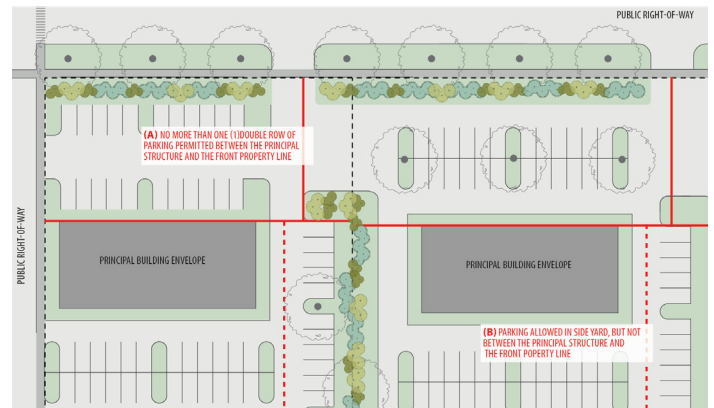
We also emphasize the importance of a user-friendly format as fundamental to modern codes. This is not just a customer service trope. Older zoning ordinances are easy to spot by their unconventional organization, lack of graphics, and long repetitive use lists – all things that make them hard to use. And when an applicant can’t figure out the code their first move is to phone the planning staff for an answer that should have been in the code. More striking is how we will often find a code requirement in an older code we just don’t understand, only to find out that no one at the Village knows either and the standard is just ignored. The bottom line is that a modern and easy-to-use ordinance that includes graphics, charts, and photos will ultimately lead to more effective administration and better development.



WORK WITH STAFF AND BOARDS

An approach to preparing the zoning ordinance in which the consultant works jointly with the Village staff and local officials is one that our team supports and enjoys. This ensures that best practices applied and recommendations developed for the ordinance are specifically suited for the community. This is done by combining the staff’s and commissions’ unique insights about the Village with the consultant’s outside perspective and experience. This thoughtful working relationship also facilitates sound implementation of new codes, as those that will be applying them understand the background and reasoning for development standards.

The time estimated to be needed for local staff and officials to be part of the code update is primarily a function of code review. Reading zoning standards and considering how each will apply locally requires time and focus – but this is expertise staff and officials bring to the update. We find that meetings between consultant and staff to review a draft zoning chapter can be long, but it is time well spent in developing an effective code. Other staff time requirements include general planning for meetings and workshops, and logistics related to notice, hearings, and the adoption process.



Teska creates graphics to illustrate a variety of zoning concepts to make codes more user-friendly

>> APPROACH TO HYBRID-BASED ZONING

Form based zoning has added a new dimension to how communities can craft and apply development regulations. Our team's experience is that drawing on form-based techniques to create a hybrid development code works well. Our approach to this type of code drafting is described here.

HYBRID-BASED CODE SECTIONS

Using the most appropriate zoning techniques to accomplish development goals is a part of every zoning assignment our team conducts. In applying hybrid based zoning ordinances, we find the approach is useful for incorporating various design standards and guidelines into the development process. This can maintain the aesthetic of an area or define the character a developing district. Importantly, it does so within the context a zoning approach with which users are familiar. One of the challenges of a full form-based approach is that many designers and developers find it confusing to apply to their site and limiting to the creativity and flexibility necessary to meet customer needs.

The bottom line in developing and applying hybrid codes is that they must reflect the reality of the development process and market economics. Developers and designers are put off by a laundry list of design elements that they see as adding cost, but not value. The trick is to identify those items considered as important, and make them standards to be fixed in the code. Items where the community preference allows for flexibility can be presented as guidelines, more open to variation in design approach and facilitating creative design. For example, in addition to traditional bulk standards, requirements such as landscaping, building and parking siting, location of doors, or window transparency are elements that can be clearly defined and required as code standards, yet still facilitated through a range of design programs. Other details like building materials, orientation to other buildings, and consistency with nearby architecture can be flexibly applied as design guidelines.

The following are examples detailing how we have applied this approach.

Bourbonnais, IL Design Guidelines

Teska and Ancel Glink jointly prepared a zoning ordinance update for the Village of Bourbonnais. Essential to the process was securing quality development at the soon-to-be-opened interstate interchange. It was determined that the right approach for Bourbonnais was to leave underlying zoning in place and use an overlay zoning designation for key economic development areas where a set of design guidelines (created as part of the zoning update) would be applied to new development. The guidelines are now administered by Village Staff, in concert with a Village – wide Site Plan Review requirement (also established as part of the update) to ensure that new development in the overlay presents the form and development quality desired.

5.0 DESIGN GUIDELINES

5.3 LANDSCAPE DESIGN

Building Landscaping

Design Intent
To create a functional and appealing transition to soften the effects of buildings.

Design Guidelines

- Large building surfaces that are visible from the public right-of-way should be broken up using landscaping features.
- Vegetated or "green" roofs are recommended, especially in areas with minimal landscaping, to minimize water runoff, improve building insulation, and provide additional outdoor amenity areas.
- Landscaping should be integrated into the overall design of the building and complement the site and surrounding uses.

Design Techniques:
Building Landscaping
Visually Break up Building Facade with Landscaping



Green Roofs



24 Commercial, Office and Industrial Design Guidelines in Bourbonnais

DESIGN GUIDELINES 5.0

Design Techniques:
Building Landscaping
Add Visual Interest with Landscaped Trellises



Living Walls



Green Roofs




Commercial, Office and Industrial Design Guidelines in Bourbonnais 25

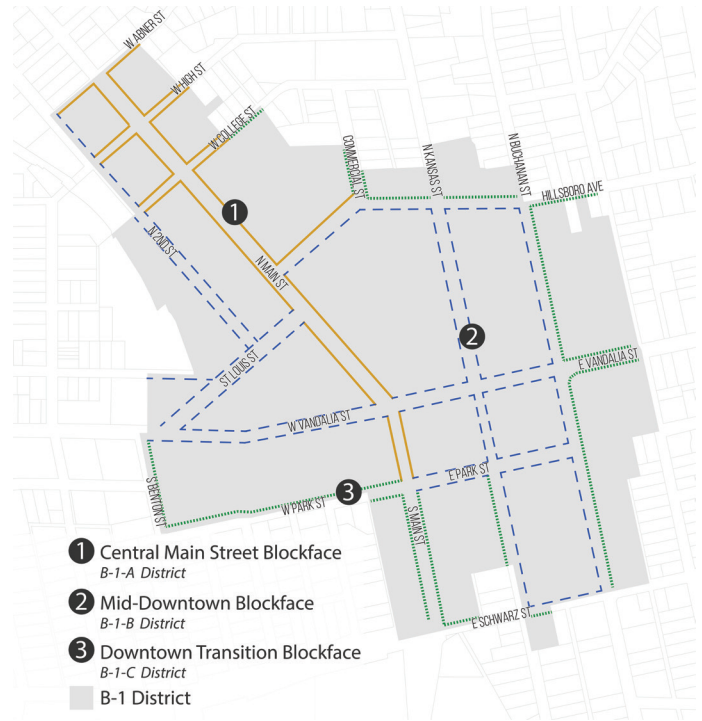
Bourbonnais Design Guidelines

- Architectural Elements Defining Building Stories**
- 1 Cornice
 - 2 Molding
 - 3 Window Sill
 - 4 Lintel
 - 5 Awning/Marquee
 - 6 Stepback/Balcony
 - 7 Window Rows



Edwardsville, IL B-1 Zoning District

Teska worked with the City of Edwardsville in updating portions of its zoning ordinance. This project is the follow up to a Zoning Code Assessment prepared for the City. An update to the Downtown B-1 District applied a hybrid based approach. The downtown area has a mix of historic and new development, including recent construction of five-story buildings (which fit into the existing character but are taller than those previously built in the area). However, the downtown area had no height or bulk standards to define the form and scale of new buildings. In addition, they desired that new development respect and support the historic and pedestrian character of the area. The updated zoning district developed by Teska divides the B-1 into three subdistricts and sets different height and bulk standards for each. In addition, standards for design elements considered essential to the character of the downtown are required in the district, including: location of parking, orientation of front doors, window opacity, parking lot landscaping, and step backs on upper floors along the historic Main Street. Further design standards to apply to new buildings will be defined in the form of Design Guidelines, also developed for the City as part of the zoning update.

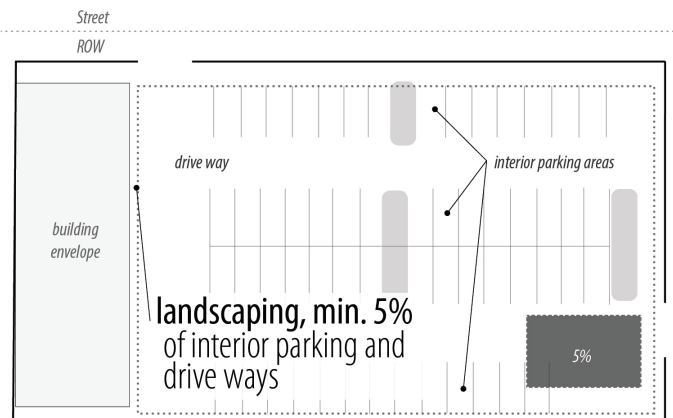


HYBRID-BASED SOLUTIONS TO DEVELOPMENT ISSUES

Ancel Glink has drafted several flexible and innovative zoning regulations to achieve specific land use goals and objectives. The following are some examples:

Village of Bellwood Redevelopment Overlay Zone

The Village identified five specific areas to promote redevelopment and create mixed use, pedestrian scaled redevelopment activity. As originally conceived, the Village wanted to introduce form based code strategies in these areas, but after further analysis and consultation with our office, we determined a better approach would be to create five distinct overlay zones that create a regulatory framework, in concert with the Village's base district regulations and planned development procedures, to encourage and facilitate redevelopment activities.



Edwardsville zoning graphics

City of Oak Forest Gateway Sub-Area Redevelopment District

As part of a comprehensive rewrite of the City's zoning ordinance, we worked with staff to create a base zoning district for the area around the City's Metra station. The District is designed to promote redevelopment compatible with the City's mixed use, transit oriented development Gateway Redevelopment Project that was subject to the terms of a redevelopment agreement. To ensure for architectural design consistency that creates an identifiable community character for people traveling west on 159th Street into the City, the regulations are paired with a new three level architectural design permitting system. The levels are tied to the nature and scope of work proposed to be undertaken, and everything from routine maintenance and repair activities to complete ground up redevelopment.

