



**VILLAGE BOARD OF TRUSTEES
REGULAR MEETING NOTICE/AGENDA
August 8, 2022 - 7:00 pm**

THE RICHARD T. FLICKINGER MUNICIPAL CENTER, COUNCIL CHAMBERS
6101 CAPULINA AVENUE, MORTON GROVE, IL 60053

In accordance with the Illinois Open Meetings Act, all Village Board and Commission meetings are open to the public. This meeting can be viewed remotely via the live stream link found at: www.mortongroveil.org/stream. (If an Executive Session is placed on the agenda, the meeting shall commence at 6:00 pm and the time between 6:00 pm and 7:00 pm shall be used for the 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. **Roll Call**
4. **Approval of Minutes** – Regular Meeting – July 25, 2022
5. **Special Reports**
6. **Public Hearings** - None
7. **Plan Commission Reports** –
 - a. **PC 22-10:** Request for a Special Use Permit to legalize and authorize the renovation of a nonconforming mixed-use development with variations to density (12-5-7:C), lot width (12-5-7:C), rear setback (12-5-7:C), number of structures on a zoning lot less than one acre (12-2-2:A), transparency requirements (12-5-7:A.3.k), and off-street parking (12-7-3:I, 12-5-7:C). Applicant is Johnnie Jiron.
Presented by: Zoe Heidorn, Community Development Administrator
8. **Residents' Comments (agenda items only)**
9. **President's Report** – *Administration, Council of Mayors, Northwest Municipal Conference, Strategic Plan Committee*
10. **Clerk's Report** – *Advisory Commission on Aging, Chamber of Commerce, Condominium Association*
11. **Staff Report**

a. **Village Administrator**

b. **Corporation Counsel**

12. Reports by Trustees

a. **Trustee Grear** – *Finance Department, Building Department, Special Events Commission, Police Facility Committee, Sawmill Station TIF (Trustee Witko)*

b. **Trustee Khan** – *Community & Economic Development Department, Plan Commission/Zoning Board, Capital Projects, French Market, Lehigh/Ferris TIF (Trustee Travis)*

1) **Ordinance 22-13** (*Introduced July 25*) (*Second Reading*): An Ordinance Approving A Zoning Map Amendment to Rezone the Property Commonly Known As 8350 Lehigh Avenue In Morton Grove, Illinois, From M-2 General Manufacturing To C/R Commercial/Residential District

2) **Ordinance 22-14** (*Introduced July 25*) (*Second Reading*): Approving a Preliminary and Final Plat of Subdivision and a Planned Unit Development Special Use Permit for an Eighty-Nine-Unit Townhome Development on Property Commonly Known as 8350 Lehigh Avenue in Morton Grove, Illinois

3) **Ordinance 22-16** (*Introduced August 8*) (*First Reading*): Approving a Special Use Permit for a Mixed-Use Development on Property Commonly Known as 6222 Lincoln Avenue and 8503-09 Fernald Avenue in Morton Grove, Illinois

c. **Trustee Minx** – *Fire Department, Fire Pension Board, Fire & Police Commission, Legal Department, RED Center (Trustee Thill)*

d. **Trustee Thill** – *Family & Senior Services Department, Appearance Commission, SWANCC (Solid Waste Agency of Northern Cook County), Water Commission (Trustee Minx)*

e. **Trustee Travis** – *Police Department, Police Pension Board, Community Relations Commission, Traffic Safety Commission, NIPSTA (Trustee Khan)*

f. **Trustee Witko** – *Public Works Department, Environment & Natural Resources Commission, Information Technology Department, Lincoln/Lehigh TIF (Trustee Grear)*

1) **Resolution 22-33**: Authorizing a Contract Extension with Hayes Mechanical, LLC for the HVAC Maintenance Program

13. Other Business

14. Presentation of Warrants - \$538,878.81

15. Residents' Comments

16. Adjournment

**MINUTES OF A REGULAR MEETING OF THE PRESIDENT
AND THE BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE
RICHARD T. FLICKINGER MUNICIPAL CENTER COUNCIL CHAMBERS
JULY 25, 2022**

CALL TO ORDER

- I. Village President Dan DiMaria convened the Regular Meeting of the Village Board at 7:00 p.m.
- & II. in the Council Chambers of Village Hall. He asked for a moment of silence to acknowledge the passing of former Morton Grove Village Clerk and Trustee Ed Ramos. Many Morton Grove residents will remember Mr. Ramos for his community efforts as he served as Clerk, and then as Trustee from 2013–2021. Mayor DiMaria said he and the Board send their deepest condolences to Becky, Ed’s wife, and the rest of his family, and their heartfelt thanks for the time and effort Ed invested in his Village. Mayor DiMaria said “Ed made Morton Grove a better place.”
- III. Village Clerk Eileen Harford was absent with notice, so Deputy Clerk Saba Koya called the roll. Present were Trustees Bill Grear, Saba Khan, Rita Minx, John Thill, Connie Travis, and Janine Witko.

IV.

APPROVAL OF MINUTES

Trustee Minx moved to accept the Minutes of the July 11, 2022 Village Board meeting as presented, seconded by Trustee Witko. **Motion passed unanimously via voice vote.**

V.

SPECIAL REPORTS

Outstanding Neighbor Recognition: Zack Scafuri

Mayor DiMaria noted that this “special” Special Report would be presented by Trustee Travis.

Trustee Travis explained that, each month, the Community Relations Commission (CRC) acknowledges an “Outstanding Neighbor” from nominations received by residents regarding someone in their neighborhood for doing special things that make the neighborhood a better place. This month’s Outstanding Neighbor is Zack Scafuri, who, unfortunately, could not be here tonight.

Zack was nominated by Christopher Spielberg. Christopher’s nomination of Zack stated “Zack takes absolute care of everything for us when we are out of town or otherwise unavailable. He picks up packages and mail, shovels the driveway, and checks on things. He offers a helping hand for projects and makes life easier in every way.” Trustee Travis congratulated Zack and said the Village will send him a pen, a special pin, an “Outstanding Neighbor” certificate signed by Mayor DiMaria, and a gift card. The Board and assemblage applauded Zack.

VI.

PUBLIC HEARINGS

NONE

VII.

PLAN COMMISSION REPORTS

1. Plan Commission Case PC 22-08, Requesting Approval of a Map Amendment to Rezone the Property at 8350 Lehigh Avenue from M-2 General Manufacturing to C/R Commercial/Residential
2. Plan Commission Case PC 22-09, Requesting Approval of a Preliminary Plat of Subdivision, Final Plat of Subdivision, and Planned Unit Development (PUD) Special Use Permit for an 89-Unit Townhome Development

These cases were presented by Community Development Administrator Zoe Heidorn.

- a. Ms. Heidorn noted that both cases were being presented tonight for a first reading as Ordinance 22-13 and Ordinance 22-14. For both Plan Commission cases, the Applicant is M/I Homes of Chicago, LLC, and they are present at tonight's meeting.
- b. Case PC 22-08 is a request for a map amendment to rezone the 7.6 acre property at 8350 Lehigh, the former site of Morton Grove Pharmaceuticals, from M-2 General Manufacturing to C/R Commercial/Residential. This amendment will align the property's zoning classification with a townhouse development proposed under Case PC 22-09. The current owner has sought reuse or redevelopment of the vacant 95,000 square foot building for several years, but due to the building's functional obsolescence for modern industrial uses, the building has not attracted any industrial businesses for redevelopment.
- c. Under Case PC 22-09, M/I Homes is requesting approval of a subdivision and Planned Unit Development to authorize the construction of 89 townhomes within 16 buildings and the future sale of townhomes on individual lots, with common areas to be owned and maintained by a future homeowners' association. The development will feature 220 enclosed and open accessory parking spaces, internal vehicular and pedestrian access ways, a landscaped detention basin, and shared open space.
- d. On June 2, the Traffic Safety Commission recommended approval of PC 22-09 with comments, and on June 6, the Appearance Commission also recommended approval of the case, with conditions. On June 20, the Plan Commission recommended approval of both PC 22-08 and PC 22-09 with conditions. The draft Ordinances under consideration contain conditions relating to site design, tree planting, parking lot screening, the burial of underground utilities, signage, fire suppression, and mosquito abatement. The Applicant, M/I Homes, intends to close on the property by the end of the year and will begin construction in 2023.
- e. Ms. Heidorn said she'd be happy to answer any questions of the Board, as would the Applicant.

VII. **PLAN COMMISSION REPORTS** (continued)

- f. Trustee Thill indicated he had some questions but that he would review them in a meeting tomorrow with Ms. Heidorn.

VIII. **RESIDENTS' COMMENTS** (Agenda Items Only)

NONE

IX. **PRESIDENT'S REPORT**

1. Mayor DiMaria asked everyone to continue to remember the distressing events in the Ukraine, stating that "our hearts and thoughts are with the Ukrainian people."
2. Mayor DiMaria announced that the Police Department will be hosting its 7th Annual National Night Out at the Civic Center, 6140 Dempster, on Tuesday, August 2, from 5:30 pm until 8:30 pm. This is a free educational and fun event that just gets better every year!
3. Mayor DiMaria also announced that the 2nd Sustainability Expo will take place on Saturday, September 10, from 10 am to 1 pm at the Civic Center.
4. Mayor DiMaria gave a shout-out to the Public Works crews who spent most, if not all, of their weekend working on Oak Park Avenue

X. **CLERK'S REPORT**

In Clerk Harford's absence, Deputy Clerk Koya had no formal report this evening.

XI. **STAFF REPORTS**

A. **Village Administrator:**

1. Mr. Czerwinski presented **Ordinance 22-15, An Ordinance Approving and Authorizing the Execution of An Economic Incentive and Tax Increment Financing Development Agreement by and Between the Village of Morton Grove, IL and P & P Properties, LLC in Regard to Certain Real Property Located in the Lehigh-Ferris Tax Increment Financing Redevelopment Area and the Expenditure of Funds from the Lehigh-Ferris Tax Increment Financing District Fund.**
 - a. He explained that the Village has, for decades, owned the vacant properties known as 8720–8726 Ferris Avenue and 8733 Narragansett Avenue and the adjacent public alley, all of which are in the

XI. **STAFF REPORTS** (continued)

A. **Village Administrator:** (continued)

Lehigh-Ferris TIF District. The Village marketed these properties for redevelopment for several years and included them in an RFQ for redevelopment in 2020, but no feasible development project or desirable use was presented.

- b. P & P Properties, LLC (“Developer”) owns the properties in the Lehigh-Ferris TIF District known as 8721 and 8735 Narragansett Ave. The Developer’s property and the Village’s property are vacant, underutilized, and exhibit conditions of blight as defined by the TIF Act.
- c. The Developer has proposed to develop its property and the Village’s property as a 10-unit townhome development and a one-unit duplex development with an estimated EVA of \$6 million. In May, the Board approved requests for the Village to vacate a portion of public alley, a Special Use Permit and Subdivision for a ten-unit townhome development, and a Special Use Permit for a two-unit apartment complex. The Developer submitted a TIF application stating that the developments are not financially feasible without financial assistance. The application was reviewed and was deemed a reasonable request. Currently, the total project costs for the developments (without assistance) are estimated to be between \$6.6 and \$6.9 million. The Developer and Village staff negotiated an Economic Incentive and Tax Increment Allocation Financing Development Agreement, which provides reimbursement to the Developer for certain TIF-eligible expenses not to exceed \$350,000 and the forgiveness of a \$420,000 loan to the Developer for the purchase of the Village’s property. The combined incentive is valued at \$770,000, and accounts for approximately 11% of the total development costs.

Mr. Czerwinski said he hoped the Board would support this Ordinance. Mayor DiMaria asked for a motion to approve it.

Trustee Minx moved, seconded by Trustee Thill, to adopt Ordinance 22-15 as presented.

Motion passed: 6 ayes, 0 nays.

Tr. Grear aye
Tr. Thill aye

Tr. Khan aye
Tr. Travis aye

Tr. Minx aye
Tr. Witko aye

B. **Corporation Counsel:**

Corporation Counsel Liston had no formal report this evening.

XII.

TRUSTEES' REPORTS

A. Trustee Gear:

Trustee Gear had no formal report this evening

B. Trustee Khan:

Trustee Khan had two ordinances presented this evening for a first reading. Both were related to the Plan Commission cases that had earlier been reported out by Community Development Administrator Zoe Heidorn.

1. **Ordinance 22-13, An Ordinance Approving a Zoning Map Amendment to Rezone the Property Commonly Known as 8350 Lehigh Avenue in Morton Grove, IL From M-2 General Manufacturing to C/R Commercial/Residential.**

This Ordinance is per PC Case 22-08, reported out by Ms. Heidorn earlier this evening.

Trustee Khan said, as this is the first reading of this Ordinance, no action will be taken tonight.

2. **Ordinance 22-14, Approving a Preliminary and Final Plat of Subdivision and a Planned Unit Development Special Use Permit for an Eighty-Nine Unit Townhome Development on Property Commonly Known as 8350 Lehigh Avenue in Morton Grove, IL.**

This Ordinance is per PC Case 22-09, reported out by Ms. Heidorn earlier this evening.

Trustee Khan said, as this is the first reading of this Ordinance, no action will be taken tonight.

C. Trustee Minx:

Trustee Minx had no formal report this evening.

D. Trustee Thill:

Trustee Thill had no formal report this evening.

XII. TRUSTEES' REPORTS (continued)E. Trustee Travis:

1. Trustee Travis presented **Ordinance 22-12, Amending Title 6, Chapter 1, Section 3 Entitled "Offenses Against Public Peace" of the Municipal Code of the Village of Morton Grove.**

This is the second reading of this Ordinance.

- a. She explained that Village staff continuously reviews and proposes updates to the Village Board to ensure the Code remains contemporary and adequately addresses the needs of the community. The Chief of Police has proposed revisions to Title 6, Chapter 1, Section 3 of the Municipal Code of Morton Grove to (1) remove the prohibition against soliciting or begging on public ways, as solicitation regulations are addressed in Title 4, Chapter 6E of the Code, and to comply with recent court rulings regarding First Amendment rights with respect to solicitation and begging; and (2) to remove the prohibition against public intoxication from this section to comply with an Illinois state statute which precludes municipalities from adopting or enforcing any law that includes intoxication as the sole basis of an offence. This Ordinance will codify the Chief's proposed revisions.

Trustee Travis moved to adopt Ordinance 22-12, seconded by Trustee Witko.

Motion passed: 6 ayes, 0 nays.

Tr. Grear aye
Tr. Thill aye

Tr. Khan aye
Tr. Travis aye

Tr. Minx aye
Tr. Witko aye

2. Trustee Travis reminded everyone to remember to water their planter if they adopted one. Public Works waters them once a week, but with the heat and lack of rain, they need to be watered more often. She also reminded everyone that the Community Relations Commission's summer photo contest continues until Labor Day. People should send in pictures they have of how they or their friends/neighbors enjoy the summer in Morton Grove.

F. Trustee Witko:

1. Trustee Witko presented **Resolution 22-32, Authorizing a Contract With Hoerr Construction, Inc. For the 2022 Sewer Lining Program—Contract B.**
- a. Trustee Witko explained that the Village has an annual program to rehabilitate the older sanitary and combined sewer pipes for improved flow capacity and elimination of groundwater infiltration and inflow in the Village's sewer infrastructure.

XII. **TRUSTEES' REPORTS** (continued)F. **Trustee Witko:** (continued)

- b. Trustee Witko said the Public Works Department developed contract documents for the lining of sewer segments on or near Suffield Street, Oleander Avenue, Church Street, Davis Street, and Arcadia Street. Bids were solicited on the Village website for 10 business days and two bids were received. Hoerr Construction, Inc. had the lowest bid submitted. Their qualifications have been evaluated and the company has been deemed qualified to perform this work. This contract conforms to the purchasing requirements of the Village. The bid amount is based upon unit pricing proposed by the contractor for the number of units estimated by the Village. This contract also must conform to the requirements of the Prevailing Wage Act. Trustee Witko noted that the fiscal impact of this Resolution is a not-to-exceed amount of \$295,650, but, since this is a unit price contract, the final contract amount will be based upon the actual quantity of work performed.

Trustee Witko moved to approve Resolution 22-32, seconded by Trustee Travis.

Motion passed: 6 ayes, 0 nays.

Tr. Grear	<u>aye</u>	Tr. Khan	<u>aye</u>	Tr. Minx	<u>aye</u>
Tr. Thill	<u>aye</u>	Tr. Travis	<u>aye</u>	Tr. Witko	<u>aye</u>

2. Trustee Witko said, regarding the upcoming Sustainability Expo, that the Environment and Natural Resources Commission is still accepting businesses, so if you know (or are) a business that helps the sustainability of our community, or of the planet, please call 847-470-5220, and we'll help you along with the process to become an exhibitor at the Expo. Again, the Expo takes place on September 10 from 10:00 a.m. to 1:00 p.m.

XIII. **OTHER BUSINESS**

NONE

XIV. **WARRANTS**

Trustee Grear presented the Warrant Register for July 25, 2022 in the amount of \$262,428.98. He moved to approve this evening's Warrant Register as presented, seconded by Trustee Minx.

Motion passed: 6 ayes, 0 nays.

Tr. Grear	<u>aye</u>	Tr. Khan	<u>aye</u>	Tr. Minx	<u>aye</u>
Tr. Thill	<u>aye</u>	Tr. Travis	<u>aye</u>	Tr. Witko	<u>aye</u>

XV.

RESIDENTS' COMMENTS

Mayor DiMaria reminded speakers they would have four (4) minutes to speak, and asked the speakers to not repeat what a previous speaker has already said.

1. **Beverly Copeland** stated that gun violence is tearing the fabric of our country and its communities apart and has to stop. She said, "Vigils, marches, therapy, thoughts and prayers give us temporary relief from our grief and pain, but we are counting on the people we elected to protect us from gun violence." She thanked the Village for steps that have already been taken in this regard. She noted that "Ten miles away from us, in Highland Park, peoples' lives were ruined or cut short on an iconic American holiday, the celebration of our independence from England, the celebration of our freedom. Yet it is our great national shame that, every single day, guns are eliminating our freedom—our freedom to send our children to safe schools; our freedom to worship in a synagogue, mosque, or church; our freedom to attend a movie or dance at a club, or even to shop for groceries. Our freedoms are being eliminated one by one." She cited a number of towns that have been victims of the "killing machine: assault-style rifles that nobody outside of the U.S. military has any business owning."
- a. Ms. Copeland said most of us know perfectly well what needs to be done—a ban on all high-powered assault-style rifles, which are made "not just to take our lives, but to eviscerate the human body." She said that allowing those weapons into the general populace, much less the hands of angry, unstable teens, "makes an abhorrent and deadly public policy." Ms. Copeland noted that these horrors don't have to continue to happen, and suggested we all take them personally, because "the alternative is becoming numb to shooting after shooting after shooting" and that is unacceptable.
- b. Ms. Copeland reminded everyone that, in 1981, Morton Grove became the first community in the United States to ban handguns, an action that was widely heralded and applauded around the world. Sadly, in 2008, after 27 years, the ban was repealed because a similar ban had been struck down by the Supreme Court.
- c. Ms. Copeland said some steps we can take today include banning assault weapons in Morton Grove, noting that other towns, like Highland Park and Naperville, are working on doing that. Also, the Village could hold a Town Hall on community gun violence. The mayor and police chief need to keep the community alert and educated on the dangers of gun violence, as they do with the pandemic or an imminent, dangerous storm. Fliers and posters about gun laws and initiatives need to be posted at Village Hall and the police station. Gun safety information should appear on the Village's Facebook page, its website, in each issue of the newsletter, and in the Morton Grove new resident handbook. The availability of gun locks needs to be widely advertised, and the safe storage of guns needs to be widely promoted. Firearm restraining order info should be widely publicized and implemented, and prompt action on expired FOID cards needs to continue to occur.
- d. Ms. Copeland noted that the very popular National Night Out enhances the relationship between neighbors and law enforcement, and felt the event would be a perfect time to distribute gun safety materials to help keep MG children and families safe.

XV.

RESIDENTS' COMMENTS (continued)

2. **Ahkter Sadiq** spoke. He said he had similar things to say as Ms. Copeland and said he seconds and supports what she said wholeheartedly.

3. **Eileen Queegan** is an 18-year resident of The Woodlands and is a retired teacher/speech therapist. She, too, wholeheartedly supports Ms. Copeland, but added that, when important gun safety information, such as gun locks, safe storage, FOID cards, "red flag" laws, etc., is communicated to Village residents, it should be provided in various languages, such as Spanish, Arabic, and Korean, because many people have limited English skills. For them to be able to read this information accurately and in their own language would be very helpful and would enhance the trust and respect of our Village government, including our police department. She thanked the Board for their consideration.

4. **Mayor DiMaria** assured the speakers that Chief Simo and the MG Police Department are very proactive in the matter of gun safety. The MGPD currently offers residents free gun locks, and the department promotes gun safety on social media and via other lines of communication.
 - a. Mayor DiMaria said he has worked closely with Highland Park's mayor at the Northwest Municipal Conference and knows that Highland Park has some of the strictest gun laws in the State of Illinois, but that didn't stop a deranged person from killing seven innocent people, wounding many, many more, and completely ruining the 4th of July for many people. What he did changed the community of Highland Park—and this annual event—forever, but it was done with a weapon that had been lawfully purchased.

 - b. Mayor DiMaria said he has spoken to Ms. Copeland many times on this subject and applauds her passion. But, in his opinion, a patchwork of local ordinances won't work. The State needs to have a unified voice for all of its municipalities. It does no good if Skokie has one set of rules, Morton Grove has another set of rules, Niles, Glenview, have their rules and it goes on and on. It needs to be uniform.

 - c. Mayor DiMaria noted that, if it wasn't for guns, he'd still have a brother. He said, addressing Ms. Copeland, "We need to have mental health issues addressed; mental health initiatives addressed; and, most importantly, I would love to see the energy you put into coming here to talk to us go instead to you going to Springfield and letting Governor Pritzker and the legislators hear what you're saying." He added, this is an issue for all of us, but it's an issue that should be addressed at the State level. He said, "Doing it town by town just won't work." However, he said he did support local communities taking leadership in promoting gun safety as well as educational programs. Mayor DiMaria said he would write letters and reach out to our State representatives on this issue as well. He thanked Ms. Copeland and her supporters for coming out tonight and for caring.

XV.

RESIDENTS' COMMENTS (continued)

5. **Rudy Vilk** said he had some questions about the Village Administrator and the enforcement of certain rules. He felt the rules should be followed by everyone, including the mayor, not just the residents. Mr. Vilk said he didn't feel he was being treated fairly by the Village and was considering suing.
6. **Eric Poders** said to Mr. Vilk, if you sue the Village, you're suing 23,000 people of Morton Grove, and I'm one of them.
 - a. Mr. Poders apologies for not being present at MG Days on July 2nd or 3rd. He had a professional photographer from the Botanic Gardens set up to take pictures on July 4—she was going to do pictures and he was going to do video. He wanted to really do it up this year and had planned to take some hi-res shots of the fireworks for use in marketing the event next year.
 - b. Mr. Poders noted that, when he was there on July 1, an incident occurred involving a woman who had been drinking too much and then needed her inhaler. He said the reaction time of the MG Police and Fire personnel was practically instantaneous. He commended the Village's public safety personnel. He also noted he had a problem with his current job; he made Chief Simo award of it and the chief and others in the department have been most responsive and helpful.
 - c. Mr. Poders said he's getting back into experiential marketing and invited everyone to come see him at "the big bounce" in Busse Woods this weekend.

XVI.

ADJOURNMENT

There being no further business before the Board, Trustee Minx moved to adjourn the meeting, seconded by Trustee Grear. **Motion passed unanimously via voice vote.**

The meeting adjourned at 7:36 p.m.

PASSED this 8th day of August, 2022.

Trustee Grear	_____
Trustee Khan	_____
Trustee Minx	_____
Trustee Thill	_____
Trustee Travis	_____
Trustee Witko	_____

APPROVED by me this 8th day of August, 2022.

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

APPROVED and FILED in my office this 9th day of August, 2022.

