



Incredibly Close ✧ Amazingly Open

VILLAGE BOARD OF TRUSTEES REGULAR MEETING NOTICE/AGENDA

TO BE HELD AT THE RICHARD T. FLICKINGER MUNICIPAL CENTER
SCANLON CONFERENCE ROOM

JUNE 27, 2016

6:00 pm

*(The hour between 6:00 and 7:00 pm is set aside for Executive Session
per 1-5-7A of the Village of Morton Grove Municipal Code.
If the Agenda does not include an Executive Session, the meeting will begin at 7:00 pm.)*

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Executive Session**

**THE BALANCE OF THE MEETING SHALL COMMENCE AT 7:00 PM
IN THE COUNCIL CHAMBERS
OF THE RICHARD T. FLICKINGER MUNICIPAL CENTER**

4. **Reconvene Meeting**
5. **Pledge of Allegiance**
6. **Roll Call**
7. **Approval of Minutes – Regular Meeting – June 13, 2016**
8. **Special Reports**
 - a. Recognition of Spring Photo Contest Winners (Sascha Hedjbeli, John Ruberry, and Ramanthan Sundaram) to be made by Community Relations Chairperson Arcelia Pimentel

8. **Special Reports (continued)**

- b. Plan Commission Case PC15-09 Requests a Recommendation for Approval of a Minor Subdivision (with lot width and area in accordance with Section 12-8 of the Unified Development Code) to be Located at 9109 Menard to be Presented by Plan Commission Chairperson Ron Farkas
- c. Plan Commission Case PC16-03 Requests an Amendment to the Village's Unified Development Code (Ordinance 07-07) to Amend Provisions Regulating the Number of Principal Structures Per Zoning Lot for Residential Developments by Community and Economic Development Director Nancy Radzevich

9. **Public Hearings**

10. **Residents' Comments (agenda items only)**

11. **President's Report** – *Administration, Northwest Municipal Conference, Council of Mayors, Strategic Plan, Comprehensive Plan*

- a. Appointments – Morton Grove Special Events Commission:
 - Mike Weitzel – Serving for the Chief of Police
 - Paul Tobin – Serving for the Public Works Director
 - Bill Grear – Two Year Term Jim Karp – One Year Term
 - Jeff Wait – Two Year Term Terri Cousar – One Year Term
 - Paul Minx – Two Year Term Ann Estey – Two Year Term
 - Georgianne Brunner – One Year Term

12. **Clerk's Report** – *Community Relations Commission*

13. **Staff Reports**

- a. **Village Administrator**
 - 1) Miscellaneous Reports and Updates
- b. **Corporation Counsel**

14. **Reports by Trustees**

- a. **Trustee Grear** – *Police Department, Community and Economic Development Department, Fire and Police Commission, Police Facility Committee, NIPSTA, Lehigh/Ferris TIF, Prairie View TIF, Special Events Commission (Trustee Witko)*
 - 1) **Resolution 16-42 (Introduced June 27, 2016)**
Authorizing the Lease/Purchase of 70 Motorola APX 6000 Starcom Radios and Accessories, and Participation in the Motorola Starcom21 Radio System

14. **Reports by Trustees (continued)**

- b. **Trustee Minx** – *Natural Resource Commission, Plan Commission/Zoning Board of Appeals, Building Department (Trustee Pietron)*
 - 1) **Ordinance 16-15** (*Introduced June 27, 2016*) (*First Reading*)
Approving a Final Plat for a Minor Subdivision Located at 9109 Menard
 - 2) **Ordinance 16-16** (*Introduced June 27, 2016*) (*First Reading*)
Approving an Amendment to a Special Use Permit (Ordinance 15-17) to Grant a Time Extension to Commence and Proceed with Construction for a Drive-Thru Facility for a New Restaurant at 9480 Waukegan Road
 - 3) **Ordinance 16-17** (*Introduced June 27, 2016*) (*First Reading*)
Amending the Village's Unified Development Code (Ordinance 07-07) to Amend Provisions Regulating the Number of Principal Structures per Zoning Lot
- c. **Trustee Pietron** – *Public Works Department, Condominium Association, Economic Development Commission, Dempster Street Corridor Plan, Chamber of Commerce (Trustee Minx)*
- d. **Trustee Ramos** – *Legal, Finance Advisory Commission, Traffic Safety Commission, Waukegan Road TIF, Capital Projects (Trustee Thill)*
- e. **Trustee Thill** – *Fire Department, Emergency Management Agency, RED Center, Environmental Health, Solid Waste Agency of Northern Cook County, Appearance Commission, Advisory Commission on Aging (Trustee Ramos)*
- f. **Trustee Witko** – *IT Communications, Strategic Plan Committee, Finance Department, Family and Senior Services Department (Trustee Gear)*

15. **Other Business**

16. **Presentation of Warrants - \$805,488.88**

17. **Residents' Comments**

18. **Executive Session** – *Personnel Matters, Labor Negotiations, Pending Litigation, and Real Estate*

19. **Adjournment** - *To ensure full accessibility and equal participation for all interested citizens, individuals with disabilities who plan to attend and who require certain accommodations in order to observe and/or participate in this meeting, or who have questions regarding the accessibility of these facilities, are requested to contact Susan or Marlene (847/470-5220) promptly to allow the Village to make reasonable accommodations.*

**MINUTES OF A REGULAR MEETING OF THE PRESIDENT
AND THE BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE
COOK COUNTY, ILLINOIS, HELD AT THE
RICHARD T. FLICKINGER MUNICIPAL CENTER
JUNE 13, 2016**

CALL TO ORDER

- I & Village President Dan DiMaria called the meeting to order at 7:00 p.m. in the Council
II. Chambers of Village Hall. He then led the Board and assemblage in the Pledge of Allegiance.
- III. Village Clerk Connie Travis called the roll. Present were: Trustees Bill Grear, Rita Minx,
John Pietron, Ed Ramos, John Thill, and Janine Witko.

IV.

APPROVAL OF MINUTES

Regarding the May 23, 2016 Regular Board Meeting, Trustee Minx moved to approve the Minutes as presented, seconded by Trustee Pietron. **Motion passed unanimously** via voice vote.

V.

SPECIAL REPORTS

NONE

VI.

PUBLIC HEARINGS

NONE

VII.

RESIDENTS' COMMENTS (Agenda Items Only)

NONE

VIII.

PRESIDENT'S REPORT

1. Mayor DiMaria proclaimed the year of 2016 as "Philippine–United States Friendship Year," stating that this year marks the 70th anniversary of the United States granting independence to the Philippines. He said the United States and the Philippines continue to maintain mutual defense and trade agreements, and noted that the Village of Morton Grove has one of the largest populations of Filipino Americans among all the communities in Illinois.

VIII.

PRESIDENT'S REPORT (continued)

- a. Mayor DiMaria presented the proclamation to Trustee Ramos, who will, in turn, present it to the Philippines' Consul General. Mayor DiMaria also welcomed one of the Village's most prominent Filipino residents, Dr. David Calimag.
- 2. **Mayoral Report**
 - a. Mayor DiMaria addressed a rumor circulating in the Village that Moretti's is not going to build here after all. The mayor said he spoke with Mark Hoffman, who said that announcing he would be opening in the Fall of 2016 was fairly unrealistic and that the Morton Grove Moretti's would be opening sometime in 2017 instead.
 - b. Mayor DiMaria said that one reason for the delay is that environmental testing discovered contaminants in the ground that must be cleared before construction can begin. He said that Mr. Hoffman is also working with his bank on a few things. The mayor said it's important for residents to remember that this is the first time Moretti's will be building an eatery from the ground up. They generally purchase already-built establishments and then update or upgrade them.
 - c. Mayor DiMaria assured the Board and the assemblage that Moretti's is excited to be coming to Morton Grove and they are 100% committed to being here. He completely discounted the rumor that the Morton Grove Moretti's is a "dead deal."
 - d. Mayor DiMaria invited everyone to attend the Community Outreach this coming Wednesday at 6:00 p.m. at Edison School, 8200 Gross Point Road. He said the elected officials and staff are doing these outreach events on a quarterly basis, and thus far they've been very successful. It's a great opportunity for residents to come out and get their questions and concerns addressed, or just to provide input to the Village Board.
 - e. Mayor DiMaria reminded everyone that tomorrow is Flag Day and encouraged everyone to display their flag proudly.
 - f. Mayor DiMaria showed off the new patriotic cap from the Morton Grove Days Commission. Every \$25 donor is entitled to get this cap as a "thank you" for donating. He said that donations will be taken at Village Hall or on the Morton Grove Days website.

IX.

CLERK'S REPORT

- 1. Clerk Travis reminded those who have adopted planters to please take pictures of your planters so they can be posted. She also commented that the winning photos for the Community Relations Commission's photo contest, demonstrating the Village's new tag line ("Incredibly Close. Amazingly Open") have been named. The winners have been notified to appear at the
 - a. June 27 Village Board meeting and the winning photos posted to the Village's Facebook page.

Clerk Travis said the Community Relations Commission is working on a second photo contest called "Morton Grove People, Places, and Things."

IX.

CLERK'S REPORT (continued)

- b. Clerk Travis noted that the Community Relations Commission for June has been cancelled. The next meeting will be July 12. The Commission will begin planning a community-wide garage sale for the fall.

X.

STAFF REPORTS

A. Village Administrator:

Mr. Czerwinski had no report.

B. Corporation Counsel:

Corporation Counsel Liston had no report.

XI.

TRUSTEES' REPORTS

A. Trustee Gear:

Trustee Gear had no formal report, but encouraged everyone to participate in the Morton Grove Days Commission's fundraising event at China Chef on Thursday, June 23rd. China Chef will donate 15% of all its proceeds, all day (from 11:00am to 9:15pm) to the Morton Grove Days Commission. There is a flyer available on the Commission's website, which needs to be printed out and brought with when you go to China Chef. Mr. Czerwinski added that these flyers are also available at the front counter at Village Hall. Trustee Gear encouraged everyone to come out to China Chef on June 23 for great food and to help a great cause!

B. Trustee Minx:

Trustee Minx had no report.

C. Trustee Pietron:

- 1. Trustee Pietron presented **Resolution 16-39, Authorizing the Execution of a Contract With Christopher B. Burke Engineering, Ltd. For Professional Land Surveying Services.**
 - a. He explained that the Austin Avenue Improvement project will improve Austin Avenue from Oakton Street to Main Street and will modernize the intersection of Austin Avenue and Oakton Street. The intersection improvements will require additional land to be purchased in order to fit the roadway within the public right-of-way. Seven parcels need to be purchased—four within Morton Grove and three within Skokie.
 - b. Trustee Pietron said that Village staff is developing a cost-sharing agreement with Skokie for land acquisition and other services related to these Austin Avenue Improvements. The Village

XI. **TRUSTEES' REPORTS** (continued)

C. **Trustee Pietron:**

staff put together a Request For Qualifications (RFQ) process that includes solicitation, review of statements of qualifications, and interviews to procure professional land surveying services. Nine statements of qualifications were received from local firms. Staff is recommending the firm Christopher B. Burke Engineering Ltd to the Board based on their ability to perform the work. This will be a not-to-exceed cost of \$28,804, and the work will be partially reimbursed by the Village of Skokie.

Trustee Pietron moved to approve Resolution 16-39, seconded by Trustee Witko.

Motion passed: 6 ayes, 0 nays.

Tr. Grear	<u>aye</u>	Tr. Minx	<u>aye</u>	Tr. Pietron	<u>aye</u>
Tr. Ramos	<u>aye</u>	Tr. Thill	<u>aye</u>	Tr. Witko	<u>aye</u>

2. Next, Trustee Pietron presented **Resolution 16-40, Authorizing Design Improvements at the Intersection of Theobald Road, Mango Avenue, and South Park Avenue.**

- a. He explained that design improvements for the intersection of Theobald, Mango, and South Park are necessary to improve the movements of vehicles and to make a shorter crossing for pedestrians. The condition of Theobald Road has deteriorated and the road needs to be resurfaced. Village staff routinely considers whether a street or intersection meets the current and future needs whenever construction improvements are planned. The current layout of this intersection is challenging for both drivers and pedestrians.
- b. Trustee Pietron said that Village staff proposed several alternate layout options to residents who live in the area of this intersection at a Neighborhood Information meeting on April 21, 2016. The ten residents present at the meeting supported the improvements and the majority preferred one particular option. The options and written comments from those residents were presented to the Traffic Safety Commission at its meeting on May 5, 2016. The Commission felt that a different option would be the most appropriate alternative.
- c. Trustee Pietron said that the estimated cost to make the changes (in excess of ordinary resurfacing) is \$100,000. He added that he had spoken with the Village's Engineer, Chris Tomich, who told him that intersection should never have been developed that way.

Trustee Pietron moved, seconded by Trustee Minx, to approve Resolution 16-40.

- d. Trustee Ramos asked if the MCC should help defray the cost of this project, since the MCC will be benefitting—it will be of great assistance for their Friday services.
- e. Village Administrator Czerwinski said that it wouldn't matter what's in that area, whether a residence, a local business, or an institution, it's an enhancement that should occur at Village expense. If the MCC wants to make changes to their area, i.e., their parking lot driveway or apron, that would be at their expense. These improvements will be helpful to the whole neighborhood.

Mayor DiMaria called for the vote on Resolution 16-40.

XI.

TRUSTEES' REPORTS (continued)C. Trustee Pietron:

Upon the vote, the motion **passed**:

Motion passed: 6 ayes, 0 nays, 1 abstention.

Tr. Grear	<u>aye</u>	Tr. Minx	<u>aye</u>	Tr. Pietron	<u>aye</u>
Tr. Ramos	<u>abstain</u>	Tr. Thill	<u>aye</u>	Tr. Witko	<u>aye</u>

3. Trustee Pietron then presented **Resolution 16-41, Authorizing a Contract For a Power Supply Agreement For the Purchase of Electricity and Other Related Services.**

- a. He explained that the operation of an electrical aggregation program has reduced the cost of electricity for residents and small business owners. This resolution will authorize the Village Administrator to enter into a contract to purchase electricity pursuant to an electrical aggregation program. The purpose of the program is to provide cost savings to Village residents. It includes an opt-out provision for residential and small commercial retail customers.
- b. Trustee Pietron said the Village's current supplier's contract with Dynegy Energy Services, LLC, expires in September 2016. The Village's consultant, NIMEC (Northern Illinois Municipal electric Collaborative), whose current membership list includes 149 municipalities, will assist the Village in determining the most cost-effective supplier based on market pricing at the time final bids are received.

Trustee Pietron moved, seconded by Trustee Minx, to approve Resolution 16-41.

Motion passed: 6 ayes, 0 nays.

Tr. Grear	<u>aye</u>	Tr. Minx	<u>aye</u>	Tr. Pietron	<u>aye</u>
Tr. Ramos	<u>aye</u>	Tr. Thill	<u>aye</u>	Tr. Witko	<u>aye</u>

- c. Trustee Grear clarified that this was just authorizing the Village Administrator to go out to bid with NIMEC. Mr. Czerwinski said no, it authorizes him to purchase the commodity.
- d. Trustee Grear said it's important for residents to remember that if they are approached by an energy company to switch to that company, they certainly can do that, but if they do nothing, they will be getting rates negotiated by the Village. Mr. Czerwinski agreed, and said that when the Village and NIMEC select the commodity price, our residents are getting the best price possible.

D. Trustee Ramos:

Trustee Ramos had no formal report, but thanked the Village and Mayor DiMaria for the proclamation on behalf of the Filipino-American community. He added that Morton Grove is the first government unit in the United States to do this proclamation. Trustee Ramos said the Consul General apologized for his absence this evening. He thanked the Mayor and his fellow Board members again for this historic action.

XI. **TRUSTEES' REPORTS** (continued)

E. Trustee Thill:

Trustee Thill had no report.

F. Trustee Witko:

1. Trustee Witko presented for a first reading **Ordinance 16-14, Establishing the Prevailing Rate of Wages For Laborers, Mechanics, and Other Workers in the Village of Morton Grove Employed in Performing Construction of Public Works for the Village.**
 - a. She explained that the Illinois Prevailing Wage Act requires a contractor and subcontractor to pay laborers, workers and mechanics employed on public works projects no less than the general prevailing rate of wages as established by the Village. "Public Works" is defined by the Act to mean all fixed works constructed by any public body, or paid for wholly or in part out of public funds. Each year during the month of June, the Act requires the Village to investigate and ascertain the prevailing rate of wages.
 - b. Trustee Witko said this ordinance adopts the prevailing wage rates established by the Illinois Department of Labor for Cook County, Illinois, as the prevailing wage rates for public works projects in Morton Grove. Upon passage of this Ordinance, the Act further requires the Village to post these rates or make them available for inspection by any interested party; file a certified copy of the Ordinance with the Illinois Department of Labor; and publish a notice of these rates in a newspaper of general circulation within the Village.
 - c. Trustee Witko said that staff is requesting that the second reading of this Ordinance be waived so that submission to the Illinois Department of Labor can be done in a timely fashion.

Trustee Witko therefore moved, seconded by Trustee Pietron, to waive the second reading of Ordinance 16-14.

Motion passed: 6 ayes, 0 nays.