BUILD ON PREVIOUS WORK

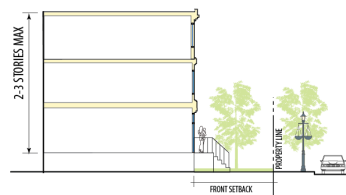
A fundamental element of drafting regulatory codes is to do so within the framework of underlying land use plans and community policies. In this way, the zoning ordinance will reflect unique community characteristics, established preferences regarding development forms, and development review processes that support public policy. The code also will serve as a legally defensible tool to support community objectives. The Comprehensive Plan Western Area Plan and the Barrington Road & I-90 Sub Area Plan will serve as tools to start this process. The plans can be helpful and a good first step is to evaluate the opportunities and policies spelled out for the subareas. These confirmed or updated goals will be useful in defining zoning regulations for those areas.

COMMUNITY ENGAGEMENT

Community engagement is the foundation to our team’s approach to planning and will help ensure the zoning update is reflective of community aspirations. Our outreach strategy includes multiple channels designed to reach everyone interested in participating. Engagement is carefully structured to ensure community collaboration, transparency of feedback, project updates on emerging themes and input, and above all else, consensus and strategy. This is especially important in terms of zoning, a technical and not always exciting topic for most residents. Our community wide engagement for zoning assignments does not dwell on regulatory details, but on questions familiar to everyday residents, such as whether they like certain developments, buildings, or outdoor areas.

The zoning update process is an opportunity to educate residents on what a zoning is, what the process will entail, and how it will impact their lives and those of future generations. The update is also a way to let residents know how the Village is working to meet their needs. Education is integrated within our engagement processes to ensure thoughtful consensus.

ZONING WORKSHOPS



While the task of drafting zoning and development codes is a technical task done independently, reviewing the drafts is best done in a workshop format with staff and the consultant. In this way, the process reflects local examples and incorporates insights from other communities. Just like making zoning interpretations, having multiple perspectives in the drafting process makes for a better code.

KEY STAKEHOLDER INTERVIEWS



In updating development codes it is valuable to have insights from customers of the ordinances and review processes. That outside perspective sheds light on how the code is used, processes perceived, and how applicants generally see the process. This insight is valuable to crafting codes that help residents maintain their homes and businesses continue to thrive.

PROJECT WEBSITE



In order for the community to learn about and track the update process, a project website will be established. It will include background about the project, links to relevant documents, draft and complete reports and code sections, etc. The website also will include an area for people to post suggestions and concerns. The website will be optimized for mobile devices.

PUBLIC OPEN HOUSE

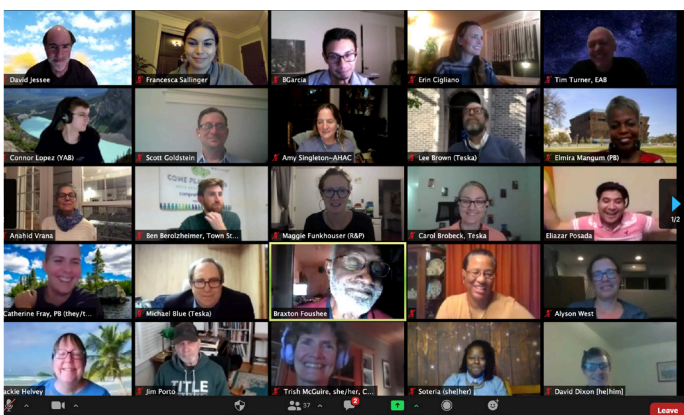
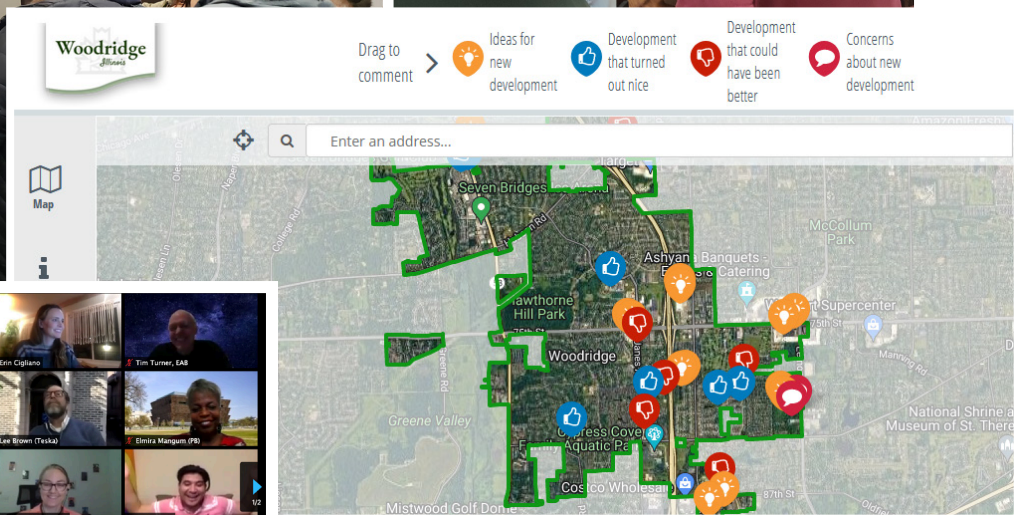


The topic of zoning can be dry and difficult for most people to understand. The purpose of the open house will be to share zoning concepts in an inviting, non-technical manner. Those unfamiliar with development codes would not be asked to opine on code language, but share perspectives on development outcomes. Those perspectives become useful background for the update.

We understand from the Village's RFP that recent stakeholder feedback from the Economic Development Strategic Plan will be available. While we will incorporate that information, we recommend that public engagement specific to the update be conducted. On the information gathering side of the work, the questions we ask and insights we seek are unique to the zoning process and are very useful in helping us consider required code and process enhancements. Additionally, there is an information sharing aspect of public engagement for a zoning ordinance in the website and open houses. It is important to let residents, property owners, and stakeholders know that the Village is updating codes, and public outreach tasks are an effective way to accomplish that goal.

MEETING COMMUNITY NEEDS DURING A PANDEMIC

Over the past two years, we have found pivoting in-person conversations to virtual ones, using videoconferencing platforms (e.g. Zoom, Google Meet, Microsoft Teams) and conference calls are effective options. We anticipate live meetings and conversations to engage people, but stand ready to meet by phone or Zoom with those members of the community who feel uncomfortable meeting in person. In addition, we have adapted our use of project websites to include more complete outreach tools to incorporate those that are not able to attend live meetings (such as recreating community meetings as a virtual open house).



In-person open houses, online meetings, and interactive engagement mediums, such as Comment Maps, provide stakeholders a range of options to choose how they feel most comfortable engaging. Our team will focus on giving stakeholders ample opportunities to ask questions, share ideas and give feedback.

>> 2.2 WORK PROGRAM

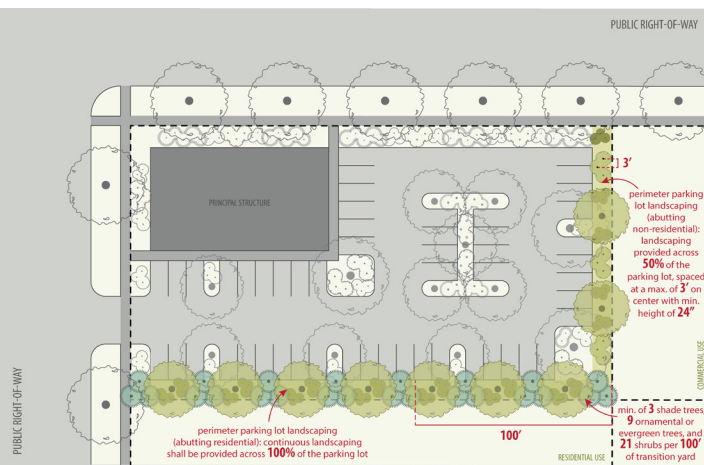
We have reviewed and concur with the Scope of Services outlined in the Village’s Request for Proposals. To show how public involvement tasks, project deliverables and other project steps would be arranged in the update, they are incorporated into this proposed work program.

PHASE 1: PROJECT KICK-OFF

A joint meeting with the consultant and Village staff will be held to review past zoning practices and projects in the Village, as well as key issues to be addressed by the zoning update. Unique zoning issues as raised in the Request for Proposals (such as potential use of PUD) will be discussed. The roles of the Zoning and Subdivision Codes in the Village development review process will be thoroughly considered. As noted in the RFP Addendum, both contain regulations relevant to development in the Village. While the decision need not be made at this stage, staff and consultant will review the options for creating separate codes or a single Unified Development Ordinance.

The meeting also will include review of the project scope, schedule and responsibilities for all work. The team will join staff on a tour of the Village, focusing on sites that reflect typical zoning issues to be addressed or serve as models for the type of developments desired by the Village.

A separate meeting will be held with the Planning and Zoning Commission to review the project and their expectations for the project. The workshop format will facilitate in-depth and informal discussion among the participants, which can include the Village Board and others as the Village may choose.



Example of a Teska-designed parking illustration

PHASE 2: EXISTING CONDITIONS ANALYSIS

The team will conduct an in-depth review of the existing zoning ordinance, community plans, and other relevant code sections. The review will consider the current code in light of administrative and procedural best practices, the latest legal requirements, appropriateness of zoning standards, and the extent to which the document advances Village development goals. The technical review will focus on:

- Best Practices:** In reviewing the current code, the team will measure it against established best practices in applying zoning. For example, in terms of use lists and definitions, we prefer to apply “use categories” – like Retail Sales or Personal Services – rather than a laundry list of individual uses with compatible needs and impacts. Definitions often are another area that requires focus as they can be hard to keep current and can also create unintended consequences with possible legal ramifications. Lastly, zoning districts and standards will be a focus of the review, to ensure that these requirements are in keeping with the type of development the Village desires. We will work with staff to draw on their experience with the specific challenges the Village has seen and needs to address.
- Legal Review:** Ancel Glink will conduct an evaluation of the code based on compliance with state and federal laws. Attention will be applied to regulations related to signs, adult uses, small wireless facilities and other areas where legislation or case law directs a legally sound standard be defined and prepared. Ancel Glink will work with the Village’s attorney to consider past issues that have relevance to this analysis.
- Development Review Process:** The team will review current administrative procedures and requirements to understand how the process is seen and understood by the Village’s zoning customers. Past development applications and approval processes will be considered to understand relative strengths and weaknesses of current practices. The intent of this review is to ensure that approval processes are efficient for the Village and applicants, and are clearly conveyed to zoning customers.