Eileen Scanlon Harford, Village Clerk
Village of Morton Grove, Cook County, Illinois

Minutes by Teresa Cousar

Legislative Summary

Ordinance 22-13

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT TO REZONE THE PROPERTY COMMONLY KNOWN AS 8350 LEHIGH AVENUE IN MORTON GROVE, ILLINOIS, FROM M-2 GENERAL MANUFACTURING TO C/R COMMERCIAL/RESIDENTIAL

Introduction:	July 25, 2022
Purpose:	To approve a Map Amendment to rezone the property at 8350 Lehigh Avenue from M-2 General Manufacturing to C/R Commercial/Residential to allow for an 89-unit townhome development concurrently proposed under Case PC 22-09.
Background:	<p>M/I Homes of Chicago, LLC (“Applicant”), submitted a complete Map Amendment Application (“Application”) to the Department of Community and Economic Development requesting a Map Amendment to rezone the 7.6-acre property commonly known as 8350 Lehigh Avenue (“Subject Property”) from M-2 General Manufacturing to C/R Commercial/Residential to align the Subject Property’s zoning classification with an 89-unit townhome development proposed by the Applicant under Case PC 22-09. Townhomes are allowed by Permitted and Special Use in the C/R District but are prohibited in the M-2 District. The vacant Subject Property is currently improved with a 95,000-square-foot industrial structure that has remained vacant for several years but due to its functional obsolescence for modern industrial uses.</p> <p>The subject property contains at least 0.75 acres of land area and has over 330 feet of public right of way frontage, meeting two of the three minimum criteria for an authorized Map Amendment set forth in Section 12-16-4:E.1 of the Unified Development Code. The new C/R District will not adjoin a lot within the same zoning district, but the nearest District is located just east of Lehigh Avenue and the abutting railroad right of way. Staff has recommended as a condition of approval that the Map Amendment extends to the centerlines of the abutting rights of way, as is common practice in zoning mapping.</p> <p>Because the proposed Map Amendment does not entail a specific proposal for physical development on the subject property, departmental review, Appearance Commission review, and Traffic Safety Commission review were not required. The proposed townhome development and supporting plat of subdivision were reviewed by the relevant departments, the Appearance Commission, and Traffic Safety Commission under Case PC 22-09. On June 20, 2022, the Applicant appeared before the Plan Commission to present the request for approval of the Application made under Case PC 22-08. Based on the Application, supporting staff report, and testimony presented at the public hearing, the Plan Commission voted unanimously (5-0, Commissioners Kintner and Stein absent) to recommend approval of the Map Amendment, with conditions relating to the area of rezoning and approval of Case PC 22-09.</p>
Programs, Dept’s, Groups Affected	Department of Community and Economic Development
Fiscal Impact:	N/A
Source of Funds:	N/A
Workload Impact:	The Map Amendment will be implemented and supervised by staff as part of their normal work activities.
Administrative Recommendation:	Approval as presented
Second Reading:	August 8, 2022
Special Considerations or Requirements:	None

Submitted by - Ralph Czerwinski, Village Administrator
Reviewed by - Teresa Hoffman Liston, Corporation Counsel
Prepared by - Zoe Heidorn, Community Development Administrator

ORDINANCE 22-13

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT TO REZONE THE PROPERTY COMMONLY KNOWN AS 8350 LEHIGH AVENUE IN MORTON GROVE, ILLINOIS, FROM M-2 GENERAL MANUFACTURING TO C/R COMMERCIAL/RESIDENTIAL

WHEREAS, the Village of Morton Grove (the 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, 8350 Lehigh Avenue, legally described in “Exhibit A” and depicted in the ALTA/NSPS Land Title Survey prepared by Cage Civil Engineering, dated January 27, 2022, and attached hereto as “Exhibit B” and made a part of this Ordinance, is a 7.6-acre property (“Subject Property”) and is currently zoned in an M-2 General Manufacturing District; and

WHEREAS, M/I Homes of Chicago, LLC (“Applicant”), filed a complete application to the Village’s Plan Commission under case PC 22-08 (“Application”) requesting a Map Amendment to rezone the Subject Property from a classification of M-2 General Manufacturing District to C/R Commercial/Residential District; and

WHEREAS, the Applicant concurrently filed complete applications to the Village’s Plan Commission under Case PC 22-09 requesting approval of the Preliminary Plat of Subdivision, Final Plat of Subdivision, and Planned Unit Development (PUD) Special Use Permit to subdivide the Subject Property into ninety-two (92) lots and allow for the development of eighty-nine (89) attached single-family residences, accessory parking areas, landscape areas, storm water detention facilities, and accessways; and

WHEREAS, the Subject Property contains an area of at least three quarters of an acre (3/4 acre) and has at least three hundred and thirty feet (330’) of frontage on a public right of way, and therefore meets two (2) of the minimum qualifications for an authorized amendment set forth by Section 12-16-4:E.1 of the Morton Grove Unified Development Code; and

WHEREAS, pursuant to the applicable provisions of the Village’s Unified Development Code, notice of a public hearing on the Application to be held on June 20, 2022, was published in the *Morton Grove Champion*, a newspaper of general circulation in the Village of Morton Grove, on June 2, 2022, a public notice sign was posted on the Subject Property on June 1, 2022, and written

notification was sent on June 1, 2022, to all property owners within 250 feet of the Subject Property; and

WHEREAS, at the June 20, 2022, public hearing, the Village's Plan Commission heard the Applicant's presentation and reviewed the Application, 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

WHEREAS, as a result of said public hearings, 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 Standards for Amendment established in Section 12-16-4:E.4 of the Unified Development Code, and voted to recommend approval of the Application with the condition that approval of the Map Amendment shall be contingent upon the Board of Trustees' approval of the Preliminary Plat of Subdivision, Final Plat of Subdivision, and Planned Unit Development Special Use Permit to be reviewed under case PC 22-09, and made other certain recommendations through a report dated July 5, 2022, a copy of which is attached hereto and made a part hereof and marked as "Exhibit C"; and

WHEREAS, pursuant to the provisions of the Village's Unified Development Code, the Corporate Authorities have determined that the proposed Map Amendment should be approved, subject to the provisions, conditions, and restrictions contained in this Ordinance.

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. Incorporation by Reference. The Corporate Authorities do hereby incorporate the foregoing WHEREAS clauses into this Ordinance by this reference, as though fully set forth herein, thereby making the findings as hereinabove set forth.

SECTION 2. Approval of Map Amendment. The Corporate Authorities hereby approve a Map Amendment to rezone the Subject Property from a zoning classification of M-2 General Manufacturing to C/R Commercial/Residential.

SECTION 3. Conditions. The Map Amendment shall be subject to the following conditions:

- A. The Map Amendment to rezone the Subject Property to a C/R Commercial/Residential District shall extend to the centerlines of Lehigh Avenue, Main Street, Nagle Avenue, and Oak Street.
- B. This Ordinance shall not take effect until the Village Board of Trustees has passed an ordinance approving the Preliminary Plat of Subdivision, Final Plat of Subdivision, and

Planned Unit Development Special Use Permit requested under Case PC 22-09. Should the Village Board of Trustees vote to deny approval of the Plats of Subdivision or Planned Unit Development Special Use Permit, this Ordinance shall be deemed null and void.

SECTION 4. Village Records. The Village Clerk is hereby authorized and directed to amend all pertinent records of the Village of Morton Grove to show and designate Map Amendment as granted hereunder.

SECTION 6. Effective Date. 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 8th day of August 2022.

Trustee Grear	_____
Trustee Khan	_____
Trustee Minx	_____
Trustee Travis	_____
Trustee Thill	_____
Trustee Witko	_____

APPROVED by me this 8th day of August 2022.

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

APPROVED and FILED in my office this
this 9th day of August 2022.

Eileen Scanlon Harford, Village Clerk
Village of Morton Grove
Cook County, Illinois

LIST OF EXHIBITS

- | | |
|-----------|---|
| EXHIBIT A | Legal Description for 8350 Lehigh Avenue, Morton Grove, Illinois |
| EXHIBIT B | ALTA/NSPS Land Title Survey, prepared by Cage Civil Engineering, dated January 27, 2022 |
| EXHIBIT C | Plan Commission Report, dated July 5, 2022 |

EXHIBIT A

8350 LEHIGH AVENUE, MORTON GROVE, ILLINOIS 60053

LEGAL DESCRIPTION:

PARCEL 1:

LOTS 1 TO 12, BOTH INCLUSIVELY, AND THAT PART OF 33 FOOT VACATED NARRAGANSETT AVENUE LYING EAST OF AND ADJOINING LOTS 1 AND 12 IN BLOCK 4 IN MORTON GROVE, A SUBDIVISION OF THE EAST 4.63 CHAINS OF THE NORTHEAST 1/4, SOUTH OF GROSS POINT ROAD AND NORTH 3 ACRES OF THE EAST 10 ACRES OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND THE NORTHWEST 1/4, SOUTH OF GROSS POINT ROAD AND WEST OF RAILROAD OF SECTION 20, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF LOT 34 (EXCEPT THE NORTH 33 FEET THEREOF) AND THE NORTH HALF OF LOT 27 IN THE COUNTY CLERK'S DIVISION IN THE WEST 1/2 OF SECTION 20, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN LYING SOUTHWESTERLY OF THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY.

PROPERTY INDEX NUMBERS:

10-19-402-001-0000
10-19-402-002-0000
10-19-402-003-0000
10-19-402-004-0000
10-19-402-005-0000
10-19-402-006-0000
10-19-402-007-0000
10-19-402-008-0000
10-19-402-009-0000
10-19-402-010-0000
10-19-402-011-0000
10-19-402-012-0000
10-20-300-001-0000
10-20-300-002-0000

EXHIBIT B

ALTA/NSPS LAND TITLE SURVEY

Prepared by Cage Civil Engineering

Dated January 27, 2022

EXHIBIT C

PLAN COMMISSION REPORT FOR PC 22-08

Dated July 5, 2022

ALTA/NSPS LAND TITLE SURVEY

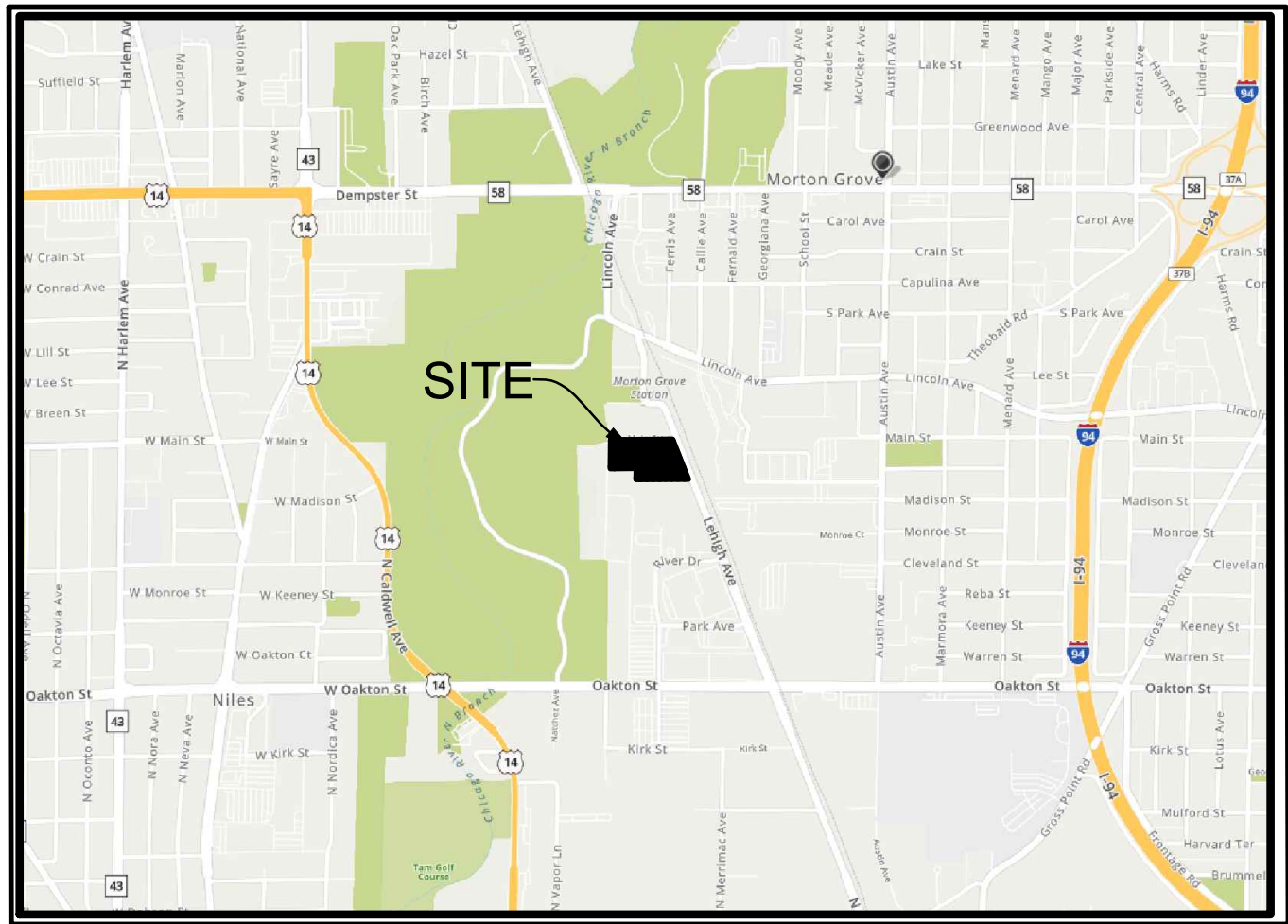
COMMITMENT NCS-1103863-CHI2 TITLE NOTES

- FIRST AMERICAN TITLE INSURANCE COMPANY FILE NUMBER NCS-1103863-CHI2 WITH AN EFFECTIVE DATE OF NOVEMBER 24, 2021, HAS BEEN REVIEWED IN CONJUNCTION WITH THE PREPARATION OF THIS SURVEY. THIS SURVEY MAY NOT REFLECT MATTERS OF TITLE THAT MAY BENEFIT OR BURDEN THE PROPERTY UNLESS THEY ARE EVIDENT FROM THE FIELD SURVEY OR THEY ARE CONTAINED IN THE ABOVE TITLE COMMITMENT. THE FOLLOWING NOTES ARE RELATED TO CERTAIN TITLE EXCEPTIONS CONTAINED IN THE ABOVE COMMITMENT.
- SCHEDULE B, PART 1, ITEM 1: THE SURVEYED PROPERTY IS SUBJECT TO RIGHTS OF CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY PUBLIC RECORDS.
- SCHEDULE B, PART 1, ITEM 2: THE SURVEY PROPERTY IS SUBJECT TO EASEMENTS OR CLAIMS OF EASEMENTS, NOT SHOWN BY PUBLIC RECORDS.
- SCHEDULE B, PART 1, ITEM 3: THE SURVEYED PROPERTY IS SUBJECT TO ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND TITLE SURVEY OF THE LAND.
- SCHEDULE B, PART 1, ITEMS 4-6: NOT SURVEY RELATED.
- SCHEDULE B, PART 2, ITEMS 1-14: NOT SURVEY RELATED.
- SCHEDULE B, PART 2, ITEM 15: THE SURVEYED PROPERTY IS SUBJECT TO THE ORDINANCE DEDICATING A 33' WIDE RIGHT OF WAY ALONG THE WEST LINE OF LOTS 6 AND 7 AS CONTAINED IN ORDINANCE RECORDED JUNE 11, 1951 AS DOCUMENT 15096592. AS SHOWN HEREON.
- SCHEDULE B, PART 2, ITEM 16: THE SURVEYED PROPERTY IS SUBJECT TO RIGHTS OF THE PUBLIC, THE STATE OF ILLINOIS AND THE MUNICIPALITY IN AD TO THAT PART OF THE LAND, IF ANY, TAKEN, USED OR DEDICATED FOR ROAD PURPOSES.
- SCHEDULE B, PART 2, ITEM 17: THE SURVEYED PROPERTY IS SUBJECT TO ANY OVERHEAD LINES RUNNING ACROSS THE SURVEYED PROPERTY AND THE BURIED UTILITY LINES AS SHOWN HEREON. MAIN STREET HAS BEEN REBUILT WITH THE FOREMENTIONED OVERHEAD UTILITY LINES BURIED.
- SCHEDULE B, PART 2, ITEM 18: THE SURVEYED PROPERTY IS SUBJECT TO RIGHTS OF PUBLIC OR QUASI-PUBLIC UTILITIES, IF ANY, IN THE VACATED 33' RIGHT OF WAY OF NARRAGANSETT AVENUE PER JUNE 11, 1951 AS DOCUMENT 15096592. AS SHOWN HEREON.
- SCHEDULE B, ITEM 16 (J): THE SURVEYED PROPERTY IS SUBJECT TO THE TERMS, PROVISIONS AND CONDITIONS CONTAINED IN A DECLARATION OF RESTRICTIVE COVENANTS RESTRICTING THE PROPERTY USE TO NO BUSINESSES THAT OPERATE AS A AUTO PARTS COMPANY AS ITS PRIMARY BUSINESS, AS CONTAINED IN DECLARATION RECORDED SEPTEMBER 8, 2017 AS DOCUMENT 2017K047268. NOT PLOTTABLE, SEE DOCUMENT FOR PARTICULARS.
- SCHEDULE B, PART 2, ITEM 19: NOT SURVEY RELATED.

TITLE LEGAL DESCRIPTION

PARCEL 1: LOTS 1 TO 12, BOTH INCLUSIVELY, AND THAT PART OF 33 FOOT VACATED NARRAGANSETT AVENUE LYING EAST OF ADJOINING LOTS 1 AND 12 IN BLOCK 4 IN MORTON GROVE, A SUBDIVISION OF THE EAST 4.63 CHAINS OF THE NORTHEAST QUARTER, SOUTH OF GROSS POINT ROAD AND NORTH 3 ACRES OF THE EAST 10 ACRES OF THE NORTH HALF OF THE SOUTHEAST QUARTER QUARTER OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND THE NORTHWEST QUARTER, SOUTH OF GROSS POINT ROAD AND WEST OF RAILROAD OF SECTION 20, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF LOT 34 (EXCEPT THE NORTH 33 FEET THEREOF) AND THE NORTH HALF OF LOT 27 IN THE COUNTY CLERK'S DIVISION IN THE WEST HALF OF SECTION 20, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN LYING SOUTHWESTERLY OF THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY.



LOCATION MAP

NOT TO SCALE

SURVEYOR'S NOTES

- DISTANCES ARE MARKED IN FEET AND DECIMAL PLACES THEREOF. NO DIMENSION SHALL BE ASSUMED BY SCALE MEASUREMENT HEREON. DISTANCES AND/OR BEARINGS SHOWN IN PARENTHESIS (123.45') ARE RECORD OR DEED VALUES, NOT FIELD MEASURED.
- COMPARE THIS PLAT, LEGAL DESCRIPTION AND ALL SURVEY MONUMENTS BEFORE BUILDING AND IMMEDIATELY REPORT ANY DISCREPANCIES TO THE SURVEYOR.
- THE LOCATION OF THE PROPERTY LINES SHOWN ON THE FACE OF THIS PLAT ARE BASED ON THE LEGAL DESCRIPTION CONTAINED IN THE TITLE COMMITMENT AND SHOWN HEREON. THIS INFORMATION HAS BEEN FURNISHED BY THE CLIENT AND COMPARED TO RECORD DEEDS TO CHECK FOR GAPS AND/OR OVERLAPS. HOWEVER, THIS SURVEY MAY NOT REFLECT HISTORICAL MATTERS OF TITLE AND OWNERSHIP THAT HAVE NOT BEE DISCLOSED BY THE TITLE COMMITMENT.
- UNLESS OTHERWISE NOTED, ONLY THE IMPROVEMENTS WHICH WERE VISIBLE FROM ABOVE GROUND AT THE TIME OF THE SURVEY AND THROUGH A NORMAL SEARCH AND WALK THROUGH OF THE SITE ARE SHOWN ON THE FACE OF THIS PLAT. LAWN SPRINKLERS, IF ANY, ARE NOT SHOWN ON THIS SURVEY.
- MANHOLES, INLETS AND OTHER UTILITY RIMS OR GRATES SHOWN HEREON ARE FROM FIELD LOCATION OF SUCH AND ONLY REPRESENT SUCH UTILITY IMPROVEMENTS WHICH ARE VISIBLE FROM ABOVE GROUND AT TIME OF SURVEY AND THROUGH A NORMAL SEARCH AND WALK THROUGH OF THE SITE. LABELING OF THESE MANHOLES (SANITARY, WATER, ETC.) IS BASED SOLELY ON THE "STAMPED" MARKINGS ON THE RIM. NO UNDERGROUND OBSERVATIONS HAVE BEEN MADE TO VERIFY THE ACTUAL USE OR EXISTENCE OF UNDERGROUND UTILITIES.
- SURFACE INDICATIONS OF UTILITIES ON THE SURVEYED PARCEL HAVE BEEN SHOWN. UNDERGROUND AND OFFSITE OBSERVATIONS HAVE NOT BEEN MADE TO DETERMINE THE EXTENT OF UTILITIES SERVING OR EXISTING ON THE PROPERTY. PUBLIC AND/OR PRIVATE RECORDS HAVE NOT BEEN SEARCHED TO PROVIDE ADDITIONAL INFORMATION. OVERHEAD WRES AND POLES (IF ANY) HAVE BEEN SHOWN, HOWEVER THEIR FUNCTION AND DIMENSIONS HAVE NOT BEEN SHOWN.
- THIS SURVEY MAY NOT REFLECT ALL UTILITIES OR IMPROVEMENTS, IF SUCH ITEMS ARE HIDDEN BY LANDSCAPING OR ARE COVERED BY SUCH ITEMS AS DUMPSTERS OR TRAILERS, OR WHEN THE SITE WAS COVERED WITH SNOW. AT THE TIME OF SURVEY, THE SITE **WAS** COVERED BY SNOW.
- OTHER THAN VISIBLE OBSERVATIONS NOTED HEREON, THIS SURVEY MAKES NO STATEMENT REGARDING THE ACTUAL PRESENCE OR ABSENCE OF ANY UTILITY SERVICE OR UTILITY LINE. CONTROLLED UNDERGROUND EXPLORATORY EFFORT TOGETHER WITH "J.U.L.I.E." MARKINGS IS RECOMMENDED TO DETERMINE THE FULL EXTENT OF UNDERGROUND SERVICE AND UTILITY LINES. CONTACT J.U.L.I.E. AT 811.
- THE SURVEYED PROPERTY IS A COMMERCIAL DEVELOPMENT WITH A POSTED ADDRESS OF 8350 LEHIGH AVENUE. (TABLE A, ITEM 2).
- SURVEYED PROPERTY IS CONTAINED WITHIN FLOOD ZONE X AS SHOWN ON FEMA FLOOD MAP 17031C0241J WITH AN EFFECTIVE DATE OF AUGUST 19, 2008. (TABLE A, ITEM 3)
- THE SURVEY PROPERTY IS CURRENTLY ZONED: M-2 "GENERAL MANUFACTURING DISTRICT". INFORMATION OBTAINED FROM THE VILLAGE OF MORTON GROVE CURRENT ZONING MAP, (TABLE A, ITEM 6A)
- THE SURVEYED PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF LEHIGH AVENUE AND MAIN STREET. (TABLE A, ITEM 14)
- ALL CURB SHOWN HEREON IS B6:12 UNLESS NOTED OTHERWISE.

M-2 GENERAL MANUFACTURING DISTRICT BULK REGS.

- 12-4-4: MANUFACTURING DISTRICTS
F. HEIGHT AND BULK REGULATIONS
MINIMUM LOT AREA: 0
MINIMUM LOT WIDTH: 0
MINIMUM YARDS (IN FEET):
FRONT: 25
SIDE: 0
SIDE YARD ABUTTING PUBLIC STREET: 25
REAR: 0
MAXIMUM BUILDING HEIGHT (IN FEET): 40
FLOOR AREA RATIO: 1:8
MIN. AREA REQUIRED FOR DISTRICT (IN ACRES): 5

SEE THE VILLAGE OF MORTON GROVE ZONING WEBSITE FOR ANY CLARIFICATIONS OR SPECIFICS OF BULK REGULATIONS LISTED HEREON.

SHEET INDEX

- | |
|---|
| SHEET 1 OF 2: LEGAL DESCRIPTION, TITLE EXCEPTIONS, SURVEYORS NOTES AND CERTIFICATIONS |
| SHEET 2 OF 2: BOUNDARY, TOPOGRAPHIC INFORMATION, EASEMENTS AND LABELS |

OWNER/CLIENT

M/I HOMES OF CHICAGO, LLC
400 E. DIEHL ROAD, STE. 230
NAPERVILLE, IL

CURRENT P.I.N.:

10-19-402-001
10-19-402-002
10-19-402-003
10-19-402-004
10-19-402-005
10-19-402-006
10-19-402-007
10-19-402-008
10-19-402-009
10-19-402-010
10-19-402-011
10-19-402-012
10-20-300-001
10-20-300-002

PARKING SUMMARY

PARKING STALLS: 0
HANDICAPPED STALLS: 0
TOTAL: 0

SURVEYED AREA

331,167 SQUARE FEET (7.603 AC±)

FLOOD ZONE NOTE

THE FEDERAL EMERGENCY MANAGEMENT AGENCY FIRM COMMUNITY PANEL NUMBER 17031C0241J WITH AN EFFECTIVE DATE OF AUGUST 19, 2008 INDICATES THAT THE ABOVE DESCRIBED PROPERTY LIES WITHIN AREAS DESIGNATED AS ZONE X. ZONE X IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% CHANCE FLOODPLAIN PER THE FLOOD INSURANCE RATE MAP. THIS DOES NOT GUARANTEE THAT THE SURVEYED PROPERTY WILL OR WILL NOT FLOOD. APPROXIMATE LOCATIONS OF FLOOD ZONES HAVE BEEN SHOWN HEREON BASED ON THE CURRENT FLOOD INSURANCE RATE MAPS. THESE LOCATIONS ARE SUBJECT TO SCALING AND MAP INTERPRETATION.