Tr. Grear	<u>aye</u>	Tr. Minx	<u>aye</u>	Tr. Pietron	<u>aye</u>
Tr. Ramos	<u>aye</u>	Tr. Thill	<u>aye</u>	Tr. Witko	<u>aye</u>

Trustee Witko then moved to adopt Ordinance 16-14, seconded by Trustee Pietron.

Motion passed: 6 ayes, 0 nays.

Tr. Grear	<u>aye</u>	Tr. Minx	<u>aye</u>	Tr. Pietron	<u>aye</u>
Tr. Ramos	<u>aye</u>	Tr. Thill	<u>aye</u>	Tr. Witko	<u>aye</u>

XII. **OTHER BUSINESS**

NONE

XIII.

WARRANTS

Trustee Witko presented the Warrant Register for June 13, 2016, in the amount of \$773,379.90. She moved that the Warrants be approved as presented. Trustee Thill seconded the motion.

Motion passed: 6 ayes, 0 nays.

Tr. Grear aye
Tr. Ramos aye

Tr. Minx aye
Tr. Thill aye

Tr. Pietron aye
Tr. Witko aye

XIV.

RESIDENTS' COMMENTS

1. **Georgianne Brunner** invited everyone to the Morton Grove Days festival taking place on July 1 through July 4. She thanked the mayor for displaying the patriotic caps that people can receive when they donate \$25 or more to the Morton Grove Days Commission. She said that people who'd like to use PayPal when they make their donation should donate at the Morton Grove Days website. If you order online, a member of the Commission will get you your cap, or you will be able to pick it up at the Farmers' Market. She encouraged everyone to make a donation, as it helps defray the cost of the four-day festival.
 - a. Georgie also reiterated that you must present the flyer at China Chef in order for the Commission to get 15% of the proceeds. She said the flyer can be picked up at Village Hall or printed from the Morton Grove Days website.
 - b. Georgie said it's not too late to volunteer for this fun event. The Commission is still looking for volunteers AND sponsors. Anyone interested in volunteering should email morton-grovedays@gmail.com.
 - c. Trustee Thill asked Georgie what it costs to put on the whole event. She responded that it costs about \$150,000 between the parade and all the rentals. It's all paid for by a combination of sponsorships and donations, receipts from the beer garden, and some carnival revenue. She added that the Commission will take any size donation, and they are tax deductible, because the Morton Grove Days Commission is a 501(c)3 organization. And for donating a minimum of \$25, you'll receive a great hat!
2. **Ellie Davis** commented that June is National Alzheimer's and Brain Awareness Month. She noted that early detection is of the utmost importance, because there is medication now that can slow the progress of Alzheimer's or dementia. If you notice a loved one searching for words or for things, or driving erratically, or a number of other signs, please ask them to get tested.
 - a. It's predicted that almost 50% of people over age 85 will have dementia. She asked everyone to consider donating to the Alzheimer's Association which continues to do research on this terrible disease.

XV.

ADJOURNMENT

Trustee Thill moved to adjourn the meeting, seconded by Trustee Ramos.

Motion passed: 6 ayes, 0 nays.

Tr. Gear	<u>aye</u>	Tr. Minx	<u>aye</u>	Tr. Pietron	<u>aye</u>
Tr. Ramos	<u>aye</u>	Tr. Thill	<u>aye</u>	Tr. Witko	<u>aye</u>

The meeting adjourned at 7:30 p.m.

PASSED this 27th day of June, 2016.

Trustee Gear	_____
Trustee Minx	_____
Trustee Pietron	_____
Trustee Ramos	_____
Trustee Thill	_____
Trustee Witko	_____

APPROVED by me this 27th day of June, 2016.

Daniel P. DiMaria, Village President
Board of Trustees, Morton Grove, Illinois

APPROVED and FILED in my office this 28th day of June, 2016.

Connie J. Travis, Village Clerk
Village of Morton Grove, Cook County, Illinois

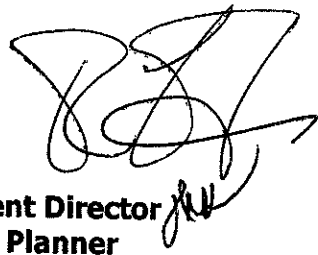
Minutes by: Teresa Cousar

To: Village President and Board of Trustees

From: Ron Farkas, Plan Commission Chairperson
Nancy Radzevich, AICP, Community & Economic Development Director
Dominick Argumedo, AICP, Zoning Administrator/Land-Use Planner

Date: June 22, 2016

Re: Plan Commission Case PC15-09: Request for recommendation of approval for a Subdivision at 9109 Menard Avenue with waivers to lot width and area in accordance with Section 12-8 of the Unified Development Code (Ordinance 07-07).



Commission Report

Public Notice

The Village of Morton Grove provided Public Notice for the May 16, 2016 Plan Commission public hearing for PC 16-02 in accordance with the Unified Development Code. The Pioneer Press published the public notice on April 29, 2016, and the Village notified surrounding property owners via mail on May 1, 2016 and placed a public notice sign on the subject property on May 6, 2016.

Overview of the Application

The applicant, Mr. Phil Van Swol, is seeking to resubdivide three (3) existing continuous lots of record into two (2) lots of record. The north lot would be 54 ft. x 125 ft. with 6,750 sq. ft. of area, while the south lot would 45 ft. x 125 ft. with 5,625 sq. ft. of area. The site is located mid-block on the east side of Menard Avenue between Davis and Church Streets in the R2 Single Family Residence District zoning district. The overall property is improved with a single family residence that would be located on the newly created north lot.

The R2 zoning district regulations state that subdivisions of record after August 4, 1959 must have a minimum lot area of 5,900 sq. ft. (Section 12-4-2:D.1) and a minimum lot width of 50 ft. (Section 12-4-2:D.2).

For this proposed subdivision, the proposed north lot would comply with the required lot dimensions and the existing single family residence, on this newly create lot, would comply with all R2 bulk and dimensional controls. The proposed south lot, however, would not meet minimum area and width requirements and thus would require approval of waivers to these dimensional controls.

The following chart provides a summary of the existing and proposed conditions, based on the Village's ordinance requirements:

<u>Dimensional Control</u>	<u>Required</u>	<u>Existing Measurement</u>	<u>Proposed Measurement</u>	<u>Requested Waiver</u>
Minimum Lot Area (In sq. Ft.), Subdivisions of record after August 4, 1959	5,900 sq. ft. (Sec. 12-4-2:D.1)	12,375 sq. ft. (three contiguous lots of record)	6,750 sq. ft. (north proposed lot) <i>5,625 sq. ft. (south lot)</i>	None (north proposed lot) <i>275 sq. ft. (south lot)</i>
Minimum Lot Width (In ft.), Subdivisions of record after August 4, 1959	50 ft. (Sec. 12-4-2:D.2)	99 ft. (three contiguous lots of record)	54 ft. (north lot) <i>45 ft. (south lot)</i>	None (north lot) <i>5 ft. (south lot)</i>

As shown above in the table, in order to complete the proposed project, the following waivers would be required for the proposed southern lot from the proposed subdivision:

- Section 12-4-2:D.1: A 275 sq. ft. waiver to allow for a Lot Area of 5,750 sq. ft.; and
- Section 12-4-2:D.2: A 5 ft. waiver to allow for a lot width of 45 ft.

May 16, 2016 Public Hearing

Mr. Dominick Argumedo, Zoning Administrator/Land-Use Planner, introduced the case and summarized the Plan Commission staff report dated May 11, 2016, which was entered, in its entirety, into the public record. (Attachment 1)

Commissioner Blonz inquired about existing landscaping on the proposed subdivided lot to the south. Staff explained that the ability to preserve the landscaping would depend on the proposed building design and the associated site engineering requirements and would need to comply with Chapter 11 of the Unified Development Code, "Landscaping and Trees."

Commissioner Gabriel asked if there were any non-compliant conditions with the existing residence. Mr. Argumedo responded that the existing residence is compliant, and would be compliant after the proposed subdivision.

The applicant, Mr. Phil Van Swol, then spoke. Mr. Van Swol noted when he purchased the three (3) lots of record in 2008; he intended to tear down the previous home and build a new residence on a 54 ft. wide lot and establish an adjacent vacant lot of 45'- 6" for future development. Prior to finalizing his building plans, he met with then Village Planner, Bonnie Jacobson. Based on his conversation with her, it was his understanding that a 45' -6" wide lot would comply with Village ordinance requirements. The plans for the demolition of the previous residence, construction of a new residence and corresponding surveys were presented to the Village Planner that showed a new residence on a 54' ft. X 125' ft. and a vacant 45' 6 "X 125' lot to the south. The existing residence was constructed in 2008.

Mr. Van Swol continued that he consolidated the three (3) existing pin numbers into two (2) consolidated pins with Cook County Assessor's office in 2014. He then contacted Mr. Argumedo about selling the vacant 45'-6" wide lot and was informed that the Village never received an application for nor approved any such subdivision. He stated that Mr. Argumedo also informed him that this proposed subdivision would result in a lot that was not compliant with Village requirements. At that point, Mr. Van Swol asked about the appropriate process to resubdivide

the lot and has now applied for review of this subdivision, with requested waivers. Mr. Van Swol concluded with a description of the immediate 9109 Menard area as being developed with a combination of newer and older homes with a majority of the of neighboring homes on 45 ft. wide lots.

Commissioner Blonz asked the applicant about the existing landscaping, and if the bushes on the south side of proposed south lot would remain and if there would be any problems with emergency access. Mr. Van Swol stated he intends to leave the bushes unless there is some reason in the building process to remove.

Chairperson Farkas then opened the hearing for public comment and two residents spoke. Barbara Kuzinski, at 9118 Menard, stated her opinion that the proposed subdivided lot is not big enough to build a house. Ms. Kuzinski also noted her concern regarding potential increased parking on the block. Arnie Reznick, at 9114 Mango, also voiced concerns of building on a 45 ft. wide lot. In his opinion, for any new single family development, a garage in the front would need to be 20 ft. wide which would leave only a 15 ft. façade facing the street. Building a garage with access to the alley would, in turn, be very difficult for access particularly from snowplowing in the winter. He noted that in his opinion this lot should not be considered buildable.

Commissioner Shimanski asked staff if approval of the proposed subdivision would also imply that the 45 ft. lot is buildable or would new construction on the substandard 45 ft. lot require approval by the Zoning Board of Appeals. Mr. Argumedo answered that any development on the new 45 ft. wide lot would still need approval by the Zoning Board of Appeals per Section 12-15-4 and 12-15-5. He continued that a condition could be added to the ordinance reiterating that this case and future ordinance is solely for the proposed subdivision and that any future development must meet Section 12-15-4 and 12-15-5. Terry Liston, Corporation Counsel, confirmed that the current application is only for the subdivision, and as such, any new single family development would need to appear before the Zoning Board of Appeals for review, as the lot width and size would be below code requirements. Ms. Liston further noted that Section 12-15-5 states: "The creation of a non-conforming lot subsequent to the effective date of this title (which was 2007) or any subsequent amendment shall not entitle the owner of such non-conforming lot to a building permit as provided elsewhere in the code." Ms. Liston concluded that the property owner may apply for a building permit for new development, but the owner is not entitled to it just by a matter of right just by approving the subdivision.

Chairperson Farkas asked if there was any further discussion. With no response, Farkas added that he was bothered that the applicant's case's was based upon conversation with a Village Official in 2008. Chairperson Farkas added that there was a statement made that the Village had provided incorrect information; however, the applicant could have checked the code himself as that is a public record. Mr. Farkas said he felt this sets a bad precedent that the Village could be stuck with an incorrect verbal opinion. Chairperson Farkas added he is not asking for a response, he was just stating his opinion.

Mr. Van Swol asked to be heard and stated that he believed it was well-documented as he reviewed plans and surveys the Village Planner.

Ms. Liston explained that from a legal standpoint, if a Village employee gives out the wrong information, it is not binding on the Village.

With this clarification from staff, Commissioner Shimanski stated that the case before the Commission is just the first step in getting approval for a subdivision, any consideration of future development cannot occur before a subdivision is approved. Ms. Liston added that the code per Section 12-2-2:A states you cannot build two homes on one lot, and right now this is considered one lot. In order for any *potential* development to occur, such a subdivision application must be approved, but that does not guarantee that any development will be approved.

Commissioner Shimanski moved to approve Case PC16-02, 9109 Menard, request for recommendation of approval for a Subdivision at 9109 Menard Avenue with waivers to lot width and area in accordance with Section 12-8 of the Unified Development Code (Ordinance 07-07)

1. The subdivision shall be recorded in accordance with all materials submitted with the application in accordance to Section 12-8-3.
2. The owner and successive ownership shall be duly notified through a recorded deed that any future development on each lot shall correspond to existing unified development code.

The motion was seconded by Commissioner Blonz.

The motion passed unanimously (6-0, Dorgan Absent)

To: Village President and Board of Trustees

From: Ron Farkas, Plan Commission Chairperson
Nancy Radzevich, AICP, Community & Economic Development Director
Dominick Argumedo, AICP, Zoning Administrator/Land-Use Planner

Date: June 22, 2016

Re: Plan Commission Case PC 16-03 – Application for a Text Amendment to Title 12 of the Village of Morton Grove Municipal Code (Ord. #07-07) to amend provisions regulating the number of principal structures per zoning lot for residential developments.

COMMISSION REPORT

Public Hearing Notice

The Village provided Public Notice for the June 20, 2016 Plan Commission public hearing for PC 16-03 in accordance with the Unified Development Code. The *Pioneer Press* published the public notice on June 2, 2016. As this request is for a text amendment, not a request for a specific site, no public notice signs or notification letters were required.

Background

Staff notes that within the Village and in other surrounding communities, there is an increased market and demand for higher density single family housing – attached dwellings (townhomes) and detached, “cluster” developments. In our current economy, it is important to be able to facilitate desired levels and types of development in the most streamlined means possible, without compromising other development standards and/or bulk controls. The Village of Morton Grove Municipal Code (Title 12, Chapter 2, Section 12-2-2:A), however, currently only allows one principal building on a zoning lot in all zoning districts except the Manufacturing District. Specifically, the code states:

“Principal Structures: Only one principal detached building shall be located on a zoning lot in all zoning districts except the manufacturing districts. Multiple structures are allowed pursuant to a special use permit only in commercial districts, or as a planned unit development. Two (2) or more buildings joined by a fence, canopy, freestanding wall or other nonfunctional connection shall not be considered to be one principal detached building. Components of a single building may be connected by an enclosed pedestrian accessway with a continuous foundation.”

Under the current Village regulations, a proposal for a multi-structure residential development on a single lot can only be granted through the PUD process, regardless of the underlying zoning classification and/or whether the project complies with all the density controls. In light of this, staff is proposing that the provision to allow more than one principal building on a zoning lot should be expanded to include multi-family developments on larger zoning lots within the higher density residential areas, as long as such developments meet all other dimensional controls. This would accommodate a more streamlined permitting process for such developments, in the areas where they are encouraged, that otherwise comply with the code requirements.

Proposed Amendment

Staff proposes the following Amendments. First, to Section 12-2-2:A:

Principal Structures: Only one principal detached building shall be located on a zoning lot in all zoning districts except ~~the manufacturing districts~~ as follows:

- (1) Within the manufacturing districts:*
- (2) Within the CR Commercial Residential District for multifamily residential developments on zoning lots of not less than one acre, which comply with all the bulk, dimensional and parking requirements and would otherwise be permitted as a matter of right, provided that all common areas located therein shall be owned and maintained by a property owners association pursuant to covenants, restrictions, and easements of record approved by the Village;*
- (3) Pursuant to a special use permit in the C1 General Commercial and C2 Neighborhood Commercial Districts and for multi-unit residential dwellings in the R3 General Residence district, and in the CR District for lots less than one acre in area, or*
- (4) As a planned unit development pursuant to Section 12-6 of the Unified Development Code.*

Two (2) or more buildings joined by a fence, canopy, freestanding wall or other nonfunctional connection shall not be considered to be one principal detached building. Components of a single building may be connected by an enclosed pedestrian accessway with a continuous foundation.

Second, Staff proposes the following footnote to Section 12-4-2:C

Dwellings:	R1	R2	R3
Attached dwellings (townhomes, row houses)	X	X	P, S ⁵
Multiple-family dwellings	X	X	P, S ⁵
Single-family detached dwellings	P	P	P
Two-family dwellings	X	X	P

⁵ Multi-unit residential dwellings, in more than one principal structure, may be permitted pursuant to a special use permit, in accordance with Section 12-16-4:C and Section 12-2-2:A

Finally, Staff proposes the following footnote to Section 12-4-3:D

Dwellings:	C1	C2	CR
Attached dwellings	S ³	S ³	P ² or S ³
Multiple-family dwellings	S ³	S ³	P ² or S ³

²: Multi-unit residential dwellings, in one or more principal structures, are a permitted use on zoning lots not less than one acre, subject to compliance with Section 12-5, Section 12-7, and 12-2-2:A

June 20, 2016 Public Hearing

Dominick Argumedo, Zoning Administrator/Land-Use Planner presented the case for amendment. He noted that as part of regular staff review of the Unified Development Code, in conjunction with current and proposed local residential development trends, the Village's Principal Structure regulation limitation does not necessarily promote or support the desired types and levels of multi-unit residential development that would be expected and encouraged in certain areas of the Village – particularly close to the Metra station and rail line. He continued that due to the Principal Structure regulation, if a developer wanted to build a multi-unit residential development on a single lot, even in a district that allows higher density development and the proposal meets dimensional controls, the developer would need to go through the PUD process for approval.