Public Involvement Tasks

Public involvement will be incorporated into the existing conditions analysis as described here:

- Key Stakeholder Interviews:** The consultant will conduct group interviews with different zoning users and interested groups such as: local developers / contractors, designers business owners, property owners, engineers, Village officials and others identified by the Village. This step is used to solicit general impressions of desired development outcomes and the extent to which the current zoning code supports those expectations. In addition, plan review procedures and specific descriptions of the customer service experience will be discussed to understand how well the zoning review process is serving the Village.
- Project Website:** For the community to learn about and follow the zoning ordinance update, materials prepared as part of the process will be provided on a project website developed and maintained by the consultant. The project website will include background about the project, links to relevant documents, the ordinance draft, etc. A commenting function will be integrated into the website for people to post ideas, suggestions, and concerns. The project website will also be optimized for mobile devices such as smartphones and tablets.
- Public Open House:** An open house will be conducted to invite community feedback to zoning and development issues, and help people understand the zoning process. While most residents won't be well versed in the details of a zoning application, they certainly have feelings about the type of development in the Village and issues such as land use transitions and appearance of buildings. This input will be considered as the code is drafted.

Preliminary Recommendations Memorandum and Workshop

Work to this point will be summarized to share initial findings about the code and perspectives on moving the update forward. The Preliminary Recommendations Memo will present analysis for each chapter of the current zoning code, as well as a summary of all public engagement tasks to date. The report will identify which sections of the ordinance require major or minor editing, and what new zoning elements need to be incorporated. The memo will be shared with staff for review and comment, and then provided to the Planning and Zoning Commission. We will conduct a workshop with the Commission to present the findings and hear their feedback on the report. If the Village wishes, the group involved in this workshop can be expanded to include the Village Board and others, (such as those that were part of the stakeholder interviews).



Facilitating community workshops that are fun, engaging, and productive is a specialty of Teska's

PHASE 3: DRAFT ORDINANCE

At this point in the process the consultant will prepare a draft of the zoning ordinance update, as well as a memorandum identifying key changes. The draft will be provided to Village staff for review a chapter or two at a time. The consultant and staff would then meet to discuss the chapter(s) and the draft will be revised per feedback from that discussion. Once compiled, the draft update will be presented at a public meeting with the Planning and Zoning Commission and be posted to the project website to allow for community review and comment.

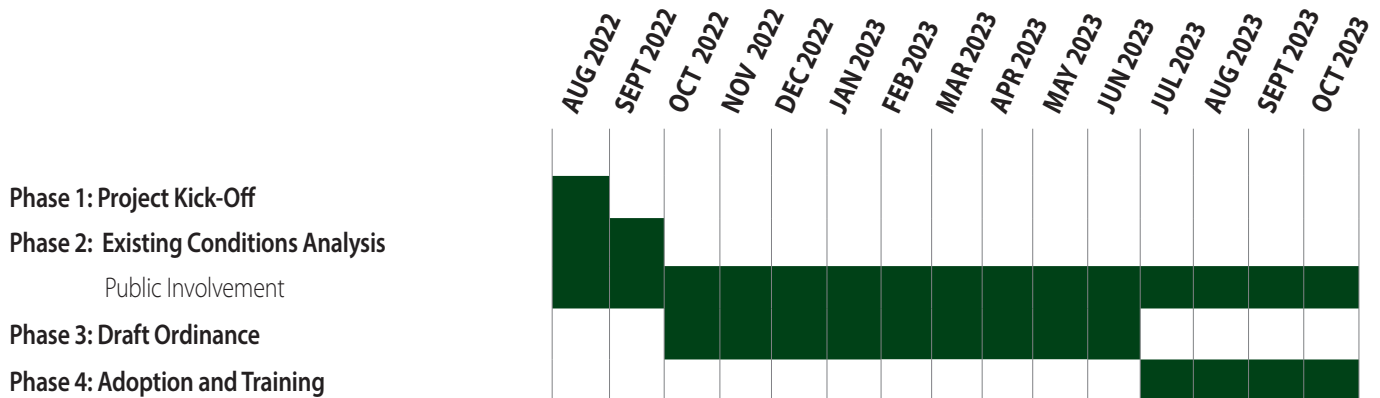
PHASE 4: ADOPTION AND IMPLEMENTATION

The final development code document will be presented to the Planing and Zoning Commission at a public hearing to secure input from the Commission and community. The code will be refined based on this feedback and shared with the Planning, Building, & Zoning Committee of the Village Board, and further revised based on their feedback. The consultants will be available for up to four public meetings as part of the review and adoption process. We will work with the Village and Municode to ensure final documents are set out in the Village’s standard format and lend themselves to codification. Our experience here is that that clear graphics with good color differentiation are important to codifiers in providing a readable online version of the code.

The final code will be provided to the Village in Word and PDF format. Graphics and illustrations will also be provided in a form that can be edited.

After adoption, a training session will be led by the consultant regarding the new development code. A powerpoint presentation will be prepared for the training session that can also serve as a users guide for the updated code. The Village may wish to record the session so that it can be shared broadly with staff and officials who work with the code, as well as builders and designers who will be consulting it for new developments.

>> 2.3 ANTICIPATED TIMELINE



3 | COST

Our team proposes to conduct the work program spelled out in this proposal for a fee **not to exceed \$130,000**, inclusive of all staff time and expenses. Expenses include travel to meetings and cost of materials that may be printed for meetings, workshops and open houses. All draft code chapters, transmittal memoranda and final documents will be provided to the Village in electronic (PDF or Word) format.

The work program spelled out in this proposal includes an estimated 535 hours of staff time by Teska Associates, Inc. and 270 hours by Ancel Glink. This staff time projection and project cost are based on our experience with similar projects, and we are open to refining the scope and budget as may be needed to most appropriately meet the Village's needs and expectations for the project.

HOURLY RATES - TESKA

| | |
|--|----------|
| Michael Blue, FAICP, Principal | \$165/hr |
| Michael Hoffman, AICP, PLA, Vice President | \$165/hr |
| Carol Brobeck, AICP, Associate | \$115/hr |
| Yuchen Ding, AICP, Associate | \$115/hr |

HOURLY RATES - ANCEL GLINK

| | |
|--------------------------------|----------|
| David Silverman, AICP, Partner | \$225/hr |
| Dan Bolin, Partner | \$200/hr |
| Megan Mack, Associate | \$185/hr |



APPENDIX

SUPPLEMENTAL DOCUMENTS

The following supplemental documents are included in this section:

1. "Development Review as Economic Development" - Article by Michael Blue of Teska
2. Zoning Information Sheets created by Teska for the City of Champaign, IL
3. "Drafting Defensible Regulations" - Article by David Silverman of Ancel Glink
4. Ancel Glink Land Use Practice

ZONING PRACTICE

FEBRUARY 2014



AMERICAN PLANNING ASSOCIATION

➔ ISSUE NUMBER 2

PRACTICE DEVELOPMENT REVIEW



Development Review as Economic Development

By Michael Blue, FAICP

Development review is more than just a series of perfunctory steps to run a project through prior to approval.

Done well, it is an economic development tool for a community to attract and secure desirable development, implement plans, and add to the local tax base. Conversely, an unpredictable development approval process can discourage development that the community wants. It can lead to difficulty in implementing plans and create the impression that the community is not a good place to do business.

We've all been to a meeting like this: The planning and zoning commission is on its third review meeting of a major retail develop-

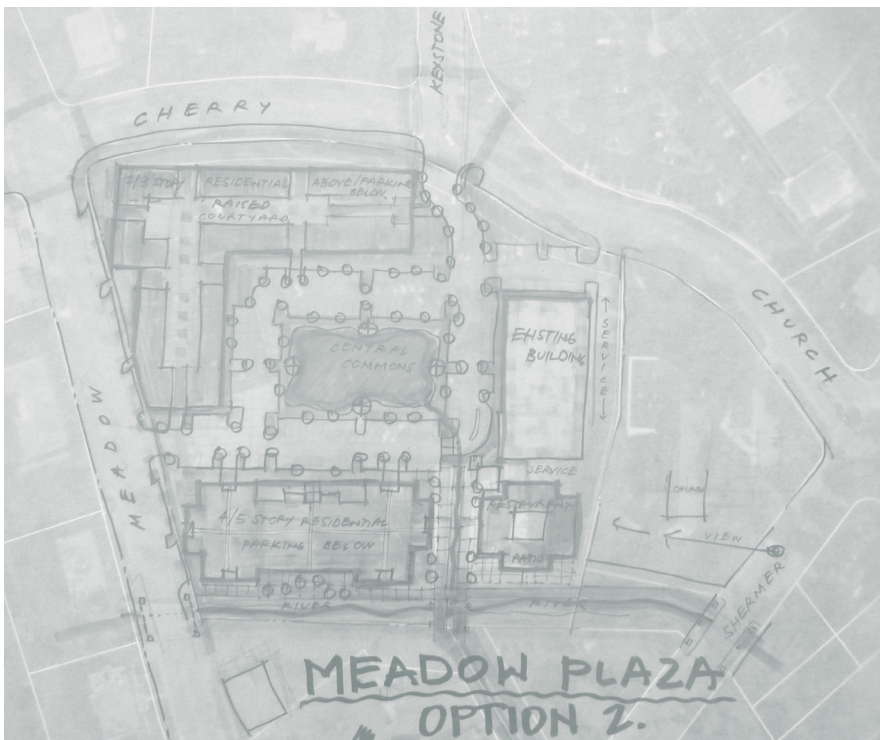
ment on the main commercial corridor in town. The staff has worked with the developer to understand city codes and expectations, and the proposal has begun to reflect those needs. In keeping with the outline of the staff report, the commission has dutifully considered land use, zoning, site plan and circulation, traffic, landscaping, signage, lighting, light fixtures, and now, building materials. The discussion has gone as expected so far, with the commission requesting "just a couple more" details on types of plant materials and a bit of discussion

over which of the light fixture styles was most appropriate.

Then the commission turns its attention to the awnings. The signage on the awnings for the project's anchor tenant was within code and the color was the company's usual red. One of the commission members suggested that while the awning was the company's standard and was in context with the overall building, perhaps a different shade of red would be more attractive, maybe even a maroon. A second commission member chimes in that maroon is much too dark, and that something more vibrant, perhaps leaning toward orange, would be better. The debate on which shade of red was best for the awning rages on for 45 minutes. To resolve the matter, the chair suggests that the applicant return to the next meeting with three samples of shades of red they would like to propose for the commission to evaluate and then adds that it is now too late to make any formal decisions.