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF DUPAGE }

TO: M/I HOMES OF CHICAGO, LLC
AND: FIRST AMERICAN TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDED ITEMS 2, 3, 4, 6a, 7a, 7b1, 7c, 8, 9, 13 & 14 OF TABLE A THEREOF.
THE FIELD WORK WAS COMPLETED ON JANUARY 12, 2022.

GIVEN UNDER MY HAND AND SEAL AT DOWNERS GROVE, ILLINOIS,
THIS ____ DAY OF _____ A.D., 2022.

FOR REVIEW

BY: _____
"SAMUEL J. PHILLIPPE"
SPHILLIPPE@CAGECIVIL.COM
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3699
LICENSE EXPIRES NOVEMBER 30, 2022

DESIGN FIRM PROFESSIONAL LICENSE NO. 184007577
LICENSE EXPIRES APRIL 30, 2023.



LEHIGH AVENUE DEVELOPMENT

MORTON GROVE, ILLINOIS

ALTA/NSPS LAND TITLE SURVEY

PROJ NO. 210248

PM: SJP

DATE: 01/27/22

SCALE: N/A

SHEET NUMBER

1 OF 2

3110 WOODCREEK DRIVE
DOWNERS GROVE, IL 60515
P: 630.598.0007
WWW.CAGECIVIL.COM



REVISIONS

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OWNER/CLIENT

W/A HOMES OF CHICAGO, LLC
400 E. DIEHL ROAD, STE. 230
NAPERVILLE, IL

ALTA/NSPS LAND TITLE SURVEY



0 40' 80'
1" = 40' (HORIZONTAL)

COORDINATES AND BEARINGS ARE BASED UPON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE (NAD 83), ADJUSTED TO GROUND VALUES, AS ESTABLISHED BY REAL-TIME KINEMATIC (RTK) GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) UTILIZING GPS OBSERVATIONS

SURVEYED AREA

331,167 SQUARE FEET (7.603 AC±)

PARKING SUMMARY

PARKING STALLS: 0
HANDICAPPED STALLS: 0
TOTAL: 0

CURRENT P.I.N.:

10-19-402-001
10-19-402-002
10-19-402-003
10-19-402-004
10-19-402-005
10-19-402-006
10-19-402-007
10-19-402-008
10-19-402-009
10-19-402-010
10-19-402-011
10-19-402-012
10-20-300-001
10-20-300-002

3110 WOODCREEK DRIVE
DOWNERS GROVE, IL 60515
P: 630.598.0007
WWW.CAGECIVIL.COM



REVISIONS

NO.	DESCRIPTION	DATE

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LEHIGH AVENUE DEVELOPMENT
MORTON GROVE, ILLINOIS
ALTA/NSPS LAND TITLE SURVEY

PROJ NO. 210248

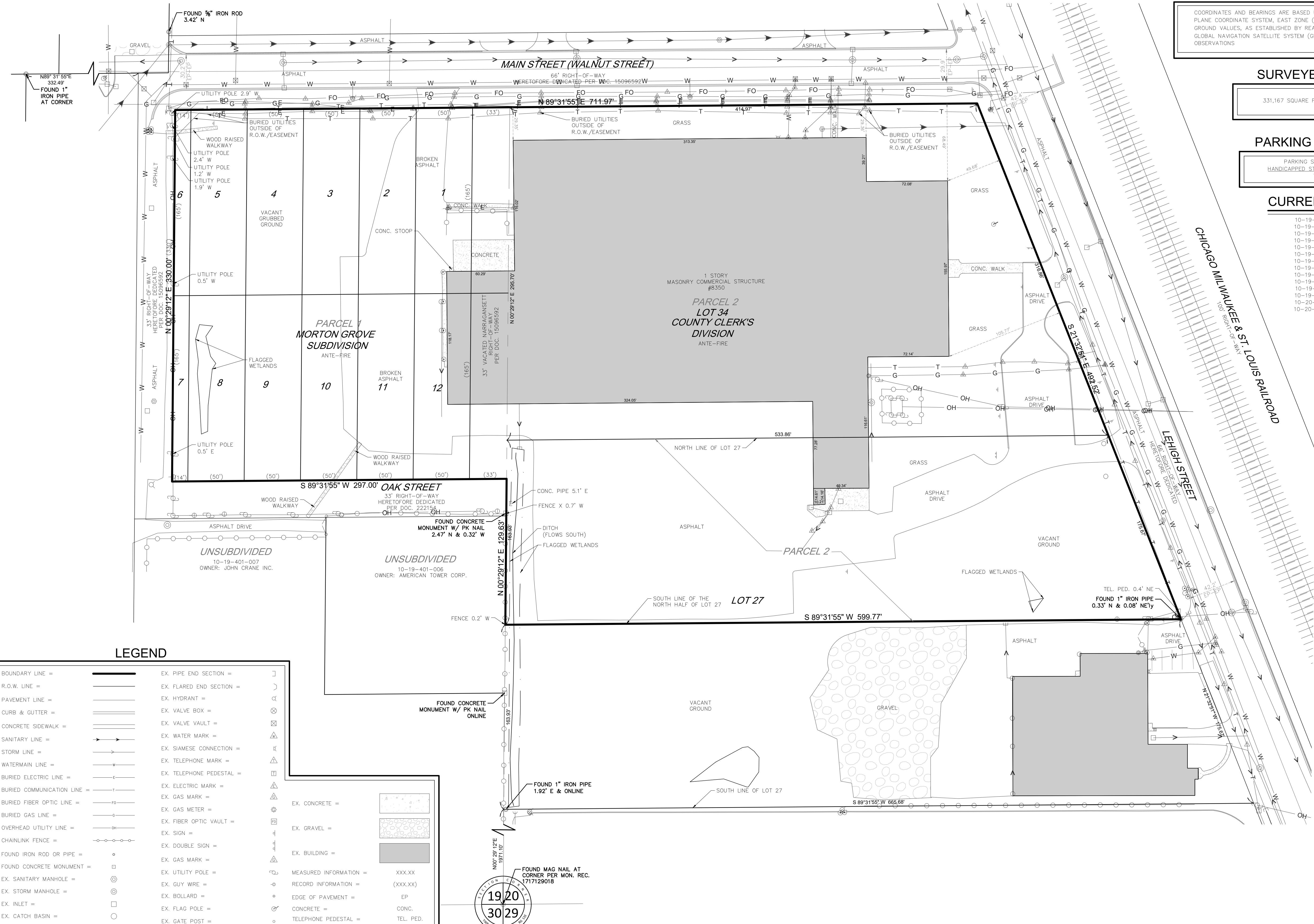
PM: SJR

DATE: 01/27/22

SCALE: 1"=40'

SHEET NUMBER

2 OF 2



LEGEND

BOUNDARY LINE =	—	EX. PIPE END SECTION =	⌈
R.O.W. LINE =	—	EX. FLARED END SECTION =	⌋
PAVEMENT LINE =	—	EX. HYDRANT =	⊕
CURB & GUTTER =	—	EX. VALVE BOX =	⊗
CONCRETE SIDEWALK =	—	EX. VALVE VAULT =	⊠
SANITARY LINE =	—	EX. WATER MARK =	△
STORM LINE =	—	EX. SIAMESE CONNECTION =	⋈
WATERMAIN LINE =	—	EX. TELEPHONE MARK =	⊞
BURIED ELECTRIC LINE =	—	EX. TELEPHONE PEDestal =	⊟
BURIED COMMUNICATION LINE =	—	EX. ELECTRIC MARK =	⊠
BURIED FIBER OPTIC LINE =	—	EX. GAS MARK =	⊠
BURIED GAS LINE =	—	EX. GAS METER =	⊠
OVERHEAD UTILITY LINE =	—	EX. FIBER OPTIC VAULT =	⊠
CHAINLINK FENCE =	—	EX. SIGN =	⊠
FOUND IRON ROD OR PIPE =	⊙	EX. DOUBLE SIGN =	⊠
FOUND CONCRETE MONUMENT =	⊠	EX. GAS MARK =	⊠
EX. SANITARY MANHOLE =	⊙	EX. UTILITY POLE =	⊠
EX. STORM MANHOLE =	⊙	EX. GUY WIRE =	⊠
EX. INLET =	⊠	EX. BOLLARD =	⊠
EX. CATCH BASIN =	⊠	EX. FLAG POLE =	⊠
		EX. GATE POST =	⊠
		EX. CONCRETE =	⊠
		EX. GRAVEL =	⊠
		EX. BUILDING =	⊠
		MEASURED INFORMATION =	XXXX.XX
		RECORD INFORMATION =	(XXXX.XX)
		EDGE OF PAVEMENT =	EP
		CONCRETE =	CONC.
		TELEPHONE PEDESTAL =	TEL. PED.

To: Village President and Board of Trustees

From: Steven Blonz, Plan Commission Chairperson
Ralph Czerwinski, Village Administrator
Teresa Hoffman Liston, Corporation Counsel
Zoe Heidorn, Community Development Administrator

Date: July 5, 2022

Re: Plan Commission Case PC 22-08: Application for a Map Amendment to rezone the property commonly known as 8350 Lehigh Avenue in Morton Grove, Illinois (10-19-402-001-0000, 10-19-402-002-0000, 10-19-402-003-0000, 10-19-402-004-0000, 10-19-402-005-0000, 10-19-402-006-0000, 10-19-402-007-0000, 10-19-402-008-0000, 10-19-402-009-0000, 10-19-402-010-0000, 10-19-402-011-0000, 10-19-402-012-0000, 10-20-300-001-0000, 10-20-300-002-0000), within the C/R Commercial/Residential District. The applicant is M/I Homes of Chicago, LLC.

Executive Summary

M/I Homes of Chicago, LLC ("applicant"), submitted a complete Map Amendment Application to the Department of Community and Economic Development requesting a Map Amendment to rezone the property commonly known as 8350 Lehigh Avenue ("subject property") from M-2 General Manufacturing to C/R Commercial/Residential to align the zoning classification with an 89-unit townhome development proposed by the Applicant under Case PC 22-09.

The proposed Map Amendment was considered by the Plan Commission at the regularly scheduled meeting on June 20, 2022. For the reasons set forth in this report, on June 20, 2022, the Plan Commission unanimously recommended by a vote of 5-0 (Commissioners Kintner and Stein absent) that the Village Board of Trustees should approve the Map Amendment.

Application

On May 9, 2022, the applicant submitted a complete Map Amendment Application requesting approval of an Amendment to rezone the subject property from M-2 General Manufacturing to C/R Commercial/Residential. The Application was submitted concurrent to an application requesting approval of a Subdivision and Planned Unit Development (PUD) to authorize the development and subdivide the subject property to allow for the future sale of the townhomes on individual lots. The proposed Subdivision and PUD were reviewed by the Plan Commission under Case PC 22-09 at the same June 20, 2022, meeting.

The applicant is the contract purchaser of the 7.6-acre subject property, which is currently owned by Morton Grove Pharmaceuticals/Wockhardt USA. The 95,000-square-foot industrial structure located on the site was constructed in the mid-1950s, is severely deteriorated, and has remained vacant since 2016. Due to the structure's functional obsolescence for modern industrial uses, the property has not attracted any industrial businesses or investors. Proposals for industrial reuse of this property have been limited, adding to the property's obsolescence.

The intent of the mixed-use C/R Commercial/Residential District is to accommodate higher density residential uses than the R-3 General Residence District and to support associated neighborhood commercial uses that are compatible with and serve higher density residential uses. Townhomes are allowed by Permitted and Special Use in the C/R District but are prohibited in the M-2 District.

The subject property meets two of the three minimum criteria for authorized amendments set forth in Section 12-16-4:E.1. Properties qualify for rezoning only if they (1) contain at least 0.75 acres of land area, (2) have at least 330 feet of frontage on a public right of way, or (3) adjoin a parcel in the same zoning district. The new C/R District will not adjoin a lot within the same zoning district, but the nearest C/R District is located just east of Lehigh Avenue and the abutting railroad right of way.

Departmental & Commission Review

Because the Map Amendment does not entail a specific proposal for physical development on the subject property, departmental review, Appearance Commission review, and Traffic Safety Commission review were not required. The proposed townhome development and supporting plat of subdivision were reviewed by the relevant departments, the Appearance Commission, and Traffic Safety Commission under Case PC 22-09.

Plan Commission

The Village provided Public Notice for the June 20, 2022, Plan Commission public hearing for PC 22-08 in accordance with the Unified Development Code. The Morton Grove Champion published a public notice on June 2, 2022. The Village notified surrounding property owners via mail on June 1, 2022, and placed a public notice sign on the subject property on June 1, 2022.

Plan Commission – June 20, 2022, Proceedings: Five members of the Plan Commission were in attendance at the public hearing for Case PC 22-08 held on June 20, 2022. Commissioners Kintner and Stein were absent with notice.

Zoe Heidorn, Community Development Administrator, provided a brief introduction to the application. The staff report dated June 14, 2022, and attached hereto as “**Attachment A**,” was entered into the public record.

Ms. Heidorn explained that PC 22-08 is a request for approval of a Map Amendment to rezone the 7.6-acre property commonly known as 8350 Lehigh Avenue from M-2 General Manufacturing to C/R Commercial/Residential. The intent of the C/R District is to accommodate compact residential development and compatible commercial uses, supporting both horizontal and vertical mixed-use development. Due to the building’s low ceiling heights and functional obsolescence for modern industrial uses, the property has not attracted any viable industrial reuse since being put on the market over three years ago.

She explained that the Morton Grove Comprehensive Plan, which was last updated in 1999, encourages the redevelopment of older industrial property located along Lehigh Avenue and foresees future residential development occurring on redevelopable property along major corridors, including Lehigh Avenue. The more current 2014 Industrial Areas Plan encourages the retention of active industrial uses, but also explicitly encourages continued development of the downtown area centered around the Morton Grove Metra Station, which contributes to the retention and attraction of industrial uses and investment. The Lincoln/Lehigh Redevelopment Project Area Plan, adopted last year, calls for a mix of uses for the property, including residential, commercial, or mixed-use redevelopment. The property meets the two of three qualifying criteria for a Map Amendment.

Ms. Heidorn added that staff recommends that the Map Amendment should be contingent on the Board of Trustees’ approval of the Planned Unit Development and Subdivision Application submitted by the Applicant under Case PC 22-09.

Secretary Kirchner swore in the representatives of applicant M/I Homes of Chicago, LLC, including Mark McLaughlin, Julie Workman, Erin Brudner, and Monica Goshorn-Maroney. Bill Grieve of Kimley-Horn was also sworn in via Zoom.

Julie Workman, Levenfeld Pearlstein, LLC, representing M/I Homes, introduced herself and Marc McLaughlin of M/I Homes. She explained that M/I Homes has been constructing high-quality residential developments for over 40 years and has projects throughout the region and the U.S. She noted that M/I Homes was recently named Developer of the Year in Arlington Heights.

Ms. Workman noted that they have appeared before the Traffic Safety Commission and Appearance Commission. They have incorporated the Commissions’ feedback and continuously work with Village Staff to make adjustments to the project.

Ms. Workman described the site and its current conditions, noting that the site is contaminated with environmentally hazardous substances.

Ms. Workman presented the proposed site plan, which includes 16 buildings containing 89 townhomes, a large green space at the northeast corner of the site, and a storm water detention basin planted with native plants. On-site parking will far exceed the minimum Village Code requirements, with 42 guest spaces, 3-car garages, and 2 spaces available on each driveway.

Ms. Workman explained that the architectural design is a new design for M/I Homes that has not been used in other developments. This is intended to be a transit-oriented development, with lots of walkable areas.

Ms. Workman noted that the first item to consider is the proposed map amendment. M/I Homes is seeking to rezone the property from M-2 General Manufacturing to C/R Commercial/Residential. This is in keeping with the Comprehensive Plan and neighborhood plan for the area. The obsolete structure will be replaced with a transit-oriented development that M/I Homes believes will be a great fit for the neighborhood.

Ms. Workman asked if she could continue the presentation that will cover the next agenda item. Chairman Blonz said the Commission could hear the entire presentation at this time, but that separate votes would be made for the two items.

Ms. Workman explained that the Planned Unit Development Special Use Permit would allow a fresh start for the area, replacing an obsolete and contaminated site with a very desirable townhome community. Townhomes provide a great opportunity for a wide variety of demographics.

Ms. Workman added that approvals of the Preliminary Plat of Subdivision and Final Plat of Subdivision are being sought simultaneously. M/I Homes is the contract purchaser and the final plat must be approved before the developer can close on the property due to internal legal and financial restrictions. The Final Plat is not expected to not vary substantially from the Preliminary Plat, which includes 89 townhome lots and 3 common area lots. Each home will have its own property index number (PIN).

Ms. Workman indicated that the proposed development meets the criteria of the Comprehensive Plan and Lehigh/Ferris Sub-Area Plan. The proposed townhomes are walkable and offer easy access to transit, eliminate a blighted and contaminated site, and incorporate greenspace features.

Ms. Workman discussed the site plan's accessways and points of access. Access will be provided from Main Street and Lehigh Avenue, with emergency access points along the west side and south side. The south emergency access point can be removed based on comments received by the Village Engineer.

Ms. Workman then described the two color palettes for the buildings, which will alternate between buildings. She added that the Appearance Commission voted unanimously in favor of the project's design.

Chairman Blonz asked for questions by the Commissioners and reminded them that they are currently considering Case PC 22-08.

The Commissioners had further questions.

Chairman Blonz asked for public comment. Members of the public provided no comment.

Commissioner Gabriel made a motion to recommend approval of Case PC 22-08, a request for a Map Amendment to rezone the property commonly known as 8350 Lehigh Avenue within the C/R Commercial/Residential District, subject to the following conditions:

1. The Map Amendment to include the subject property at 8350 Lehigh Avenue within the C/R District shall extend to the centerlines of Lehigh Avenue, Main Street, Nagle Avenue, and Oak Street.
2. Approval of the Map Amendment shall be contingent on the Board of Trustees' approval of the Planned Unit Development and Subdivision Application (PC 22-09) submitted by the Applicant.

The motion was seconded by Commissioner Dorgan.

Chairman Blonz called for the vote.

The motion was unanimously (5-0) approved.

Final Plans and Supporting Documents

The subject property recommended for a Map Amendment under Case PC 22-08 is legally described and depicted in the ALTA/NSPS Land Title Survey prepared by Cage Civil Engineering and dated January 27, 2022, which is attached hereto as “**Attachment B**”.

Attachments

- **Attachment A** – Staff Report to the Plan Commission for PC 22-08, prepared by Zoe Heidorn, Community Development Administrator, dated June 14, 2022
- **Attachment B** – ALTA/NSPS Land Title Survey, prepared by Cage Civil Engineering, dated January 27, 2022 (2 sheets)

Attachment A

Staff Report to the Plan Commission for PC 22-08

Prepared by Zoe Heidorn, Community Development Administrator

Dated June 14, 2022

To: Chairperson Blonz and Members of the Plan Commission

From: Zoe Heidorn, Community Development Administrator; Anne Ryder Kirchner, Assistant Land Use Planner

Date: June 14, 2022

Re: Plan Commission Case PC 22-08 - Application for a Map Amendment to zone the property commonly known as 8350 Lehigh Avenue in Morton Grove, Illinois (10-19-402-001-0000, 10-19-402-002-0000, 10-19-402-003-0000, 10-19-402-004-0000, 10-19-402-005-0000, 10-19-402-006-0000, 10-19-402-007-0000, 10-19-402-008-0000, 10-19-402-009-0000, 10-19-402-010-0000, 10-19-402-011-0000, 10-19-402-012-0000, 10-20-300-001-0000, 10-20-300-002-0000), within the C/R Commercial/Residential District. The applicant is M/I Homes of Chicago, LLC.

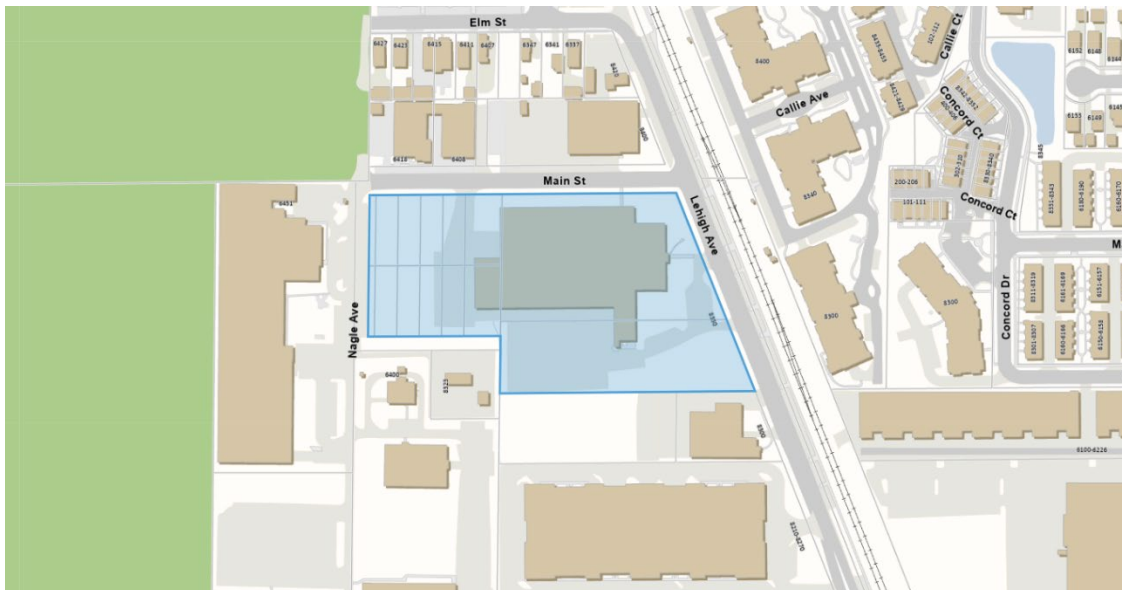
STAFF REPORT

Public Notice

The Village provided Public Notice for the June 20, 2022, Plan Commission public hearing for PC 22-08 in accordance with the Unified Development Code. The *Morton Grove Champion* published a public notice on June 2, 2022. The Village notified surrounding property owners via mail on June 1, 2022, and placed a public notice sign on the subject property on June 1, 2022.

Application

The subject property at 8350 Lehigh Avenue measures 7.6 acres in land area and is currently improved with a vacant one-story brick industrial building. The property is bound by Lehigh Avenue to the east, Main Street to the north, Nagle Avenue to the west, and Oak Street and property owned by the Village of Morton Grove (8300 Lehigh Avenue) to the south. The Morton Grove Metra station is located just one block north along Lehigh Avenue. The Applicant and contract purchaser, M/I Homes of Chicago, LLC is requesting a Map Amendment to rezone the property from M-2 General Manufacturing to C/R Commercial/Residential to align the zoning classification with an 89-unit townhome development proposed by the Applicant under Case PC 22-09.



Subject Property Location Map

The intent of the mixed-use C/R Commercial/Residential District is to accommodate a higher density of residential development than the R-3 General Residence District and to support associated neighborhood commercial uses that are compatible with and serve higher density residential uses. The C/R District is also intended to promote development that is compact and pedestrian oriented. These same goals are set forth in the Lehigh/Ferris Subarea Plan, which establishes guidelines for new development in the transit-oriented area surrounding the Metra station.

The property owner, Morton Grove Pharmaceuticals/Wockhardt USA, has sought reuse or redevelopment of the vacant site for several years. The 95,000-square-foot industrial structure located on the property was built in the mid-1950s, is severely deteriorated, and has been vacant since 2016. The property has been on the market for over three years, but due to its low ceiling heights and functional obsolescence for modern industrial uses, the property has not attracted any industrial businesses or investors. Proposals for industrial reuse of this property have been limited, adding to the property's obsolescence.

Land Use Plan Compliance

While the property at 8350 Lehigh Avenue is classified as industrial in the Land Use Plan (page 4-1, Comprehensive Plan Update) set forth in the 1999 Comprehensive Plan Update, the Plan is longer a valid document according to the Plan itself and Municipal Code Section 11-1-1. Additionally, the Plan clearly identifies the Land Use Plan as a "guide for future land use and development," not a mandate, and describes the Plan as a "framework for improvement and development within Morton Grove over the next 10-to-15-year period." Under this time frame, applicability of the Land Use Plan would have expired in 2014. Another Comprehensive Plan Update or more focused planning efforts are needed to address the current and future needs of the area, changes in market demand, and emerging development patterns.