Mr. Argumedo explained that Staff looked at both Village zoning districts intended for higher density residential development, the R3 General Residence and the CR Commercial Residential Districts and their existing development patterns and abutting uses. Given that the R3 District includes more of mix of single-family, two-family and smaller scale multi-family developments and as such as buffer between the single family district (R1 and R2), Staff proposes that any larger scale multi-family development in the R3 District should still be reviewed through the Special Use and/or PUD process. However, within the CR District, which includes many existing multifamily developments in one or principal buildings, such developments should be permitted by right, on larger zoning lots, as long as the proposed development complies with all other bulk and dimensional controls and parking requirements. Future multi-family projects within this area would naturally blend in and complement the existing development patterns.

Mr. Argumedo concluded that the proposed text amendment would allow developers a more streamlined process for such developments, flexibility in keeping with development trends, while maintaining adherence to the intent and purpose of the Unified Development Code, in general, and of the CR District. He also added that such a text amendment would be consistent with neighboring communities – Evanston, Park Ridge, Niles and Glenview all allow for more than principal structure on a lot within their higher density residential zoning districts.

Commissioner Blonz asked for clarification of why if a multi-family building was allowed as a principal structure how would this amendment benefit development. Nancy Radzevich, Community & Economic Development Director, clarified that newer multi-family development often is proposed in the forms of several principal structures on one zoning lot in one development. An overall development may have a building with three townhomes while an additional building, on the same lot in the same development, may have three additional townhomes. Both buildings would be principal structures and under the existing regulations would potentially need a PUD for approval. This amendment would allow such development, by right, if said development met all dimensional controls of the zoning district. Commissioner Blonz stated this clarified his understanding of the proposed amendment.

Commissioner Gabriel complimented the proposed amendment and said it is such an amendment that should be highlighted to promote development.

Commissioner Blonz made a motion to recommend approval of PC 16-03 for Text Amendments to Section 12-2-2:A, Section 12-4-2:C and Section 12-4-3:D of the Unified Development Code as presented in the Plan Commission Staff memo dated June 16, 2016 (*See Page 5, below*).

Commissioner Gabriel seconded the motion.

The motion passed unanimously (5-0; Khan and Shimanski absent).

PC 16-03 Proposed Text Amendment

12-2-2: NUMBER OF STRUCTURES ALLOWED ON A ZONING LOT:

A. Principle Structures: Only one principal detached building shall be located on a zoning lot in all zoning districts except the manufacturing districts as follows: (1) Within the manufacturing districts; (2) Within the CR Commercial Residential District for multifamily residential developments on zoning lots of not less than one acre, which comply with all the bulk, dimensional and parking requirements and would otherwise be permitted as a matter of right, provided that all common areas located therein shall be owned and maintained by a property owners association pursuant to covenants, restrictions, and easements of record approved by the Village; (3) Pursuant to a special use permit in the C1 General Commercial and C2 Neighborhood Commercial districts and for multi-unit residential dwelling in the R3 General Residential district, and in the CR district for lots less than one acre in area; or. Multiple structures are allowed pursuant to a special use permit only in commercial districts, or as a planned unit development pursuant to Section 12-6 of the Unified Development Code. Two (2) or more buildings joined by a fence, canopy, freestanding wall or other nonfunctional connection shall not be considered to be one principal detached building. Components of a single building may be connected by an enclosed pedestrian accessway with a continuous foundation.

12-4-2: RESIDENTIAL DISTRICTS:

C. Uses:

Dwellings:	R1	R2	R3
Attached dwellings (townhomes, row houses)	X	X	P, S ⁵
Multiple-family dwellings	X	X	P, S ⁵
Single-family detached dwellings	P	P	P
Two-family dwellings	X	X	P

5: Multi-unit residential dwellings, in more than one principal structure, may be permitted pursuant to special use permit, subject to compliance with subsection D and Section 12-2-2:A

12-4-3: COMMERCIAL DISTRICTS:

D. Uses:

Dwellings:			
Attached dwellings	S ³	S ³	P ² or S ³
Multiple-family dwellings	S ³	S ³	P ² or S ³

7: Multi-unit residential dwellings, in one or more principal structures, are a permitted use on zoning lots not less than one acre, subject to compliance with Section 12-5, Section 12-7, and 12-2-2:A

Legislative Summary

Resolution 16-42

AUTHORIZING THE PURCHASE OF 70 MOTOROLA APX 6000 STARCOM RADIOS AND ACCESSORIES, AND PARTICIPATION IN THE MOTOROLA STARCOM21 RADIO NETWORK

Introduced:

June 27, 2016

Purpose:

To authorize the Village to lease/purchase seventy (70) APX 6000 portable radios and accessories from Motorola Solutions, Inc. and enter into an agreement with Motorola Solutions Inc. for participation in the Starcom21 700/800 MHz IP-based trunked radio system.

Background:

The Village currently is a member of NORCOM, a local public safety radio consortium for Police Department communications. The Federal Communication Commission (FCC) is requiring public safety agencies return the portion of the public radio spectrum used by NORCOM to the private sector by 2021. Converting NORCOM's infrastructure to a system compliant with the FCC's requirements has been determined to be cost prohibitive. The proposed alternative is to participate in the Starcom21 network owned and managed by Motorola Solutions, Inc. Glenview Public Safety Dispatch, which handles the police dispatch function for the Village, has the capability to dispatch over the Starcom21 network. The Glenview and Northbrook Police Department have already switched to the Starcom21 network and the Skokie, Niles, and Lincolnwood Police Departments will be switching by 2017. Participating in the Starcom21 network will cost the Village \$34.00 per month per active radio with inactive radios (spares) not charged for airtime until they are turned on and integrated into the network for a total of \$25,296 for 62 active radios per year. This cost will be off-set by eliminating unneeded radios and the Village will no longer need to maintain dedicated phone lines for the radio network. The Village will need to purchase 70 Motorola APX 6000 portable radios and related equipment. Motorola Solutions, Inc. has agreed to lease to own the required radios and equipment to the Village over a four year period at a 37% discount (verses a 25% discount with state purchasing). The cost for each of four annual lease/purchase payments is 25% of the discounted cost of the radios and equipment presenting an interest free opportunity over the four years. To take advantage of these favorable terms, the Village must approve the lease/purchase agreement and user agreement before June 30, 2016.

**Programs, Departments
or Groups Affected**

Police Department

Fiscal Impact:

The estimated contract value is \$311,036.50 which will be divided into four equal payments of \$77,759.13 during fiscal years 2017, 2018, 2019, and 2020.

Source of Funds:

Account # to be established in the Fiscal Year 2017 Budget

Workload Impact:

The Police Department, as part of their normal work activities, will perform the management and implementation of the program.

Admin Recommendation:

Approval as presented.

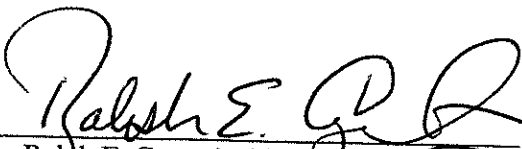
Second Reading:

N/A

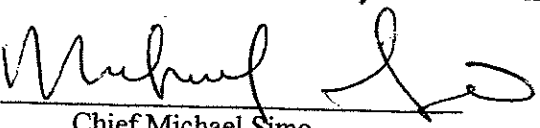
**Special Considerations
or Requirements:**

None

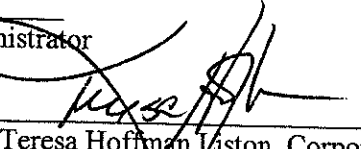
Respectfully prepared and submitted:


Ralph E. Czerwinski, Village Administrator

Reviewed by:


Chief Michael Simo

Reviewed by:


Teresa Hoffman Liston, Corporation Counsel

RESOLUTION 16-42

AUTHORIZING THE LEASE/PURCHASE OF 70 MOTOROLA APX 6000 STARCOM RADIOS AND ACCESSORIES, AND PARTICIPATION IN THE STARCOM21 NETWORK

WHEREAS, the Village of Morton Grove (Village), located in Cook County, Illinois, is a home rule unit of government under the provisions of Article 7 of the 1970 Constitution of the State of Illinois, can exercise any power and perform any function pertaining to its government affairs, including but not limited to the power to tax, purchase, and incur debt; and

WHEREAS, the Village currently is a member of NORCOM, a local public safety radio consortium. The Federal Communication Commission (FCC) is requiring public safety agencies return the portion of the public radio spectrum used by NORCOM's existing equipment to the private sector by 2021; and

WHEREAS, converting NORCOM's infrastructure to a system compliant with the FCC's requirements would require a large investment in equipment and staff time, and has been determined to be cost prohibitive; and

WHEREAS, Starcom21 is a 700/800 MHz IP-based trunked radio network with over 270 radio tower antenna sites; and

WHEREAS, Motorola Solutions, Inc. of Schaumburg, Illinois has built and manages the Starcom21 network throughout Illinois pursuant to a contract with the State of Illinois; and

WHEREAS, joining the Starcom21 network would allow the Village to access a state-wide radio network with numerous Illinois mutual aid resources since the network is used by the Illinois State Police, other state agencies, and many other local and county public safety agencies (including some fire departments); and

WHEREAS, Glenview Public Safety Dispatch, which handles the police dispatch function for the Village, has the capability to dispatch over the Starcom21 network, and the Glenview and the Northbrook Police Departments have already switched from the NORCOM system to the Starcom21 network; and

WHEREAS, in addition to Glenview and Northbrook, Skokie, Niles, and Lincolnwood Police Departments will be switching to the Starcom21 network; and

WHEREAS, participating in the Starcom21 network will cost the Village \$34.00 per month per active radio with inactive radios (spares) not charged for airtime until they are turned on and integrated into the network for a total of \$25,296 for 62 active radios per year. This cost will be off-set by savings

the Village will realize as the Starcom21 radios will take the place of both the in-car and portable radios, and the Village will no longer need to maintain dedicated phone lines; and

WHEREAS, in order to participate in the Starcom21 network, the Village will need to replace its current radios with Motorola APX 6000 portable radios and accessories which are compatible with the Starcom21 network; and

WHEREAS, the Village's Police Department staff have recommended the Village obtain seventy (70) Motorola APX 6000 portable radios (62 active radios and 8 additional radios for contingencies) as well as accessories for the purpose of integrating the Village's police radio communications into the Starcom21 network; and

WHEREAS, Motorola Solutions, Inc. is a sole source supplier of the needed radios and related equipment; and

WHEREAS, Motorola Solutions, Inc. negotiated a Cooperative Purchasing Agreement with Lake County and other municipalities, which allows participating agencies to purchase radio equipment at a 37% discount. Under this agreement, the municipality leases/purchases the radios and equipment for a 4 year period, and owns the radios and equipment outright thereafter. The cost for each annual lease/purchase payment is 25% of the discounted cost of the radios and equipment, hence in effect the municipality is able to finance the purchase of the radios and equipment interest free over four years. Motorola Solutions, Inc. also provides a five (5) year warranty on the portable radios; and

WHEREAS, the Village has the opportunity to participate in these favorable terms and may lease/purchase 70 radios and associated equipment for 2016 delivery at a price of \$311,036.50 payable in 4 annual installments beginning in 2017 of \$77,759.13 but only if the Village approves this transaction before June 30, 2016; and

WHEREAS, by adopting this Resolution, the President and Board of Trustees acknowledges its intention to appropriate this funding in the Fiscal Years 2017, 2018, 2019 and 2020 Annual Budgets (as payment will be deferred with the first invoice received in that particular fiscal year); and

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE, COOK COUNTY, ILLINOIS AS FOLLOWS:

SECTION 1: The Corporate Authorities do hereby incorporate the foregoing WHEREAS clauses into this Resolution as though fully set forth therein thereby making the findings as hereinabove set forth.

SECTION 2: The Village Administrator is authorized to finalize and enter into: a Communication Product Agreement, and an Equipment Lease/Purchase Agreement consistent with the

terms set forth in the proposal attached hereto as Exhibit "A" for the lease/purchase of seventy (70) APX 6000 portable radios and accessories from Motorola Solutions Inc. for a total expenditure of \$311,036.50 with an initial 2017 payment of \$77,759.13, and three more yearly payments of \$77,759.13 in 2018, 2019, and 2020.

SECTION 3: The Village Administrator is authorized to enter into a Starcom21 user agreement(s) for participation in the Starcom21 network at an initial cost of \$34 per month for each active radio in the network.

SECTION 4: The Village Administrator and Police Chief are hereby authorized to take all steps to implement said agreement(s).

SECTION 5: This Resolution shall be in full force and effect upon its passage and approval.

PASSED THIS 27th DAY OF JUNE 2016.

Trustee Grear	_____
Trustee Minx	_____
Trustee Pietron	_____
Trustee Ramos	_____
Trustee Thill	_____
Trustee Witko	_____

APPROVED BY ME THIS 27TH DAY OF JUNE 2016.

Daniel P. DiMaria, Village President
Village of Morton Grove
Cook County, Illinois

APPROVED and FILED in my office this
28th day of JUNE 2016

Connie Travis, Village Clerk
Village of Morton Grove
Cook County, Illinois

EXHIBIT "A"



Bill-To
Village of Morton Grove
6101 Capulina Ave
Morton Grove, ILL 60053

Attn: Chief Simo and DC Stromberg

Contract Number: 24302 - Starcom21, IL CMS264357A
Freight terms: FOB Destination
Payment terms: Net 30 Due

Quote Date: 6/22/2016
Effective to: 6/30/2016

Quote# MGPD MGPD 0516

Ultimate Destination
Morton Grove Police Department
6101 Capulina Ave
Morton Grove, ILL 60053

Sales Contact:
Name: Karl A. Morath
Email: kmorath@chicomm.com
Phone: 630-918-0019

Quantity	Description	Nomenclature	List price	Discounted Unit	Extended Price
70	APX6000 700/800 MODEL 2.5 PORTABLE	H98UCF9PW6 N	\$ 2,738.00	\$ 1,724.94	\$ 120,745.80
70	ADD: 9600 TRUNKING OR 3600 DIGITAL TRUNKING	QA02756	\$ 1,570.00	\$ 989.10	\$ 69,237.00
70	ADD: DIGITAL CAI	Q806	\$ 515.00	\$ 324.45	\$ 22,711.50
70	ADD: ADVANCED SYSTEM KEY - HARDWARE KEY	QA01648	\$ 5.00	\$ 3.15	\$ 220.50
70	ADD: PROGRAMMING OVER P25 (OTAP)	G896	\$ 100.00	\$ 63.00	\$ 4,410.00
70	GPS ACTIVATION	QA00782	Included	Included	Included
70	ADD: TDMA OPERATION	QA00580	\$ 450.00	\$ 283.50	\$ 19,845.00
70	ADD: EXTREME 1-SIDED NOISE REDUCTION	QA01833	\$ 25.00	\$ 15.75	\$ 1,102.50
70	ENH: MULTIKEY	H869	\$ 330.00	\$ 207.90	\$ 14,553.00
70	ENH: AES ENCRYPTION	Q629	\$ 475.00	\$ 299.25	\$ 20,947.50
70	ALT: LIION IMPRES IP67 2900MAH (NNTN7038)	QA01837	\$ 100.00	\$ 63.00	\$ 4,410.00
70	ENH: 5 YEARS SERVICE FROM THE START	Q887	\$ 162.00	\$ 102.06	\$ 7,144.20
70	One time Programming of each portable	SI128	\$ 70.00	\$ 70.00	\$ 4,900.00
		Totals	\$ 6,540.00	\$ 4,146.10	\$290,227.00
	Accessories				
70	PUBLIC SAFETY MIC W/JACK AND ANTENNA	PMAF4002	\$ 176.00	\$ 132.00	\$9,240.00
28	IMPRESS Single Unit Charger	WPLN7080	\$ 125.00	\$ 93.75	\$2,625.00
7	MUC with Single Display	NNTN7065B	785 \$867.00	\$ 650.25	\$4,551.75
70	APX6000 CC 2.75 SWLBL 2900&2150MAH	PMLN5657B	271 \$71.50	\$ 53.63	\$3,753.75
0			785 \$0.00	\$ -	\$0.00
0			271 \$0.00	\$ -	\$0.00
6	BATT IMP STD IP67 LIION 2900M 3100T BLK	NNTN7038B	453 \$142.00	\$ 106.50	\$639.00
				Grand Total	\$311,036.50

THIS QUOTE IS BASED ON THE FOLLOWING:

- 1 The terms and conditions from the attached contract document (Communications Product Agreement) will be used for any sale involving this quotation.
- 2 Quote includes one time programming of all included radios.
- 3 Motorola understands that the Village of Morton Grove is a tax-exempt entity and will be treated as such.
- 4 Prices quoted are valid until the expiration date of this quote
- 5 Invoicing and payment will occur per contract agreement.
- 6 Pricing and terms are contingent upon providing Motorola permission and the option to ship contents of quote by June 30 2016
- 7 Motorola has included a 5 year warranty (service from the start)on all portable radios within this quote that begins upon shipment. All Accessories come with a standard 1 year commercial warranty.