The aftermath of the meeting is predictable. The applicant is frustrated because there is a corporate deadline to start construction that this "hurdle" will delay. He will tell the planner how the whole project is now in jeopardy and that all those people who warned him not to build in this town were right! A call from the mayor or city administrator wanting to know what happened is also likely since this is a project the community wants.

Development review is an essential element of municipal operations, and when done well, it provides an opportunity for planners to bring a great value to the communities they serve. The process should always improve marginal developments and reject those that are inappropriate, but it should not be the stumbling block that inhibits desirable outcomes.



Teska Associates

- ➡ Development review processes should add value to the community by evaluating proposed developments in light of topics important to the community.

ASK THE AUTHOR JOIN US ONLINE!

Go online during the month of February to participate in our “Ask the Author” forum, an interactive feature of *Zoning Practice*. Michael Blue, FAICP, will be available to answer questions about this article. Go to the APA website at www.planning.org and follow the links to the Ask the Author section. From there, just submit your questions about the article using the e-mail link. The author will reply, and *Zoning Practice* will post the answers cumulatively on the website for the benefit of all subscribers. This feature will be available for selected issues of *Zoning Practice* at announced times. After each online discussion is closed, the answers will be saved in an online archive available through the APA *Zoning Practice* web pages.

About the Author

Michael Blue, FAICP, is a principal with Teska Associates of Evanston, Illinois, a firm providing public- and private-sector clients with services related to planning, landscape architecture, site design, economic development, and community engagement. He worked in the public sector for 15 years as a community development manager for Mount Prospect, Illinois, and Highland Park, Illinois, focusing in both locales on development review and approval, long-range planning, and policy related projects. As a consultant, Blue has prepared numerous long-range plans, development impact studies, and public participation efforts. For much of his career, he has been active in the American Planning Association at the local, state, and national levels, and he is currently the Planning Officials Development Officer for APA Illinois.

THE WARNING

Elected and appointed officials, planners, and other development process participants can become comfortable with their communities’ zoning approval processes. However, we must realize that just because a process worked in the “old” economy, prior to the mid-2000s, it will not necessarily function well today. Well-capitalized builders and developers who feel they can put a project in the ground on spec and then attract tenants are rare, if they exist anywhere. Communities are faced with a new range of development and financial challenges. For these reasons, it is time to revisit approval processes and find the next set of best practices to ensure that development review tasks and requirements add value to our communities.

THE CHARGE

A development review processes should incorporate three essential themes:

- The process must be predictable to the applicant, elected and appointed officials, other departments, and the public in order to assure the best outcomes.
- Each step in the development approval process must add value to the process, the development, and the community.
- The process must ensure open and continuous communication to the applicant, elected and appointed officials, other departments, and the public.

Communities should audit their processes in light of these three themes. But remember, the purpose is not just to do “more with less” or to streamline a process. Yes, efficiency and timely review are important, but we must be

careful that streamlining is not just doing the same work in less time. A faster development review isn’t necessarily a better review. Rather, the question should be to look at the aspects of the review and determine if they advance the community vision. Did the commission need to review awning colors (or, for that matter, landscape and lighting, which could be defined in a code and approved administratively)? If the answer for the community is yes, these are important elements that must be considered by a formal body, and the community should continue to do so. However, if items of limited significance are being reviewed or approval

through a commission process isn’t essential to enhancing development, they should be eliminated, made administrative, or set to meet clearly defined code standards. This is the type of process streamlining that will save time and money for the community by focusing effort on the issues that matter most and making it a more attractive place to pursue development.

THE CAVEAT

Is this about tossing out the way communities have conducted development review and starting over? Absolutely not. The steps in development review that reflect the unique values and



Figure 1. Single-family housing sales, January 2000–November 2013.

needs of the community should continue. And while it should go without saying, the purpose is not about accepting development the community neither wants nor needs, nor is it about assuring large profits to an applicant. The objective is to strike a balance in approval processes so as to smoothly facilitate quality development outcomes for the community and its residents.

WHY IS THIS IMPORTANT NOW?

To state the obvious, the world of development, and therefore development approval, has changed over the last several years from what it was prior to the Great Recession. Figures 1 and 2 for new home sales and building permits reflect the very familiar trend line of peaking in the middle part of the last decade, falling sharply, and now returning (slowly) to an upward trend. But even as the economy begins to gain traction, it is important to ask: Will it ever be 2005 again in the development world? Can communities expect or count on that pace of development returning? Communities cannot rely on securing tax-base support from desired development at the pace they did 10 years ago. That economy is past. The way in which development is done has changed, and development approval practice must reflect that reality. It must be thought of as part of the community's economic development toolbox.

The Development Business Has Changed

Figure 3 (showing the familiar pattern and an uncertain 2013) indicates annual rates of private construction in the U.S. Anecdotal stories heard at building counters reflect that while developers are out there looking to take on projects, capital is hard to find and is impacting the number of projects being initiated. Not only will developers be limited by access to capital, but they will be more likely to seek public financial participation. More to the point of this discussion, developers will be more risk averse and less likely to pursue development where the approval process is unpredictable.

Development Approval and Economic Development Have Changed

The capacity of municipalities to regulate and support development has been threatened and impacted by state referenda on property rights and Supreme Court cases such as *Nollan*, *Dolan*, and *Kelo*. These challenges have not gutted the role of municipalities in developing their communities, but they do give communi-



Figure 2. Residential building permits, January 2000–November 2013.

ties reason to be cautious. In this environment, a sound and predictable development approval process becomes an even more valuable economic development tool.

Public Finance Has Changed

Established revenue sources to communities have been reduced. In addition, local govern-

ments all over the country are dealing with having lost, or the risk of losing, funds from state and federal sources. Further, municipalities are facing challenges imposed by funding pension responsibilities; the table below shows the increasing trend of these payments. As those obligations grow, so will the pressure to find new revenue sources to support them. Again,

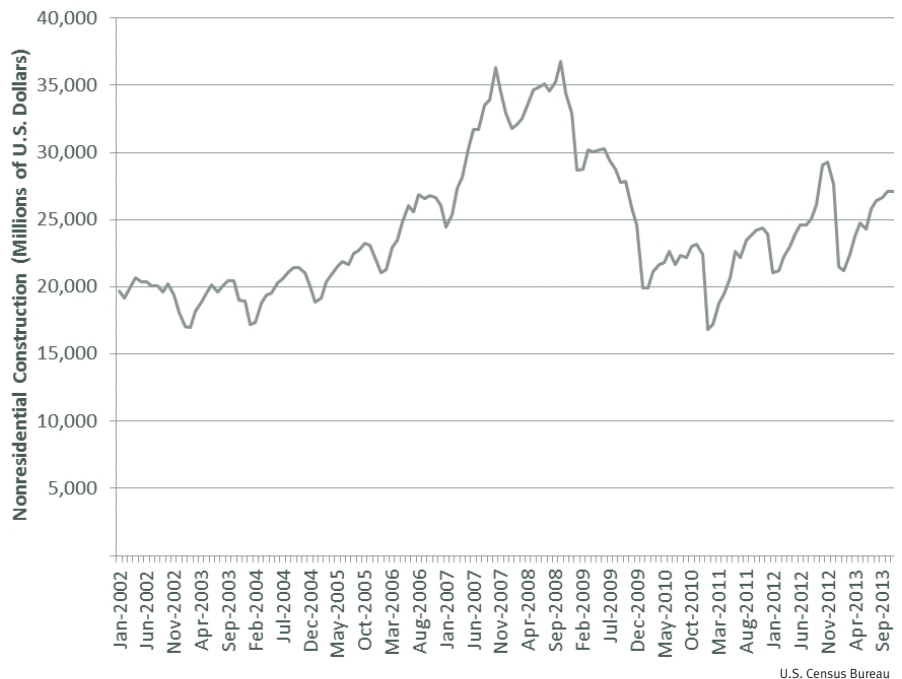


Figure 3. Private nonresidential construction spending, January 2002–November 2013.

the need for attracting desirable development to support fiscal needs becomes an important element of municipal finance.

Government Operations Have Changed

The mantras heard at budget hearings everywhere are the echoes of very real fiscal constraints: “do more with less,” “consolidate,” “share services,” “outsource,” “think like a business,” etc. These concepts have merit, but at some point (and many places are already there) budget reductions are cutting bone, not fat. A number of communities set staffing levels based on average, or typical, operations. In areas that do not have a year-round construction season, maintaining staff needed during a busier summer season allows for “catching up” or project work during the winter. Communities unable to carry staff in this way may move to third-party services for peak times. No matter how communities address the budget and staffing challenge, it is important to maintain the emphasis on quality development review. Too often the concern in light of budget constraints is how to do development review faster, but the question should be how to do it better.

THE WARNING SIGNS

So how do you know when the process isn’t functioning optimally and you need to look at serious change? Keep your eyes open for some warning signs:

A Lack of Understanding or Respect for the Process

The approval process is not always going to be smooth. It is inherently a negotiation and

may well be contentious. But it does not need to be mean spirited or belligerent; it doesn’t have to be cops and robbers. If there is a lack of trust, communication, or respect at meetings between staffs and applicants, realize that this is not normal and acceptable. It is time to find and eliminate the cause of a caustic working relationship.

In addition, some applicants will go through the motions of the approval process with little regard for staff review or commission evaluation. This approach may be a political calculation by the applicant in the hope that a desire for their project by the community negates the need for in-depth vetting through a public process. This is not the case and should be a warning sign. A deliberative process that seeks and applies concerns brought up by the staff, commissioners, and public input creates a thoughtful deliberation and brings a well-reasoned recommendation to the elected officials. Further discussion at that stage isn’t a problem, but officials should be working from a foundation established in the process.

Development by Litigation

In some cases an approval process will result in litigation. While always possible, the keys to avoiding this outcome are a well-crafted comprehensive plan and set of development policies, practices, and regulations that reflect that plan. In addition, a predictable approval process will lessen the chances of a community being sued by an applicant. Working from the notion that the applicant will most likely proceed if there is a reasonable chance for

success, it is the denial that seems unexpected to them or comes from a late shift in the position of the community that inspires litigation. A predictable process, well communicated and well executed, can help diminish the potential for litigation.

Amending Unnecessary or Inappropriate Requirements

It is essential to know and be able to explain why code requirements exist. Dismissive answers such as “because the code says so” or “because we’ve always done it that way” do not communicate properly to applicants or the community the value of development (and building permit) review. Also, there is efficiency to be found in making sure that every step has a purpose—benefiting both the community and applicants. The question is whether the review requirement adds value to the development and the community. If it does, keep it; if not, look to amend the code.