Staff found no conflict with future residential or commercial use at 8350 Lehigh Avenue and the land use recommendations and supporting discussion provided in the Industrial Areas Plan, adopted in November of 2014. The Plan explicitly encourages continued development of the downtown, which contributes to the retention and attraction of industrial uses and investment.

"Recommendation: Create a lively and accessible downtown. Ongoing/Long-term (8-10 years). Continuing efforts to redevelop the commercial areas along Lincoln and Lehigh into a lively commercial and residential downtown district are advantageous for the industrial areas. Having a downtown district offering eateries, goods, services, and housing within walking distance of the industrial area is an amenity that can help retain and attract industrial businesses and talent. At the same time, industrial employees are potential customers to business and occupants for residences within the redevelopment area. The proximity between the southern industrial area and the proposed downtown area creates the basis for a natural symbiotic relationship between the two districts that is beneficial to the Village (Industrial Area Plan, page 44)."

Standards for Amendment

Per Section 12-16-4:E.1: "Authorized Amendments: Where the petitioned amendment is to change the zoning classification of a particular lot, lots, or parcel of land, except in the case of annexation, the subject property shall qualify for amendment only when it:

- a) Contains an area of at least thirty-two thousand six hundred seventy (32,670) square feet (3/4 acre), or as otherwise noted in this title; or
- b) Has at least three hundred thirty feet (330') of frontage on a public right of way; or
- c) Adjoins a parcel, lot or lots in the same zoning district as the petitioned amendment."

The subject property, containing 7.6 acres of land area and having 1,831 linear feet of frontage on a public right of way, meets criteria (a) and (b) listed above. The new C/R District will not adjoin a lot within the same zoning district, but the nearest C/R District is just east of Lehigh Avenue and the abutting railroad right of way.

Section 12-16-4:E.4 of the Unified Development Code establishes six standards for amendments:

12-16-4:E.4. *Standards for Amendments: Where the purpose and effect of the proposed amendment are to change the zoning classification of a particular property, the plan commission shall make specific findings of fact with respect to the following standards:*

- a. *Existing uses and zoning classifications of the abutting property and within the vicinity of the subject property.*
- b. *Suitability of the subject property for uses permitted under existing and proposed zoning districts.*
- c. *Trend of development in the vicinity of the subject property.*
- d. *Compatibility of the proposed use with purposes and objectives of this title.*
- e. *Compatibility with the purpose and objectives of the Village's comprehensive plan and, if appropriate, the Waukegan and Dempster Street master corridor plans and the Lehigh/Ferris subarea plan.*
- f. *Adoption of the proposed amendment only if such adoption is in the public interest and not solely for the applicant's interest. The plan commission may recommend adoption of an amendment changing the subject property's zoning classification to one different than that requested.*

The Applicant should be prepared to discuss how the proposed Map Amendment meets the above standards at the public hearing.

Recommendations

As is common practice in zoning mapping, staff recommends that the new C/R District is extended from the property line to the centerlines of Lehigh Avenue, Main Street, Nagle Avenue, and Oak Street. The new district will abut an M-1 Restricted Manufacturing District to the north and an M-2 General Manufacturing District to the east, south, and west.

While staff is not aware of any active development plans, staff anticipates that the abutting M-1 District to the north will also be rezoned within the C/R District at the request of the owners to accommodate future redevelopment of the older industrial properties. At that time, staff will recommend notifying the railroad that the Village seeks to extend the C/R District east across the railroad right of way to create a more unified district.



Current Zoning Map



Proposed Zoning Map

Recommendation

If the Plan Commission supports this map amendment, staff suggests the following motion and conditions:

Plan Commission recommends approval of Case PC 22-08 for a Map Amendment to zone the property commonly known as 8350 Lehigh Avenue within the C/R Commercial/Residential District, subject to the following conditions:

- 1) *The Map Amendment to include the subject property at 8350 Lehigh Avenue within the C/R District shall extend to the centerlines of Lehigh Avenue, Main Street, Nagle Avenue, and Oak Street.*
- 2) *Approval of the Map Amendment shall be contingent on the Board of Trustees' approval of the Planned Unit Development and Subdivision Application (PC 22-09) submitted by the Applicant.*

Attachment B

ALTA/NSPS Land Title Survey

Prepared by Cage Civil Engineering

Dated January 27, 2022

ALTA/NSPS LAND TITLE SURVEY

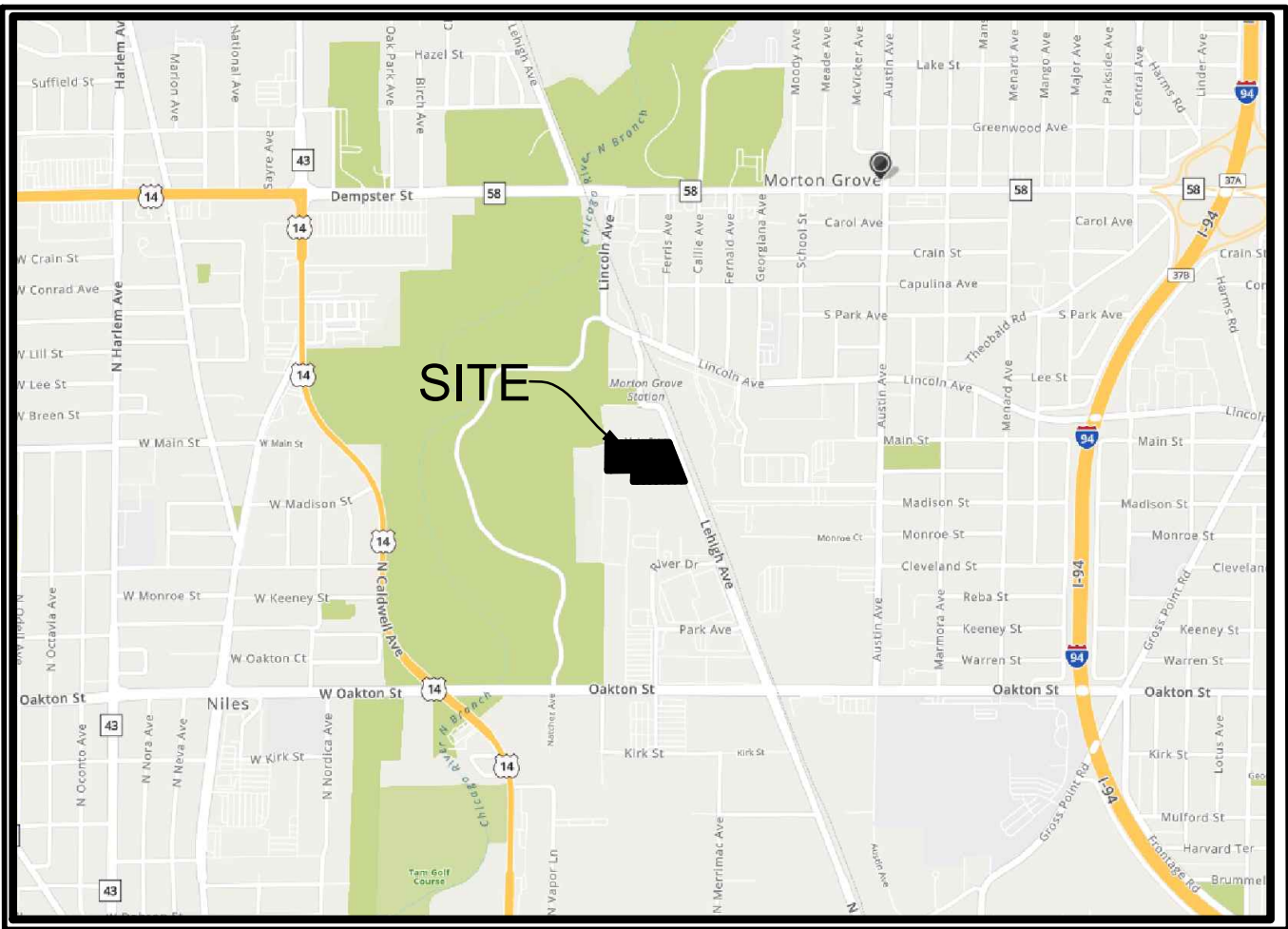
COMMITMENT NCS-1103863-CHI2 TITLE NOTES

- FIRST AMERICAN TITLE INSURANCE COMPANY FILE NUMBER NCS-1103863-CHI2 WITH AN EFFECTIVE DATE OF NOVEMBER 24, 2021, HAS BEEN REVIEWED IN CONJUNCTION WITH THE PREPARATION OF THIS SURVEY. THIS SURVEY MAY NOT REFLECT MATTERS OF TITLE THAT MAY BENEFIT OR BURDEN THE PROPERTY UNLESS THEY ARE EVIDENT FROM THE FIELD SURVEY OR THEY ARE CONTAINED IN THE ABOVE TITLE COMMITMENT. THE FOLLOWING NOTES ARE RELATED TO CERTAIN TITLE EXCEPTIONS CONTAINED IN THE ABOVE COMMITMENT.
- SCHEDULE B, PART 1, ITEM 1: THE SURVEYED PROPERTY IS SUBJECT TO RIGHTS OF CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY PUBLIC RECORDS.
- SCHEDULE B, PART 1, ITEM 2: THE SURVEY PROPERTY IS SUBJECT TO EASEMENTS OR CLAIMS OF EASEMENTS, NOT SHOWN BY PUBLIC RECORDS.
- SCHEDULE B, PART 1, ITEM 3: THE SURVEYED PROPERTY IS SUBJECT TO ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND TITLE SURVEY OF THE LAND.
- SCHEDULE B, PART 1, ITEMS 4-6: NOT SURVEY RELATED.
- SCHEDULE B, PART 2, ITEMS 1-14: NOT SURVEY RELATED.
- SCHEDULE B, PART 2, ITEM 15: THE SURVEYED PROPERTY IS SUBJECT TO THE ORDINANCE DEDICATING A 33' WIDE RIGHT OF WAY ALONG THE WEST LINE OF LOTS 6 AND 7 AS CONTAINED IN ORDINANCE RECORDED JUNE 11, 1951 AS DOCUMENT 15096592. AS SHOWN HEREON.
- SCHEDULE B, PART 2, ITEM 16: THE SURVEYED PROPERTY IS SUBJECT TO RIGHTS OF THE PUBLIC, THE STATE OF ILLINOIS AND THE MUNICIPALITY IN AD TO THAT PART OF THE LAND, IF ANY, TAKEN, USED OR DEDICATED FOR ROAD PURPOSES.
- SCHEDULE B, PART 2, ITEM 17: THE SURVEYED PROPERTY IS SUBJECT TO ANY OVERHEAD LINES RUNNING ACROSS THE SURVEYED PROPERTY AND THE BURIED UTILITY LINES AS SHOWN HEREON. MAIN STREET HAS BEEN REBUILT WITH THE FOREMENTIONED OVERHEAD UTILITY LINES BURIED.
- SCHEDULE B, PART 2, ITEM 18: THE SURVEYED PROPERTY IS SUBJECT TO RIGHTS OF PUBLIC OR QUASI-PUBLIC UTILITIES, IF ANY, IN THE VACATED 33' RIGHT OF WAY OF NARRAGANSETT AVENUE PER JUNE 11, 1951 AS DOCUMENT 15096592. AS SHOWN HEREON.
- SCHEDULE B, ITEM 16 (J): THE SURVEYED PROPERTY IS SUBJECT TO THE TERMS, PROVISIONS AND CONDITIONS CONTAINED IN A DECLARATION OF RESTRICTIVE COVENANTS RESTRICTING THE PROPERTY USE TO NO BUSINESSES THAT OPERATE AS A AUTO PARTS COMPANY AS ITS PRIMARY BUSINESS, AS CONTAINED IN DECLARATION RECORDED SEPTEMBER 8, 2017 AS DOCUMENT 2017K047268. NOT PLOTTABLE, SEE DOCUMENT FOR PARTICULARS.
- SCHEDULE B, PART 2, ITEM 19: NOT SURVEY RELATED.

TITLE LEGAL DESCRIPTION

PARCEL 1: LOTS 1 TO 12, BOTH INCLUSIVELY, AND THAT PART OF 33 FOOT VACATED NARRAGANSETT AVENUE LYING EAST OF ADJOINING LOTS 1 AND 12 IN BLOCK 4 IN MORTON GROVE, A SUBDIVISION OF THE EAST 4.63 CHAINS OF THE NORTHEAST QUARTER, SOUTH OF GROSS POINT ROAD AND NORTH 3 ACRES OF THE EAST 10 ACRES OF THE NORTH HALF OF THE SOUTHEAST QUARTER QUARTER OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND THE NORTHWEST QUARTER, SOUTH OF GROSS POINT ROAD AND WEST OF RAILROAD OF SECTION 20, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF LOT 34 (EXCEPT THE NORTH 33 FEET THEREOF) AND THE NORTH HALF OF LOT 27 IN THE COUNTY CLERK'S DIVISION IN THE WEST HALF OF SECTION 20, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN LYING SOUTHWESTERLY OF THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY.



LOCATION MAP

NOT TO SCALE

SURVEYOR'S NOTES

- DISTANCES ARE MARKED IN FEET AND DECIMAL PLACES THEREOF. NO DIMENSION SHALL BE ASSUMED BY SCALE MEASUREMENT HEREON. DISTANCES AND/OR BEARINGS SHOWN IN PARENTHESIS (123.45') ARE RECORD OR DEED VALUES, NOT FIELD MEASURED.
- COMPARE THIS PLAT, LEGAL DESCRIPTION AND ALL SURVEY MONUMENTS BEFORE BUILDING AND IMMEDIATELY REPORT ANY DISCREPANCIES TO THE SURVEYOR.
- THE LOCATION OF THE PROPERTY LINES SHOWN ON THE FACE OF THIS PLAT ARE BASED ON THE LEGAL DESCRIPTION CONTAINED IN THE TITLE COMMITMENT AND SHOWN HEREON. THIS INFORMATION HAS BEEN FURNISHED BY THE CLIENT AND COMPARED TO RECORD DEEDS TO CHECK FOR GAPS AND/OR OVERLAPS. HOWEVER, THIS SURVEY MAY NOT REFLECT HISTORICAL MATTERS OF TITLE AND OWNERSHIP THAT HAVE NOT BEE DISCLOSED BY THE TITLE COMMITMENT.
- UNLESS OTHERWISE NOTED, ONLY THE IMPROVEMENTS WHICH WERE VISIBLE FROM ABOVE GROUND AT THE TIME OF THE SURVEY AND THROUGH A NORMAL SEARCH AND WALK THROUGH OF THE SITE ARE SHOWN ON THE FACE OF THIS PLAT. LAWN SPRINKLERS, IF ANY, ARE NOT SHOWN ON THIS SURVEY.
- MANHOLES, INLETS AND OTHER UTILITY RIMS OR GRATES SHOWN HEREON ARE FROM FIELD LOCATION OF SUCH AND ONLY REPRESENT SUCH UTILITY IMPROVEMENTS WHICH ARE VISIBLE FROM ABOVE GROUND AT TIME OF SURVEY AND THROUGH A NORMAL SEARCH AND WALK THROUGH OF THE SITE. LABELING OF THESE MANHOLES (SANITARY, WATER, ETC.) IS BASED SOLELY ON THE "STAMPED" MARKINGS ON THE RIM. NO UNDERGROUND OBSERVATIONS HAVE BEEN MADE TO VERIFY THE ACTUAL USE OR EXISTENCE OF UNDERGROUND UTILITIES.
- SURFACE INDICATIONS OF UTILITIES ON THE SURVEYED PARCEL HAVE BEEN SHOWN. UNDERGROUND AND OFFSITE OBSERVATIONS HAVE NOT BEEN MADE TO DETERMINE THE EXTENT OF UTILITIES SERVING OR EXISTING ON THE PROPERTY. PUBLIC AND/OR PRIVATE RECORDS HAVE NOT BEEN SEARCHED TO PROVIDE ADDITIONAL INFORMATION. OVERHEAD WRES AND POLES (IF ANY) HAVE BEEN SHOWN, HOWEVER THEIR FUNCTION AND DIMENSIONS HAVE NOT BEEN SHOWN.
- THIS SURVEY MAY NOT REFLECT ALL UTILITIES OR IMPROVEMENTS, IF SUCH ITEMS ARE HIDDEN BY LANDSCAPING OR ARE COVERED BY SUCH ITEMS AS DUMPSTERS OR TRAILERS, OR WHEN THE SITE WAS COVERED WITH SNOW. AT THE TIME OF SURVEY, THE SITE **WAS** COVERED BY SNOW.
- OTHER THAN VISIBLE OBSERVATIONS NOTED HEREON, THIS SURVEY MAKES NO STATEMENT REGARDING THE ACTUAL PRESENCE OR ABSENCE OF ANY UTILITY SERVICE OR UTILITY LINE. CONTROLLED UNDERGROUND EXPLORATORY EFFORT TOGETHER WITH "J.U.L.I.E." MARKINGS IS RECOMMENDED TO DETERMINE THE FULL EXTENT OF UNDERGROUND SERVICE AND UTILITY LINES. CONTACT J.U.L.I.E. AT 811.
- THE SURVEYED PROPERTY IS A COMMERCIAL DEVELOPMENT WITH A POSTED ADDRESS OF 8350 LEHIGH AVENUE. (TABLE A, ITEM 2).
- SURVEYED PROPERTY IS CONTAINED WITHIN FLOOD ZONE X AS SHOWN ON FEMA FLOOD MAP 17031C0241J WITH AN EFFECTIVE DATE OF AUGUST 19, 2008. (TABLE A, ITEM 3)
- THE SURVEY PROPERTY IS CURRENTLY ZONED: M-2 "GENERAL MANUFACTURING DISTRICT". INFORMATION OBTAINED FROM THE VILLAGE OF MORTON GROVE CURRENT ZONING MAP, (TABLE A, ITEM 6A)
- THE SURVEYED PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF LEHIGH AVENUE AND MAIN STREET. (TABLE A, ITEM 14)
- ALL CURB SHOWN HEREON IS B6:12 UNLESS NOTED OTHERWISE.

M-2 GENERAL MANUFACTURING DISTRICT BULK REGS.

- 12-4-4: MANUFACTURING DISTRICTS
F. HEIGHT AND BULK REGULATIONS
MINIMUM LOT AREA: 0
MINIMUM LOT WIDTH: 0
MINIMUM YARDS (IN FEET):
FRONT: 25
SIDE: 0
SIDE YARD ABUTTING PUBLIC STREET: 25
REAR: 0
MAXIMUM BUILDING HEIGHT (IN FEET): 40
FLOOR AREA RATIO: 1:8
MIN. AREA REQUIRED FOR DISTRICT (IN ACRES): 5

SEE THE VILLAGE OF MORTON GROVE ZONING WEBSITE FOR ANY CLARIFICATIONS OR SPECIFICS OF BULK REGULATIONS LISTED HEREON.

SHEET INDEX

SHEET 1 OF 2: LEGAL DESCRIPTION, TITLE EXCEPTIONS, SURVEYORS NOTES AND CERTIFICATIONS

SHEET 2 OF 2: BOUNDARY, TOPOGRAPHIC INFORMATION, EASEMENTS AND LABELS

OWNER/CLIENT

M/I HOMES OF CHICAGO, LLC
400 E. DIEHL ROAD, STE. 230
NAPERVILLE, IL

CURRENT P.I.N.:

10-19-402-001
10-19-402-002
10-19-402-003
10-19-402-004
10-19-402-005
10-19-402-006
10-19-402-007
10-19-402-008
10-19-402-009
10-19-402-010
10-19-402-011
10-19-402-012
10-20-300-001
10-20-300-002

PARKING SUMMARY

PARKING STALLS: 0
HANDICAPPED STALLS: 0
TOTAL: 0

SURVEYED AREA

331,167 SQUARE FEET (7.603 AC±)

FLOOD ZONE NOTE

THE FEDERAL EMERGENCY MANAGEMENT AGENCY FIRM COMMUNITY PANEL NUMBER 17031C0241J WITH AN EFFECTIVE DATE OF AUGUST 19, 2008 INDICATES THAT THE ABOVE DESCRIBED PROPERTY LIES WITHIN AREAS DESIGNATED AS ZONE X. ZONE X IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% CHANCE FLOODPLAIN PER THE FLOOD INSURANCE RATE MAP. THIS DOES NOT GUARANTEE THAT THE SURVEYED PROPERTY WILL OR WILL NOT FLOOD. APPROXIMATE LOCATIONS OF FLOOD ZONES HAVE BEEN SHOWN HEREON BASED ON THE CURRENT FLOOD INSURANCE RATE MAPS. THESE LOCATIONS ARE SUBJECT TO SCALING AND MAP INTERPRETATION.

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF DUPAGE }

TO: M/I HOMES OF CHICAGO, LLC
AND: FIRST AMERICAN TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDED ITEMS 2, 3, 4, 6a, 7a, 7b1, 7c, 8, 9, 13 & 14 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JANUARY 12, 2022.

GIVEN UNDER MY HAND AND SEAL AT DOWNERS GROVE, ILLINOIS, THIS ____ DAY OF _____ A.D., 2022.

FOR REVIEW

BY: _____
SAMUEL J. PHILLIPPE
SPHILLIPPE@CAGECIVIL.COM
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3699
LICENSE EXPIRES NOVEMBER 30, 2022

DESIGN FIRM PROFESSIONAL LICENSE NO. 184007577
LICENSE EXPIRES APRIL 30, 2023.



LEHIGH AVENUE DEVELOPMENT

MORTON GROVE, ILLINOIS

ALTA/NSPS LAND TITLE SURVEY

PROJ NO. 210248

PM: SJP

DATE: 04/27/22

SCALE: N/A

SHEET NUMBER

1 OF 2

3110 WOODCREEK DRIVE
DOWNERS GROVE, IL 60515
P: 630.598.0007
WWW.CAGECIVIL.COM



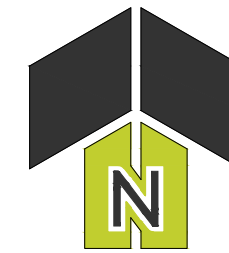
REVISIONS

THIS DESIGN AND THESE DRAWINGS ARE THE PROPERTY OF CAGE CIVIL ENGINEERING, INC. NO PART OF THIS DESIGN MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION FROM CAGE CIVIL ENGINEERING, INC.