Legislative Summary

Ordinance 16-15

APPROVING A FINAL PLAT FOR A MINOR SUBDIVISION LOCATED AT 9109 MENARD AVENUE, MORTON GROVE, ILLINOIS 60053

Introduction: June 27, 2016

Purpose: To approve a final plat of subdivision to allow the owner of 9109 Menard Avenue to subdivide the existing parcel into two lots, where the new Lot 1 will include the existing single family residence and the new Lot 2 will be a vacant substandard lot.

Background: Mr. Phil Van Swol, the applicant and owner of 9109 Menard Avenue, is seeking approval to create a new two lot subdivision. The existing 12,375 sq. ft. subject property is in the R2 Single Family Residence District and consists of three record lots, which are currently utilized as one zoning lot. The applicant is proposing to create two new lots at follows: Lot 1 will be 54 ft. wide and 125 ft. deep, with 6,750 sq. ft. of land area, and Lot 2 will be 45 ft. x 125 ft., with 5,625 sq. ft. of land area. Subdivisions of record created after August 4, 1959, in the R2 District, must have a minimum lot area of 5,900 sq. ft. (Section 12-4-2:D.1) and a minimum lot width of 50 ft. (Section 12-4-2:D.2). Lot 1 with the existing single-family residence will comply with the minimum lot requirements and with the bulk and dimensional control. Lot 2, will be a substandard lot, with respect to both the lot width and lot area. The Plan Commission reviewed the proposal at their May 16, 2016 public hearing. During their discussion, the Commissioners noted this application is strictly for the approval of the subdivision only. Any future development or redevelopment on these lots will need to comply with current ordinance requirements, and specifically any proposed development on the substandard lot (Lot 2) will require approval by the Zoning Board of Appeals per Section 12-15-4 and 12-15-5. Based on the application, supporting documents and testimony presented, the Plan Commission voted unanimously (6-0, Dorgan absent) to recommend approval of this final plat of subdivisions with conditions.

Programs, Departs or Groups Affected: Community and Economic Department

Fiscal Impact: N/A

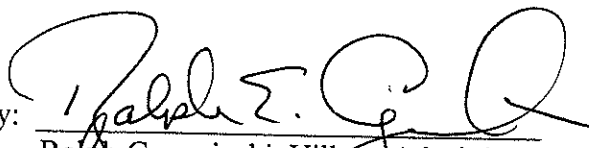
Source of Funds: N/A

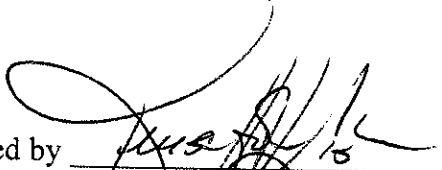
Workload Impact: These amendments will be implemented by the Community and Economic Development in the normal course of business.

Admin Recommend: Approval as presented

Second Reading: July 11, 2016, required – Municipal Code Book change

Special Consider or Requirements: None

Submitted by: 
Ralph Czerwinski, Village Administrator

Reviewed by: 
Teresa Hoffman, Liston, Corporation Counsel

Prepared by: 
Nancy M. Radzevich, Community and Economic Development Director

ORDINANCE 16-15

APPROVING A FINAL PLAT FOR A MINOR SUBDIVISION LOCATED AT 9109 MENARD AVENUE, MORTON GROVE, ILLINOIS 60053

WHEREAS, the Village of Morton Grove, located in Cook County, Illinois, is a Home Rule unit of government and under the provisions of Article 7 of the 1970 Constitution of the State of Illinois, and as such can exercise any power and perform any function pertaining to its government affairs, including but not limited to, the power to tax and incur debt; and

WHEREAS, Mr. Phil Van Swol, 9109 Menard Avenue, Morton Grove, Illinois 60053, has made a proper application to the Plan Commission in the Village of Morton Grove under Case No. PC 16-02 requesting approval of a Final Plat of subdivision for 9109 Menard Avenue ("the Subject Property") to subdivide the Subject Property into two lots, in accordance with the submitted Final Plat of Subdivision, prepared by United Survey Service, dated June 14, 2016, with a legal description of the two new lots, copies of which are attached hereto and made a part hereof and marked as Exhibit "A" and "Exhibit B," respectively; and

WHEREAS, the 12,375 sq. ft. subject property includes three existing continuous lots of record, which have been utilized as one single zone lot, is 99 ft. wide and 125 ft. deep, and is currently improved with a single family residence; and

WHEREAS the subject property is zoned in the R2 Single Family District pursuant to the provisions of the Village of Morton Grove Unified Development Code; and

WHEREAS, the proposed subdivision meets the definition of a minor subdivision defined in Section 12-17-1 of the Unified Development Code as the proposed subdivision fronts on an existing street, does not involve any new streets or roads, and does not result in more than two (2) buildable lots, and as such the applicant can proceed with an application for approval for a final plat of subdivision without the need for a preliminary plat of subdivision; and

WHEREAS, pursuant to the applicable provisions of the Municipal Code upon public notice duly published in the *Pioneer Press*, a newspaper of general circulation in the Village of Morton Grove which publication took place on April 29, 2016, and pursuant to the posting of a sign on the property on May 6, 2016, and written notification sent to property owners within 250 feet of the subject property on May 1, 2016, as required by ordinance, the Morton Grove Plan Commission held a public hearing relative to the above referenced case on May 16, 2016, at which time all concerned parties were given the opportunity to be present and express their views for the

consideration by the Plan Commission. And, as result of said hearing, the Plan Commission made certain recommendations and conditions through a report dated June 22, 2016, a copy of which is attached hereto and made a part hereof and marked as Exhibit "C"; and

WHEREAS, within the R2 District, new subdivided lots, created after August 4, 1959, are required to have a minimum lot area of 5,900 sq. ft. and a minimum lot width of 50 sq. ft.; and

WHEREAS, Lot 1 on the submitted final plat of subdivision is proposed to be 54 ft. wide by 125 ft. deep and will contain approximately 6,750 sq. ft. of land and, as such, would comply with minimum lot area and lot width requirements for new lots within the R2 Single Residential district per Section 12-4-2:D; and

WHEREAS, Lot 1 will include the existing single family residence and such existing residence on the newly created Lot 1 will comply with all the dimensional, bulk and lot coverage requirements established in the Unified Development Code; and

WHEREAS, Lot 2 on the final plat of subdivision is proposed to be 45 ft. wide by 125 ft. deep and will contain approximately 5,625 sq. ft. of land and, as such, will be a substandard lot as it will not comply with the minimum lot area and minimum lot width requirements for new lots within the R2 Single Residential district per Section 12-4-2:D; and

WHEREAS, at the public hearing, the Plan Commission acknowledged the application is strictly for approval of a two lot subdivision, which will include the creation of a substandard lot, based on the current requirements in the R2 Single Family Residence District, and approval of such subdivision does not guarantee any future development or redevelopment of such lots;

WHEREAS, the Plan Commission further acknowledged any future development or redevelopment on these lots will need to comply with current ordinance requirements, and specifically any proposed development on the substandard lot will require approval by the Zoning Board of Appeals per Section 12-15-4 and 12-15-5; and

WHEREAS, the Plan Commission considered all the evidence and testimony presented to it, discussed the merits of the Application in light of applicable laws, including the subdivision criteria established in Section 12-16-4.D.3 of the Unified Development Code, and voted to recommend approval of the new two lot subdivision and related waivers, with conditions; and

WHEREAS, pursuant to the provisions of the Village of Morton Grove Unified Development Code, the Corporate Authorities have considered the report of the Plan Commission and find the proposed final plat of subdivision in accordance with applicable ordinances of the Village of Morton Grove for a minor subdivision.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: The Corporate Authorities do hereby incorporate the foregoing WHEREAS clauses into this Ordinance, as though fully set forth herein, thereby making the findings as hereinabove set forth.

SECTION 2: The Corporate Authorities do hereby approve the application for PC 16-02, request for approval of Final Plat of Subdivision, to create two new lots as follows:

1. Lot 1, legally described in Exhibit B, a 6,750 sq. ft. parcel with a lot width of 54 ft. and lot depth of 125 ft., with an existing single-family residence, whereby such existing residence on the newly created lot complies with all dimensional, bulk, and area requirements currently in place in the Village of Morton Grove Unified Development Code; and
2. Lot 2, legally described in Exhibit B, a 5,625 sq. ft. parcel with a lot width of 45 ft. and a lot depth of 125 ft., which is a vacant substandard lot, based the current dimensional and area requirements currently in place in the Village of Morton Grove Unified Development Code;

SECTION 3: The approval of the Final Plat of Subdivision shall be subject to the following conditions:

1. The Plat of Subdivision shall state that any future development of Lots 1 or 2 shall comply with all the requirements and standards of the current Village of Morton Grove Unified Development Code; and
2. Any proposed development of Lot 2, which is substandard as to lot width and lot area, would require approval by the Zoning Board of Appeals, in accordance with Section 12-15-4. And 12-15-5.;

SECTION 4: The approval of this subdivision and associated approval of a substandard lot (Lot2) by the Corporate Authorities should not be construed as an approval of any proposed development or redevelopment of either lot;

SECTION 5: The applicant or his/her successors shall cause a certified copy of this ordinance to be filed with the Recorder of Deeds of Cook County Illinois at the applicant's expense;

SECTION 6: The applicant or his/her successors shall file the final plat of subdivision with the Recorder of Deeds of Cook County Illinois, on or before September 19, 2016, in accordance

with Section 12-8-3 of the Village Code, and shall file three (3) copies of the recorded plat with the Building Commissioner for the Village of Morton Grove within ninety (90) days of such recording;

SECTION 7: The applicant or his/her successors shall comply with all applicable provisions of Title 12, Chapter 8 regarding the content, submission, and recording of the final plat of subdivision;

SECTION 8: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form according to law, and the applicant or his/her successors has recorded the Plat of Subdivision, in accordance with Section 12-8-3 of the Village Code, and recorded this Ordinance against both Lots 1 and 2 with the Recorder of Deeds of Cook County Illinois, and has provided the evidence of such to the Village of Morton Grove.

PASSED this 11th day of July 2016.

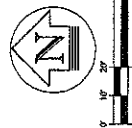
Trustee Grear	_____
Trustee Minx	_____
Trustee Pietron	_____
Trustee Ramos	_____
Trustee Thill	_____
Trustee Witko	_____

APPROVED by me this 11th day of July 2016.

Daniel P. DiMaria, Village President
Village of Morton Grove
Cook County, Illinois

APPROVED and FILED in my office this
12th day of July 2016.

Connie Travis, Village Clerk
Village of Morton Grove
Cook County, Illinois

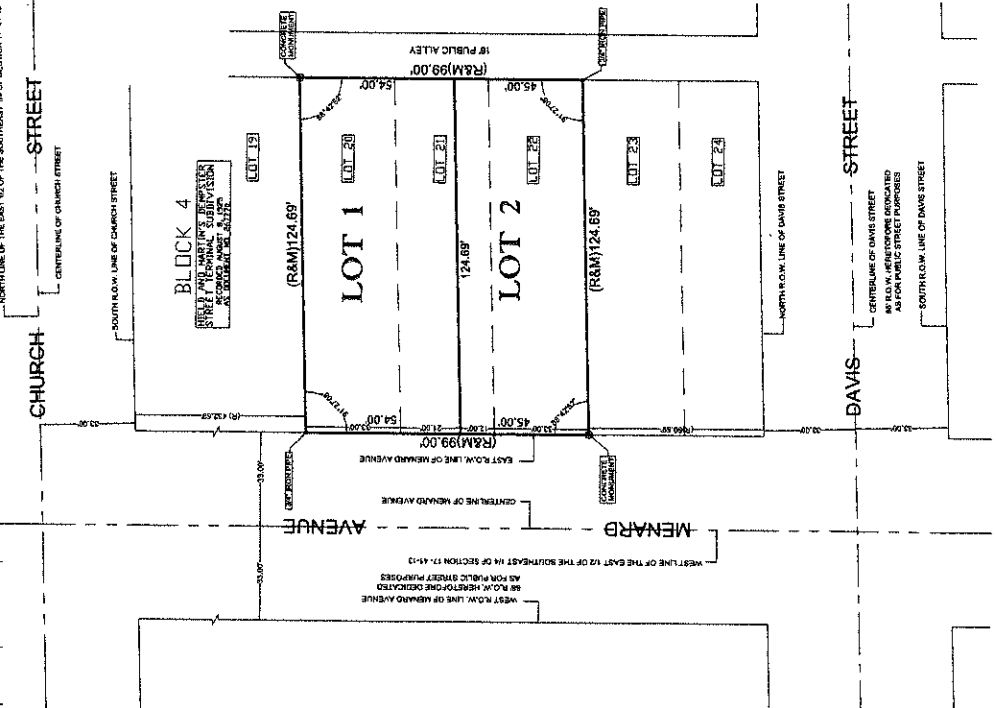


READ IN VIEW TO:
PHIL AND DONNA VAN SWOL
9109 MENARD AVENUE
MORTON GROVE, ILLINOIS 60053

9109 MENARD AVENUE SUBDIVISION

BEING A SUBDIVISION OF LOTS 20, 21 AND 22 IN BLOCK 4 IN FIELD AND MARTIN'S
DEMPSTER STREET TERMINAL SUBDIVISION IN SECTIONS 16 AND 17, TOWNSHIP 41
NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY,
ILLINOIS.

LOT 1
AREA = 6,731 SQ. FT. OR 0.154 ACRE
LOT 2
AREA = 5,009 SQ. FT. OR 0.129 ACRE
TOTAL SUBDIVISION
AREA = 12,340 SQ. FT. OR 0.283 ACRE



ORDERED BY:	DATE	REVISION
PHIL AND DONNA VAN SWOL		
FILE NO.:		
SCALE: 1" = 20'		
DATE: JUNE 14, 2018		
2016-18356-3		

ALL INFORMATION
ON RECORD DATA
IS RECORDED

VILLAGE ENGINEER CERTIFICATE

STATE OF ILLINOIS) S.S.
COUNTY OF COOK)
I, THE VILLAGE ENGINEER, DO HEREBY CERTIFY THAT THE
SUBDIVISION PLAT HEREIN IS IN ACCORDANCE WITH THE
VILLAGE ENGINEERING ACT, CHAPTER 126, ILLINOIS
STATUTES, AND THE VILLAGE ENGINEERING REGULATIONS,
CHAPTER 126.05, ILLINOIS ADMINISTRATIVE CODE.

PLAT COMMISSIONER CERTIFICATE

STATE OF ILLINOIS) S.S.
COUNTY OF COOK)
I, THE PLAT COMMISSIONER, DO HEREBY CERTIFY THAT THE
SUBDIVISION PLAT HEREIN IS IN ACCORDANCE WITH THE
PLAT COMMISSIONER ACT, CHAPTER 126, ILLINOIS
STATUTES, AND THE PLAT COMMISSIONER REGULATIONS,
CHAPTER 126.05, ILLINOIS ADMINISTRATIVE CODE.

VILLAGE BOARD OF TRUSTEES CERTIFICATE

STATE OF ILLINOIS) S.S.
COUNTY OF COOK)
I, THE VILLAGE BOARD OF TRUSTEES, DO HEREBY CERTIFY THAT THE
SUBDIVISION PLAT HEREIN IS IN ACCORDANCE WITH THE
VILLAGE BOARD OF TRUSTEES ACT, CHAPTER 126, ILLINOIS
STATUTES, AND THE VILLAGE BOARD OF TRUSTEES REGULATIONS,
CHAPTER 126.05, ILLINOIS ADMINISTRATIVE CODE.

VILLAGE COLLECTOR CERTIFICATE

STATE OF ILLINOIS) S.S.
COUNTY OF COOK)
I, THE VILLAGE COLLECTOR, DO HEREBY CERTIFY THAT THE
SUBDIVISION PLAT HEREIN IS IN ACCORDANCE WITH THE
VILLAGE COLLECTOR ACT, CHAPTER 126, ILLINOIS
STATUTES, AND THE VILLAGE COLLECTOR REGULATIONS,
CHAPTER 126.05, ILLINOIS ADMINISTRATIVE CODE.

MORTGAGEE CERTIFICATE

STATE OF ILLINOIS) S.S.
COUNTY OF COOK)
I, THE MORTGAGEE, DO HEREBY CERTIFY THAT THE
SUBDIVISION PLAT HEREIN IS IN ACCORDANCE WITH THE
MORTGAGEE ACT, CHAPTER 126, ILLINOIS STATUTES,
AND THE MORTGAGEE REGULATIONS, CHAPTER 126.05,
ILLINOIS ADMINISTRATIVE CODE.

NOTARY PUBLIC

STATE OF ILLINOIS) S.S.
COUNTY OF COOK)
I, THE NOTARY PUBLIC, DO HEREBY CERTIFY THAT THE
SUBDIVISION PLAT HEREIN IS IN ACCORDANCE WITH THE
NOTARY PUBLIC ACT, CHAPTER 126, ILLINOIS STATUTES,
AND THE NOTARY PUBLIC REGULATIONS, CHAPTER 126.05,
ILLINOIS ADMINISTRATIVE CODE.