That said, change for the sake of change (or to give the appearance of progress) has no value. Likewise, a knee-jerk code or policy change in response to a single undesirable outcome (like an unusual sign or odd-sized porch) is not always necessary. But if patterns appear in approvals that are contrary to community desires or a “loophole” is identified that creates unwelcome development forms, communities should be willing to amend local codes to support desired outcomes. The same is true should the need arise to consider updates to the approval process. In making changes, communities should take note that seeking out different perspectives and being open to the changes they propose (even small ones) can improve the process and are appreciated by applicants.

A Reliance on Last-Minute Negotiation

As stated earlier, development includes negotiations. When that negotiation happens is important, and the earlier in the process the better. The ability to be flexible diminishes, for both municipality and applicant, as the process moves forward. A last-minute demand will either be a genuine issue or create a perception of unreasonableness (from either party) and may upend a desired outcome.

A Lack of Internal Communication

In most communities the team that conducts development review is multidisciplinary and from different departments. Communication



↻ Continual and open communication regarding procedures, community expectations, and code requirements are essential to a successful development approval process.

among these groups is essential. A lack of communication will limit desirable outcomes and send the message that the community is not ready to do business.

A Lack of Positive Development Outcomes

Securing desired developments that advance the community’s plans, vision, and quality of life is the ultimate aim of an effective development approval process. To ensure this is working, always go back and see how the development turned out. See what the local commissioners, residents, and elected officials think. Not everyone will like every development, but finding that the community is consistently not pleased with outcomes is reason to reconsider how projects are approved.

HOW TO IMPROVE THE DEVELOPMENT APPROVAL PROCESS

If you notice any of the warning signs above,

it’s time to start an internal discussion. Identify a point person to talk with staff, commissions, and elected officials to understand what the community needs and wants from the process. Talk to the customers (developers) about their take on the process. Review your development approval steps to see that they add value. You should ask: Why do we do this? Who does it help? Is the cost for review greater than the benefit? Evaluate the system in light of the themes, truisms, and best practices outlined below.

Predictability

The best development approval process will have a defined structure understood by all involved. To facilitate such an outcome, communities should be cognizant of the numerous perspectives in the process and work to create a common understanding of how the process functions.

Certainty versus flexibility. Communities want to know precisely what will be built, who will occupy it, when it will be finished, and what it will look like. Developers want to make many of these determinations later (to be sure the construction material is in stock, negotiate leases over time, change the appearance depending on tenants plans, etc.). There is no way to completely bridge the certainty versus flexibility gap, but the answer is to provide predictability. Approval ordinances, codes, or development agreements should spell out what can change after approval, including what can be signed off on administratively and what will require a new hearing.

Different game for the little guys. Large developers or businesses may have a team of attorneys, architects, traffic engineers, landscape architects, and other professionals to assist with review processes. Smaller applicants will not. They may have never been through an approval before. The process will be full of jargon and intimidating meetings. They will need assistance (and time) from staff to make it through the process. Many communities note a desire to emphasize locally owned businesses as part of their economic development program, and having an approval process they can navigate is a great place to start.

Conduct commissioner training. The community members sitting on various development-related boards and commissions more often than not have no technical training or professional expertise in development review or code preparation. Even the best staff reports cannot make them experts in the field, and many will be unwilling to ask questions they feel are too simple. They are on the commissions because of their interest in and commitment to their community. Further, as residents they will certainly have a keen understanding of the town’s quality of life, expectations of community members, local history, etc. While volunteer board members will bring these insights to the commission deliberations, staff can help enhance the efficacy of these boards and commissions by finding the time and opportunity to provide training in commission operations and development review practice.

Communicate the process and expectations. Developers should know early in the process what information, studies, meetings, and approvals will be required. This need not be sugarcoated; it should be realistic. Part of this communication is also to understand the applicant’s position (with an open mind). Be



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➡ Desirable developments that implement community plans are the most direct indicator that a development approval process is succeeding.

aware of that position and take time to understand it. However, it doesn't change the need for high-quality development standards to be met. Further, the community planner must maintain a position as supporter of the vision, goals, and processes of the community, but these objectives can be accomplished in a way that keeps the community's process from being an impediment to economic development.

Incorporate community plans. The community's comprehensive and subarea plans must be incorporated into the approval process from the outset of discussions with potential applicants. This establishes community needs and desires as the benchmark for consideration and helps the developer understand expectations. A clearly defined vision will help an applicant focus on that outcome; most applicants will avoid an uphill climb with limited chance of success. When a developer or property owner walks into the planning department and asks what type of development project the municipality wants in a specific location, having a sound, thoughtful answer will encourage appropriate development proposals and discourage projects that are inconsistent with the community's vision.

Establish and communicate meeting protocol. Most residents don't spend a lot of time in public meetings (though they may watch on local cable). An essential element of development approval is to make it a public process. It should make the community comfortable that the review process is not a mere formality. Take a few minutes and explain to the public how the review process works at the beginning of the meeting, or create a simple brochure that explains the process and meeting protocol.

Value Added

Each step in the development review process and each of the codes the process applies must have a specific purpose for advancing the community's vision, comprehensive plan, and quality of life. They need not be limited, easy to address, or common in other towns, but they should have a purpose that can be reasonably explained to applicants, commissioners, elected officials, and residents.

Review steps must add value. As suggested above, program enhancement is about understanding and explaining the purpose of a review task. To be beneficial to the community a task must add value to the process and help make the development proposal better.

Dealing with limited staff resources.

Frequent applicant communications, in-depth technical analysis, and being available to elected and appointed officials can be difficult for planners in communities with limited resources. However, this does not diminish their importance. A review of the approval process should certainly consider how to meet local objectives with limited staff resources.

Little efforts can make a big difference.

Revisiting a development approval process does not require wholesale change, especially just for the sake of change. It may be that an updated explanation or diagram of the process, or consolidating steps, serves the community and applicants well. In addition, involving the development and business community in the evaluation provides value by showing that the community is committed to reviewing proposed development in the most effective manner available.

Communication

Open and continuous communication with applicants, community officials, other staff, residents, and other stakeholders is foundational to all of the concepts described in this article. This point is often forgotten, either because it is so basic or because in some situations it is inconvenient, but no approval process can succeed without this key ingredient.

No surprises. The city manager, public commissions, and elected officials should be well informed (early on) of issues or questions that are likely to be controversial. Likewise, a developer should be made aware of what they may expect in the process; again, it should be realistic and reflect an understanding of previous project approvals.

Communicate early and often in the process. A clear and comfortable path for communication is essential. This must exist between the staff and the applicant and between staff and appointed and elected officials. This can be formal or informal, but it must be present. If you haven't already, consider establishing single points of contact for such communications.

Communicate internally. Organizational "silos" are problematic in many instances. This is certainly the case for effective development review; the process must include discussion among all work groups on a regular basis (this cannot be stressed enough). The process may be led by a planning or community development department, but must involve public works, fire, police, parks and recreation,

corporation counsel, and other internal stakeholders. These groups should meet regularly to assure consistency and be available to the applicant to clarify matters early in the review process.

CONCLUSION

It is not the place of any municipality to swing open the doors and allow development at all costs or to tilt the process in favor of anyone's profit motive. That is not the intent of the concepts raised here. The point is that to conduct development review as if it were 2005—or to use the same process that was in place in 2005—is detrimental to the community. Creating an environment that facilitates a good development process leads to desired outcomes that benefit the entire community; it is a role for which planners are uniquely qualified and should be leading in their municipalities.

Cover image by Micha? Po?om/
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VOL. 31, NO. 2

Zoning Practice is a monthly publication of the American Planning Association. Subscriptions are available for \$95 (U.S.) and \$120 (foreign).
W. Paul Farmer, FAICP, Chief Executive Officer;
David Rouse, AICP, Managing Director of Research and Advisory Services.

Zoning Practice (ISSN 1548-0135) is produced at APA. Jim Schwab, AICP, and David Morley, AICP, Editors; Julie Von Bergen, Assistant Editor; Lisa Barton, Design and Production.

Missing and damaged print issues: Contact Customer Service, American Planning Association, 205 N. Michigan Ave., Suite 1200, Chicago, IL 60601 (312-431-9100 or customerservice@planning.org) within 90 days of the publication date. Include the name of the publication, year, volume and issue number or month, and your name, mailing address, and membership number if applicable.

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INFORMATION SHEET

URBAN NEIGHBORHOOD DISTRICTS

REPLACING THE IN-TOWN (IT) DISTRICTS



As part of an ongoing effort to make Champaign more livable, attractive, and vibrant, the City is updating parts of the zoning ordinance that regulate how and where new development can occur. This information sheet focuses on two new Urban Neighborhood (UN-1 and UN-2) Districts, which will take the place of the existing In-Town (IT) Districts that encompass the urban neighborhoods located west of Downtown. Recommendations for how to amend zoning regulations are summarized on this information sheet.

AREAS CURRENTLY UNDER ZONING REVIEW BY THE CITY:

- Urban neighborhoods west of downtown
- Neighborhood business districts around the City
- Downtown, Midtown, and Campustown
- Student apartment areas

PURPOSE STATEMENTS [UPDATED]

UN-1: The purpose of the Urban Neighborhood (UN-1) district is to accommodate the existing mix of housing types including single-family homes, attached units, and low-rise multi-family buildings in close proximity to downtown. Design of multifamily buildings in the UN-1 district should ensure future development is compatible and in scale with existing development and that new multifamily developments meet the City’s goals for improving the aesthetics of multifamily buildings in the urban neighborhood areas. Commercial uses will generally not be permitted in this district. However, limited non-residential uses such as offices and services that are compatible with surrounding residential neighborhoods may be permitted in this district.

UN-2: The purpose of the Urban Neighborhood (UN-2) district is to accommodate low- to medium density housing that including single-family homes, attached units, and low- and mid-rise multi-family buildings in areas directly adjacent to downtown. Design multifamily buildings in the UN-2 district should ensure that increased development density is compatible and in scale with existing development and that a new low- and mid-rise multifamily buildings meet the city’s goals for improving the aesthetics in the urban neighborhood areas. Commercial uses will generally not be permitted in this district. However, non-residential uses such as offices and services that are compatible with residential neighborhoods may be permitted in this district.