OWNER/CLIENT

W/A HOMES OF CHICAGO, LLC
400 E. DIEHL ROAD, STE. 230
NAPERVILLE, IL

ALTA/NSPS LAND TITLE SURVEY



0 40' 80'
1" = 40' (HORIZONTAL)

COORDINATES AND BEARINGS ARE BASED UPON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE (NAD 83), ADJUSTED TO GROUND VALUES, AS ESTABLISHED BY REAL-TIME KINEMATIC (RTK) GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) UTILIZING GPS OBSERVATIONS

SURVEYED AREA

331,167 SQUARE FEET (7.603 AC±)

PARKING SUMMARY

PARKING STALLS: 0
HANDICAPPED STALLS: 0
TOTAL: 0

CURRENT P.I.N.:

10-19-402-001
10-19-402-002
10-19-402-003
10-19-402-004
10-19-402-005
10-19-402-006
10-19-402-007
10-19-402-008
10-19-402-009
10-19-402-010
10-19-402-011
10-19-402-012
10-20-300-001
10-20-300-002

REVISIONS

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LEHIGH AVENUE DEVELOPMENT
MORTON GROVE, ILLINOIS
ALTA/NSPS LAND TITLE SURVEY

PROJ NO. 210248

PM: SJR

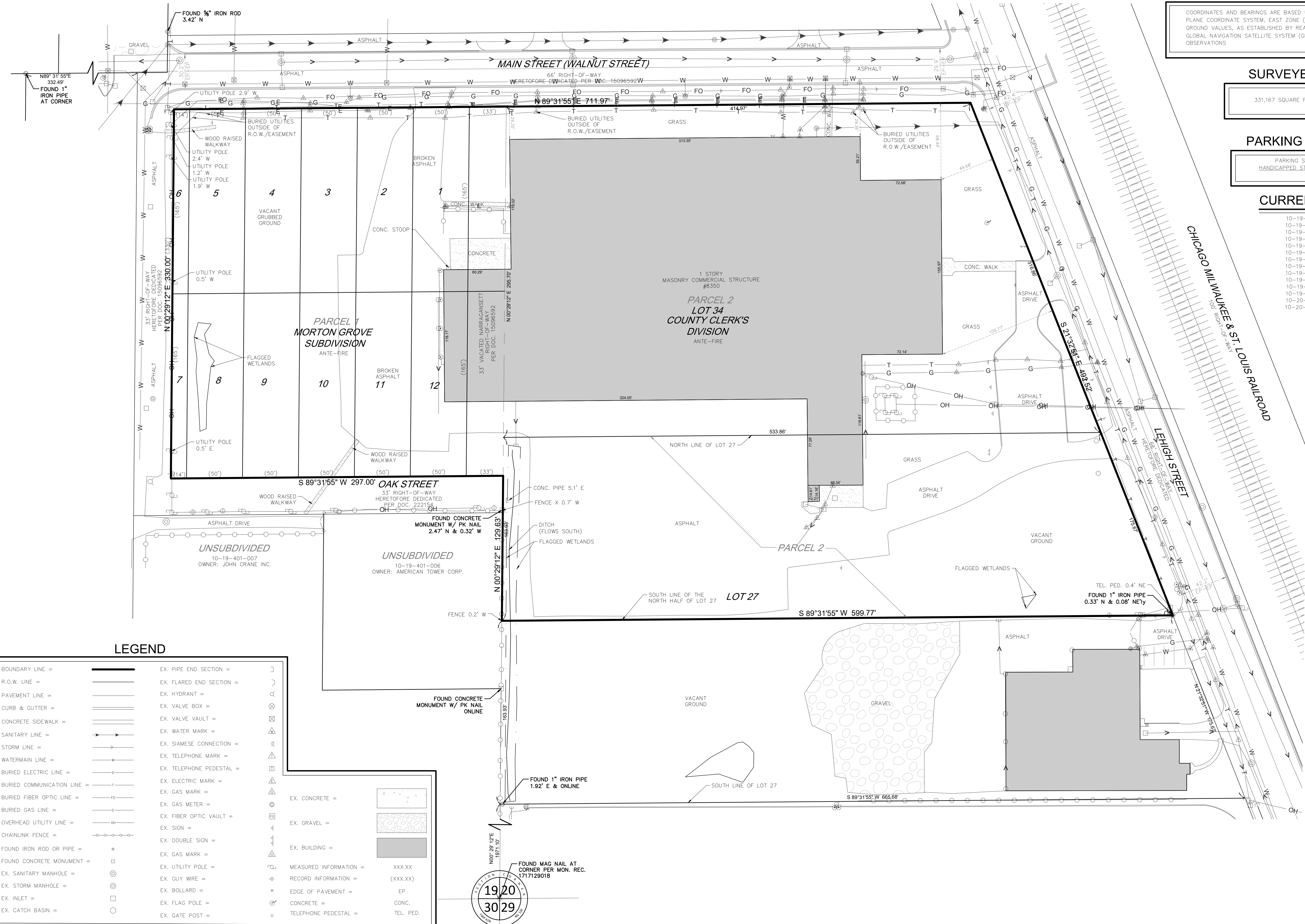
DATE: 01/27/22

SCALE: 1"=40'

SHEET NUMBER

2 OF 2

3110 WOODCREEK DRIVE
DOWNERS GROVE, IL 60515
P: 630.598.0007
WWW.CAGECIVIL.COM



LEGEND

BOUNDARY LINE =	—	EX. PIPE END SECTION =	⌈
R.O.W. LINE =	—	EX. FLARED END SECTION =	⌋
PAVEMENT LINE =	—	EX. HYDRANT =	⊗
CURB & GUTTER =	—	EX. VALVE BOX =	⊗
CONCRETE SIDEWALK =	—	EX. VALVE VAULT =	⊗
SANITARY LINE =	—	EX. WATER MARK =	⊗
STORM LINE =	—	EX. SIAMESE CONNECTION =	⊗
WATERMAIN LINE =	—	EX. TELEPHONE MARK =	⊗
BURIED ELECTRIC LINE =	—	EX. TELEPHONE PEDestal =	⊗
BURIED COMMUNICATION LINE =	—	EX. ELECTRIC MARK =	⊗
BURIED FIBER OPTIC LINE =	—	EX. GAS MARK =	⊗
BURIED GAS LINE =	—	EX. GAS METER =	⊗
OVERHEAD UTILITY LINE =	—	EX. FIBER OPTIC VAULT =	⊗
CHAINLINK FENCE =	—	EX. SIGN =	⊗
FOUND IRON ROD OR PIPE =	⊙	EX. DOUBLE SIGN =	⊗
FOUND CONCRETE MONUMENT =	⊙	EX. GAS MARK =	⊗
EX. SANITARY MANHOLE =	⊙	EX. UTILITY POLE =	⊗
EX. STORM MANHOLE =	⊙	EX. GUY WIRE =	⊗
EX. INLET =	⊙	EX. BOLLARD =	⊗
EX. CATCH BASIN =	⊙	EX. FLAG POLE =	⊗
		EX. GATE POST =	⊗
		EX. CONCRETE =	⊗
		EX. GRAVEL =	⊗
		EX. BUILDING =	⊗
		MEASURED INFORMATION =	XXXX.XX
		RECORD INFORMATION =	(XXXX.XX)
		EDGE OF PAVEMENT =	EP
		CONCRETE =	CONC.
		TELEPHONE PEDESTAL =	TEL. PED.

Legislative Summary

Ordinance 22-14

APPROVING A PRELIMINARY AND FINAL PLAT OF SUBDIVISION AND A PLANNED UNIT DEVELOPMENT SPECIAL USE PERMIT FOR AN EIGHTY-NINE-UNIT TOWNHOME DEVELOPMENT ON PROPERTY COMMONLY KNOWN AS 8350 LEHIGH AVENUE IN MORTON GROVE, ILLINOIS

Introduction:	July 25, 2022
Purpose:	To approve a Preliminary Plat of Subdivision, Final Plat of Subdivision, and Planned Unit Development (PUD) Special Use Permit to authorize the construction of an 89-unit townhome development and a subdivision to allow the sale of said townhomes on individual lots.
Background:	<p>M/I Homes of Chicago, LLC (“Applicant”), submitted a complete Subdivision and Planned Unit Development (PUD) Applications (“Application”) requesting the entitlement of an 89-unit attached single-family (townhome) development with accessory parking, accessway, detention, and landscape areas for the 7.6-acre property commonly known as 8350 Lehigh Avenue (“Subject Property”). The Applicant is requesting a rezoning of the property from M-2 General Manufacturing to C/R Commercial/Residential under Case PC 22-08, the approval of plans to construct 89 townhomes within 16 buildings under the control of a PUD, and a subdivision to allow for the future sale of the townhomes on individual lots, with common areas to be owned and maintained by a proposed homeowner’s association (HOA). The applicant is under contract to purchase the property from Morton Grove Pharmaceuticals/Wockhardt USA.</p> <p>The proposed development meets the minimum requirements for density, setback, building height, impermeable lot coverage set forth in Section 12-5-7 the Unified Development Code. With 220 proposed parking spaces for resident and guest use, the development exceeds the minimum off-street parking requirement of 176 spaces set forth in Section 12-7-3:I, with a 10% parking reduction provided by Section 12-5-7:A.2.b for transit-oriented developments within a quarter mile of the Metra station. The Applicant is requesting one waiver to Section 12-5-7 for the location of surface parking area relative to buildings.</p> <p>On June 2, 2022, the Traffic Safety Commission reviewed Case PC 22-09 and unanimously voted to recommend approval of the proposed development and forward comments issued by the Village Engineer. On June 6, 2022, the Appearance Commission reviewed Case AC 22-04 and unanimously voted to issue an Appearance Certificate and recommend approval of the proposed development with conditions. On June 20, 2022, the Applicant appeared before the Plan Commission to present the request for approval of the Application made under Case PC 22-09. Based on the Application, supporting staff report, and testimony presented at the public hearing, the Plan Commission voted unanimously (5-0, Commissioners Kintner and Stein absent) to recommend approval of the Application, with conditions relating to the approval of Case PC 22-08 and various development controls.</p>
Programs, Dept’s, Groups Affected	Department of Community and Economic Development
Fiscal Impact:	N/A
Source of Funds:	N/A
Workload Impact:	The Preliminary Plat of Subdivision, Final Plat of Subdivision, and Planned Unit Development Special Use Permit will be implemented and supervised by staff as part of their normal work activities.
Administrative Recommendation	Approval as presented
Second Reading:	August 8, 2022
Special Considerations/ Requirements:	None

Submitted by - Ralph Czerwinski, Village Administrator
Reviewed by - Teresa Hoffman Liston, Corporation Counsel
Prepared by - Zoe Heidorn, Community Development Administrator

ORDINANCE 22-14

APPROVING A PRELIMINARY AND FINAL PLAT OF SUBDIVISION AND A PLANNED UNIT DEVELOPMENT SPECIAL USE PERMIT FOR AN EIGHTY-NINE-UNIT TOWNHOME DEVELOPMENT ON PROPERTY COMMONLY KNOWN AS 8350 LEHIGH AVENUE IN MORTON GROVE, ILLINOIS

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, and can exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and incur debt; and

WHEREAS, 8350 Lehigh Avenue, legally described in “**Exhibit A**” and depicted in the ALTA/NSPS Land Title Survey prepared by Cage Civil Engineering, dated January 27, 2022 , and attached hereto as “**Exhibit B**” and made a part of this Ordinance, is a 7.6-acre property (“Subject Property”) and is currently zoned in an M-2 General Manufacturing District; and

WHEREAS, the 7.6-acre Subject Property is improved with a 95,000-square-foot industrial structure that has remained vacant since 2016; and

WHEREAS, M/I Homes of Chicago, LLC (“Applicant”), filed a complete application to the Village’s Plan Commission under case PC 22-08 requesting a Map Amendment to rezone the Subject Property from a classification of M-2 General Manufacturing District to C/R Commercial/Residential District; and

WHEREAS, Section 12-6-3:D of the Village’s Unified Development Code allows planned unit developments in the C/R District on zoning lots greater than one acre in land area; and

WHEREAS, before subdividing or consolidating any tract of land, an owner shall submit a Preliminary Plat of Subdivision to the Plan Commission and Village Board of Trustees for review and approval pursuant to Chapter 12-8 of the Unified Development Code; and

WHEREAS, pursuant to Section 12-8-3:A.3, the Village Board of Trustees shall not approve a Final Plat of Subdivision without receiving a statement signed by the Village Engineer certifying that the improvements described in an applicant's plans and specifications, together with the supporting documents and agreements, meet the minimum requirements of the Village, county, state, and other authorities having jurisdiction and that improvements comply as herein provided; and

WHEREAS, 12-8-1:C of the Village’s Unified Development Code authorizes the Board of Trustees to approve variations to the requirements of Chapter 12-8 in specific cases which do not adversely affect the official comprehensive plan, the best interest of the Village, or the intent of Title 12; and

WHEREAS, the Applicant concurrently filed a complete application to the Village's Plan Commission under case PC 22-09 ("Application") requesting approval of a Planned Unit Development (PUD) Special Use Permit to authorize the construction of an 89-unit townhome development with accessory parking spaces, accessways, detention facilities, and landscape areas on the Subject Property, and approve a Preliminary Plat of Subdivision and Final Plat of Subdivision to subdivide the property into 92 new lots to permit the sale of the 89 townhomes on individual lots and dedicate accessory common areas located on 3 lots to a future homeowners association; and

WHEREAS, to authorize the development as presented, the Application includes requests for variation to Chapter 12-8 for subdivision standards and 12-5-7:A.3.j for location of surface parking areas; and

WHEREAS, pursuant to Section 12-7-3:B, the off-street parking standards identified in the Unified Development Code as "Required Spaces by Use" shall be advisory only for Special Use applications and the final number of required parking spaces for Special Use Permits will be established by the Village Board based on the submitted traffic and parking impact study and any recommendations by the Traffic Safety Commission, Plan Commissions, and staff; and

WHEREAS, in accordance with Section 12-7-3:B of the Village Code, the Applicant submitted a traffic and parking impact study, "Metro at Main Townhome Development Traffic Planning Study," prepared by Kimley-Horn, dated March 2022, which establishes a parking demand based on the minimum Morton Grove Unified Development Code off-street parking requirement, which is 176 spaces pursuant to Sections 12-7-3:I and 12-5-7:A.2.b; and

WHEREAS, pursuant to the applicable provisions of the Village's Unified Development Code, notice of a public hearing on the Application to be held on June 20, 2022, was published in the *Morton Grove Champion*, a newspaper of general circulation in the Village of Morton Grove, on June 2, 2022, a public notice sign was posted on the Subject Property on June 1, 2022, and written notification was sent on June 1, 2022, to all property owners within 250 feet of the Subject Property; and

WHEREAS, on June 2, 2022, the Traffic Safety Commission (TSC) reviewed the Application, including the plans and traffic and parking study, and forwarded a recommendation of approval with comments to the Plan Commission; and

WHEREAS, on June 6, 2022, the Appearance Commission reviewed the Application, approved an Appearance Certificate for proposed improvements, and forwarded a recommendation of approval with conditions to the Plan Commission; and

WHEREAS, at the June 20, 2022, public hearing, the Village's Plan Commission heard the Applicant's presentation and reviewed the Application, 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

WHEREAS, as a result of said public hearings, 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 Standards for Planned Unit Developments set forth in Section 12-6-4 and the Standards for Subdivisions set forth in Section 12-16-4:D.3 and voted to recommend approval of the Application with the condition that approval of the Preliminary Plat of Subdivision, Final Plat of Subdivision, and Planned Unit Development shall be contingent upon the Board of Trustees' approval of the Map Amendment to be reviewed under case PC 22-08, and made other certain recommendations through a report dated July 5, 2022, a copy of which is attached hereto and made a part hereof and marked as "**Exhibit C**"; and

WHEREAS, pursuant to the provisions of the Village's Unified Development Code, the Corporate Authorities have determined that the proposed Preliminary Plat of Subdivision, Final Plat of Subdivision, and Planned Unit Development should be approved, subject to the provisions, conditions, and restrictions contained in this Ordinance.

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. Incorporation by Reference. The Corporate Authorities do hereby incorporate the foregoing WHEREAS clauses into this Ordinance by this reference, as though fully set forth herein, thereby making the findings as hereinabove set forth.

SECTION 2. Approval of Preliminary Plat of Subdivision, Final Plat of Subdivision, and Planned Unit Development Special Use Permit. The Corporate Authorities hereby approve a Preliminary Plat of Subdivision and Final Plat of Subdivision and grant a Planned Unit Development Special Use Permit to allow the construction of an 89-unit townhome development and authorize select variations to requirements of the Unified Development Code, with the following conditions and restrictions, which shall be binding on the owners/lessees, occupants and users of this property, their successors, and assigns. The Plat of Subdivision and Planned Unit Development Special Use Permit approval shall include the following waivers:

- A. Waivers to Sections 12-8-2 and 12-8-3 to authorize the approval of a Final Plat of Subdivision concurrent to a Preliminary Plat of Subdivision;

- B. Waiver to Section 12-8-4:B.1 for lot standards;
- C. Waiver to Section 12-5-7:A.3.j for location of surface parking lots; and
- D. Waivers to select landscape requirements established in Chapter 12-11, as approved by the Appearance Commission.

SECTION 3. Conditions. The Preliminary Plat of Subdivision, Final Plat of Subdivision, and Planned Unit Development Special Use Permit shall be subject to the following conditions:

- A. The site, improvements, and buildings, including building footprints, shall be improved and operated consistent with the plans and supporting documents and modifications as finalized and specifically approved in writing by the Village Administrator or his designee, including:
 - a. ALTA/NSPS Land Title Survey, prepared by Cage Civil Engineering, dated January 27, 2022 (2 sheets);
 - b. Site Plan – Metro on Main, prepared by Gary R. Weber Associates, Inc., dated May 6, 2022;
 - c. Preliminary Plat of Subdivision of Metro on Main Subdivision, prepared by Cage Civil Engineering, dated May 6, 2022 (2 sheets);
 - d. Preliminary Engineering Plan, prepared by Cage Civil Engineering, dated April 29, 2022;
 - e. Metro on Main – Morton Grove, IL (Photometric Plan), prepared by KSA Lighting & Controls, dated April 27, 2022;
 - f. Conceptual Fire Truck Turning Analysis, prepared by Cage Civil Engineering, dated April 7, 2022;
 - g. Preliminary Landscape Plan – Metro on Main, prepared by Gary R. Weber Associates, dated May 9, 2022 (6 sheets);
 - h. 6-Unit Building Mix Preliminary Character Elevations – Edgebrook Series Townhomes, prepared by M/I Homes of Chicago, LLC, dated March 9, 2022;
 - i. Sheet 1 – Front Elevation – Palette A;
 - ii. Sheet 2 – Rear, Right, Left Elevations – Palette A;
 - iii. Sheet 3 – Front Elevation – Palette B;
 - iv. Sheet 4 – Rear, Right, Left Elevations – Palette B;
 - i. Preliminary Floor Plan Layouts – Edgebrook Series Townhomes, prepared by M/I Homes of Chicago, LLC, dated March 9, 2022;
 - i. Unit 'A' : 1,663 S.F.;

- ii. Unit 'B' : 1814 S.F.;
- iii. Unit 'C' : 2021 S.F.; and
- j. Metro at Main Townhome Development Traffic Planning Study, prepared by Kimley-Horn, dated March 2022.

Any substantial change to the site or buildings, as determined by the Village Administrator or his/her designee, may subject the Applicant or subsequent owners, lessees, occupants, and users of the Subject Property to additional conditions and may serve as the basis for amendment to the Planned Unit Development Special Use Permit.

- B. This Ordinance shall not take effect until the Village Board of Trustees has passed an ordinance approving the Map Amendment requested under Case PC 22-08. Should the Village Board of Trustees vote to deny the request for a Map Amendment, this Ordinance shall be deemed null and void.
- C. The Subject Property shall be developed and operated consistent with all representations, assertions, and testimony provided by the Applicant and their representatives at the public hearings before the Appearance Commission, Traffic Safety Commission, and Plan Commission, as documented in the approved meeting minutes. Any inconsistencies in development or operation, as determined by the Village Administrator or his/her designee, may serve as the basis for amendment to or revocation of the Planned Unit Development Special Use Permit.
- D. All final site development plans must be approved in writing by the Village Administrator or his/her designee and shall be consistent with the site layout and building setbacks shown in the site plan entitled, "Site Plan – Metro on Main," prepared by Gary R. Weber Associates, Inc., dated May 6, 2022, and final recommendations from staff, the Appearance Commission, Traffic Safety Commission, Plan Commission, and Village Board of Trustees. Pedestrian connections through the site shall be enhanced in the final site development plan, subject to review and approval by the Village Engineer or his/her designee.
- E. Prior to the issuance of a building permit, the Applicant shall submit all turning path diagrams requested by the Fire Prevention Bureau Coordinator, Community Development Administrator, and Village Engineer, subject to the review and approval of the Village Administrator or his/her designee, to demonstrate sufficient access and maneuvering for delivery trucks, emergency vehicles, and passenger vehicles with respect to the garage and surface parking spaces, and accessways.

- F. Prior to the issuance of a building permit, the traffic and parking study prepared by Kimley-Horn, dated March 2022, shall be updated to reflect the final approved site plan and incorporate the comments issued by the Village Engineer in the departmental comment form dated June 14, 2022, and in the staff report to the Traffic Safety Commission dated May 25, 2022, subject to the review and approval of the Village Engineer.
- G. Prior to the issuance of a building permit, the Applicant shall submit final site and engineering plans for review and approval by the Community Development Administrator, Village Engineer, and Village Administrator or his/her designee, and shall comply with all comments and recommendations provided by the Village Engineer in the departmental comment form dated June 14, 2022, and in the staff report to the Traffic Safety Commission dated May 25, 2022, whether by strict or alternative compliance, subject to the review and approval of the Village Engineer.
- H. Prior to the issuance of a building permit, the Applicant shall submit a final landscape plan, elevations, and materials for review and approval by the Village Administrator or his/her designee. The final landscape plan, elevations, and materials must be deemed substantially consistent with the approved landscape plan, elevations, and materials and revised as necessary to comply with all comments and recommendations issued by the Appearance Commission at the public meeting held on June 6, 2022, as determined by the Community Development Administrator and Appearance Commission Chairperson. If such designs are deemed to be substantially inconsistent with the approved plans or if materials are deemed to be of a lower quality than the approved materials, then the applicant will be required to file an application for an amendment to the Appearance Certificate.
- I. Trees required with the public right of way along Lehigh Avenue shall be planted by the Applicant in accordance with Section 12-11-1:B.4, shall be planted by the Village at a future date and paid for by the Applicant through funds placed in escrow with the Village, or shall be planted by the Applicant at alternative locations on the Subject Property along Lehigh Avenue but outside the public right of way, subject to review and approval by the Appearance Commission Chairperson and Community Development Administrator.
- J. Parking lot screening adjacent to public rights of way or private property shall be provided in accordance with Section 12-11-3:B unless plantings will interfere with underground

- utilities or unless plantings are not feasible, subject to review and approval by the Community Development Administrator and Village Engineer.
- K. Prior the issuance of a building permit, the Applicant shall provide the Village with a final photometric plan that meets the minimum requirements of Village Code for review and approval by the Community Development Administrator and Village Engineer.
 - L. Prior to the issuance of a certificate of occupancy, the Applicant shall submit a signage plan that includes public accessway and guest parking area signage for review and approval by the Village Administrator or his/her designee and shall install and maintain signage in accordance with the approved signage plan.
 - M. The final landscape and improvement plan for the abutting public rights of way shall be modified as necessary to meet the needs and requirements of the Village in connection with the Village's plans for right of way improvements to Main Street or Lehigh Avenue, subject to review and approval by the Village Administrator or his/her designee, provided that such modifications shall not result in unreasonable additional cost to the Applicant.
 - N. The Applicant shall bury existing aboveground utilities located within the development site as required by the Village, subject to review and approval by the Village Administrator or his/her designee.
 - O. All utility connections, including but not limited to water, sewer, and sanitary, serving the townhome development shall comply with all applicable Code requirements, subject to review and approval of the Village Administrator or his/her designee.
 - P. Each townhome unit shall be fully protected by an automatic fire sprinkler system. Each building shall provide a common area with an outside entrance to each group of townhome units that houses the fire sprinkler water supply, double detector check, flow switch, and control valves. Such devices shall be monitored at the RED Center Dispatch Center. The final specifications of the fire protection system shall subject to review and approval of the Village Administrator or his/her designee.
 - Q. Prior to the issuance of a certificate of occupancy, the Applicant shall submit a written mosquito abatement plan for review and approval by the Village Administrator or his/her designee. Operation of the site shall be consistent with the final approved abatement plan. If mosquito activity is observed to exceed thresholds for safety established by the North Shore Mosquito Abatement District, the Applicant shall modify the abatement plan for review and approval by the Village Administrator or his/her designee and shall implement said modified plan. The Applicant shall continue to update the plan as necessary and

- required by the Village Administrator or his/her designee until mosquito activity is observed to not exceed established thresholds for safety.
- R. Operation of the site shall be consistent with the final stormwater management plan approved by the Metropolitan Water Reclamation District of Cook County.
 - S. The Applicant shall comply with the provisions of Section 12-5-12, "Affordable Housing."
 - T. The Applicant shall comply with all applicable provisions of Chapter 12-8 regarding the content of the Final Plat of Subdivision and such Final Plat shall be consistent with the approved Preliminary Plat of Subdivision. If the Final Plat varies significantly from the Preliminary Plat, as determined by the Village Administrator or his/her designee, the Applicant shall be required to follow the procedures of Section 12-8-3.A.2.b for the filing of Final Plats with significant changes. The Applicant shall not record the Final Plat of Subdivision with the Cook County Clerk without first receiving a statement signed by the Village Engineer certifying that the improvements described in the Applicant's plans and specifications, together with the supporting documents and agreements, meet the minimum requirements of the Village, county, state, and other authorities having jurisdiction and that improvements comply as provided therein.
 - U. The Owner shall obtain all necessary signatures and file the Final Plat of Subdivision and all required easements with the Cook County Clerk and shall file three paper copies, one Mylar, and one electronic copy of the recorded plat and easements with the Building Commissioner for the Village of Morton Grove within 90 days of such recording.
 - V. The Owner shall advise the Department of Community and Economic Development of any proposed change in ownership or operation of the Subject Property or portion thereof prior to the completion of construction of the Planned Unit Development. Such changes may subject the Owner, lessees, occupants, and users to additional conditions and may serve as the basis for amendment to the Planned Unit Development Special Use Permit. The Planned Unit Development Special Use Permit is granted so long as the Applicant, Owner, occupants, and users of the Subject Property utilize the area for the purposes as herein designated.
 - W. The Owner, Applicant, and any lessees, occupants, and users of the Subject Property, their successors, and assigns, shall allow employees and authorized agents of the Village access to the Subject Property at all reasonable times for the purpose of inspecting the Subject Property to verify all terms and conditions of this Ordinance have been met.

SECTION 4. Village Records. The Village Clerk is hereby authorized and directed to amend all pertinent records of the Village of Morton Grove to show and designate the Preliminary Plat of Subdivision, Final Plat of Subdivision, and Planned Unit Development Special Use Permit as granted hereunder.