ADJUTANT CERTIFICATE

STATE OF ILLINOIS) S.S.
COUNTY OF COOK)
I, THE ADJUTANT, DO HEREBY CERTIFY THAT THE
SUBDIVISION PLAT HEREIN IS IN ACCORDANCE WITH THE
ADJUTANT ACT, CHAPTER 126, ILLINOIS STATUTES,
AND THE ADJUTANT REGULATIONS, CHAPTER 126.05,
ILLINOIS ADMINISTRATIVE CODE.

OWNER UNDER HAND AND NOTARIAL SEAL

STATE OF ILLINOIS) S.S.
COUNTY OF COOK)
I, THE OWNER, DO HEREBY CERTIFY THAT THE
SUBDIVISION PLAT HEREIN IS IN ACCORDANCE WITH THE
OWNER ACT, CHAPTER 126, ILLINOIS STATUTES,
AND THE OWNER REGULATIONS, CHAPTER 126.05,
ILLINOIS ADMINISTRATIVE CODE.

SURFACE WATER DRAINAGE CERTIFICATE

STATE OF ILLINOIS) S.S.
COUNTY OF COOK)
I, THE SURFACE WATER DRAINAGE ENGINEER, DO HEREBY CERTIFY THAT THE
SUBDIVISION PLAT HEREIN IS IN ACCORDANCE WITH THE
SURFACE WATER DRAINAGE ENGINEER ACT, CHAPTER 126,
ILLINOIS STATUTES, AND THE SURFACE WATER DRAINAGE
ENGINEER REGULATIONS, CHAPTER 126.05, ILLINOIS
ADMINISTRATIVE CODE.

OWNER CERTIFICATE

STATE OF ILLINOIS) S.S.
COUNTY OF COOK)
I, THE OWNER, DO HEREBY CERTIFY THAT THE
SUBDIVISION PLAT HEREIN IS IN ACCORDANCE WITH THE
OWNER ACT, CHAPTER 126, ILLINOIS STATUTES,
AND THE OWNER REGULATIONS, CHAPTER 126.05,
ILLINOIS ADMINISTRATIVE CODE.

NOTARY PUBLIC

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COUNTY OF COOK)
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SUBDIVISION PLAT HEREIN IS IN ACCORDANCE WITH THE
NOTARY PUBLIC ACT, CHAPTER 126, ILLINOIS STATUTES,
AND THE NOTARY PUBLIC REGULATIONS, CHAPTER 126.05,
ILLINOIS ADMINISTRATIVE CODE.

ADJUTANT CERTIFICATE

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COUNTY OF COOK)
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ADJUTANT ACT, CHAPTER 126, ILLINOIS STATUTES,
AND THE ADJUTANT REGULATIONS, CHAPTER 126.05,
ILLINOIS ADMINISTRATIVE CODE.

OWNER UNDER HAND AND NOTARIAL SEAL

STATE OF ILLINOIS) S.S.
COUNTY OF COOK)
I, THE OWNER, DO HEREBY CERTIFY THAT THE
SUBDIVISION PLAT HEREIN IS IN ACCORDANCE WITH THE
OWNER ACT, CHAPTER 126, ILLINOIS STATUTES,
AND THE OWNER REGULATIONS, CHAPTER 126.05,
ILLINOIS ADMINISTRATIVE CODE.

LAND SURVEYOR CERTIFICATE

STATE OF ILLINOIS) S.S.
COUNTY OF COOK)
I, THE LAND SURVEYOR, DO HEREBY CERTIFY THAT THE
SUBDIVISION PLAT HEREIN IS IN ACCORDANCE WITH THE
LAND SURVEYOR ACT, CHAPTER 126, ILLINOIS STATUTES,
AND THE LAND SURVEYOR REGULATIONS, CHAPTER 126.05,
ILLINOIS ADMINISTRATIVE CODE.

OWNER CERTIFICATE

STATE OF ILLINOIS) S.S.
COUNTY OF COOK)
I, THE OWNER, DO HEREBY CERTIFY THAT THE
SUBDIVISION PLAT HEREIN IS IN ACCORDANCE WITH THE
OWNER ACT, CHAPTER 126, ILLINOIS STATUTES,
AND THE OWNER REGULATIONS, CHAPTER 126.05,
ILLINOIS ADMINISTRATIVE CODE.

NOTARY PUBLIC

STATE OF ILLINOIS) S.S.
COUNTY OF COOK)
I, THE NOTARY PUBLIC, DO HEREBY CERTIFY THAT THE
SUBDIVISION PLAT HEREIN IS IN ACCORDANCE WITH THE
NOTARY PUBLIC ACT, CHAPTER 126, ILLINOIS STATUTES,
AND THE NOTARY PUBLIC REGULATIONS, CHAPTER 126.05,
ILLINOIS ADMINISTRATIVE CODE.

ADJUTANT CERTIFICATE

STATE OF ILLINOIS) S.S.
COUNTY OF COOK)
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SUBDIVISION PLAT HEREIN IS IN ACCORDANCE WITH THE
ADJUTANT ACT, CHAPTER 126, ILLINOIS STATUTES,
AND THE ADJUTANT REGULATIONS, CHAPTER 126.05,
ILLINOIS ADMINISTRATIVE CODE.

EXHIBIT "A"

READ IN VIEW TO:
PHIL AND DONNA VAN SWOL
9109 MENARD AVENUE
MORTON GROVE, ILLINOIS 60053

UNITED SURVEY SERVICE, LLC
CONSTRUCTION AND LAND SURVEYORS
2100 N. 15TH STREET, SUITE 200, MORTON GROVE, IL 60053-1077
TEL: (847) 289-1100 FAX: (847) 289-1101
E-MAIL: USURVEY@USANDCS.COM



EXHIBIT "B"

Legal Description for Lot1 and Lot2 of 9109 Menard Subdivision as Prepared by United Survey Service

LOT 1 IN 9109 MENARD AVENUE SUBDIVISION, BEING A SUBDIVISION OF LOTS 20, 21 AND 22 IN BLOCK 4 IN HIELD AND MARTIN'S DEMPSTER STREET TERMINAL SUBDIVISION IN SECTIONS 16 AND 17, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

KNOWN AS: 9109 MENARD AVENUE, MORTON GROVE, ILLINOIS 60053
PERMANENT INDEX NUMBER: 10 - 17 - 404 - 050 - 0000

LOT 2 IN 9109 MENARD AVENUE SUBDIVISION, BEING A SUBDIVISION OF LOTS 20, 21 AND 22 IN BLOCK 4 IN HIELD AND MARTIN'S DEMPSTER STREET TERMINAL SUBDIVISION IN SECTIONS 16 AND 17, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

KNOWN AS: MENARD AVENUE, MORTON GROVE, ILLINOIS 60053
PERMANENT INDEX NUMBER: 10 - 17 - 404 - 051 - 0000

EXHIBIT "C"

Community & Economic Development Department



Incredibly Close ✧ Amazingly Open

To: Village President and Board of Trustees

From: Ron Farkas, Plan Commission Chairperson
Nancy Radzevich, AICP, Community & Economic Development Director
Dominick Argumedo, AICP, Zoning Administrator/Land-Use Planner

Date: June 22, 2016

Re: Plan Commission Case PC15-09: Request for recommendation of approval for a Subdivision at 9109 Menard Avenue with waivers to lot width and area in accordance with Section 12-8 of the Unified Development Code (Ordinance 07-07).

Commission Report

Public Notice

The Village of Morton Grove provided Public Notice for the May 16, 2016 Plan Commission public hearing for PC 16-02 in accordance with the Unified Development Code. The Pioneer Press published the public notice on April 29, 2016, and the Village notified surrounding property owners via mail on May 1, 2016 and placed a public notice sign on the subject property on May 6, 2016.

Overview of the Application

The applicant, Mr. Phil Van Swol, is seeking to resubdivide three (3) existing continuous lots of record into two (2) lots of record. The north lot would be 54 ft. x 125 ft. with 6,750 sq. ft. of area, while the south lot would 45 ft. x 125 ft. with 5,625 sq. ft. of area. The site is located mid-block on the east side of Menard Avenue between Davis and Church Streets in the R2 Single Family Residence District zoning district. The overall property is improved with a single family residence that would be located on the newly created north lot.

The R2 zoning district regulations state that subdivisions of record after August 4, 1959 must have a minimum lot area of 5,900 sq. ft. (Section 12-4-2:D.1) and a minimum lot width of 50 ft. (Section 12-4-2:D.2).

For this proposed subdivision, the proposed north lot would comply with the required lot dimensions and the existing single family residence, on this newly create lot, would comply with all R2 bulk and dimensional controls. The proposed south lot, however, would not meet minimum area and width requirements and thus would require approval of waivers to these dimensional controls.

The following chart provides a summary of the existing and proposed conditions, based on the Village's ordinance requirements:

<u>Dimensional Control</u>	<u>Required</u>	<u>Existing Measurement</u>	<u>Proposed Measurement</u>	<u>Requested Waiver</u>
Minimum Lot Area (In sq. Ft.), Subdivisions of record after August 4, 1959	5,900 sq. ft. (Sec. 12-4-2:D.1)	12,375 sq. ft. (three contiguous lots of record)	6,750 sq. ft. (north proposed lot) 5,625 sq. ft. (south lot)	None (north proposed lot) 275 sq. ft. (south lot)
Minimum Lot Width (In ft.), Subdivisions of record after August 4, 1959	50 ft. (Sec. 12-4-2:D.2)	99 ft. (three contiguous lots of record)	54 ft. (north lot) 45 ft. (south lot)	None (north lot) 5 ft. (south lot)

As shown above in the table, in order to complete the proposed project, the following waivers would be required for the proposed southern lot from the proposed subdivision:

- Section 12-4-2:D.1.: A 275 sq. ft. waiver to allow for a Lot Area of 5,750 sq. ft.; and
- Section 12-4-2:D.2.: A 5 ft. waiver to allow for a lot width of 45 ft.

May 16, 2016 Public Hearing

Mr. Dominick Argumedo, Zoning Administrator/Land-Use Planner, introduced the case and summarized the Plan Commission staff report dated May 11, 2016, which was entered, in its entirety, into the public record. (Attachment 1)

Commissioner Blonz inquired about existing landscaping on the proposed subdivided lot to the south. Staff explained that the ability to preserve the landscaping would depend on the proposed building design and the associated site engineering requirements and would need to comply with Chapter 11 of the Unified Development Code, "Landscaping and Trees."

Commissioner Gabriel asked if there were any non-compliant conditions with the existing residence. Mr. Argumedo responded that the existing residence is compliant, and would be compliant after the proposed subdivision.

The applicant, Mr. Phil Van Swol, then spoke. Mr. Van Swol noted when he purchased the three (3) lots of record in 2008; he intended to tear down the previous home and build a new residence on a 54 ft. wide lot and establish an adjacent vacant lot of 45'-6" for future development. Prior to finalizing his building plans, he met with then Village Planner, Bonnie Jacobson. Based on his conversation with her, it was his understanding that a 45' -6" wide lot would comply with Village ordinance requirements. The plans for the demolition of the previous residence, construction of a new residence and corresponding surveys were presented to the Village Planner that showed a new residence on a 54' ft. X 125' ft. and a vacant 45' 6 "X 125' lot to the south. The existing residence was constructed in 2008.

Mr. Van Swol continued that he consolidated the three (3) existing pin numbers into two (2) consolidated pins with Cook County Assessor's office in 2014. He then contacted Mr. Argumedo about selling the vacant 45'-6" wide lot and was informed that the Village never received an application for nor approved any such subdivision. He stated that Mr. Argumedo also informed him that this proposed subdivision would result in a lot that was not compliant with Village requirements. At that point, Mr. Van Swol asked about the appropriate process to resubdivide

the lot and has now applied for review of this subdivision, with requested waivers. Mr. Van Swol concluded with a description of the immediate 9109 Menard area as being developed with a combination of newer and older homes with a majority of the of neighboring homes on 45 ft. wide lots.

Commissioner Blonz asked the applicant about the existing landscaping, and if the bushes on the south side of proposed south lot would remain and if there would be any problems with emergency access. Mr. Van Swol stated he intends to leave the bushes unless there is some reason in the building process to remove.

Chairperson Farkas then opened the hearing for public comment and two residents spoke. Barbara Kuzinski, at 9118 Menard, stated her opinion that the proposed subdivided lot is not big enough to build a house. Ms. Kuzinski also noted her concern regarding potential increased parking on the block. Arnie Reznick, at 9114 Mango, also voiced concerns of building on a 45 ft. wide lot. In his opinion, for any new single family development, a garage in the front would need to be 20 ft. wide which would leave only a 15 ft. façade facing the street. Building a garage with access to the alley would, in turn, be very difficult for access particularly from snowplowing in the winter. He noted that in his opinion this lot should not be considered buildable.

Commissioner Shimanski asked staff if approval of the proposed subdivision would also imply that the 45 ft. lot is buildable or would new construction on the substandard 45 ft. lot require approval by the Zoning Board of Appeals. Mr. Argumedo answered that any development on the new 45 ft. wide lot would still need approval by the Zoning Board of Appeals per Section 12-15-4 and 12-15-5. He continued that a condition could be added to the ordinance reiterating that this case and future ordinance is solely for the proposed subdivision and that any future development must meet Section 12-15-4 and 12-15-5. Terry Liston, Corporation Counsel, confirmed that the current application is only for the subdivision, and as such, any new single family development would need to appear before the Zoning Board of Appeals for review, as the lot width and size would be below code requirements. Ms. Liston further noted that Section 12-15-5 states: "The creation of a non-conforming lot subsequent to the effective date of this title (which was 2007) or any subsequent amendment shall not entitle the owner of such non-conforming lot to a building permit as provided elsewhere in the code." Ms. Liston concluded that the property owner may apply for a building permit for new development, but the owner is not entitled to it just by a matter of right just by approving the subdivision.

Chairperson Farkas asked if there was any further discussion. With no response, Farkas added that he was bothered that the applicant's case's was based upon conversation with a Village Official in 2008. Chairperson Farkas added that there was a statement made that the Village had provided incorrect information; however, the applicant could have checked the code himself as that is a public record. Mr. Farkas said he felt this sets a bad precedent that the Village could be stuck with an incorrect verbal opinion. Chairperson Farkas added he is not asking for a response, he was just stating his opinion.

Mr. Van Swol asked to be heard and stated that he believed it was well-documented as he reviewed plans and surveys the Village Planner.

Ms. Liston explained that from a legal standpoint, if a Village employee gives out the wrong information, it is not binding on the Village.

With this clarification from staff, Commissioner Shimanski stated that the case before the Commission is just the first step in getting approval for a subdivision, any consideration of future development cannot occur before a subdivision is approved. Ms. Liston added that the code per Section 12-2-2:A states you cannot build two homes on one lot, and right now this is considered one lot. In order for any *potential* development to occur, such a subdivision application must be approved, but that does not guarantee that any development will be approved.

Commissioner Shimanski moved to approve Case PC16-02, 9109 Menard, request for recommendation of approval for a Subdivision at 9109 Menard Avenue with waivers to lot width and area in accordance with Section 12-8 of the Unified Development Code (Ordinance 07-07)

1. The subdivision shall be recorded in accordance with all materials submitted with the application in accordance to Section 12-8-3.
2. The owner and successive ownership shall be duly notified through a recorded deed that any future development on each lot shall correspond to existing unified development code.

The motion was seconded by Commissioner Blonz.