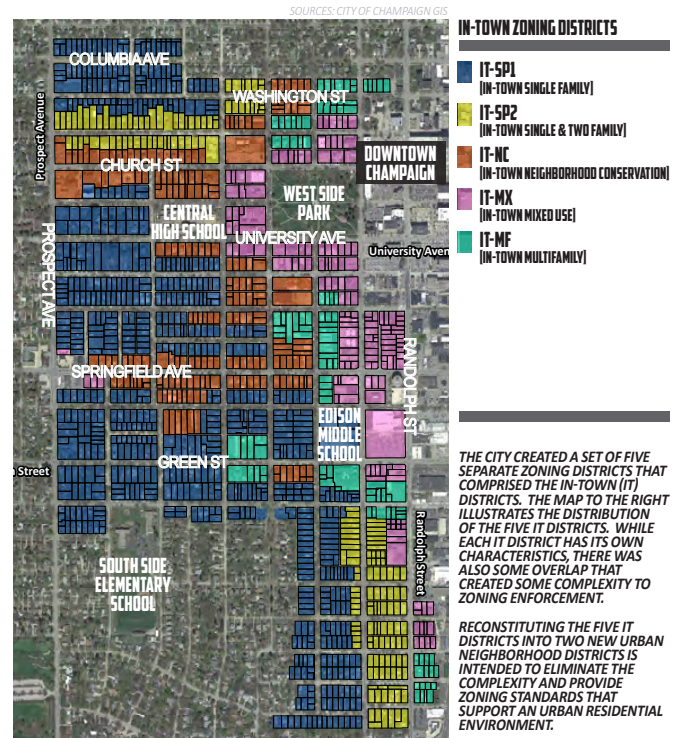
WHAT IS THERE TODAY
CURRENT CONDITIONS



The area west of downtown includes single-family and two-family attached residential units. However, many single-family homes have been converted to multi-unit buildings. Low- and mid-rise multi-family buildings and some businesses like offices are also interspersed throughout. Development in the area is regulated by five separate zoning districts, as marked on the map.

The City created the In-Town (IT) Zoning Districts in the late 1980s to address residents’ concerns about increasing density. The IT Districts have produced varying results. On the positive side, the single-family character of the neighborhoods have been preserved, with fewer teardowns, conversions, and new but out-of-place apartment buildings. On the other hand, the IT zoning regulations have been challenging to apply by City staff and understand by developers, which has kept new, desirable development from happening.

The City’s 2011 Comprehensive Plan describes this area as an Urban Neighborhood that is “ideal for residents who wish to live within walking distance to employment or entertainment uses downtown, [mixing] existing homes with infill housing and include a range of densities that provides for a diverse range of housing types.”





INFORMATION SHEET | URBAN NEIGHBORHOOD DISTRICTS

WHAT WILL CHANGE RECOMMENDED ZONING REVISIONS FOR THE UN DISTRICTS

1: SIMPLIFIED ZONING DISTRICTS: As shown in the graphic to the right, the Zoning Map will be revised to replace the existing IT Districts with the new UN-1 and UN-2 Districts. Lynn Street will serve as the dividing line between the new UN Districts and standard single-family zoning (SF-1) to the west.

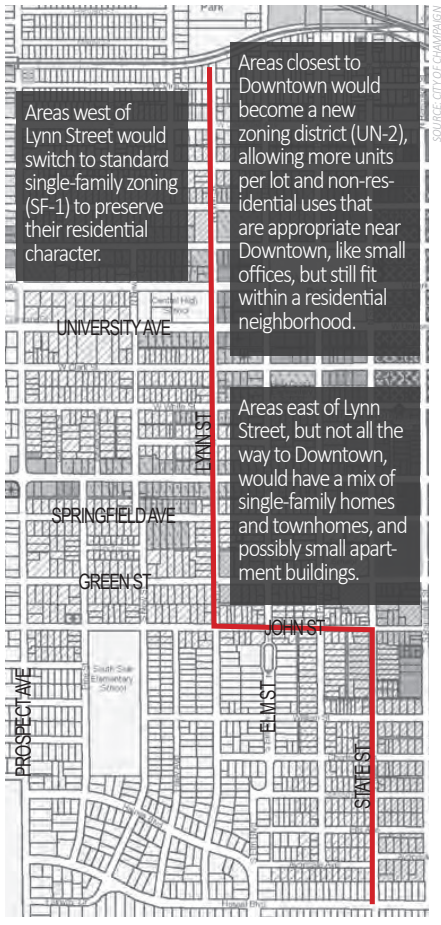
2: UPDATED USE LIST: As provided on the far right, the Use List will be updated to ensure appropriate uses are listed and properly classified (e.g., permitted, provisional, or prohibited).

3: STANDARDS FOR PROVISIONAL USES: In addition to updating the Use List, the standards that underly each provisional use will also be revised to provide a clear understanding of the criteria that uses must meet to be deemed provisional.

4: LANDSCAPING & SCREENING STANDARDS: The updated Zoning Code will include updated standards for landscaping and screening, particularly for multi-family residential sites.

5: MULTI-FAMILY RESIDENTIAL WITHOUT PRIMARY ENTRANCES: Apartment buildings that fit this profile are common in the current IT Districts, particularly apartments with exterior hallways and unit doors on the outside. However, primary entrances will now be required in the UN-1 and UN-2 Districts.

6: VISUAL EXAMPLES OF CERTAIN DESIGN ELEMENTS: The updated Zoning Code will include drawings that accompany certain design elements, such as building orientation, location of parking, balconies, building transparency, and landscaping, to name a few. The graphics will serve as examples that clarify the Zoning Code's intent and foster a smoother plan approval process.



THE CURRENT IN-TOWN (IT) DISTRICTS ALLOWED APARTMENT BUILDINGS THAT LACKED A PRIMARY ENTRANCE, WITH TENANTS RELEGATED TO ACCESSING THEIR UNITS ON THE SIDE VIA EXTERIOR HALLWAYS. THIS LAYOUT ALSO HAD LITTLE RELATION TO THE STREET. THE NEW UN-1 AND UN-2 DISTRICTS WILL PROHIBIT THIS TYPE OF DESIGN.

WHAT USES ARE ALLOWED USE LIST FOR THE UN DISTRICTS

★ PERMITTED | ⚡ PROVISIONAL | ✖ PROHIBITED

| RESIDENTIAL USE | UN-1 | UN-2 |
|-------------------------------------|------|------|
| Single Family Dwelling | ★ | ★ |
| Two Family Dwelling | ★ | ★ |
| Assisted Living | ★ | ★ |
| Attached Dwelling | ★ | ★ |
| Community Living Facility, Cat. I | ★ | ★ |
| Community Living Facility, Cat. II | ★ | ★ |
| Community Living Facility, Cat. III | ⚡ | ⚡ |
| Accessory Apartment | ★ | ★ |
| Common Lot Line Duplex | ★ | ★ |
| Multifamily Dwelling | ★ | ★ |
| Boarding House | ⚡ | ⚡ |
| Emergency Shelter | ⚡ | ⚡ |
| Recovery Home | ★ | ★ |
| Residential Care Facility | ⚡ | ⚡ |
| Single Room Occupancy Unit | ★ | ★ |
| Transitional Housing | ⚡ | ⚡ |
| PUBLIC/CIVIC | | |
| College or University | ★ | ★ |
| Community or Government | ★ | ★ |
| Hospital | ⚡ | ⚡ |
| Library | ⚡ | ⚡ |
| Park/Playground | ★ | ★ |
| Religious Institution | ★ | ★ |
| School K-12 | ★ | ★ |
| Swim Club or Swimming Pool | ⚡ | ⚡ |
| Utility Station | ⚡ | ⚡ |
| COMMERCIAL | | |
| Accessory Office | ⚡ | ★ |
| Accessory Parking Lots | ⚡ | ⚡ |
| Bed and Breakfast Homestay | ⚡ | ⚡ |
| Clinic | ✖ | ⚡ |
| Day Care Center | ⚡ | ⚡ |
| Financial Institution | ✖ | ✖ |
| Funeral Home | ✖ | ★ |
| Lodge | ✖ | ⚡ |
| Office or Office Building | ✖ | ★ |
| Office Conversion | ⚡ | ★ |
| Retail Specialty | ⚡ | ⚡ |

SHARE YOUR THOUGHTS!

Have a question or comment? Please contact the City of Champaign Planning & Development Department:

Phone: (217) 403-8800
 Email: ben.leroy@ci.champaign.il.us
 Web: <http://ci.champaign.il.us/departments/planning/>

INFORMATION SHEET

DOWNTOWN DISTRICT

DERIVED FROM EXISTING CENTRAL BUSINESS (CB) DISTRICT



As part of an ongoing effort to make Champaign more livable, attractive, and vibrant, the City is updating parts of the Zoning Ordinance that regulate how and where new development can occur. This information sheet focuses on the new Downtown (DT) District. The Downtown District derives from the existing Central Business (CB) District, which covers the downtown area, as well as Midtown and Campustown. Recommended zoning amendments are summarized on this information sheet.

AREAS CURRENTLY UNDER ZONING REVIEW BY THE CITY:

- Urban neighborhoods west of downtown
- Neighborhood business districts around the City
- Downtown, Midtown, and Campustown**
- Student apartment areas

PURPOSE STATEMENT (UPDATED)

The DT Downtown District functions as the City's central business district, entertainment hub, and civic center, particularly building upon its history as a center of commerce and government. Downtown provides for high density retail, services, civic facilities, and office development mixed with housing, religious institutions, healthcare facilities, parking, and open space that balance out the urban core. The diversity of uses stretches across the entire District, with many buildings taking the form of vertical mixed use developments. Civic and social spaces like plazas, outdoor dining spaces, museums, and theaters accentuate the community-oriented appeal of Downtown. Public parking, especially on-street, is a defining feature of Downtown, which reduces the necessity of providing on-site parking for individual businesses and uses. Serving a mix of visitors, residents, and employees who travel from all parts of the City, Downtown is highly accessible by a multimodal transportation network, including cars, bicycles, pedestrians, and mass transit. Uses are thoughtfully integrated into the District to reflect Downtown's distinction as the central place in Champaign to visit or live near shops, services, restaurants, and employment opportunities. While Downtown is one of the densest districts in the City, development respects the varying densities of adjacent neighborhoods with appropriate transitions to residential areas and Midtown to the south.