SECTION 5. Failure to Comply with Conditions. Upon failure or refusal of the Applicant to comply with any or all of the conditions, restrictions or provisions of this Ordinance, the Corporate Authorities may initiate the revocation of the Preliminary Plat of Subdivision, Final Plat of Subdivision, and Planned Unit Development Special Use Permit granted in this Ordinance, in accordance with the process and procedures established for Special Use Permits in Section 12-16-4:C.7, entitled "Revocation," of the Unified Development Code.

SECTION 6. Effective Date. 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 8th day of August 2022.

Trustee Gear	_____
Trustee Khan	_____
Trustee Minx	_____
Trustee Thill	_____
Trustee Travis	_____
Trustee Witko	_____

APPROVED by me this 8th day of August 2022.

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

APPROVED and FILED in my office this 9th day of August 2022.

Eileen Scanlon-Harford, Village Clerk
Village of Morton Grove
Cook County, Illinois

LIST OF EXHIBITS

- | | |
|-----------|---|
| EXHIBIT A | Legal Description for 8350 Lehigh Avenue, Morton Grove, Illinois |
| EXHIBIT B | ALTA/NSPS Land Title Survey, prepared by Cage Civil Engineering, dated January 27, 2022 |
| EXHIBIT C | Plan Commission Report, dated July 5, 2022 |

EXHIBIT A

8350 LEHIGH AVENUE, MORTON GROVE, ILLINOIS 60053

LEGAL DESCRIPTION:

PARCEL 1:

LOTS 1 TO 12, BOTH INCLUSIVELY, AND THAT PART OF 33 FOOT VACATED NARRAGANSETT AVENUE LYING EAST OF AND ADJOINING LOTS 1 AND 12 IN BLOCK 4 IN MORTON GROVE, A SUBDIVISION OF THE EAST 4.63 CHAINS OF THE NORTHEAST 1/4, SOUTH OF GROSS POINT ROAD AND NORTH 3 ACRES OF THE EAST 10 ACRES OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND THE NORTHWEST 1/4, SOUTH OF GROSS POINT ROAD AND WEST OF RAILROAD OF SECTION 20, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF LOT 34 (EXCEPT THE NORTH 33 FEET THEREOF) AND THE NORTH HALF OF LOT 27 IN THE COUNTY CLERK'S DIVISION IN THE WEST 1/2 OF SECTION 20, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN LYING SOUTHWESTERLY OF THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY.

PROPERTY INDEX NUMBERS:

**10-19-402-001-0000
10-19-402-002-0000
10-19-402-003-0000
10-19-402-004-0000
10-19-402-005-0000
10-19-402-006-0000
10-19-402-007-0000
10-19-402-008-0000
10-19-402-009-0000
10-19-402-010-0000
10-19-402-011-0000
10-19-402-012-0000
10-20-300-001-0000
10-20-300-002-0000**

EXHIBIT B

ALTA/NSPS LAND TITLE SURVEY

Prepared by Cage Civil Engineering

Dated January 27, 2022

EXHIBIT C

PLAN COMMISSION REPORT FOR PC 22-09

Dated July 5, 2022

ALTA/NSPS LAND TITLE SURVEY

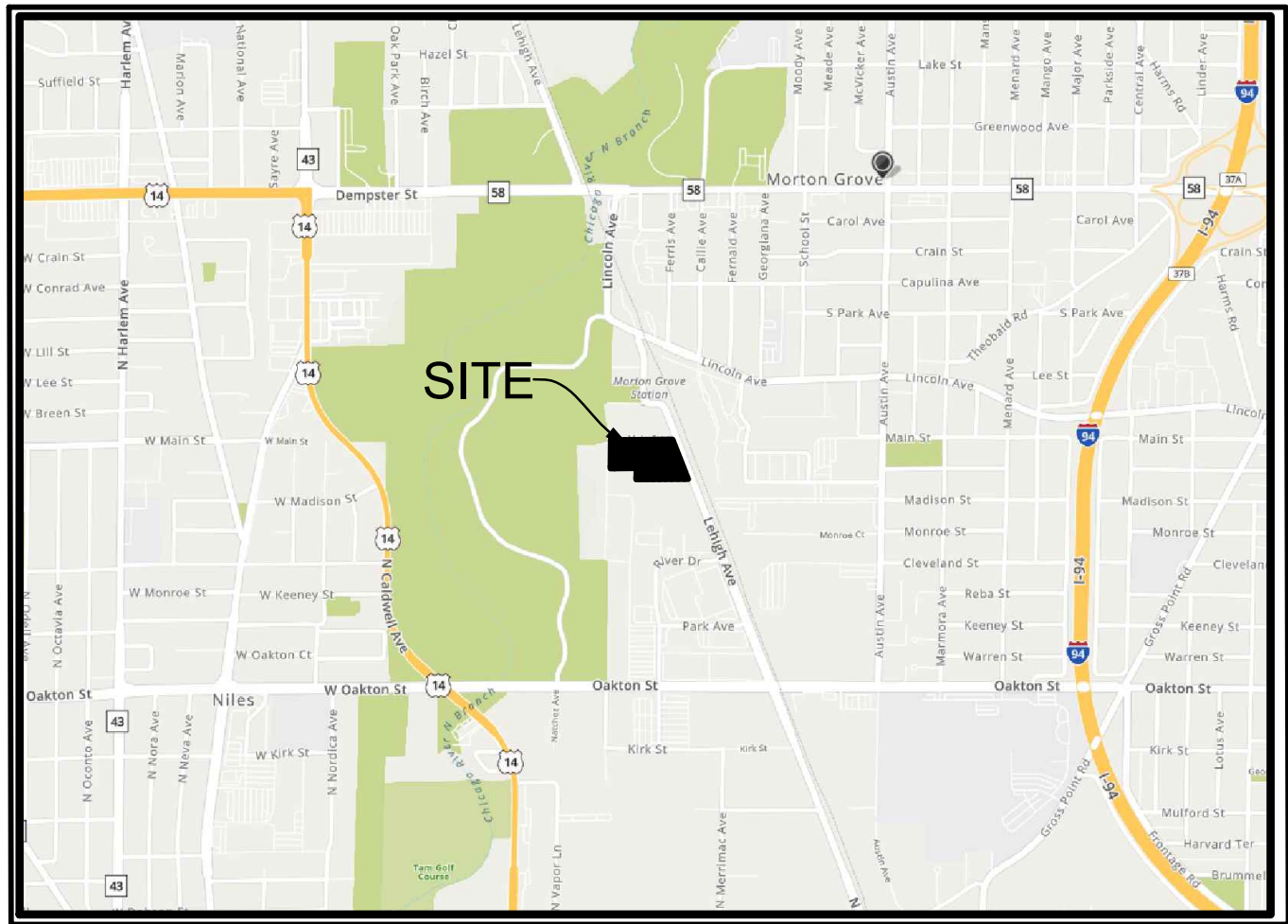
COMMITMENT NCS-1103863-CHI2 TITLE NOTES

- FIRST AMERICAN TITLE INSURANCE COMPANY FILE NUMBER NCS-1103863-CHI2 WITH AN EFFECTIVE DATE OF NOVEMBER 24, 2021, HAS BEEN REVIEWED IN CONJUNCTION WITH THE PREPARATION OF THIS SURVEY. THIS SURVEY MAY NOT REFLECT MATTERS OF TITLE THAT MAY BENEFIT OR BURDEN THE PROPERTY UNLESS THEY ARE EVIDENT FROM THE FIELD SURVEY OR THEY ARE CONTAINED IN THE ABOVE TITLE COMMITMENT. THE FOLLOWING NOTES ARE RELATED TO CERTAIN TITLE EXCEPTIONS CONTAINED IN THE ABOVE COMMITMENT.
- SCHEDULE B, PART 1, ITEM 1: THE SURVEYED PROPERTY IS SUBJECT TO RIGHTS OF CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY PUBLIC RECORDS.
- SCHEDULE B, PART 1, ITEM 2: THE SURVEY PROPERTY IS SUBJECT TO EASEMENTS OR CLAIMS OF EASEMENTS, NOT SHOWN BY PUBLIC RECORDS.
- SCHEDULE B, PART 1, ITEM 3: THE SURVEYED PROPERTY IS SUBJECT TO ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND TITLE SURVEY OF THE LAND.
- SCHEDULE B, PART 1, ITEMS 4-6: NOT SURVEY RELATED.
- SCHEDULE B, PART 2, ITEMS 1-14: NOT SURVEY RELATED.
- SCHEDULE B, PART 2, ITEM 15: THE SURVEYED PROPERTY IS SUBJECT TO THE ORDINANCE DEDICATING A 33' WIDE RIGHT OF WAY ALONG THE WEST LINE OF LOTS 6 AND 7 AS CONTAINED IN ORDINANCE RECORDED JUNE 11, 1951 AS DOCUMENT 15096592. AS SHOWN HEREON.
- SCHEDULE B, PART 2, ITEM 16: THE SURVEYED PROPERTY IS SUBJECT TO RIGHTS OF THE PUBLIC, THE STATE OF ILLINOIS AND THE MUNICIPALITY IN AD TO THAT PART OF THE LAND, IF ANY, TAKEN, USED OR DEDICATED FOR ROAD PURPOSES.
- SCHEDULE B, PART 2, ITEM 17: THE SURVEYED PROPERTY IS SUBJECT TO ANY OVERHEAD LINES RUNNING ACROSS THE SURVEYED PROPERTY AND THE BURIED UTILITY LINES AS SHOWN HEREON. MAIN STREET HAS BEEN REBUILT WITH THE FOREMENTIONED OVERHEAD UTILITY LINES BURIED.
- SCHEDULE B, PART 2, ITEM 18: THE SURVEYED PROPERTY IS SUBJECT TO RIGHTS OF PUBLIC OR QUASI-PUBLIC UTILITIES, IF ANY, IN THE VACATED 33' RIGHT OF WAY OF NARRAGANSETT AVENUE PER JUNE 11, 1951 AS DOCUMENT 15096592. AS SHOWN HEREON.
- SCHEDULE B, ITEM 16 (J): THE SURVEYED PROPERTY IS SUBJECT TO THE TERMS, PROVISIONS AND CONDITIONS CONTAINED IN A DECLARATION OF RESTRICTIVE COVENANTS RESTRICTING THE PROPERTY USE TO NO BUSINESSES THAT OPERATE AS A AUTO PARTS COMPANY AS ITS PRIMARY BUSINESS, AS CONTAINED IN DECLARATION RECORDED SEPTEMBER 8, 2017 AS DOCUMENT 2017K047268. NOT PLOTTABLE, SEE DOCUMENT FOR PARTICULARS.
- SCHEDULE B, PART 2, ITEM 19: NOT SURVEY RELATED.

TITLE LEGAL DESCRIPTION

PARCEL 1: LOTS 1 TO 12, BOTH INCLUSIVELY, AND THAT PART OF 33 FOOT VACATED NARRAGANSETT AVENUE LYING EAST OF ADJOINING LOTS 1 AND 12 IN BLOCK 4 IN MORTON GROVE, A SUBDIVISION OF THE EAST 4.63 CHAINS OF THE NORTHEAST QUARTER, SOUTH OF GROSS POINT ROAD AND NORTH 3 ACRES OF THE EAST 10 ACRES OF THE NORTH HALF OF THE SOUTHEAST QUARTER QUARTER OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND THE NORTHWEST QUARTER, SOUTH OF GROSS POINT ROAD AND WEST OF RAILROAD OF SECTION 20, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF LOT 34 (EXCEPT THE NORTH 33 FEET THEREOF) AND THE NORTH HALF OF LOT 27 IN THE COUNTY CLERK'S DIVISION IN THE WEST HALF OF SECTION 20, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN LYING SOUTHWESTERLY OF THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY.



LOCATION MAP

NOT TO SCALE

SURVEYOR'S NOTES

- DISTANCES ARE MARKED IN FEET AND DECIMAL PLACES THEREOF. NO DIMENSION SHALL BE ASSUMED BY SCALE MEASUREMENT HEREON. DISTANCES AND/OR BEARINGS SHOWN IN PARENTHESIS (123.45') ARE RECORD OR DEED VALUES, NOT FIELD MEASURED.
- COMPARE THIS PLAT, LEGAL DESCRIPTION AND ALL SURVEY MONUMENTS BEFORE BUILDING AND IMMEDIATELY REPORT ANY DISCREPANCIES TO THE SURVEYOR.
- THE LOCATION OF THE PROPERTY LINES SHOWN ON THE FACE OF THIS PLAT ARE BASED ON THE LEGAL DESCRIPTION CONTAINED IN THE TITLE COMMITMENT AND SHOWN HEREON. THIS INFORMATION HAS BEEN FURNISHED BY THE CLIENT AND COMPARED TO RECORD DEEDS TO CHECK FOR GAPS AND/OR OVERLAPS. HOWEVER, THIS SURVEY MAY NOT REFLECT HISTORICAL MATTERS OF TITLE AND OWNERSHIP THAT HAVE NOT BEE DISCLOSED BY THE TITLE COMMITMENT.
- UNLESS OTHERWISE NOTED, ONLY THE IMPROVEMENTS WHICH WERE VISIBLE FROM ABOVE GROUND AT THE TIME OF THE SURVEY AND THROUGH A NORMAL SEARCH AND WALK THROUGH OF THE SITE ARE SHOWN ON THE FACE OF THIS PLAT. LAWN SPRINKLERS, IF ANY, ARE NOT SHOWN ON THIS SURVEY.
- MANHOLES, INLETS AND OTHER UTILITY RIMS OR GRATES SHOWN HEREON ARE FROM FIELD LOCATION OF SUCH AND ONLY REPRESENT SUCH UTILITY IMPROVEMENTS WHICH ARE VISIBLE FROM ABOVE GROUND AT TIME OF SURVEY AND THROUGH A NORMAL SEARCH AND WALK THROUGH OF THE SITE. LABELING OF THESE MANHOLES (SANITARY, WATER, ETC.) IS BASED SOLELY ON THE "STAMPED" MARKINGS ON THE RIM. NO UNDERGROUND OBSERVATIONS HAVE BEEN MADE TO VERIFY THE ACTUAL USE OR EXISTENCE OF UNDERGROUND UTILITIES.
- SURFACE INDICATIONS OF UTILITIES ON THE SURVEYED PARCEL HAVE BEEN SHOWN. UNDERGROUND AND OFFSITE OBSERVATIONS HAVE NOT BEEN MADE TO DETERMINE THE EXTENT OF UTILITIES SERVING OR EXISTING ON THE PROPERTY. PUBLIC AND/OR PRIVATE RECORDS HAVE NOT BEEN SEARCHED TO PROVIDE ADDITIONAL INFORMATION. OVERHEAD WRES AND POLES (IF ANY) HAVE BEEN SHOWN, HOWEVER THEIR FUNCTION AND DIMENSIONS HAVE NOT BEEN SHOWN.
- THIS SURVEY MAY NOT REFLECT ALL UTILITIES OR IMPROVEMENTS, IF SUCH ITEMS ARE HIDDEN BY LANDSCAPING OR ARE COVERED BY SUCH ITEMS AS DUMPSTERS OR TRAILERS, OR WHEN THE SITE WAS COVERED WITH SNOW. AT THE TIME OF SURVEY, THE SITE **WAS** COVERED BY SNOW.
- OTHER THAN VISIBLE OBSERVATIONS NOTED HEREON, THIS SURVEY MAKES NO STATEMENT REGARDING THE ACTUAL PRESENCE OR ABSENCE OF ANY UTILITY SERVICE OR UTILITY LINE. CONTROLLED UNDERGROUND EXPLORATORY EFFORT TOGETHER WITH "J.U.L.I.E." MARKINGS IS RECOMMENDED TO DETERMINE THE FULL EXTENT OF UNDERGROUND SERVICE AND UTILITY LINES. CONTACT J.U.L.I.E. AT 811.
- THE SURVEYED PROPERTY IS A COMMERCIAL DEVELOPMENT WITH A POSTED ADDRESS OF 8350 LEHIGH AVENUE. (TABLE A, ITEM 2).
- SURVEYED PROPERTY IS CONTAINED WITHIN FLOOD ZONE X AS SHOWN ON FEMA FLOOD MAP 17031C0241J WITH AN EFFECTIVE DATE OF AUGUST 19, 2008. (TABLE A, ITEM 3)
- THE SURVEY PROPERTY IS CURRENTLY ZONED: M-2 "GENERAL MANUFACTURING DISTRICT". INFORMATION OBTAINED FROM THE VILLAGE OF MORTON GROVE CURRENT ZONING MAP, (TABLE A, ITEM 6A)
- THE SURVEYED PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF LEHIGH AVENUE AND MAIN STREET. (TABLE A, ITEM 14)
- ALL CURB SHOWN HEREON IS B6:12 UNLESS NOTED OTHERWISE.

M-2 GENERAL MANUFACTURING DISTRICT BULK REGS.

- 12-4-4: MANUFACTURING DISTRICTS
F. HEIGHT AND BULK REGULATIONS
MINIMUM LOT AREA: 0
MINIMUM LOT WIDTH: 0
MINIMUM YARDS (IN FEET):
FRONT: 25
SIDE: 0
SIDE YARD ABUTTING PUBLIC STREET: 25
REAR: 0
MAXIMUM BUILDING HEIGHT (IN FEET): 40
FLOOR AREA RATIO: 1:8
MIN. AREA REQUIRED FOR DISTRICT (IN ACRES): 5

SEE THE VILLAGE OF MORTON GROVE ZONING WEBSITE FOR ANY CLARIFICATIONS OR SPECIFICS OF BULK REGULATIONS LISTED HEREON.

SHEET INDEX

- | |
|---|
| SHEET 1 OF 2: LEGAL DESCRIPTION, TITLE EXCEPTIONS, SURVEYORS NOTES AND CERTIFICATIONS |
| SHEET 2 OF 2: BOUNDARY, TOPOGRAPHIC INFORMATION, EASEMENTS AND LABELS |

OWNER/CLIENT

M/I HOMES OF CHICAGO, LLC
400 E. DIEHL ROAD, STE. 230
NAPERVILLE, IL

CURRENT P.I.N.:

10-19-402-001
10-19-402-002
10-19-402-003
10-19-402-004
10-19-402-005
10-19-402-006
10-19-402-007
10-19-402-008
10-19-402-009
10-19-402-010
10-19-402-011
10-19-402-012
10-20-300-001
10-20-300-002

PARKING SUMMARY

PARKING STALLS: 0
HANDICAPPED STALLS: 0
TOTAL: 0

SURVEYED AREA

331,167 SQUARE FEET (7.603 AC±)

FLOOD ZONE NOTE

THE FEDERAL EMERGENCY MANAGEMENT AGENCY FIRM COMMUNITY PANEL NUMBER 17031C0241J WITH AN EFFECTIVE DATE OF AUGUST 19, 2008 INDICATES THAT THE ABOVE DESCRIBED PROPERTY LIES WITHIN AREAS DESIGNATED AS ZONE X. ZONE X IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% CHANCE FLOODPLAIN PER THE FLOOD INSURANCE RATE MAP. THIS DOES NOT GUARANTEE THAT THE SURVEYED PROPERTY WILL OR WILL NOT FLOOD. APPROXIMATE LOCATIONS OF FLOOD ZONES HAVE BEEN SHOWN HEREON BASED ON THE CURRENT FLOOD INSURANCE RATE MAPS. THESE LOCATIONS ARE SUBJECT TO SCALING AND MAP INTERPRETATION.

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF DUPAGE }

TO: M/I HOMES OF CHICAGO, LLC
AND: FIRST AMERICAN TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDED ITEMS 2, 3, 4, 6a, 7a, 7b1, 7c, 8, 9, 13 & 14 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JANUARY 12, 2022.

GIVEN UNDER MY HAND AND SEAL AT DOWNERS GROVE, ILLINOIS, THIS ____ DAY OF _____ A.D., 2022.

FOR REVIEW

BY: _____
"SAMUEL J. PHILLIPPE"
SPHILLIPPE@CAGECIVIL.COM
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3699
LICENSE EXPIRES NOVEMBER 30, 2022

DESIGN FIRM PROFESSIONAL LICENSE NO. 184007577
LICENSE EXPIRES APRIL 30, 2023.



LEHIGH AVENUE DEVELOPMENT

MORTON GROVE, ILLINOIS

ALTA/NSPS LAND TITLE SURVEY

PROJ NO. 210248

PM: SJP

DATE: 01/27/22

SCALE: N/A

SHEET NUMBER

1 OF 2

3110 WOODCREEK DRIVE
DOWNERS GROVE, IL 60515
P: 630.598.0007
WWW.CAGECIVIL.COM



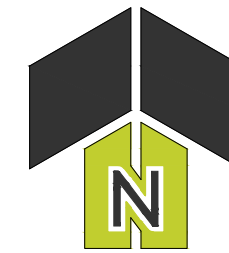
REVISIONS

THIS DESIGN AND THESE DRAWINGS ARE THE PROPERTY OF CAGE CIVIL ENGINEERING, INC. NO PART OF THIS DESIGN MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT PERMISSION FROM CAGE CIVIL ENGINEERING, INC.

OWNER/CLIENT

W/A HOMES OF CHICAGO, LLC
400 E. DIEHL ROAD, STE. 230
NAPERVILLE, IL

ALTA/NSPS LAND TITLE SURVEY



0 40' 80'
1" = 40' (HORIZONTAL)

COORDINATES AND BEARINGS ARE BASED UPON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE (NAD 83), ADJUSTED TO GROUND VALUES, AS ESTABLISHED BY REAL-TIME KINEMATIC (RTK) GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) UTILIZING GPS OBSERVATIONS

SURVEYED AREA

331,167 SQUARE FEET (7.603 AC±)

PARKING SUMMARY

PARKING STALLS: 0
HANDICAPPED STALLS: 0
TOTAL: 0

CURRENT P.I.N.:

10-19-402-001
10-19-402-002
10-19-402-003
10-19-402-004
10-19-402-005
10-19-402-006
10-19-402-007
10-19-402-008
10-19-402-009
10-19-402-010
10-19-402-011
10-19-402-012
10-20-300-001
10-20-300-002

3110 WOODCREEK DRIVE
DOWNERS GROVE, IL 60515
P: 630.598.0007
WWW.CAGECIVIL.COM



REVISIONS

NO.	DESCRIPTION

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LEHIGH AVENUE DEVELOPMENT

MORTON GROVE, ILLINOIS

ALTA/NSPS LAND TITLE SURVEY

PROJ NO. 210248

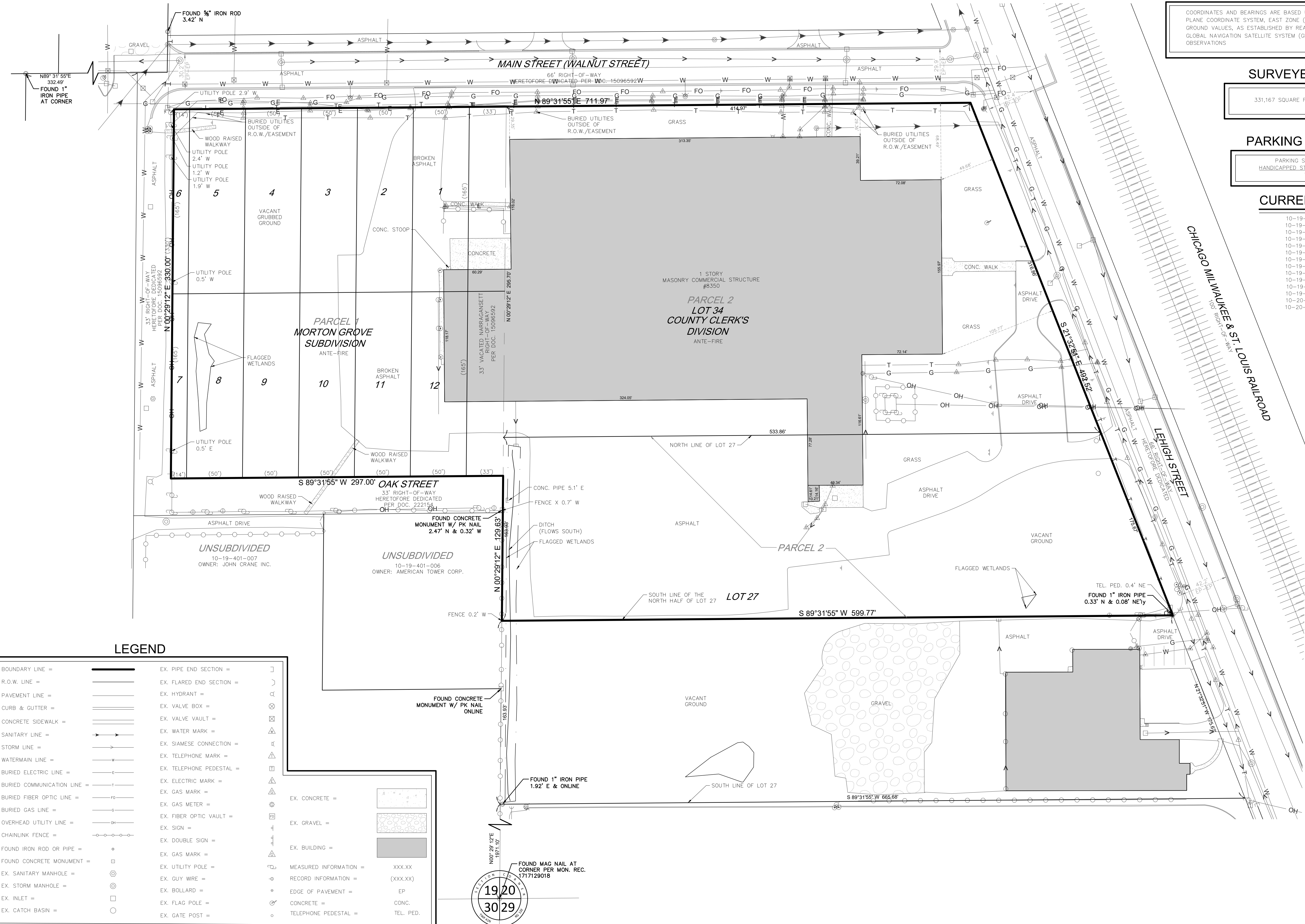
PM: SJR

DATE: 01/27/22

SCALE: 1"=40'

SHEET NUMBER

2 OF 2



LEGEND

BOUNDARY LINE =	—	EX. PIPE END SECTION =	⌈
R.O.W. LINE =	—	EX. FLARED END SECTION =	⌋
PAVEMENT LINE =	—	EX. HYDRANT =	⊗
CURB & GUTTER =	—	EX. VALVE BOX =	⊗
CONCRETE SIDEWALK =	—	EX. VALVE VAULT =	⊗
SANITARY LINE =	—	EX. WATER MARK =	⊗
STORM LINE =	—	EX. SIAMESE CONNECTION =	⊗
WATERMAIN LINE =	—	EX. TELEPHONE MARK =	⊗
BURIED ELECTRIC LINE =	—	EX. TELEPHONE PEDestal =	⊗
BURIED COMMUNICATION LINE =	—	EX. ELECTRIC MARK =	⊗
BURIED FIBER OPTIC LINE =	—	EX. GAS MARK =	⊗
BURIED GAS LINE =	—	EX. GAS METER =	⊗
OVERHEAD UTILITY LINE =	—	EX. FIBER OPTIC VAULT =	⊗
CHAINLINK FENCE =	—	EX. SIGN =	⊗
FOUND IRON ROD OR PIPE =	⊙	EX. DOUBLE SIGN =	⊗
FOUND CONCRETE MONUMENT =	⊙	EX. GAS MARK =	⊗
EX. SANITARY MANHOLE =	⊙	EX. UTILITY POLE =	⊗
EX. STORM MANHOLE =	⊙	EX. GUY WIRE =	⊗
EX. INLET =	⊙	EX. BOLLARD =	⊗
EX. CATCH BASIN =	⊙	EX. FLAG POLE =	⊗
		EX. GATE POST =	⊗
		EX. CONCRETE =	⊗
		EX. GRAVEL =	⊗
		EX. BUILDING =	⊗
		MEASURED INFORMATION =	XXXX.XX
		RECORD INFORMATION =	(XXXX.XX)
		EDGE OF PAVEMENT =	EP
		CONCRETE =	CONC.
		TELEPHONE PEDESTAL =	TEL. PED.