The motion passed unanimously (6-0, Dorgan Absent)

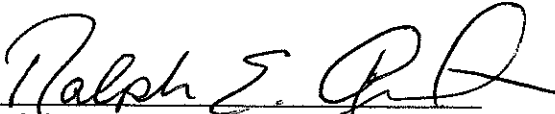
Legislative Summary

Ordinance 16-16

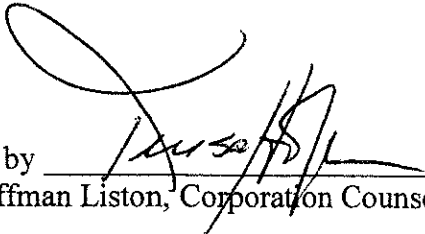
AN ORDINANCE APPROVING AN AMENDMENT TO A SPECIAL USE PERMIT (ORD. 15-17) TO GRANT AN TIME EXTENSION TO COMMENCE AND PROCEED WITH CONSTRUCTION FOR A DRIVE -THROUGH FACILITY FOR A NEW RESTAURANT AT 9480 WAUKEGAN ROAD, MORTON GROVE, ILLINOIS 60053

Introduction:	June 27, 2016
Purpose:	This ordinance will amend a special use permit for a drive-through facility for a new restaurant at 9480 Waukegan Road and will grant the applicant a one year extension of time, until August 10, 2017, to begin and actively pursue construction on the approved drive-through restaurant facility.
Background:	<p>On August 10, 2015, the Village Board approved a Special Use permit for a drive-through facility for a new Dunkin Donuts restaurant at 9480 Waukegan Road (Ord. 15-17). Per Section 12-16-4:C.6.c of the Village Code, a special use permit is valid for a period of no longer than one year from the date of approval, unless a building permit is issued and construction is begun and actively pursued to completion.</p> <p>In a letter dated June 6, 2016, Reena Panjwani on behalf of Panjwani Network Restaurants (PNR), the applicant, has requested a one year extension of the approved special use permit, to August 10, 2017, to allow additional time to explore ways to improve the overall development.</p> <p>Section 12-16-4-B of the Unified Development Code allows minor amendments of existing special use applications upon the review of the request by the Building Commissioner or his/her designee, the Plan Commission Chairperson, Village Administrator, and Corporation Counsel. Since the proposed amendment would not change any aspect of the approved use or site plan, the above parties determined the proposed request for an extension is eligible for approval as a minor amendment to Ordinance 15-17.</p>
Programs, Departs or Groups Affected	Community and Economic Department
Fiscal Impact:	N/A
Source of Funds:	N/A
Workload Impact:	N/A
Admin Recommend:	Approval as presented
Second Reading:	July 11, 2016, required – Municipal Code Book change
Special Consider or Requirements:	None

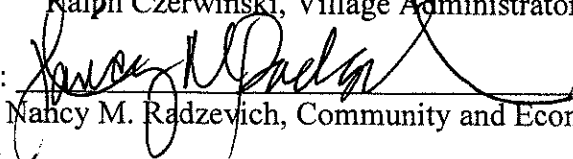
Submitted by:


Ralph Czerwinski, Village Administrator

Reviewed by


Teresa Hoffman Liston, Corporation Counsel

Prepared by:


Nancy M. Radzevich, Community and Economic Development Director

ORDINANCE 16-16

AN ORDINANCE APPROVING AN AMENDMENT TO A SPECIAL USE PERMIT (ORD. 15-17) TO GRANT AN TIME EXTENSION TO COMMENCE AND PROCEED WITH CONSTRUCTION FOR A DRIVE -THROUGH FACILITY FOR A NEW RESTAURANT AT 9480 WAUKEAN ROAD, MORTON GROVE, ILLINOIS 60053

WHEREAS, the Village of Morton Grove, located in Cook County, Illinois, is a Home Rule unit of government and under the provisions of Article 7 of the 1970 Constitution of the State of Illinois, and as such can exercise any power and perform any function pertaining to its government affairs, including but not limited to, the power to tax and incur debt; and

WHEREAS, the subject property is zoned in the C1 General Commercial District pursuant to the provisions of the Village of Morton Grove Unified Development Code; and

WHEREAS, on August 10, 2015, pursuant to Ordinance 15-17, a special use permit application from Panjwani Restaurant Networks for a drive-through restaurant for a new Dunkin Donuts restaurant to operate at 9480 Waukegan Road was approved by the Village Board; and

WHEREAS, pursuant to Ordinance 07-07 the Village adopted a Unified Development Code which set forth in Section 12-16-4:C.6.c that a special use permit shall be valid for one year unless a building permit is issued and construction is actually begun within that period and is thereafter actively pursued to completion or a certificate of occupancy is obtained and a use commenced within that period; and

WHEREAS, the applicant, Panjwani Restaurant Network, has made proper application to the Village of Morton Grove for a minor amendment to the previously granted special use permit for a time extension of one (1) year, until August 10, 2017, to meet the parameters of Section 12-16-4:C.6.c; and

WHEREAS, pursuant to Ordinance 07-07, the Village adopted a Unified Development Code which set forth an abbreviated procedure for minor revisions to special use permits which allows for the granting of such amendments without a formal public hearing process subject to the recommendation for approval by the Village Administrator, Corporation Counsel, Building Commissioner, and Plan Commission Chairperson and subsequent approval by the Village Board; and

WHEREAS, the Village Administrator, Corporation Counsel, Building Commissioner and Plan Commission Chairperson have found this amendment with certain conditions as set forth in

this ordinance meets the standard for the abbreviated process described above, and as such recommend approval of the minor amendment to Ordinance 15-17; and

WHEREAS, pursuant to the provisions of the Village of Morton Grove Unified Development Code, the Corporate Authorities have determined the proposed amendment to the special use shall be approved subject to conditions and restrictions as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: The Corporate Authorities do hereby incorporate the foregoing WHEREAS clauses into this Ordinance, as though fully set forth herein, thereby making the findings as hereinabove set forth.

SECTION 2: Panjwani Restaurant Networks is hereby granted an amendment to the previously granted special use permit, pursuant to Ordinance 15-17, to allow for an extension of time for the commencement and progression of the construction of the approved development subject to the following conditions and restrictions which shall be binding upon the owners, lessees, and occupants and users of this property, their successors and assigns:

1. The project shall meet the parameters of Section 12-16-4:C.6.c by August 10, 2017; and
2. All conditions of Ordinance 15-17 shall remain in effect

SECTION 3: The Village Clerk is hereby authorized and directed to amend all pertinent records of the Village of Morton Grove to show and designate the special use permit as amended hereunder.

SECTION 4: The Applicant/Owner shall comply with all applicable requirements of the Village of Morton Grove Ordinances and Codes.

SECTION 5: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form according to law.



Panjwani Network Restaurants: Great Restaurants start with Great People. ®

6/9/16

Dominick Argumedo
Zoning Administrator/Land-Use Planner
Village of Morton Grove
6101 Capulina Ave
Morton Grove, IL 60053

Re: Dunkin Donuts 9480 Waukegan Rd. Morton Grove, IL

Dear Mr. Dominick Argumedo,

As you are aware, on August 10th, 2015, we received approval for a Special Use permit for the development of a Dunkin Donuts with a drive thru on Waukegan Rd. We sincerely appreciate the support of the village and the community in achieving this approval. Since then, we have been working diligently on aspects of the project that we hope will significantly improve the proposed development. Therefore, we would like to seek an extension for the Special Use Permit approval for an additional year. Please feel free to email or call me at my contact information below.

We look forward to commencing a development that the community will be proud of.

Sincerely,

Reena Panjwani
Dunkin Donuts Baskin Robbins
Panjwani Network Restaurants
Director of Development
Mobile: 847-338-2750
E-mail: DunkinBaskinFun@gmail.com

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ORDINANCE 15-17

AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR A DRIVE-THROUGH FACILITY FOR A NEW RESTAURANT AT 9480 WAUKEGAN ROAD, MORTON GROVE, ILLINOIS 60053

WHEREAS, the Village of Morton Grove (Village), located in Cook County, Illinois, is a home rule unit of government under the provisions of Article 7 of the 1970 Constitution of the State of Illinois, can exercise any power and perform any function pertaining to its government affairs, including but not limited to the power to tax and incur debt; and

WHEREAS, the applicant, Mr. Abdul Panjwai, Panjwani Restaurant Networks, 6213 Howard Street, Niles, IL 60714, has made a proper application to the Plan Commission in the Village of Morton Grove under case number PC15-05 requesting the approval of a special use permit to operate a restaurant (Dunkin Donuts) with a *Drive-Through Facility* at the property commonly known as 9480 Waukegan Road, Morton Grove, Illinois 60053; and

WHEREAS, the property is located in the C1 General Commercial District; and

WHEREAS, Section 12-4-3:D of the Village of Morton Grove Unified Development Code allows a drive-through facility to be located in the C1 General Commercial District pursuant to a special use permit; and

WHEREAS, pursuant to the applicable provisions of the Municipal Code upon public notice duly published in the Pioneer Press, a newspaper of general circulation in the Village of Morton Grove which publication took place on July 2, 2015, and pursuant to the posting of a sign on the property and written notification sent to property owners within 250 feet of the subject property as required by ordinance, the Morton Grove Plan Commission held a public hearing relative to the above referenced case on July 20, 2015, at which time all concerned parties were given the opportunity to be present and express their views for the consideration by the Plan Commission. And, as result of said hearing, the Plan Commission made certain recommendations and conditions through a report dated August 4, 2015, a copy of which is attached hereto and made a part hereof and marked as Exhibit "A"; and

WHEREAS, the applicant proposes to demolish the existing vacant, obsolete commercial structure and construct an updated one-story commercial restaurant building, with a drive through facility, a twelve stall parking lot and new vehicular access way to/from Waukegan Road; and

WHEREAS, the applicant has submitted a traffic study by Gewalt Hamilton Associates ("Traffic Impact Study-Proposed Dunkin' Donuts," dated June 8, 2015) which included analysis of comparative data on parking and drive-through queuing data from several other similar regional Dunkin Donut restaurants and, using that data, in the context of this site, Gewalt Hamilton Associates concluded that the proposed eight car queuing lane and twelve stall parking lot would meet the peak hour demand for both customers and employees; and

WHEREAS, Gewalt Hamilton also analyzed traffic volumes and patterns for several similar area Dunkin Donut restaurants and concluded that the peak hour traffic to/from this site would have limited impacts on overall traffic volumes and flows on Waukegan Road; and

WHEREAS, the proposed development plan includes a 6 ft. high fence along the rear property line, to minimize any noise impacts on the residents located to the west, across the alley; and

WHEREAS, the applicant will be utilizing a volume controlled audio system at the drive-through menu board that will allow the volumes to be reduced in evening and overnight hours; and

WHEREAS, the design of the new building and the proposed landscaping plans were reviewed and recommended for approval, with conditions, by the appearance commission at their July 6, 2015 meeting; and

WHEREAS, the site plan and traffic study were reviewed and recommended for approval, with conditions, by the Traffic Safety Commission at their July 9, 2015 meeting; and

WHEREAS, the Corporate Authorities have considered this matter at a Public Meeting and find pursuant to the relevant provisions of the Village of Morton Grove Unified Development Code, this Special Use for a drive-through will be used and operated in such a way that the public health, safety and welfare will be protected and will not cause substantial injury to the other properties in the surrounding neighborhood; and

WHEREAS, pursuant to the provisions of the Village of Morton Grove Municipal Code, the Corporate Authorities have determined the Special Use permit to operate a restaurant with a *Drive-Through Facility* at 9480 Waukegan Road shall be issued subject to the conditions and restrictions as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: The Corporate Authorities do hereby incorporate the foregoing WHEREAS clauses into this Ordinance, as though fully set forth herein, thereby making the findings as

hereinabove set forth:

SECTION 2: The property located at 9480 Waukegan Road, Morton Grove, Illinois 60053, is hereby granted a special use permit to allow a drive-through facility for a new restaurant, and such special use shall be located and operated at that address subject to the following conditions and restrictions which shall be binding on the owners/lessees, occupants and users of this property, their successors and assigns for the duration of the special use:

1. The site and building shall be developed and operated in accordance with the plans and supporting documents in the application, including:
 - A. Proposed Site Plan, submitted by Atul Karkhanis architects, dated 6/08/2015;
 - B. Proposed Floor Plan, submitted by Atul Karkhanis architects, dated 06/08/2015;
 - C. Proposed Exterior Elevation—South submitted by Atul Karkhanis architects, dated 06/08/2015;
 - D. Proposed Exterior Elevation—north submitted by Atul Karkhanis architects, dated 06/08/2015;
 - E. Proposed Photometric Plan by atul Karkhanis architects, dated 06/08/2015;
 - F. Proposed Landscape Plan by atul Karkhanis architects, dated 06/08/2015 as amended by Appearance Commission on July 6, 2015; and
 - G. Traffic Study, submitted by Gewalt Hamilton Associates Inc., dated 6/08/2015
2. The applicant shall comply with all recommendations and address all concerns raised by the Traffic Safety Commission, at their July 9, 2015 meeting, to the satisfaction of the Village Engineer prior to the issuance of any building permits.
3. The audio system for the drive through menu board shall have an adjustable volume control and the volume of such system shall be reduced in the evening and overnight hours, to minimize impacts on abutting residents.
4. Should the Director of Community and Economic Development, Village Engineer and/or Morton Grove Police Department be advised of any significant vehicular/pedestrian traffic or parking issues related to the operation of the drive-through facility, the owner shall be required to develop and submit a plan to the Village Administrator within 14 days of notification by the Village. Such plan should outline specific ways to address or mitigate the issues identified and will be reviewed by the Director of Community and Economic Development, Village Engineer and Police Chief, who will be charged with making suggested changes and/or recommending approval of the plan to the Village Administrator. The Director of Community and Economic Development shall determine if such remedies alter the nature of this approved use and, if so, the applicant shall seek an amendment of the special use permit and further review by the Traffic Safety Commission.

5. The approved special use permit is granted to Panjwani Restaurants Network based on the operation of this facility in a manner consistent with the testimony and documents presented in their application and at the public hearing and with the conditions contained within this amendment. The applicant shall advise the Director of Community and Economic Development of any proposed change in ownership or operation of the restaurant with a drive-through facility approved through the special use permit. Such changes may subject the owners, lessees, occupants, and users of 9480 Waukegan Road to additional conditions. The Director of Community and Economic Development shall determine if such changes serve as the basis for a further amendment to the special use permit and, if so, the applicant shall seek an amendment of the special use permit and further review by the Traffic Safety Commission.

SECTION 3: The owners, lessees, occupants, and users of 9480 Waukegan Road, their successors and assigns allow employees and authorized agents of the Village of Morton Grove access to the premise at all reasonable times for the purpose of inspecting said premise to verify all terms and conditions of this special use permit have been met.

SECTION 4: The special use permit is granted so long as the owner, occupant and users of this property utilize the area for the purposes as herein designated.

SECTION 5: The Village Clerk is hereby authorized and directed to amend all pertinent records of the Village of Morton Grove to show and designate the special use as granted and amended hereunder.


SECTION 6: The Applicant/Owner shall comply with all requirements of the Village of Morton Grove Ordinances and Codes that are applicable.

SECTION 7: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form according to law.

PASSED this 10TH day of August 2015.

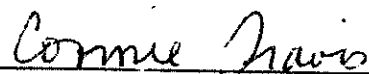
Trustee Grear	<u>AYE</u>
Trustee Minx	<u>AYE</u>
Trustee Pietron	<u>AYE</u>
Trustee Ramos	<u>AYE</u>
Trustee Thill	<u>AYE</u>
Trustee Witko	<u>AYE</u>

APPROVED by me this 10th day of August 2015.



Daniel P. DiMaria, Village President
Village of Morton Grove
Cook County, Illinois

APPROVED and FILED in my office this
10th day of August



Connie Travis, Village Clerk
Village of Morton Grove
Cook County, Illinois



Village of Morton Grove

Department of Community Development

To: Village President and Board of Trustees

From: Ronald Farkas, Chairperson, Plan Commission
Nancy Radzevich, AICP, Community and Economic Development Director
Dominick A. Argumedo, AICP, Zoning Administrator/Land-Use Planner *JKR*

Date: August 4, 2015

Re: Plan Commission Case PC15-05: Dunkin' Donuts, request for a Special Use Permit for a Drive-Through Facility for a New Restaurant, in accordance with Section 12-4-3:D of the Morton Grove Unified Development Code (Ordinance 07-07) at 9480 Waukegan Road, Morton Grove, IL

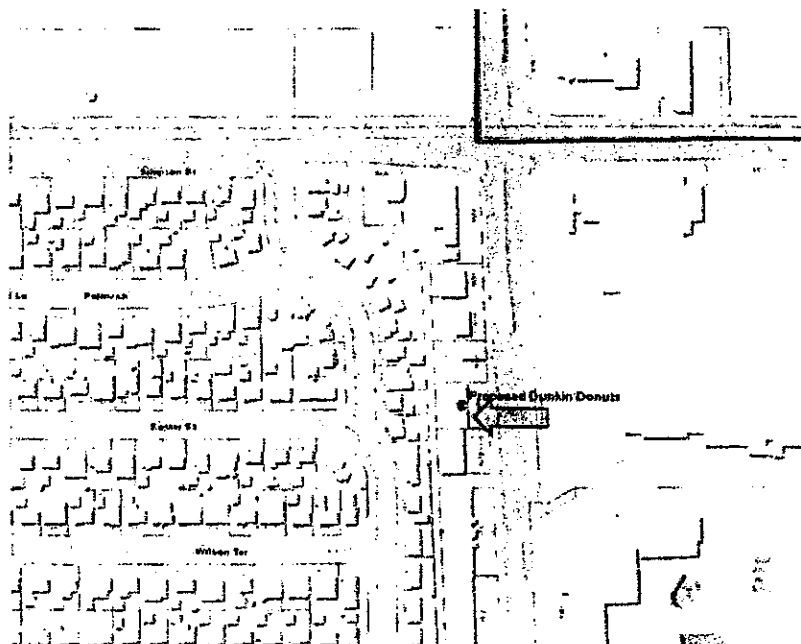
Commission Report

Public Hearing Notice

The Village provided public notice of PC 15-05 for the July 20, 2015 Plan Commission public hearing in accordance with the Unified Development Code. The *Pioneer Press* published the public notice on July 2, 2015, and the Village mailed letters notifying surrounding property owners and a public notice sign was placed on the subject property on July 10, 2015.

Background

Mr. Abdul Panjwai, Panjwani Restaurant Networks, 6213 Howard Street, Niles, IL 60714, is applying for a special use permit to operate a restaurant with a drive-through facility at 9480 Waukegan Road in the C1 General Commercial District.