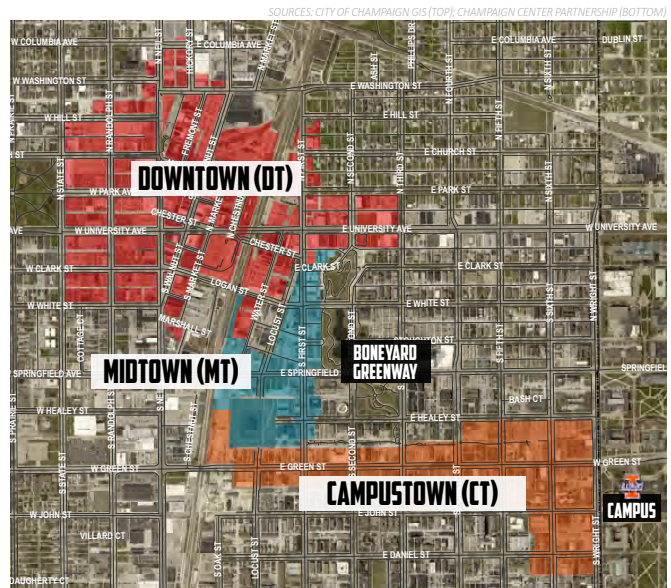
WHAT IS THERE TODAY
CURRENT CONDITIONS



As illustrated on the map to the right, the recommended Downtown (DT) District is presently a subset of the existing Central Business (CB) District. The remainder of the CB District is represented by overlay districts that cover Midtown (MT) and Campustown (CT), which are two additional zoning districts that are recommended (see separate information sheets).

While the zoning standards for the existing CB District are generally satisfactory to cover the three sub-districts in a broad sense, the aspects that define Downtown clearly separate it from Midtown and Campustown such that each merits its own zoning district. To this end, the purpose statements for the three new zoning districts were updated to more accurately reflect their individual and distinct characters.

As Champaign's central business district, Downtown has historically served as the center of commerce, government, and entertainment. Midtown is a more eclectic, lower intensity district that reflects the industrial heritage of the area and integrates well with the burgeoning Boneyard Greenway. Campustown has evolved as a high density, mixed use pedestrian environment along Green Street and adjacent to the University of Illinois campus. Updated zoning standards are recommended to adequately cover the specific needs and distinct qualities of the three new districts.





INFORMATION SHEET | DOWNTOWN DISTRICT

WHAT WILL CHANGE RECOMMENDED ZONING REVISIONS FOR THE DT DISTRICT



1: UPDATED ZONING MAP: The Zoning Map will be revised to separate the existing CB District into the new Downtown (DT), Midtown (MT), and Campustown (CT) Districts. The current overlay districts will be eliminated for MT and CT.

2: UPDATED USE LIST: As provided on the right, the Use List for Downtown will be updated to ensure appropriate uses are listed and properly classified (e.g., permitted, provisional, or prohibited). While the updated Use List is not too dramatic in terms of changes, the provisional and prohibited uses are the most significant, as they indicate that certain uses either would now be allowable under certain circumstances or are inappropriate for DT.

3: STANDARDS FOR PROVISIONAL USES: In addition to updating the Use List, the standards that underly each provisional use will also be revised to provide a clear understanding of the criteria that uses must meet to be deemed provisional. For example, updated provisions were added to the Zoning Ordinance to cover multi-family dwellings, particularly units on the ground floor.

4: BUILDING SETBACKS: An updated map illustrates a hierarchy of streets from which to base the maximum setback of buildings from the street right-of-way. This will help to create a pedestrian-friendly environment along the Downtown streetscape.

5: HEIGHT LIMITS: A structure in Downtown must be at least two (2) stories above grade in height but cannot exceed ten (10) stories or 100 feet, whichever is lower. The height limit is based on existing structure heights and the height capacity envisioned



PROVIDING A VENUE FOR LIVE PERFORMANCE AND CINEMA, THE VIRGINIA THEATRE ON PARK AVENUE IS A PERMITTED USE IN THE DOWNTOWN DISTRICT AND ADDS TO DOWNTOWN'S ENTERTAINMENT OFFERINGS.

for Downtown. However, taller buildings may be approved with a Planned Development. Height will be a primary determining factor to regulate development, with Floor Area Ratio (FAR) being less of a factor.

6: STEPBACKS: If a building is taller than 85 feet, the portion above this level must be stepped back at least five (5) feet from the façade at street level. The stepback approach can often create the impression that the top floor(s) are partially or completely out of view from a pedestrian perspective along the sidewalk, which can make a tall building appear shorter.

7: OPEN SPACE: Open space as previously defined will no longer be required for new developments in Downtown, since there is public open space nearby and the open space provided for individual developments under the current standards tend not to be useful. However, updated provisions will be provided for sites that do offer usable open space.

8: RESIDENTIAL PARKING: Off-street parking for residential uses will no longer be required, with the parking to be provided based on market demand. The City is currently working on provisions for this updated parking standard.

WHAT USES ARE ALLOWED USE LIST FOR THE DT DISTRICT



PERMITTED USES

- Broadcast Studio
- Bus Station/Taxi Terminal/ Intermodal Facility
- Clinic
- Commercial Recreation
- Indoor Commercial Services
- Community or Government Building
- Currency Exchange
- Dry Cleaner
- Financial Institution
- Fitness/Beauty Services
- Funeral Home
- Kennel, Cat
- Hospital
- Hotel/Motel
- Laboratory
- Library/Museum
- Lodge
- Mini-Mart/Service Station
- Office/Office Building
- Park/Playground
- Parking Lot or Garage
- Personal Service
- Religious Institution
- Residential Care Facility
- Restaurant
- Restaurant/Snack Bar
- Retail
- Retail, Food and Drug
- Retail, Gen Merchandise
- Retail, Specialty
- Retail, Package Liquor
- School, Business or Trade
- Single Room
- Occupancy Unit
- Swim Club
- Tavern/Bar
- Theater/Assembly

PROVISIONAL USES

- Animal Clinic
- Bed and Breakfast Inn
- Emergency Shelter
- Freestanding Tower, Telecommunications
- Multi-Family Dwellings
- Restaurant, Drive Through
- Transitional Housing
- Utility Station

PROHIBITED USES (FORMERLY BUT NO LONGER PERMITTED)

- Country Club
- Regional Shopping Center



LOCATED NEXT TO THE POST OFFICE AT THE FAR NORTH END OF DOWNTOWN, A RESTAURANT WITH OUTDOOR SEATING LIKE ESCOBAR'S IS A PERMITTED USE IN THE DOWNTOWN (DT) ZONING DISTRICT.



SHARE YOUR THOUGHTS!



Have a question or comment? Please contact the City of Champaign Planning & Development Department:

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Planning December 2016

IN THIS ISSUE:

Legal Lessons 

LEGAL LESSONS

Drafting Defensible Regulations

By Kimberley Mickelson, AICP, JD; David S. Silverman, AICP; and Susan Trevarthen, FAICP

City staff interpret and apply local ordinances every day. These laws are typically drafted or revised by staff, consultants, or attorneys, and are sometimes challenged – both informally in discussions at “the counter” or formally in development review committees, public hearings, and even court. The good news is that courts give great deference to ordinances, and challengers bear a high burden of proof. But cities must be careful not to provide a foothold to argue illegality, lack of authority, or arbitrariness.

So before you compose your city’s next ordinance, here are a few things to consider.

2/26/2021

Drafting Defensible Regulations

AUTHORITY. Does your city have the authority to regulate what you want to accomplish? Authority to take a certain action must exist under home-rule powers or statutory authority, which can vary by state. Cities who skip this question can waste a lot of time and energy on a problem over which they have no authority.

RATIONALE AND SCOPE. Why does the city want to regulate this? Recitals at the beginning of an ordinance are very important and should be succinct. Everyone regulated by the ordinance, future city staffers, and elected officials should be able to readily understand why the law was adopted and its purpose.

ANALYZE YOUR GOAL. Discuss it thoroughly with staff and attorneys. Think through unintended consequences. For example, agricultural zoning districts often don't include height limitations, which can lead to unconsidered land uses such as wind turbines, rocket launches, and large religious statues. Also, realize that you cannot solve everything with one law. Define the scope of the problem clearly and use that definition as your touchstone.

CLARITY AND CONSISTENCY. Describe the activities, procedural steps, and standards of the regulation clearly, understandably, and in logical order. Write in plain English, not plannerese or legalese. The ordinance must establish a norm or standard clearly enough that a person of common intelligence can understand what conduct is required or prohibited. Leave out words like herein, hereafter, pursuant, thereto — anything that makes you “sound like a lawyer.” Similarly, avoid acronyms. If you can't, include a glossary or set of definitions for technical terms.

Beware of shortcuts. Don't use internal shorthand to describe something particular to city staff, and do not get sidetracked trying to “streamline” the regulations at the expense of clarity. The law should be as long as it needs to be to clearly establish the key components of the regulatory scheme. Standards for administrative decision making must be spelled out in a clear manner that can survive a vagueness or delegation of authority challenge. Charts, tables, pictures, and figures can be useful, but they can also be a source of ambiguity and conflict. Review them carefully.

If you are taking examples of a regulation from another city, mold them to your local situation. Don't leave in references to home-rule charters if your city doesn't have one, for instance.

An ordinance should also be consistent with itself and the rest of the city code. Defined terms should be used consistently unless there is a strong reason for a specific definition, as can be the case in telecommunications or regulations of uses protected by the First Amendment. If you use multiple terms for the same concept, judges will presume that you meant different things.

LEGAL REVIEW. Bring in your lawyer early — it's easier and less expensive than litigation. Various constitutional protections may affect what you are attempting to regulate. At a minimum, your lawyer should be involved in final review. No city wants its own lawyer finding a hole or flaw in an ordinance at the public hearing simply because it's the first time he or she has seen it.

2/26/2021

Drafting Defensible Regulations

Planning processes protect individual substantive and procedural due process rights. Regulations dealing with property rights, in particular, must be adopted in accordance with statutory and constitutional principles of due process. Due process takes time, as does thorough review of materials by staff – and by the attorney. Shortcuts may backfire.

An ordinance should go through many drafts and should be carefully vetted. “Sleep on it” so you and legal counsel can review it with fresh eyes. Read it out loud. Walk an imaginary applicant through the regulatory and permit process. Does the ordinance accomplish what you want it to? Do the steps make logical sense? Is this how the process will actually occur? Is it clear and understandable to a nonplanner? Are the criteria clearly stated?



Conclusion



You can pay for clear drafting either up front or after the fact, but you will pay. Litigation can cost tens of thousands of dollars and last for years. Overly rushed or “penny-wise and pound-foolish” efforts to keep costs down on the front end can result in your city losing the beneficial effects of the ordinance and frustrate the reasonable desires of residents, businesses, and property owners.

If you roll the dice on whether anyone will care enough to challenge, you must be prepared for the consequences.

Kimberley Mickelson is a planner and land-use attorney in Houston, and a visiting associate professor of practice at Texas A&M University. David Silverman is a partner with Ancel Glink Diamond Bush DiCianni & Krafthefer, PC, in Chicago, specializing in local government, land use, and economic development matters. Susan Trevarthen is a town attorney in Fort Lauderdale, Florida, and chairs the Municipal Land Use and Zoning Law practice of the law firm of Weiss Serota.