To: Village President and Board of Trustees

From: Steven Blonz, Plan Commission Chairperson
Ralph Czerwinski, Village Administrator
Teresa Hoffman Liston, Corporation Counsel
Zoe Heidorn, Community Development Administrator

Date: July 5, 2022

Re: Plan Commission Case PC 22-09: Request for approval of a Preliminary Plat of Subdivision and Final Plat of Subdivision, with associated waivers in accordance with Chapter 12-8 of the Morton Grove Municipal Code, and a Planned Unit Development (PUD) Special Use Permit for 89 attached single-family dwellings in a C/R General Commercial/Residential District with a waiver to the location of surface parking (12-5-7) for the property commonly known as 8350 Lehigh Avenue in Morton Grove, Illinois (10-19-402-001-0000, 10-19-402-002-0000, 10-19-402-003-0000, 10-19-402-004-0000, 10-19-402-005-0000, 10-19-402-006-0000, 10-19-402-007-0000, 10-19-402-008-0000, 10-19-402-009-0000, 10-19-402-010-0000, 10-19-402-011-0000, 10-19-402-012-0000, 10-20-300-001-0000, 10-20-300-002-0000). The applicant is M/I Homes of Chicago, LLC.

Executive Summary

M/I Homes of Chicago, LLC ("applicant"), submitted complete Planned Unit Development (PUD) Special Use Permit and Subdivision Applications to the Department of Community and Economic Development requesting the entitlement of an 89-unit attached single-family (townhome) development with accessory parking, accessway, detention, and landscape areas for the 7.6-acre property commonly known as 8350 Lehigh Avenue ("subject property"). The applicant is requesting a rezoning of the property from M-2 General Manufacturing to C/R Commercial/Residential under Case PC 22-08, the approval of plans to construct 89 townhomes within 16 buildings under the control of a PUD, and a subdivision to allow for the future sale of the townhomes on individual lots, with common areas to be owned and maintained by a proposed homeowner's association (HOA). The applicant is under contract to purchase the property from Morton Grove Pharmaceuticals/Wockhardt USA.

The proposed Subdivision and Planned Unit Development were considered by the Plan Commission at the regularly scheduled meeting on June 20, 2022. For the reasons set forth in this report, on June 20, 2022, the Plan Commission unanimously recommended by a vote of 5-0 (Commissioners Kintner and Stein absent) that the Village Board of Trustees should approve the Preliminary Plat of Subdivision, Final Plat of Subdivision, and Planned Unit Development Special Use Permit, subject to various conditions contained in this report.

Application

On May 9, 2022, the applicant submitted complete applications requesting approval of a Preliminary Plat of Subdivision, Final Plat of Subdivision, and Planned Unit Development (PUD) Special Use Permit to authorize the construction of 89 townhomes within 16 buildings, internal accessways, landscape and detention areas, and 220 enclosed and open accessory parking spaces for resident and guest use. The proposed subdivision creates 92 new lots, 89 of which will be improved with townhomes and permit their future sale on individual lots and three of which (Lots 500, 501, 502) will serve as detention and common areas to be owned and maintained by a future HOA. The 92 new lots will not be independently buildable and, after their development and sale, may not be redeveloped unless brought back under unified ownership or control to reestablish a buildable zoning lot, as defined by Section 12-17-1.

The 89 "rear-loading" townhomes will front on Lehigh Avenue, Main Street, and Nagle Avenue, with parking areas and driveways located to the rear. The development will be served by two points of public access, one along Lehigh Avenue and one along Main Street, and two emergency access drives, one along Nagle Avenue and one along the south lot line, which abuts property owned by the Village at 8300 Leigh Avenue. Each townhome will feature a two-car garage on the ground floor for a total of 178 enclosed garage parking spaces. An additional 42 open surface guest parking spaces are scattered throughout the development. The development meets the minimum off-street parking requirement of 176 spaces set forth in Section 12-7-3:1, with a 10% parking reduction provided by Section 12-5-7:A.2.b for transit-oriented developments within a quarter mile of the Metra station. The proposed project meets all but one applicable development requirement for attached dwellings in the C/R Commercial/Residential District. The applicant has requested a waiver for the location of surface parking.

Departmental Review

- **Building Department:** The developer should be aware that every unit will be required to have separate sewer and water. A requirement for separate sewer and water connections has been included in the draft ordinance approving the Subdivision and PUD.
- **Fire Department:** The Fire Department recommends that the town home buildings are fully protected by an automatic fire sprinkler system in the following manner:
In each building, provide a common area with an outside entrance to each group of town homes that houses the fire sprinkler system water supply, double detector check, flow switch, and control valves. The fire department wants those devices monitored at the RED Center Dispatch Center.
A requirement for installing an automatic fire sprinkler system as described has been included in the draft ordinance approving the Subdivision and PUD.
- **Public Works Department/Engineering:** In review of the proposed project, the Village Engineer issued comments dated June 14, 2022, and attached hereto as “**Attachment A**”. A requirement for compliance with all comments and recommendations provided by the Village Engineer, whether by strict compliance or alternative compliance, subject to the Village Engineer’s final approval, has been included in the draft ordinance approving the Subdivision and PUD.

Public Hearings

Traffic Safety Commission

On June 2, 2022, the applicant appeared before the Traffic Safety Commission to provide testimony and respond to comments issued by the Village Engineer in the staff report dated May 25, 2022, and attached hereto as “**Attachment B**”. At the meeting, the Commission and the applicant discussed parking along Lehigh Avenue and Main Street, the potential need for a crosswalk along Lehigh Avenue, snow removal and storage, and ensuring that landscaping maintains appropriate sight lines at accessway intersections. The Commission unanimously forwarded a recommendation of approval of Case PC 22-09 along with the comments provided by the Village Engineer in the staff report dated May 25, 2022. A requirement for compliance with all comments and recommendations provided by the Village Engineer, whether by strict compliance or alternative compliance, subject to the Village Engineer’s final approval, has been included in the draft ordinance approving the Subdivision and PUD.

Appearance Commission

On June 6, 2022, the applicant appeared before the Appearance Commission to provide testimony and respond to comments issued by the Department of Community and Economic Development relative to the proposed site, building, landscape, and signage design. After considering the application, the staff report, and testimony provided, the Appearance Commission unanimously voted to issue an Appearance Certificate and recommend approval of Case PC 22-09, subject to the following conditions:

- 1) Prior to filing any Building Permit Application, the owner/applicant shall provide the Village with a final landscape plan for review and approval by the Community Development Administrator and Appearance Commission Chairperson. If the landscape plan is deemed to be inconsistent with the approved plan, the owner/applicant will be required to file an application for an amendment to the Appearance Certificate.
- 2) Prior to filing any Building Permit Application, the owner/applicant shall provide the Village with a final photometric plan that meets the minimum requirements of Village Code for review and approval by the Community Development Administrator and Village Engineer.
- 3) Prior to filing any Building Permit Application, the owner/applicant shall provide the Village with final elevations and material specifications for review and approval. Final elevations and materials must be deemed consistent with the approved elevations and materials, as determined by the Community Development Administrator and Appearance Commission Chairperson. If such designs are deemed to be inconsistent with the approved plans or if materials are

deemed to be of a lower quality than the approved materials, then the owner/applicant will be required to file an application for an amendment to the Appearance Certificate.

- 4) Trees required with the public right of way along Lehigh Avenue shall be planted by the developer in accordance with Section 12-11-1:B.4, shall be planted by the Village at a future date and paid for by the developer through funds placed in escrow, or shall be planted at alternative locations on private property at 8350 Lehigh Avenue, subject to approval by the Appearance Commission Chairperson, Community Development Administrator, and Village Engineer.
- 5) Parking lot screening adjacent to public rights of way or private property shall be provided in accordance with Section 12-11-3:B unless plantings will interfere with underground utilities or unless plantings are not feasible, subject to approval by the Community Development Administrator and Village Engineer.

A requirement for compliance with all conditions of approval issued by the Appearance Commission has been included in the draft ordinance approving the Subdivision and PUD.

Plan Commission

The Village provided Public Notice for the June 20, 2022, Plan Commission public hearing for PC 22-09 in accordance with the Unified Development Code. The Morton Grove Champion published a public notice on June 2, 2022. The Village notified surrounding property owners within 250 feet of the subject property via mail on June 1, 2022, and placed a public notice sign on the subject property on June 1, 2022.

Plan Commission – June 20, 2022, Proceedings: Five members of the Plan Commission were in attendance at the public hearing for Case PC 22-09 held on June 20, 2022. Commissioners Kintner and Stein were absent with notice.

Zoe Heidorn, Community Development Administrator, provided a brief introduction to the application. The staff report dated June 14, 2022, and attached hereto as “**Attachment C**,” was entered into the public record. Presenters

The representatives of applicant M/I Homes of Chicago, LLC, including Mark McLaughlin, Julie Workman, Erin Brudder, Monica Goshorn-Maroney, and Bill Grieve remained under oath after providing testimony in the case of PC 22-08.

Ms. Heidorn explained the applicant is requesting approval of a Planned Unit Development (PUD) and Plat of Subdivision to authorize the construction of an 89-unit townhome development at 8350 Lehigh Avenue. The applicant is concurrently requesting a rezoning of the property from M-2 General Manufacturing to C/R Commercial/Residential. The applicant is proposing the construction of 89 townhomes within 16 buildings, internal accessways, landscape and detention areas, and 220 accessory parking spaces for resident and guest use. The development will be served by two points of public access, one along Lehigh Avenue and one along Main Street, and two emergency access drives, one along Nagle Avenue and one along the south lot line, which abuts property owned by the Village. The “rear-loading” townhomes will front on Lehigh Avenue, Main Street, and Nagle Avenue, with parking areas and driveways located to the rear. The proposed subdivision will allow for the future sale of the townhomes on individual lots, with common areas to be owned and maintained by a proposed homeowner’s association (HOA).

Ms. Heidorn stated that the Traffic Safety Commission unanimously recommended approval of the project on June 2, forwarding comments provided by the Village Engineer, and the Appearance Commission unanimously recommended approval of the project on June 6 with conditions. Staff recommends that approval of the PUD and Subdivision should be contingent on the Board of Trustees’ approval of the Map Amendment Application submitted by the Applicant under Case PC 22-08.

Ms. Workman thanked the Commission and said there was not much to add from the previous presentation provided in the case of PC 22-08. The applicant is happy to answer any new questions about Case PC 22-09.

Chairman Blonz asked for questions and comments from the Commission.

Commission Dorgan asked if the recently reviewed Affordable Housing Ordinance is applicable to this development.

Ms. Heidorn responded that the Village and applicant are committed to the project complying with the proposed Ordinance, which is scheduled for a second and final reading by the Board of Trustees on Monday, June 27.

Commissioner Dorgan asked if tandem parking is allowed.

Jim English, Manager of Building and Inspectional Services, responded that it is not prohibited by the building code. Ms. Heidorn added that the zoning code does not recognize tandem parking spaces for the purposes of minimum off-street parking requirements, but the Village does not prohibit them.

Commissioner Gabriel commented on the proposed pedestrian walkways and the need for more connections through the site. He would like more connections to be added prior to the Final Plat being adopted. Commissioner Gabriel also commented on the water retention area. He is worried about West Nile virus and asked how the retention area will be treated for mosquitos. He noted the mitigation plan that was used in the Woodlands development.

Ms. Workman said the area is not designed to be a retention pond and that it will only have measurable water during a storm event.

Commissioner Gabriel noted the plans show six inches of water present.

The landscape architect, Ms. Goshorn-Maroney, said the basin is designed to hold six inches of water at the bottom. The native plantings will allow natural predators of the mosquitos to thrive in the ponds. This provides natural control of mosquito larvae.

Mr. Brudder said the basin design is driven by MWRD requirements. After a large storm, water will drain within 48 to 60 hours.

Commission Gabriel asked about the lack of a walkway or maintenance path around the basin. He asked if there is a fencing plan to keep children and large animal life out of the area.

Ms. Goshorn-Maroney said the area is not a large enough area for larger animals to be attracted to the water source. She noted there is a service walk and turf strip by the basin. Signage will describe the wildlife and setting.

Mr. McLaughlin said M/I homes has not fenced any of their basins in their communities and noted that they have not had problems with wildlife or children entering the basins. He added that the plantings are a deterrent to pedestrians.

Commissioner Gabriel responded that he would like a small fence to be installed for protection. He commended the developer for providing the turning radius information for emergency vehicles.

Commissioners Mohr and Gabriel asked about the turning radii around various townhome buildings. They expressed concern that traffic would not be able to turn around to exit or back-up. Discussion ensued regarding delivery trucks and reversing with three-point turns.

Mr. Brudder noted that one building is an appropriate length for a reversing maneuver.

Rick Dobrowski, Fire Prevention Bureau Coordinator, added that the lanes meet the fire code requirements because they do not exceed 150 feet in length.

Mr. McLaughlin said the townhome varying lengths exceed fire code requirements by 50 and 30 feet. They have worked with Village staff to ensure this is acceptable and exceeds requirements.

Commissioner Gabriel asked about the dead end between Buildings 13 and 14. He noted that its short distance from Main Street could offer another emergency access point.

Mr. McLaughlin responded that the Fire Department did not ask for emergency access at that location, but they are not opposed to providing access.

Chairman Blonz added that he would not want the access point to be construed as a public access point. The area should not be paved.

Ms. Workman noted that these design specifics will not change the Final Plat of Subdivision, as these areas fall within the outlots and are not expected to change in size or location.

Commissioner Mohr asked about landscaping between the driveways.

Ms. Goshorn-Maroney said the areas will be planted with hardy ornamental grasses and stone. The area is flush with the surrounding asphalt driveway.

Commissioner Dorgan asked about irrigation.

Ms. Goshorn-Maroney said the species they chose do not require any additional water, as they are drought tolerant.

Commissioner Dorgan asked if a sidewalk would connect to the train station.

Ms. Heidorn said the Village's long-term plans call for improving Lehigh Avenue and its pedestrian access to the north and south. A sidewalk would be included along the development site but connecting sidewalks would not be constructed to the north or south as part of this project. Expanded sidewalk construction would be undertaken by the Village in the future or through the future redevelopment of adjacent sites. She noted that providing a more connected pedestrian network along Lehigh Avenue remains a top priority for the Village.

Chairman Blonz commented on the existing pedestrian facilities along the east side of Lehigh Avenue. It is currently paved Metra parking with an abutting sidewalk.

Commissioner Mohr asked about the southern emergency access point along Oak Street. Ms. Heidorn said it is an unimproved Village street. The connection will be constructed by the developer through a permanent easement and/or license agreement with the Village.

Chairman Blonz and Commissioner Gabriel asked about snow removal.

Ms. Workman responded that the HOA will be responsible for snow removal.

Chairman Blonz asked why the lots are deemed not buildable on page 3 of the staff report.

Ms. Heidorn noted that the development site, or zoning lot, is buildable as a whole, but that the 92 individual townhome and common area lots cannot be developed independently due to their size. The Village would not want these lots to be buildable or independently developed. After the townhomes are developed and sold, the development site cannot be redeveloped unless the lots come back under unified ownership and create a district-compliant zoning lot.

Chairman Blonz asked Mr. Dobrowski if there is adequate access and maneuverability through the site.

Mr. Dobrowski responded that the accessways are all 24 feet in width and allow 2-way passage, meeting code requirements.

Chairman Blonz notes that on-street parking is not supported by staff. The Village Engineer does not support parking that would inhibit Lehigh Avenue or Main Street traffic maneuvering. The engineer also does not support the south emergency access as we do not know how that land will be developed in the future.

Ms. Heidorn noted that the Village Engineer's comment is relevant only if the Village is uncertain about the property's future use. At this time, the Village is confident the site will be used for municipal use and staff overall supports the emergency access point. If the driveway cannot be constructed at this time, the Village can require that funds to construct the accessway are placed in escrow until construction is feasible.

Chairman Blonz complimented the other Commissions and staff for their thorough review. He asked about the wooden walkways leading to the site.

Mr. McLaughlin responded that the walkways will be removed. New sidewalks will connect the townhomes to surrounding public rights of way.

Chairman Blonz asked about the lighting at the northeast corner of Main Street and noted the level of foot-candle illumination exceeds Village limits.

Mr. McLaughlin responded that this plan will be adjusted prior to building permitting.

Chairman Blonz asked if any trees on the site will be preserved.

Mr. McLaughlin responded that, unfortunately, all trees need to be removed due to the contaminated soil.

Chairman Blonz asked what contaminants are on the site and how they will be removed.

Ms. Workman listed asbestos, PCBs, arsenic, heavy metals, and more. The site will be fully remediated, and waste will be hauled away. It is the responsibility of the developer to clean the site.

Chairman Blonz asked if the buildings will be sound proofed due to proximity to the railroad.

Mr. McLaughlin responded that the windows will have a sound proofing element.

Chairman called attention to the traffic study and asked about page 9, which lists future development by others. He noted that the projected traffic impact for the mixed-use development planned at Chestnut Street and Lehigh Avenue is significantly higher than this development.

Mr. Grieve said this is due to the commercial aspect of the mixed-use development.

Chairman Blonz asked if the recommendations on page 11 of the traffic study are being incorporated.

Ms. Workman said they are working with the Village to determine the best crosswalk solution. Bike racks are not needed due to the garage storage.

Chairman noted that the Village Administrator is present for this case. He then asked for public comment and, hearing none, he asked for Commission discussion.

Commissioner Mohr made a motion to recommend approval of Case PC 22-09, a request for approval of a Preliminary Plat of Subdivision and Final Plat of Subdivision, with associated waivers in accordance with Chapter 12-8 of the Morton Grove Municipal Code, and a Planned Unit Development (PUD) Special Use Permit for 89 attached single-family dwellings in a C/R General Commercial/Residential District with waivers to accessway standards (12-9) and the location of surface parking (12-5-7) for the property commonly known as 8350 Lehigh Avenue in Morton Grove, Illinois, subject to the following conditions:

1. Approval shall be contingent on Board of Trustees approval of Case PC 22-08, a Map Amendment to zone the subject property within the C/R Commercial/Residential District.
2. Prior to the issuance of a building permit, the Applicant shall submit final site and engineering plans for review and approval by the Community Development Administrator, Village Engineer, and Village Administrator, and shall comply with all comments and recommendations provided by the Appearance Commission, the Traffic Study and the Village Engineer in the staff report to the Traffic Safety Commission dated May 25, 2022, and the comments provided by the Village Engineer in the departmental comment form dated June 14, 2022, whether by strict or alternative compliance, subject to the Village Engineer's final approval.
3. Prior to the issuance of a building permit, the Applicant shall submit all turning path diagrams requested by the Fire Prevention Bureau Coordinator, Community Development Administrator, and Village Engineer, subject to the review and approval of the Village Administrator.
4. The final landscape and improvement plan for the abutting public rights of way shall be modified as necessary to meet the needs and requirements of the Village, subject to review and approval by the Village Administrator.
5. The Applicant shall bury existing aboveground utilities within the development site as required by the Village, subject to review and approval by the Village Administrator.
6. Prior to the issuance of a certificate of occupancy, the Applicant shall submit a signage plan that includes accessway and parking area signage for review and approval by the Village Administrator and shall install and maintain signage in accordance with the approved signage plan.
7. The Applicant shall advise the Department of Community and Economic Development of any proposed change in ownership or operation of the subject property. Such changes may subject the owners, lessees, occupants, and users to additional conditions and may serve as the basis for amendment to the PUD Special Use Permit.
8. The development will comply with the adopted Affordable Housing Ordinance requirements of the Village.

The motion was seconded by Commissioner Liston.

Chairman Blonz called for the vote.

The motion was unanimously (5-0) approved.

Final Plans and Supporting Documents

The application's final plans and supporting documents recommended for approval by the Plan Commission include the

following and are attached hereto as “**Attachment D**”:

1. ALTA/NSPS Land Title Survey, prepared by Cage Civil Engineering, dated January 27, 2022 (2 sheets)
2. Site Plan – Metro on Main, prepared by Gary R. Weber Associates, Inc., dated May 6, 2022
3. Preliminary Plat of Subdivision of Metro on Main Subdivision, prepared by Cage Civil Engineering, dated May 6, 2022 (2 sheets)
4. Preliminary Engineering Plan, prepared by Cage Civil Engineering, dated April 29, 2022
5. Metro on Main – Morton Grove, IL (Photometric Plan), prepared by KSA Lighting & Controls, dated April 27, 2022
6. Conceptual Fire Truck Turning Analysis, prepared by Cage Civil Engineering, dated April 7, 2022
7. Preliminary Landscape Plan – Metro on Main, prepared by Gary R. Weber Associates, dated May 9, 2022 (6 sheets)
8. 6-Unit Building Mix Preliminary Character Elevations – Edgebrook Series Townhomes, prepared by M/I Homes of Chicago, LLC, dated March 9, 2022
 - a. Sheet 1 – Front Elevation – Palette A
 - b. Sheet 2 – Rear, Right, Left Elevations – Palette A
 - c. Sheet 3 – Front Elevation – Palette B
 - d. Sheet 4 – Rear, Right, Left Elevations – Palette B
9. Preliminary Floor Plan Layouts – Edgebrook Series Townhomes, prepared by M/I Homes of Chicago, LLC, dated March 9, 2022
 - a. Unit 'A' : 1,663 S.F.
 - b. Unit 'B' : 1814 S.F.
 - c. Unit 'C' : 2021 S.F.
10. Metro at Main Townhome Development Traffic Planning Study, prepared by Kimley-Horn, dated March 2022

Attachments

- **Attachment A** – Departmental Comment Form for Case PC 22-09, prepared by Chris Tomich, Village Engineer, dated June 14, 2022
- **Attachment B** – Staff Report to the Traffic Safety Commission for Case PC 22-09, prepared by Chris Tomich, Village Engineer, dated May 25, 2022
- **Attachment C** – Staff Report to the Plan Commission for PC 22-09, prepared by Zoe Heidorn, Community Development Administrator, dated June 14, 2022
- **Attachment D** – Final Plans and Supporting Documents for PC 22-09

Attachment A

Departmental Comment Form for PC 22-09

Prepared by Chris Tomich, Village Engineer

Dated June 14, 2022

VILLAGE OF MORTON GROVE, ILLINOIS
PLAN REVIEW COMMENT FORM

DATE DISTRIBUTED: 5/16/2022

CASE NUMBER: PC 22-09

APPLICATION: Request for approval of a Preliminary Plat of Subdivision with associated waivers to Section 12-8 and a Planned Unit Development (PUD) to authorize the construction of an 89-unit attached single-family dwelling (townhome) development for the property commonly known as 8350 Lehigh Avenue in Morton Grove, Illinois. The application is made in conjunction with an application for a Map Amendment to re-zone the property from M-2 General Manufacturing to C/R Commercial/Residential (PC 22-08).