9480 WAUKEGAN ROAD CONTEXT MAP

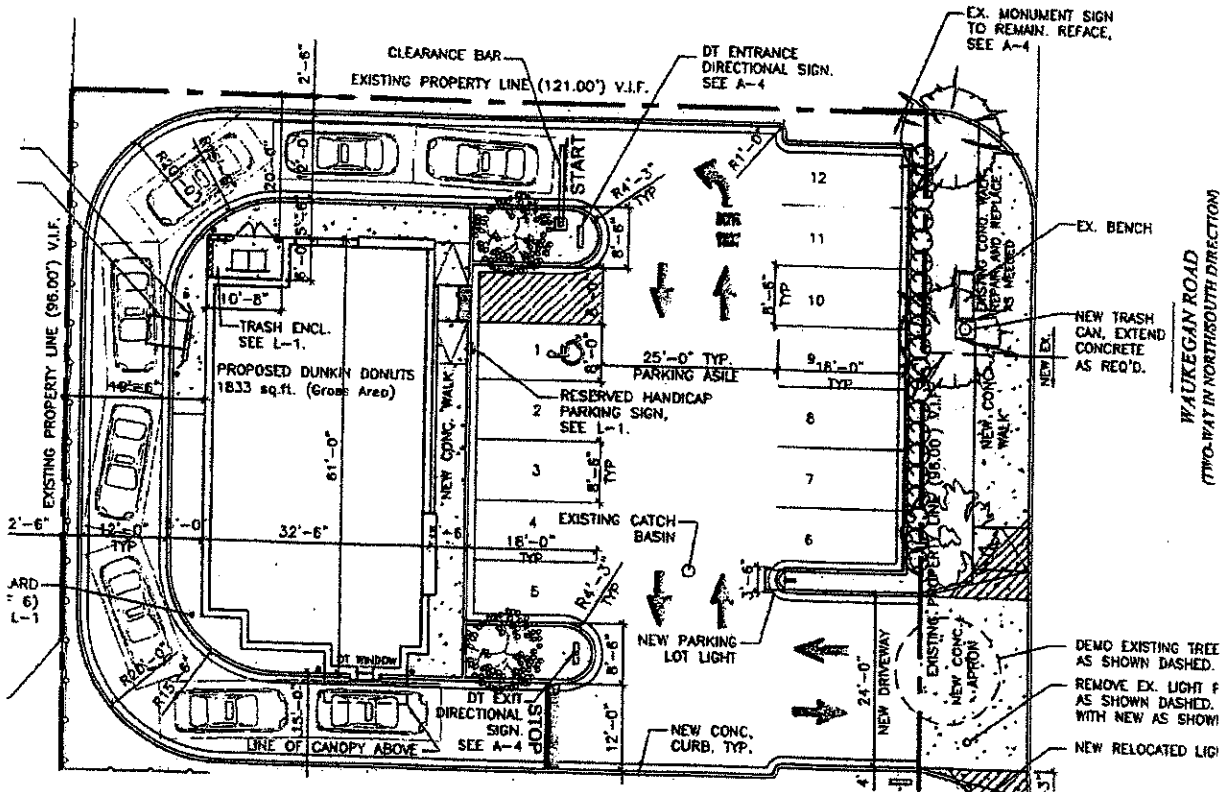
The Unified Development Code requires a special use permit for drive-through facilities in the C1 District. (Section 12-4-3:D) Founded in 1986, the Panjwani Restaurant Networks operates 11 Dunkin Donuts located in Skokie, Glenview, Niles, Wilmette, and Park Ridge.

The subject property is located on the west side of Waukegan Road between Golf Road and Emerson Street and is improved with a 1,566 sq. ft. single story commercial building, which is currently vacant. The property is zoned C1 General Commercial District. The properties to the north and south are also commercial entities, while the properties to the west, across an alley, are residential.

Overview of the Application

The applicant proposes to demolish the existing single-story commercial structure and replace it with a 1,833 sq. ft. one-story commercial/restaurant building with a drive-through. The facility would be designed to accommodate eight (8) queued vehicles for the drive-through and includes a 12 space parking lot at the front of the store for employees and walk-in customers.

PROPOSED SITE PLAN



Operations

The applicant's proposed Dunkin' Donuts restaurant would operate 24 hours. They anticipate that 65% of their daily business will be completed by 10 AM, with a peak morning rush occurring from 7:30 AM—8:30 AM. The facility would operate with a maximum of four (4) employees on site at any one time.

Two methods will be used to deliver food and supplies to this location. A van will be used for the daily food deliveries and a larger truck for weekly deliveries. In order to minimize conflicts with their peak hours, the daily delivery van is scheduled to arrive around 3AM, while the weekly delivery truck would be scheduled to arrive sometime after the morning peak time. The applicant states that the front parking lot will be used to accommodate all delivery vehicles.

Parking and Traffic Analysis

Traffic Impact

In accordance with ordinance requirements for a special use application (Section 12-7-3:B), the applicant hired Gewalt Hamilton Associates (GHA) to complete a traffic and parking study for the proposed restaurant ("*Traffic Impact Study-Proposed Dunkin' Donuts*," dated June 8, 2015).

The site will be accessed via Waukegan Road, through a new proposed driveway, which will be relocated to be closer to the south property line of the site. At this point, Waukegan Road has two travel lanes in each direction and a two-way center turn lane. During the peak hour of 7:30AM-8:30AM, GHA predicts Dunkin' Donuts will generate 100 inbound and corresponding outbound trips to/from this site. GHA notes that based on studies of other area Dunkin' Donut restaurants, it is projected that 65% of their customer base will come from established traffic already utilizing Waukegan Road. Based on this, GHA projects the proposed Dunkin' Donuts would add approximately 70 new combined inbound and outbound trips to/from this site.

GHA also notes that 65% of Dunkin' Donuts' customer base typically are traveling in the direction that facilitates right-in and right-out turn movements, thus minimizing the number of potential left turns in and out of the site. Based on data available from other similar Dunkin Donuts facilities and the existing conditions along Waukegan Road, GHA concludes that the potential impacts on traffic volumes and operations on Waukegan Road would be very limited.

Drive-Through

The Dunkin' Donuts drive-through facility would have queuing space for eight (8) vehicles. Vehicles would enter the drive-through via the front parking lot and travel around the north and west sides of the building to the service window on the south side of the building. They would egress straight ahead to the proposed relocated driveway, back onto Waukegan Road.

GHA reviewed wait times for 14 existing Dunkin' Donuts drive-through locations around the northern Chicago area, from 2011-2014. Two of these facilities (Arlington Heights and Round Lake) include queuing for eight (8) vehicles, similar to what is being proposed at this location. For these facilities, the queuing wait times during morning peak time were 3 minutes 30 seconds and 4 minutes, respectively. None of the Dunkin' Donuts surveyed had a queue time greater than 4 minutes. Based on their review of similar facilities, in the context of this site, GHA concluded that the proposed drive-through should meet the expected vehicle stacking demand.

Parking Analysis

Per Section 12-7-3:B of the Unified Development Code: "For special uses, the proposed parking standards identified in subsection I, 'Required Spaces By Use', of this section, shall be advisory only. The final parking required for each special use shall be decided by the village board based on the submitted, independent traffic and parking study and any traffic and parking

recommendation or study prepared by the village staff or village consultants or any pertinent village commission and the recommendation of the plan commission."

The parking requirement for a restaurant use is one (1) space per 150 sq. ft. of gross floor area (Section 12-7-3:I). As such, 12 parking spaces would be required for the proposed 1,830 sq. ft. restaurant. The applicant's plan includes a total of 12 parking spaces, 11 standard spaces and one (1) ADA compliant space, which meets the basic code requirements. However, as noted above, the parking standards in the ordinance are advisory to the Plan Commission for special use applications and should be reviewed in conjunction with the traffic/parking study.

For this study, GHA reviewed data from 2011-2014 for 10 other Dunkin' Donuts, during the 7:30AM-8:30AM peak hour period. GHA found only one (1) location had a higher parking demand (14 vehicles) than the 12 parking spaces that would be provided at this location. GHA notes that the facility in question, in Palatine, is a much larger restaurant than the one proposed in Morton Grove. Other than that facility, no other existing Dunkin' Donuts restaurant included in their survey had a parking demand greater than 10 spaces. Further, for the two Dunkin' Donuts locations with similar 8 vehicle drive-through queues (Arlington Heights and Round Lake), the peak hour parking demand was eight (8) and five (5) spaces, respectively. The consultant's observations were of each of these restaurants overall parking demand, during the peak times, which included both customers and any employees who drove to the site. (See parking study Exhibit 9.)

The applicant notes that 80% of their employees generally use public transportation, which helps to minimize parking demands at their facilities. The applicant expects this to continue at the proposed Waukegan Location as the site is accessible via PACE bus 210 along Waukegan and the PACE bus 208 along Golf Road.

Parking Requirements and Demand Overview

Building/Site	Parking Requirement (Sec. 12-7-3-I)	Average Peak Hour Parking Demand ¹
Proposed 1830 sq. ft. Dunkin' Donuts restaurant	12 spaces (1 space/ 150 sq. ft. for restaurant use)	8 spaces

¹ Based on data from 10 similar Dunkin' Donuts, per GHA's traffic/parking study

Based on the actual parking demand data of similar Dunkin Donuts restaurants, in the context of the proposed layout of this site, GHA concludes that the proposed 12 parking spaces will be sufficient to meet the peak hour parking demand for both employees and customers for this proposed location.

Commission Reviews

Appearance Commission

The applicant presented their proposal to the Appearance Commission at their July 6, 2015 meeting. The Commission voted unanimously to grant an Appearance Certificate for the new facility with the condition that the proposed sod along the northern, southern and western edges of the property would be replaced with alternate vegetation, such as native grasses with mulch, which will be easier to maintain.

Traffic Safety Commission

In accordance with Section 12-16-4 of the Unified Development Code, the applicant appeared before the Traffic Safety Commission (TSC) at their July 9, 2015 meeting. The TSC reviewed the application and testimony and unanimously recommended approval of this project with the conditions suggested by staff. (See attached TSC Staff Report, dated July 13, 2015)

July 20, 2015 Public Hearing

Mr. Argumedo introduced the case and summarized the Plan Commission staff report dated July 13, 2015 into the public record.

Reena Panjwani, Panjwani Network Restaurants; Atul Karkhanis, Karkhanis Architects, Ltd; and Tim Doron, Gewalt Hamilton Associates were sworn in.

Ms. Panjwani reviewed the plan for a 24 hour drive-thru Dunkin Donuts at 9480 Waukegan Road. Their initial thought to maintain the existing building and to add a drive-through was not possible due to the resulting drive aisle widths and existing parking configuration. They have since developed the current proposal where the existing building would be demolished and a new restaurant constructed that would provide appropriate space for a drive-through and accommodate more parking than the existing lot has to offer.

Mr. Karkhanis, architect for the project, reviewed the plans and asked if there were any more questions regarding the request for the special use permit.

Commissioner Gabriel asked about the requirement for building entry and exiting points. He noted that there are two (2) doors, one for patron entry on the east side from the parking lot and one on the side from the preparation area but it appears neither the employees nor the patrons could access the other door readily. John Komorowski, Building Official, clarified the required building entry points are based on the number of occupants and that the travel distance for people to exit the building is 75 ft. He stated that he believes this building meets all applicable exiting requirements. In addition, the building will be fully sprinkled.

Commissioner Gabriel then noted that he was concerned about the lighting of a 24 hour operation, given the residential properties located to the west, across the alley. The proposed foot candle levels at the entrance and exit are high. Mr. Karkanis said the lighting plans meet the lighting standards used at other facilities, but assured the Commission that they would alter the plan as necessary to meet the Village Code requirements. Commissioner Shimanski noted that he supported the proposed lighting plan as the higher light levels were located away from the residential properties and such light levels will help keep the parking lot safe.

Commissioner Gabriel also noted a concern with the menu order board facing to the west; he was concerned about potential impacts on residents at night. Mr. Karkanis stated the distance from the order board to the residential properties is 32 ft.; that would result in 50 decibels which is a normal office level. He also noted that the volume could be turned down at night, if necessary.

Commissioner Dorgan asked if there would be any cooking on site, and if the daily delivery truck that would arrive around 3AM might be disturbing to the residents to the west. Ms. Panjwani stated that the donuts and similar pastry foods are not cooked on-site. She stated the delivery trucks would park in front of the store and the food would be rolled in on racks.

Commissioner Blonz asked for clarification regarding proposed traffic volumes in the traffic report. Specifically, he was concerned that the traffic study stated that every two (2) minutes there is a car going northbound turning into this property; however he felt the southbound traffic would not allow for the northbound traffic to turn left into the lot. He also asked if the proposed two lanes driveway, one for entry and one for exiting, would be sufficient; he expressed concern that a driver seeking to turn left from the site, might cause back-ups of other vehicles trying to exit the site. Mr. Doran, GHA, stated that the traffic light at Golf and Waukegan just north of the subject property is timed so that it will allow for the traffic gaps; this will facilitate vehicles heading northbound and turning left. He clarified that the study was conducted over a 2 hour period of time and there should be no traffic problems during peak hours of operation as no potential challenges were observed.

Commissioner Blonz asked if all the parking spots would actually be used since the majority of business is drive-through service and, if not, could one of the parking spaces be eliminated to add a second exit lane from this site. Mr. Doran stated he did not believe the volumes warranted a second exit and would not like to lose the parking space. He further stated that he had reviewed this plans with the Village Engineer, Chris Tomich, and the Traffic Safety Commission, and both seemed satisfied with this configuration.

Commissioner Gillespie asked if the drive through menu board could be moved to the north side of the building, so the noise would be directed away from the residents. Mr. Doran stated it is located in such a way to best facilitate the drive through queue and he would not recommend moving the location.

Commissioner Gabriel asked what time of day the trash would be picked up. Ms. Panjwani said it would be scheduled between 11:00 am and 2 pm. It is typically scheduled to be picked twice a week, but schedules at each restaurant are altered to accommodate the volumes of trash.

Public Hearing—Public Comment

Chairperson Farkas asked if anyone was present that wanted to be heard on this case. There was no response.

Public Hearing—Board Discussion and Vote

Chairperson Farkas asked if there were any other comments. Hearing none, Farkas asked for a motion on this case.

Commissioner Gabriel moved to recommend approval of Case PC 15-05, request for a Special Use permit for a drive-through facility for a new restaurant, in accordance with Section 12-4-3:D of the Morton Grove Unified Development Code (Ordinance 07-07), at 9480 Waukegan Road, with the following conditions:

1. The site and building shall be developed and operated in accordance with the plans and supporting documents in the application, including:
 - A. Proposed Site Plan, submitted by Atul Karkhanis architects, dated 6/08/2015;
 - B. Proposed Floor Plan, submitted by Atul Karkhanis architects, dated 06/08/2015;
 - C. Proposed Exterior Elevation—South submitted by Atul Karkhanis architects, dated 06/08/2015;

- D. Proposed Exterior Elevation—north submitted by Atul Karkhanis architects, dated 06/08/2015;
 - E. Proposed Photometric Plan by atul Karkhanis architects, dated 06/08/2015;
 - F. Proposed Landscape Plan by atul Karkhanis architects, dated 06/08/2015 as amended by Appearance Commission on July 6, 2015; and
 - G. Traffic Study, submitted by Gewalt Hamilton Associates Inc., dated 6/08/2015
2. The applicant shall comply with all recommendations suggested by the Traffic Safety Commission as follows:
- A. Any pre-approval of the proposed plans by the Village staff is contingent upon the applicant providing proof of permit approval by the Illinois Department of Transportation for all proposed work within the right-of-way.
 - B. The south flare of the proposed driveway apron appears to encroach into the frontage of the adjacent property to the south. Staff prefers the apron to be placed completely within the frontage of the site.
 - C. The proposed sidewalk, especially through the proposed driveway, shall comply with the Americans with Disability Act (ADA) guidelines and IDOT construction details.
 - D. GHA notes in the traffic impact study in "Drive Thru Operations" that "the site civil engineer should run AutoTurn to ensure vehicles of all sizes can navigate the drive-thru around the building." The drive-thru clearance bar on plan sheet SS-6 shows a 9 ft. clearance. It is unclear how all design vehicles will be accommodated within the site. This should be clarified with an exhibit.
 - E. Garbage pickup procedure should be clarified. Proposed service pick up will be between the hours of 11:00 am and 2:00 pm twice weekly.
 - F. Snow removal procedure should be clarified, especially how the drive-thru lane will be maintained.
3. The audio system for the drive through menu board shall have an adjustable volume control and the volume of such system shall be reduced in the evening and overnight hours, to minimize impacts on abutting residents.
4. Should the Director of Community and Economic Development, Village Engineer and/or Police Chief be advised of any significant vehicular/pedestrian traffic or parking issues related to the operation of the drive-through facility, the owner shall be required to develop and submit a plan to the Village Administrator within 14 days of notification by the Village. Such plan should outline specific ways to address or mitigate the issues identified and will be reviewed by the Director of Community and Economic Development, Village Engineer and Police Chief, who will be charged with making suggested changes and/or recommending approval of the plan to the Village Administrator. Any remedies which alter the nature of this approved use may require an amendment of the special use permit and further review by the Traffic Safety Commission.

The motion was seconded by Commissioner Gillespie. The application was unanimously recommended for approval (6-0, Khan absent).