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ANCEL GLINK, P.C. LAND USE PRACTICE

ANCEL GLINK WILL HELP YOU ACHIEVE YOUR COMMUNITY AND DEVELOPMENT VISION.

Ancel Glink, P.C.'s land use practice has experience in all areas of land use and development, from annexation to zoning, and everything in between. Our attorneys advise local governments and property owners and developers on economic development, environmental consulting, real estate, construction, and telecommunications matters. Whether modernizing a zoning code or opening pathways for new development, our land use team can put your vision into action.

The following is broad overview of our extensive land use services:

- Comprehensive rewrite of numerous zoning, subdivision, unified development, and form-based codes.
- Negotiate and prepare numerous annexation and development agreements for a wide range of residential, mixed use, and industrial and warehouse projects.
- Negotiate public/private agreements for sale and development of land in a TIF district.
- Defense of municipalities in annexation and zoning challenges.
- Advise on and handle eminent domain litigation for redevelopment projects.
- Serve as lead environmental counsel on large-scale federal Superfund remediation cases.
- Formulate innovative strategies to reduce costs of environmental remediation and compliance.
- Advise municipalities, negotiate with developers and prepare documents for creation of wind energy and solar energy projects

Ancel Glink attorneys have written books, articles, and chapters on a wide variety of land use and economic development topics. Ancel Glink also publishes the Municipal Annexation Handbook, Zoning Administration Handbook, Zoning Administration Tools of the Trade, and the Economic Development Toolbox for Local Officials, all available for download in the Resource Center on the firm's website.

ANCEL GLINK, P.C.

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ZONING & LAND USE

Ancel Glink's representation in land use matters spans the state and involves the full range of residential, commercial, mixed use, and industrial development and redevelopment. In addition to the daily zoning and land use services we provide to our local government clients, the firm serves as special counsel for communities in complex annexation and development negotiations, updating or rewriting zoning, subdivision and other land use regulations, and establishing procedures for zoning petitions and hearings. Ancel Glink also conducts workshops and training sessions for planning and zoning staff and advisory boards.

The following are examples of our zoning and land use practice:

- Comprehensive rewrite of zoning, subdivision, unified development, and form-based codes.
- Prepare new zoning regulations and development agreements to accommodate unique and large-scale development proposals.
- Represent municipalities in annexing and zoning property for residential, commercial, mixed use, and industrial and warehouse project.
- Negotiate and prepare annexation and redevelopment agreements to convert industrial and mining to residential and commercial uses.
- Negotiate and prepare boundary and planning agreements for neighboring municipalities.
- Prepare rules of procedure for zoning hearings.
- Attend Plan Commission and ZBA hearings on behalf of municipal and developer clients.
- Counsel municipalities in multi-phase disconnection and annexation process to bring large residential and commercial area within municipal jurisdiction.
- Review development applications and analyze compliance with development codes.

ECONOMIC DEVELOPMENT

Ancel Glink counsels clients in all aspects of public/private partnerships, including the provision of public assistance for development or redevelopment projects. We have experience drafting and negotiating redevelopment agreements covering all types of projects, including downtown redevelopments, town center and mixed-use developments, transit-oriented developments, commercial and industrial parks, and residential planned developments, and Enterprise Zones.

Our TIF services run the gamut, from the creation and administration of TIF districts to statutory compliance matters. Depending on the nature of the development and improvements to be supported with public assistance, a special service area or business development district may be more appropriate. We have worked with communities to more equitably distribute the true cost of public improvements without saddling residents with excessive property tax burdens. Business districts are being recognized as an effective economic development tool for commercial developments which result in less intergovernmental tension. Regardless of the tool which fits your plan the best, our expertise will ensure all of the procedural and substantive requirements are satisfied so that your goals can be accomplished.

We also assist with a wide array of debt-issuance transactions, ranging from straightforward general obligation bonds to financings secured by TIF districts, special service areas, special

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assessments and business development districts. Our attorneys also advise public and private clients regarding the use of tax abatements and sales tax rebates, including the important distinctions between home rule and non-home rule communities, and have been involved in the following types of projects:

- Coordinate process and prepare legislative documents to establish TIF districts, special service areas, and business development and redevelopment districts.
- Negotiate and prepare redevelopment agreements for unique redevelopment projects, including office campus headquarters of international corporations, mixed-use downtown redevelopment projects, and industrial and warehousing operations.
- Negotiate public/private partnership agreements for land transactions to facilitate redevelopment projects.
- Negotiate multi-party public/private partnership economic incentive agreements, including sales tax, property tax, and hotel/motel room tax incentive packages.
- Defend municipalities in TIF district and other economic development litigation.

ENVIRONMENTAL & ALTERNATIVE ENERGY

Ancel Glink provides legal expertise to guide clients through the complex environmental laws and regulations that a project may encounter. Our environmental attorneys focus on all areas of environmental law, from due diligence to large-scale Superfund remediation. We also routinely partner with engineering consultants to provide streamlined, multidisciplinary legal advice. Ancel Glink's tailored environmental practice offers an efficient and cost effective alternative to the high-cost, and often outdated, approach offered by some firms. The environmental practice also provides support to our real estate practice to assist our clients in protecting their investments.

In addition, our attorneys have participated in Section 39.2 landfill siting hearings in a variety of roles, including as the hearing officer and staff attorney advising the corporate authorities. We are familiar with both the political, legal and scientific hurdles that must be navigated to reach a sound local siting decision.

Our attorneys have been involved in the following types of projects:

- Provide and coordinate local siting review for new and expanded regional landfills.
- Negotiate and provide land use regulatory counsel on large scale alternative energy projects.
- Prepare zoning regulations and development agreements for small scale and large-scale alternative energy projects.
- Serve as lead environmental counsel on large-scale federal Superfund remediation cases.
- Manage IEPA brownfield remediation and leaking underground storage tank projects.
- Develop innovative strategies to reduce costs of environmental remediation and compliance.
- Ensure CERCLA due diligence compliance, including brownfield properties.
- Devise RCRA strategies for compelling properties to voluntarily clean up past contamination.
- Negotiate and prepare agreements for tax incentives and fees for both Enterprise Zone and non-Enterprise Zone energy projects.

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LAND USE LITIGATION

From procedural challenges to constitutional claims, Ancel Glink attorneys have decades of experience with zoning and land use litigation. As counsel to numerous local governments and zoning boards, our attorneys have developed a unique and valuable perspective on the zoning process which guides our legal strategy. For both public bodies and private companies, Ancel Glink provides a distinct advantage in any land use dispute. Our attorneys have extensive experience in complex eminent domain litigation for our governmental entities, including service as Special Assistant States Attorneys for counties negotiating road project condemnations.

The following are examples of our land use litigation experience:

- Eminent domain litigation for major downtown redevelopment project.
- Successful defense against a takings claim challenging a municipal zoning decision.
- Successful prosecution and defense of municipal and private foreclosure actions.
- Prosecute demolition cases involving blighted commercial and residential properties.
- Successful defense of municipality in an action by developer seeking to overturn denial of special use permit application.
- Successful defense of impact fee agreements for park districts.
- Represent a school district in complex litigation arising from a TIF redevelopment agreement, resulting in a \$20 million settlement for the school district.
- Negotiate economic development agreements for TIF projects throughout the state.
- Represent industrial land owner in multi-million dollar eminent domain action by IDOT for expansion of interstate highway.

REAL ESTATE

Although our firm is primarily known for its involvement with governmental entities, risk pool defense litigation and land use issues, the firm has cultivated a practice in real estate, both residential and commercial. A number of attorneys, both in our Chicago and Vernon Hills offices, spend a significant amount of their time in the practice of real estate. The firm has handled the purchase of golf courses, commercial leases, residential and commercial closings.

Approximately twenty-five percent of our real estate work is done in the conveyance of real estate to and from not-for-profit organizations or governmental entities with the remaining seventy-five percent being residential and commercial closings. A real estate closing can be a stressful process for a buyer or a seller. Ancel Glink has developed an expertise and organizational process that minimizes the time, effort and costs of real estate transactions and ensures the client remains fully informed from contract execution to post-closing review. Ancel Glink is also an agent of a national title insurance company, which enables us to simplify the closing process.

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CONSTRUCTION

Ancel Glink has the background, experience and expertise to help you manage all of the risks inherent in your construction project and to help pave your way to final completion. Our vast experience in the public sector means that we have negotiated hundreds of contracts with design professionals, contributed to the conditions set forth in hundreds of bid packages, and helped to resolve a substantial number of disputes through litigation, arbitration, mediation and negotiation. We have lawyers that have worked in construction, know how to read construction drawings, are familiar with how the job site functions, and know how to steer the contract negotiations and any litigation in your favor. We have represented owners, architects, engineers, contractors and subcontractors in all of the delivery methods, including design/build, and we have substantial experience in handling mechanics' lien issues and dealing with sureties.

Ancel Glink attorneys have authored chapters on Construction Law in the Municipal Law treatise and School Law treatise published by the Illinois Institute of Continuing Legal Education. We are familiar with the most popular families of documents (e.g., AIA, EJCDC) and we have written model contracts to assist our clients in managing smaller projects at minimal expense and delay.

We can help you from concept to final completion, including providing the following services:

- Assist with Qualifications Based Selection process for design professionals.
- Advise on contract terms that save you money now and down the road.
- Draft and edit general and supplementary conditions for construction contracts.
- Advise on public bid processes and compliance with the Prevailing Wage Act.
- Represent clients in pursuing or defending construction-related claims.



TELECOMMUNICATIONS

Ancel Glink offers advocacy, consulting, and drafting services for telecommunications law. We understand the demands of cellular companies and the pitfalls that can arise when leases or the rental rights are sold or assigned. We can also assist communities through the treacherous landscape of federal laws regulating local authority to zone cellular antennas.

New laws contain important services and payments that do not become enforceable by default, so local governments must know what to request and when to request it. We can help keep your ordinances up-to-date so you are ready for when a new provider offers competition to your incumbent cable operator.

Changes in cable franchising rules is affecting local right-of-way management. Making sure your right-of-way ordinance is up to date is an important step in protecting the aesthetics and welfare of your community. Our work in telecommunications has included the following projects:

- Assist in drafting model cable/video regulatory ordinances for the Metropolitan Mayors Caucus.
- Assist in drafting a model cable franchise agreement for the Metropolitan Mayors Caucus.
- Draft and negotiate numerous cellular tower leases and other agreements.



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