Legislative Summary

Ordinance 16-17

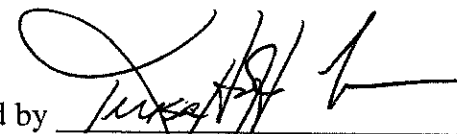
AN ORDINANCE AMENDING THE VILLAGE OF MORTON GROVE UNIFIED DEVELOPMENT CODE (ORD. 07-07) TO AMEND PROVISIONS REGULATING THE NUMBER OF PRINCIPAL STRUCTURES PER ZONING LOT

Introduction:	June 27, 2016
Purpose:	This ordinance will amend Section 12-2-2:A of the Unified Development Code to allow more than one principal structure on a zoning lot, for certain types of development within specific zoning districts, either by right or special use, based on the size of the zoning lot and compliance with other dimensional and bulk controls and the parking regulations.
Background:	Staff identified within the Village and in other surrounding communities that there is an increased market and demand for higher density single family and/or multi-family housing. These developments often occur with more than one principal structure on a lot. However, the Village of Morton Grove Municipal Code (Section 12-2-2) currently prohibits more than one principal building on a zoning lot in all zoning districts except the manufacturing districts. Currently, a proposal for a multi-structure residential development on a single lot can only be granted through the Planned Unit Development (PUD) process, regardless of the underlying zoning and/or whether the project complies with all the density controls. Staff reviewed the existing Village zoning districts intended for higher residential development, along with existing development patterns and current development residential trends as well similar zoning districts in neighboring communities. Based on this analysis, staff proposes text amendments which would allow multi-unit residential development in more than one structure under certain conditions by right in the CR Commercial Residential and by special use in the R3 General Residential districts. The proposed amendments would accommodate a more streamlined permitting process for such developments, that otherwise comply with the Village bulk and density requirements, in the areas of the Village where such developments should be encouraged. PC#16-03 was presented to the Plan Commission for public hearing on June 20, 2016. There was no public comment. After reviewing the proposed amendment, the Plan Commission voted to recommend approval of the text amendment to the Village Board. (5-0; Khan and Shimanski absent).
Programs, Departments or Groups Affected	Community and Economic Department
Fiscal Impact:	N/A
Source of Funds:	N/A
Workload Impact:	These amendments will be implemented by the Community and Economic Development in the normal course of business.
Admin Recommend:	Approval as presented
Second Reading:	July 11, 2016, required – Municipal Code Book change
Special Consider or Requirements:	None


Submitted by:


Ralph E. Goral, Village Administrator

Reviewed by:


Teresa Hoffman Liston, Corporation Counsel

Prepared by:


Nancy M. Radzevich, Community and Economic Development Director

ORDINANCE 16-17

AN ORDINANCE AMENDING THE VILLAGE OF MORTON GROVE UNIFIED DEVELOPMENT CODE (ORD. 07-07) TO AMEND PROVISIONS REGULATING THE NUMBER OF PRINCIPAL STRUCTURES PER ZONING LOT

WHEREAS, the Village of Morton Grove (Village), located in Cook County, Illinois, is a home rule unit of government under the provisions of Article 7 of the 1970 Constitution of the State of Illinois, can exercise any power and perform any function pertaining to its government affairs, including but not limited to the power to tax and incur debt; and

WHEREAS, the Village continuously reviews and, as it deems necessary, updates existing Municipal Codes to assure they are kept current and relevant; and

WHEREAS, the applicant, the Village of Morton Grove, has made a proper application to the Plan Commission in case number PC16-03 to consider and recommend the adoption of a text amendment to the Village of Morton Grove Unified Development Code, Section 12-2-2:A, Section 12-4-2:C and 12-4-2:D to modify the regulations of the number of Principal Structures on one zoning lot; and

WHEREAS, pursuant to the applicable provisions of the Municipal Code upon public notice duly published in the Pioneer Press, a newspaper of general circulation in the Village of Morton Grove which publication took place on June 2, 2016, a public hearing was conducted on June 20, 2016, relative to the above referenced case at which time all concerned parties were given the opportunity to present and express their views for the consideration of the Plan Commission. As a result of said hearing, the Plan Commission made certain recommendations and conditions through a report dated June 22, 2016, a copy of which is attached hereto and made a part hereof and marked as Exhibit "A"; and

WHEREAS, the Village of Morton Grove Municipal Code (Title 12, Chapter 2) currently prohibits more than one principal building on a zoning lot in all zoning districts except the manufacturing districts; and

WHEREAS, there is an increased market demand for higher density single and multi-family housing within the Village and surrounding communities which often includes more than a principal structure on a single zoning lot; and

WHEREAS, under the current regulations, a proposal for a multi-structure residential development on a single lot can only be granted through the PUD process, regardless of the

underlying zoning classification and/or whether the project complies with all the required density controls and parking regulations; and

WHEREAS, modifying the Village Code to allow more than one principal building on a zoning lot for multi-unit residential developments, within certain areas of the Village, would help to streamline the development process and support the desired types and levels of multi-unit residential development as long as such developments meet all other required dimensional controls and parking regulations; and

WHEREAS, staff reviewed zoning districts intended for higher density residential development, the CR Commercial Residential and R3 General Residential district along with existing development patterns and abutting uses; and

WHEREAS, based on such analysis, it was determined a multi-unit residential development, with more than one principal structure, should be permitted pursuant to the special use permit process in the R3 District and should be permitted by right in the CR district, on lots one acre or larger, as long as the proposed development complies with all the other dimensional and bulk requirements and parking regulations; and

WHEREAS the Plan Commission considered all the evidence and testimony presented to it, discussed the merits of the application in light of applicable law, including the Unified Development Code Section 12-16-4:E, and voted to recommend approval of the proposed text amendments as presented; and

WHEREAS, the Corporate Authorities have concluded the proposed amendment will preserve the intent of the Unified Development Code to allow for the orderly development and add clarity to the definition and intent of the restaurant land use definitions; and

WHEREAS, the Corporate Authorities have considered this matter at a public meeting and find the text amendment, when evaluated in the context of the whole Village, serves the public good; and

WHEREAS, the Village is desirous of assuring all policies are kept current and relevant.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: The Corporate Authorities do hereby incorporate the foregoing WHEREAS clauses into this Ordinance, as though fully set forth herein, thereby making the findings as

hereinabove set forth:

SECTION 2: Title 12 entitled *Unified Development Code*, Chapter 2, entitled *General Provisions*, of the Municipal Code is hereby amended with the following:

12-2-2: NUMBER OF STRUCTURES ALLOWED ON A ZONING LOT:

- A. Principle Structures: Only one principal detached building shall be located on a zoning lot in all zoning districts except ~~the manufacturing districts~~ as follows: (1) within the manufacturing districts; (2) within the CR Commercial Residential District for multifamily residential developments on zoning lots of not less than one acre, which comply with all the bulk, dimensional and parking requirements and would otherwise be permitted as a matter of right, provided all common areas located therein shall be owned and maintained by a property owner's association pursuant to covenants, restrictions, and easements of record approved by the Village; (3) pursuant to a special use permit in the C1 General Commercial and C2 Neighborhood Commercial Districts and for multi-unit residential dwellings in the R3 General Residential District, and in the CR district for lots less than one acre in area; or ~~Multiple structures are allowed pursuant to a special use permit only in commercial districts, or as a planned unit development pursuant to Section 12-6 of the Unified Development Code.~~ Two (2) or more buildings joined by a fence, canopy, freestanding wall or other nonfunctional connection shall not be considered to be one principal detached building. Components of a single building may be connected by an enclosed pedestrian accessway with a continuous foundation.

Section 12-4-2:C to include the following footnote:

5: Multi-unit residential dwellings, in more than one principal structure, may be permitted pursuant to a special use permit, in accordance with Section 12-16-4:C and

Section 12-4-3:D to include the following footnote:

7: Multi-unit residential dwellings, in one or more principal structures, are a permitted use on zoning lots not less than one acre, subject to compliance with Section 12-5 and Section 12-7.

PASSED this 11th day of July 2016.

Trustee Grear _____

Trustee Minx _____

Trustee Pietron _____

Trustee Ramos _____

Trustee Thill _____

Trustee Witko _____

APPROVED by me this 11th day of July 2016.

Daniel P. DiMaria, Village President
Village of Morton Grove
Cook County, Illinois

APPROVED and FILED in my office
This 12th day of July 2016.

Connie Travis, Village Clerk
Village of Morton Grove
Cook County, Illinois

To: Village President and Board of Trustees

From: Ron Farkas, Plan Commission Chairperson
Nancy Radzevich, AICP, Community & Economic Development Director
Dominick Argumedo, AICP, Zoning Administrator/Land-Use Planner

Date: June 22, 2016

Re: Plan Commission Case PC 16-03 – Application for a Text Amendment to Title 12 of the Village of Morton Grove Municipal Code (Ord. #07-07) to amend provisions regulating the number of principal structures per zoning lot for residential developments.

COMMISSION REPORT

Public Hearing Notice

The Village provided Public Notice for the June 20, 2016 Plan Commission public hearing for PC 16-03 in accordance with the Unified Development Code. The *Pioneer Press* published the public notice on June 2, 2016. As this request is for a text amendment, not a request for a specific site, no public notice signs or notification letters were required.

Background

Staff notes that within the Village and in other surrounding communities, there is an increased market and demand for higher density single family housing – attached dwellings (townhomes) and detached, “cluster” developments. In our current economy, it is important to be able to facilitate desired levels and types of development in the most streamlined means possible, without compromising other development standards and/or bulk controls. The Village of Morton Grove Municipal Code (Title 12, Chapter 2, Section 12-2-2:A), however, currently only allows one principal building on a zoning lot in all zoning districts except the Manufacturing District. Specifically, the code states:

“Principal Structures: Only one principal detached building shall be located on a zoning lot in all zoning districts except the manufacturing districts. Multiple structures are allowed pursuant to a special use permit only in commercial districts, or as a planned unit development. Two (2) or more buildings joined by a fence, canopy, freestanding wall or other nonfunctional connection shall not be considered to be one principal detached building. Components of a single building may be connected by an enclosed pedestrian accessway with a continuous foundation.”

Under the current Village regulations, a proposal for a multi-structure residential development on a single lot can only be granted through the PUD process, regardless of the underlying zoning classification and/or whether the project complies with all the density controls. In light of this, staff is proposing that the provision to allow more than one principal building on a zoning lot should be expanded to include multi-family developments on larger zoning lots within the higher density residential areas, as long as such developments meet all other dimensional controls. This would accommodate a more streamlined permitting process for such developments, in the areas where they are encouraged, that otherwise comply with the code requirements.

Proposed Amendment

Staff proposes the following Amendments. First, to Section 12-2-2:A:

Principal Structures: Only one principal detached building shall be located on a zoning lot in all zoning districts except ~~the manufacturing districts~~ as follows:

- (1) Within the manufacturing districts:*
- (2) Within the CR Commercial Residential District for multifamily residential developments on zoning lots of not less than one acre, which comply with all the bulk, dimensional and parking requirements and would otherwise be permitted as a matter of right, provided that all common areas located therein shall be owned and maintained by a property owners association pursuant to covenants, restrictions, and easements of record approved by the Village:*
- (3) Pursuant to a special use permit in the C1 General Commercial and C2 Neighborhood Commercial Districts and for multi-unit residential dwellings in the R3 General Residence district, and in the CR District for lots less than one acre in area, or*
- (4) As a planned unit development pursuant to Section 12-6 of the Unified Development Code.*

Two (2) or more buildings joined by a fence, canopy, freestanding wall or other nonfunctional connection shall not be considered to be one principal detached building. Components of a single building may be connected by an enclosed pedestrian accessway with a continuous foundation.

Second, Staff proposes the following footnote to Section 12-4-2:C

Dwellings:	R1	R2	R3
Attached dwellings (townhomes, row houses)	X	X	P, S ⁵
Multiple-family dwellings	X	X	P, S ⁵
Single-family detached dwellings	P	P	P
Two-family dwellings	X	X	P

⁵ Multi-unit residential dwellings, in more than one principal structure, may be permitted pursuant to a special use permit, in accordance with Section 12-16-4:C and Section 12-2-2:A

Finally, Staff proposes the following footnote to Section 12-4-3:D

Dwellings:	C1	C2	CR
Attached dwellings	S ³	S ³	P ² or S ³
Multiple-family dwellings	S ³	S ³	P ² or S ³

⁷: Multi-unit residential dwellings, in one or more principal structures, are a permitted use on zoning lots not less than one acre, subject to compliance with Section 12-5, Section 12-7, and 12-2-2:A

June 20, 2016 Public Hearing

Dominick Argumedo, Zoning Administrator/Land-Use Planner presented the case for amendment. He noted that as part of regular staff review of the Unified Development Code, in conjunction with current and proposed local residential development trends, the Village's Principal Structure regulation limitation does not necessarily promote or support the desired types and levels of multi-unit residential development that would be expected and encouraged in certain areas of the Village – particularly close to the Metra station and rail line. He continued that due to the Principal Structure regulation, if a developer wanted to build a multi-unit residential development on a single lot, even in a district that allows higher density development and the proposal meets dimensional controls, the developer would need to go through the PUD process for approval.

Mr. Argumedo explained that Staff looked at both Village zoning districts intended for higher density residential development, the R3 General Residence and the CR Commercial Residential Districts and their existing development patterns and abutting uses. Given that the R3 District includes more of mix of single-family, two-family and smaller scale multi-family developments and as such as buffer between the single family district (R1 and R2), Staff proposes that any larger scale multi-family development in the R3 District should still be reviewed through the Special Use and/or PUD process. However, within the CR District, which includes many existing multifamily developments in one or principal buildings, such developments should be permitted by right, on larger zoning lots, as long as the proposed development complies with all other bulk and dimensional controls and parking requirements. Future multi-family projects within this area would naturally blend in and complement the existing development patterns.

Mr. Argumedo concluded that the proposed text amendment would allow developers a more streamlined process for such developments, flexibility in keeping with development trends, while maintaining adherence to the intent and purpose of the Unified Development Code, in general, and of the CR District. He also added that such a text amendment would be consistent with neighboring communities – Evanston, Park Ridge, Niles and Glenview all allow for more than principal structure on a lot within their higher density residential zoning districts.

Commissioner Blonz asked for clarification of why if a multi-family building was allowed as a principal structure how would this amendment benefit development. Nancy Radzevich, Community & Economic Development Director, clarified that newer multi-family development often is proposed in the forms of several principal structures on one zoning lot in one development. An overall development may have a building with three townhomes while an additional building, on the same lot in the same development, may have three additional townhomes. Both buildings would be principal structures and under the existing regulations would potentially need a PUD for approval. This amendment would allow such development, by right, if said development met all dimensional controls of the zoning district. Commissioner Blonz stated this clarified his understanding of the proposed amendment.

Commissioner Gabriel complimented the proposed amendment and said it is such an amendment that should be highlighted to promote development.

Commissioner Blonz made a motion to recommend approval of PC 16-03 for Text Amendments to Section 12-2-2:A, Section 12-4-2:C and Section 12-4-3:D of the Unified Development Code as presented in the Plan Commission Staff memo dated June 16, 2016 (*See Page 5, below*).

Commissioner Gabriel seconded the motion.

The motion passed unanimously (5-0; Khan and Shimanski absent).

PC 16-03 Proposed Text Amendment

12-2-2: NUMBER OF STRUCTURES ALLOWED ON A ZONING LOT:

A. Principle Structures: Only one principal detached building shall be located on a zoning lot in all zoning districts except the manufacturing districts as follows: (1) Within the manufacturing districts; (2) Within the CR Commercial Residential District for multifamily residential developments on zoning lots of not less than one acre, which comply with all the bulk, dimensional and parking requirements and would otherwise be permitted as a matter of right, provided that all common areas located therein shall be owned and maintained by a property owners association pursuant to covenants, restrictions, and easements of record approved by the Village; (3) Pursuant to a special use permit in the C1 General Commercial and C2 Neighborhood Commercial districts and for multi-unit residential dwelling in the R3 General Residential district, and in the CR district for lots less than one acre in area; or ~~Multiple structures are allowed pursuant to a special use permit only in commercial districts, or as a planned unit development pursuant to Section 12-6 of the Unified Development Code.~~ Two (2) or more buildings joined by a fence, canopy, freestanding wall or other nonfunctional connection shall not be considered to be one principal detached building. Components of a single building may be connected by an enclosed pedestrian accessway with a continuous foundation.

12-4-2: RESIDENTIAL DISTRICTS:

C. Uses:

Dwellings:	R1	R2	R3
Attached dwellings (townhomes, row houses)	X	X	P, S ⁵
Multiple-family dwellings	X	X	P, S ⁵
Single-family detached dwellings	P	P	P
Two-family dwellings	X	X	P

5: Multi-unit residential dwellings, in more than one principal structure, may be permitted pursuant to special use permit, subject to compliance with subsection D and Section 12-5-2:A

12-4-3: COMMERCIAL DISTRICTS:

D. Uses:

Dwellings:			
Attached dwellings	S ³	S ³	P ² or S ³
Multiple-family dwellings	S ³	S ³	P ² or S ³

7: Multi-unit residential dwellings, in one or more principal structures, are a permitted use on zoning lots not less than one acre, subject to compliance with Section 12-5, Section 12-7, and 12-2-2:A