A Planned Unit Development (PUD) Application and Subdivision Application have been submitted for Plan Commission action. Please return your review to the Department of Community and Economic Development by **Wednesday, June 8**.

Thank you,
Zoe Heidorn, Community Development Administrator

COMMENTS OR CONCERNS

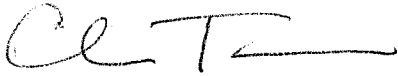
- 1) The Traffic Study refers to 49 parking spaces are proposed along the site frontages on Lehigh Avenue and Main Street. The Village requested of the developer to remove the on-street parking, likely after the Traffic Study had been prepared. The Village intends to begin project development for improvements to Lehigh Avenue in 2023 that will meet the current and future needs of the corridor and adding on-street parking may not be included in these needs. The 49 on-street parking spaces should not be considered in this review.
- 2) The Traffic Study recommends a pedestrian crosswalk at the uncontrolled intersection of Main Street and Lehigh Avenue and within a commuter parking area. This pedestrian accommodation is better than no pedestrian accommodation, but the crossing includes more traffic conflict points than ordinary crossings. Additional pedestrian accommodations for access to the train station and to the area(s) north of the proposed development could be required as a condition of approval of the PUD ordinance. The Village may require additional warning devices as part of the permitting or the PUD ordinance could include this as a condition of approval.
- 3) Resident student access to school bus pickup/drop-off or walking routes to local schools should be considered as part of the pedestrian access. If this would be an important safety aspect of the development to the Plan Commission, then the PUD ordinance could include a condition that this aspect of the development could be refined to the satisfaction of designated Village staff.
- 4) Village staff is investigating options to alter the existing Lehigh Avenue cross section between Oakton Street and Lincoln Avenue to improve road drainage and include enhanced biking facilities. These improvements might need to be coordinated with these two proposed developments.
- 5) The photometric plans do not appear to meet Village standards for minimum surface illumination.

- 6) The emergency access connection between the development and the Village-owned property at 8300 Lehigh Avenue should not be included in the access plan because the development of the property at 8300 Lehigh Avenue is not to a point that this would be a reliable access point in the future.
-

These comments accurately represent existing Village regulations or policies.

Name (please print): Chris Tomich, Village Engineer

Signed:

A handwritten signature in black ink, appearing to read 'CT', followed by a horizontal line.

Date:06/14/2022

Attachment B

Staff Report to the Traffic Safety Commission for PC 22-09

Prepared by Chris Tomich, Village Engineer

Dated May 25, 2022

MEMORANDUM

To: Trustee Travis
Traffic Safety Commission

From: Chris Tomich, Village Engineer *CT*

Date: May 25, 2022

Re: Traffic Safety Commission Meeting on June 2, 2022

1. PC22-09 – Metro at Main Townhome Development - 8350 Lehigh Avenue

Request

Requesting a review of a Preliminary Plat of Subdivision application and Planned Unit Development (PUD) permit application to redevelop approximately 7.6 acres with 89 townhomes and appurtenances.

Background

The application includes: Preliminary Plat of Subdivision application, ALTA/NSPS Land Title Survey, Preliminary Plat of Subdivision, a preliminary civil engineering plan set, and Traffic Planning Study (Traffic Study). The Planned Unit Development (PUD) Application will distributed at meeting.

Staff Observations

- 1) The Traffic Study parking analysis does not utilize the same dwelling unit data to determine results as the Site Plan, which also reports parking data. This should not be regarded with concern as the Traffic Study is intended to be finalized with the information that will be part of the approved PUD.
- 2) The Traffic Study mentions 49 parking spaces are proposed along the site frontages on Lehigh Avenue and Main Street. The Village requested of the developer to remove the on-street parking, likely after the Traffic Study had been prepared. The Village intends to begin project development for improvements to Lehigh Avenue in 2023 that will meet the current and future needs of the corridor and adding on-street parking may not be included in these needs. The 49 on-street parking spaces should not be considered in this review.
- 3) The Traffic Study recommends a pedestrian crosswalk at the intersection of Main Street and Lehigh Avenue. A pedestrian route to the train station and to the area(s) north of the proposed development is practical and not a controversial notion. Resident student access to school bus pickup/drop-off or walking routes to local schools could be considered as part of the pedestrian access. Commissioners may want to assess whether a crosswalk at an uncontrolled intersection adjacent to on-street commuter parking provides a reasonable level of safety.

Cc: Mr. Ralph Czerwinski
Mr. Joe Dahm
Ms. Zoe Heidorn

Attachment C

Staff Report to the Plan Commission for PC 22-09

Prepared by Zoe Heidorn, Community Development Administrator

Dated June 14, 2022

To: Chairperson Blonz and Members of the Plan Commission

From: Zoe Heidorn, Community Development Administrator; Anne Ryder Kirchner, Assistant LandUse Planner

Date: June 14, 2022

Re: Case PC 22-09: Request for approval of a Preliminary Plat of Subdivision and Final Plat of Subdivision, with associated waivers in accordance with Chapter 12-8 of the Morton Grove Municipal Code, and a Planned Unit Development (PUD) Special Use Permit for 89 attached single-family dwellings in a C/R General Commercial/Residential District with waivers to accessway standards (12-9) and the location of surface parking (12-5-7) for the property commonly known as 8350 Lehigh Avenue in Morton Grove, Illinois (10-19-402-001-0000, 10-19-402-002-0000, 10-19-402-003-0000, 10-19-402-004-0000, 10-19-402-005-0000, 10-19-402-006-0000, 10-19-402-007-0000, 10-19-402-008-0000, 10-19-402-009-0000, 10-19-402-010-0000, 10-19-402-011-0000, 10-19-402-012-0000, 10-20-300-001-0000, 10-20-300-002-0000). The applicant is M/I Homes of Chicago, LLC.

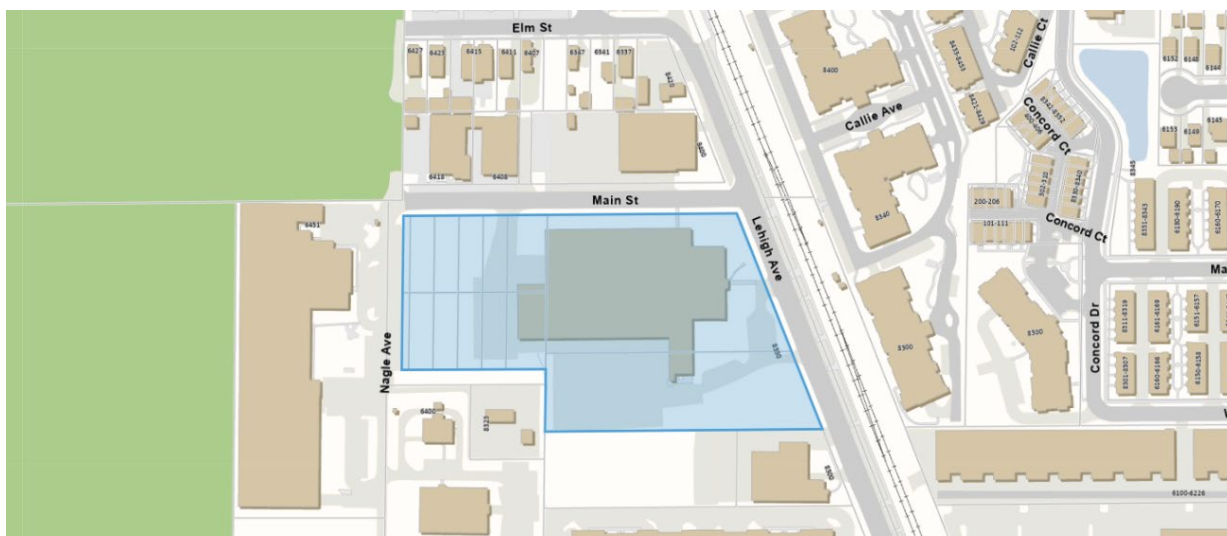
STAFF REPORT

Public Notice

The Village provided Public Notice for the June 20, 2022, Plan Commission public hearing for PC 22-09 in accordance with the Unified Development Code. The *Morton Grove Champion* published a public notice on June 2, 2022. The Village notified surrounding property owners via mail on June 1, 2022, and placed a public notice sign on the subject property on June 1, 2022.

Application

M/I Homes of Chicago, LLC ("Applicant"), submitted complete Planned Unit Development (PUD) Special Use Permit and Subdivision Applications to the Department of Community and Economic Development requesting the entitlement of an 89-unit attached single-family (townhome) development with accessory parking, accessway, detention, and landscape areas for the 7.6-acre property commonly known as 8350 Lehigh Avenue ("subject property"). The Applicant is requesting a rezoning of the property from M-2 General Manufacturing to C/R Commercial/Residential under Case PC 22-08, the approval of plans to construct 89 townhomes within 16 buildings under the control of a PUD, and a subdivision to allow for the future sale of the townhomes on individual lots, with common areas to be owned and maintained by a proposed homeowner's association (HOA). The Applicant is under contract to purchase the property from Morton Grove Pharmaceuticals/Wockhardt USA.



Subject Property Location Map

Subject Property

The subject property is bound by Lehigh Avenue to the east, Main Street to the north, Nagle Avenue to the west, and Oak Street and property owned by the Village of Morton Grove (8300 Lehigh Avenue) to the south. The Morton Grove Metra station is located just one block north along Lehigh Avenue. To the east of the subject property are rail lines and multi-family residential development, to the north are light industrial uses, to the west is a manufacturing facility operated by Morton Grove Pharmaceuticals/Wockhardt USA, and to the south is an industrial building at 8300 Lehigh Avenue currently used by the Village for municipal storage. The future use of 8300 Lehigh Avenue is likely to remain municipal.

The 95,000-square-foot industrial structure located on the subject property was built in the mid-1950s and has been vacant since 2016. The Applicant is proposing to demolish the structure and remediate the land for residential use as required by the Illinois Environmental Protection Agency.

Project Overview

The Applicant is proposing the construction of 89 townhomes, internal accessways, landscape and detention areas, and 220 enclosed and open accessory parking spaces for resident and guest use. The development will be served by two points of public access, one along Lehigh Avenue and one along Main Street, and two emergency access drives, one along Nagle Avenue and one along the south lot line, which abuts property owned by the Village. Each townhome will feature a two-car garage on the ground floor for a total of 178 enclosed garage parking spaces. An additional 42 open surface guest parking spaces are scattered throughout the development. The “rear-loading” townhomes will front on Lehigh Avenue, Main Street, and Nagle Avenue, with parking areas and driveways located to the rear.

The proposed townhomes are clustered into five-unit and six-unit buildings. The three-story units will be constructed slab-on-grade with a two-car attached garage located on the ground level. Each unit’s formal entrance will be located along the front elevation. The units are available in three styles, “Unit A,” “Unit B,” and “Unit C,” ranging from 1,663 square feet to 2,021 square feet.

Under a separate application (Case PC 22-08), the Applicant is proposing to rezone the subject property from M-2 General Manufacturing to C/R Commercial/Residential to align the property’s zoning classification with the proposed development and the surrounding transit-oriented development (TOD) area that centers around the Morton Grove Metra station. Staff will review the project against the requirements and guidelines set forth in Section 12-5-7 of the Morton Grove Municipal Code for development in the C/R District. The proposed development generally complies with the requirements for townhome development in the District, including density, setbacks, and building height.

Staff has recommended that the project is approved as a Planned Unit Development due to its scale, the interconnection between all elements of the proposed plan, and the benefit of additional controls provided by PUDs. PUDs are intended to allow flexibility in the development of land, facilitate the more efficient arrangement of buildings and traffic networks, promote a higher standard of site and building design, and provide for the development of unique land areas and sites that may not otherwise be possible under the strict application of Village requirements. In addition to providing a cleaner mechanism of development approval, a PUD provides the following benefits and protections to the Village:

- The PUD requires unified ownership until all aspects of the approved development are completed. In this case, construction of the townhomes and site improvements must be completed prior to the sale of the lots. The ownership of any lots associated with the PUD may not change without express approval of the Village Board until the approved development has been completed.
- Construction of a development under a PUD permit must commence within twelve months from the date of passage of the authorizing ordinance. If no substantial development has started or progressed, then the PUD may lapse upon written notice to the Applicant from the Board of Trustees and will be deemed null and void. The Village Board may extend the time for either the commencement of construction or the progression of construction if the PUD is to be constructed in phases in accordance with an approved development and construction schedule.
- Except as otherwise noted in the application, the PUD will be required to comply with all regulations and standards of site development. No variations may be approved for the residences without amendment to the PUD ordinance.

Preliminary & Final Plat of Subdivision

The Applicant submitted a Preliminary Plat of Subdivision entitled “Preliminary Plat of Metro on Main Subdivision,” which proposes the creation of 92 new lots, 89 of which will permit the future of the townhomes on individual lots and three of which (Lots 500,

501, 502) will serve as detention and common areas, which will be owned and maintained by a future homeowner's association (HOA).

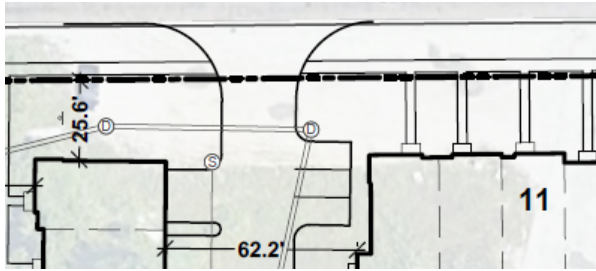
Staff notes that the dimensional requirements for townhome development in the C/R District are applied to the entire subject property, or zoning lot, as a whole and not to each individual proposed lot. The 92 proposed lots do not comply with the lot standards set forth for general subdivisions (Section 12-8-4:B) or with lot standards for the C/R District (12-5-7:C). As a result, the lots will not be independently buildable and, after their development and sale, may not be redeveloped unless brought back under unified ownership or control to reestablish a buildable zoning lot, as defined by Section 12-17-1.

Typically, and pursuant to Chapter 12-8, "Subdivisions," a Preliminary Plat of Subdivision is approved by the Board of Trustees and a development's site improvements are constructed and certified by the Village Engineer before a Final Plat of Subdivision is presented to the Board for approval and recordation. In this case, the Applicant is requesting the Board of Trustees' approval of both the Preliminary Plat and Final Plat of Subdivision for purposes that should be explained by the Applicant at the Plan Commission hearing. Considering the developer's breadth of experience in successfully constructing developments of this scale, staff has no objection to the request. The Final Plat of Subdivision must still be in substantial compliance with the submitted Preliminary Plat of Subdivision and the Village Engineer will still need to certify that site improvements are constructed in accordance with all requirements before the Village will provide signatures and permit recordation of the Final Plat. All other requirements of Chapter 12-8 will be fully enforced. A draft homeowners' association declaration and bylaws will be prepared by the developer for staff's review and approval prior to recordation.

Development Controls

The proposed project meets all but one of the applicable dimensional and off-street parking requirements for attached dwellings in the C/R Commercial/Residential District. Applicable requirements and the project's compliance are outlined in the following table:

C/R District Dimensional Controls	Requirement	Proposed	Compliance
Lot Area (12-5-7:C)	Max. 16 dwelling units per acre, 18 du/ac by Special Use	11.7 du/ac	Compliant
Lot Width (12-5-7:C)	Min. 60 feet	492.5 feet	Compliant
Front Setback (12-5-7:C)	Min. 15 feet	Lehigh Avenue: 17.9 feet Nagle Avenue: 26.0 feet	Compliant
Street Side Setback (12-5-7:C)	Min. 15 feet, 10 feet by Special use Permit	Main Street: 16.1 feet	Compliant
Interior Side Setback (12-5-7:C)	Min. 5 feet	23.9 – 26.6 feet	Compliant
Rear Setback (12-5-7:C)	Min. 10 feet abutting a non-residential district	> 10 feet	Compliant
Building Height (12-5-7:C)	Max. 40 feet	34.7 feet	Compliant
Floor Area Ratio (12-5-7:C)	N/A	N/A	Compliant
Impermeable Lot Coverage (12-5-7:C)	Max. 65 percent	50 percent	Compliant
Location of Surface Parking (12-5-7:A.3.j)	Not in front of buildings facing a public street	In front of buildings facing a public street	Non-compliant
Off-Street Parking (12-7-3:l, 12-5-7:A.2.b)	[2.0 spaces/du + 0.2 spaces/du guest parking] x 0.90 TOD parking reduction = 176 spaces	220 spaces	Compliant



Surface Parking in Front of Building 11

Per Section 12-5-7:A.3.j, surface parking shall not be located in front of buildings facing a public street. The same section encourages placement behind a building but does not prohibit placement to the side of a building. In only one location to the west of Building 11 does a portion of one parking stall project past the front building line. The landscape plan does not show screening along the north edge of the parking area, which is required by Code. At the Appearance Commission meeting, the Applicant committed to installing landscape screening as required unless an underground utility conflict made such screening unfeasible. The Applicant should discuss efforts to minimize the appearance of the above referenced parking area at the Plan Commission hearing.

Site Access

The site plan was designed to adhere to the guidelines of the C/R Commercial/Residential District and the objectives of the Lehigh/Ferris Framework Plan. The C/R District standards and the Plan both promote walkability, a pedestrian-oriented public realm, and an environment with a vibrant mix of uses. Section 12-5-7:A.1 requires that pedestrian links must be provided to existing public sidewalks and Section 12-9-1:B.2 requires that “every lot shall have access to it that is sufficient to afford reasonable means of ingress and egress for emergency vehicles as well as for other vehicles which need access to the property for its intended use.”

The Applicant worked closely with staff to ensure that the site plan provides the emergency access desired by the Fire Department. At the request of the Fire Department, the Applicant included two emergency access points, one along the southernmost lot line and one along the Oak Street lot line. The emergency access point leading to property owned by the Village at 8300 Lehigh Avenue is deemed appropriate for the property’s current use and will be incorporated into any future redevelopment plan. The emergency access drive through Oak Street, an unimproved right-of-way, will be constructed by the Applicant through a license agreement with the Village. Neither emergency access drive will be open for public use.

The Applicant is required to demonstrate that the site design can accommodate full circulation through the redevelopment property by a garbage truck and the largest sized emergency vehicle available locally. A turning path diagram based on a 47.8-foot-long Morton Grove fire truck was submitted and is included in the hearing packet. As a condition of approval, staff recommends that any additional diagrams requested by Fire Department or Engineering staff to verify that the site plan can accommodate vehicle maneuvering shall be provided.

Traffic & Parking Impact

Per Section 12-7-3:B, all Special Use Applications, including PUD Applications, must provide a traffic and parking impact study which details the traffic impact and the amount of parking necessary and its usage. For Special Uses, the off-street parking requirements set forth in Section 12-7-3:I are advisory only and the final parking required for each use is decided by the Village Board based on the submitted study, any traffic and parking recommendation prepared by the Village staff, and the final recommendation of the Plan Commission. Under a pilot program, the Village retained the services of Kimley-Horn to prepare the required traffic and parking impact study. In this way, staff was able to control the content of the study and ensure the legitimacy of the engineer’s representations. The Applicant has reimbursed the Village for the cost of the study pursuant to a reimbursement agreement.

The submitted site plan includes two garage spaces per unit, for a total of 178 enclosed parking spaces, and 42 surface parking spaces to be used by guests. Collectively, 220 conforming parking spaces are available for resident and guest parking. Per Village Code Section 12-7-3:I, the off-street parking requirement for townhome developments is two spaces per unit plus 0.2 spaces per unit for guest parking. Applying a 10% reduction for developments within a quarter mile of the Metra station in accordance with Section 12-5-7:A.2.b, the off-street parking requirement set forth by Village Code is 176 spaces. The submitted traffic and parking impact study relies on Village Code to determine the amount of parking needed for the proposed development. The study should be updated to reflect that the unit count was decreased from 91 to 89 units and the 10% transit-oriented development reduction.

The driveway leading to each two-car garage measures 18 feet in depth from the shared accessway, a two-way drive measuring 24 feet in width. While the Unified Development Code does not recognize tandem parking spaces, it can be reasonably expected that guests will use this driveway area to park from time-to-time. The Plan Commission may want to consider recommending the

control of parking within this driveway area to limit use.

The submitted traffic and parking impact study indicates that an additional 49 on-street parking spaces are proposed along the site frontages along Lehigh Avenue (26 spaces) and Main Street (23 spaces). Staff does not support on-street parking along either frontage at this time. Parking along Main Street may be reconsidered in the future if the land uses of property north of Main Street are converted to residential or commercial.

Building & Landscape Design

At the June 6, 2022, meeting of the Appearance Commission, the Applicant presented site, building, landscape, and signage plans. The project was conditionally approved in accordance with the staff report to the Appearance Commission, dated May 31, 2022, which is included in the hearing packet.

Stormwater

Cage Civil Engineering submitted a Preliminary Stormwater Management Analysis that describes how the detention volume, volume control, and release rates for the stormwater improvements will be designed in accordance with Metropolitan Water Reclamation District (MWRD) and Village requirements. The on-site detention is proposed to be provided in a landscaped basin. The design of the sanitary sewer and water main will be coordinated with the Village.

Snow Storage, Trash Removal, and Deliveries

At the Traffic Safety Commission meeting on June 2, 2022, the Commission asked the Applicant how snow storage will be accommodated on the site. The developer's civil engineer responded that snow removal will be handled by the future HOA and that storage will occur within grassed areas abutting parking areas located throughout the development. He indicated that snow storage will not occur with parking spaces or driveway areas.

Trash removal is expected to be provided by Groot under the Village-wide contract, consistent with other townhome developments in Morton Grove. The Applicant should speak to whether the site plan can accommodate garbage truck maneuvering and delivery vehicles.

Commission Review

- **Traffic Safety Commission:** On June 2, 2022, the Applicant appeared before the Traffic Safety Commission to provide testimony and respond to comments issued by the Village Engineer in the staff report dated May 25, 2022, which is included in the hearing packet. At the meeting, the Commission and the Applicant discussed parking along Lehigh Avenue and Main Street, the potential need for a crosswalk along Lehigh Avenue, snow removal and storage, and ensuring that landscaping maintains appropriate sight lines at accessway intersections. The Commission unanimously forwarded a recommendation of approval of Case PC 22-09 along with the comments provided by the Village Engineer in the staff report dated May 25, 2022. A recommended condition of PUD Special Use Permit approval is compliance with all comments and recommendations provided by the Village Engineer, whether by strict compliance or alternative compliance, subject to the Village Engineer's final approval.
- **Appearance Commission:** On June 6, 2022, the Applicant appeared before the Appearance Commission to provide testimony and respond to comments issued by the Department of Community and Economic Development in the staff report dated May 31, 2022, which is included in the hearing packet. The meeting proceeded as follows:

Ms. Heidorn, Community Development Administrator, introduced the case. Chairman Pietron asked if M/I Homes has anything to add to Ms. Heidorn's introduction.

Julie Workman, Levenfeld Pearlstein, LLC, representing M/I Homes, introduced herself and Marc McLaughlin of M/I Homes. She explained that M/I Homes has been constructing high-quality residential developments for over 40 years and has projects throughout the region and the U.S. She noted that M/I Homes was recently named Developer of the Year in Arlington Heights.

Ms. Workman stated that M/I Homes is very excited about this project considering the community and its proximity to the Morton Grove Metra station.

Ms. Workman reviewed the site plan with the Appearance Commission, noting the 89 proposed townhome units, generous parking, pedestrian walkways, and landscaped areas. She noted that the detention basin will be landscaped to create an attractive amenity for the residents. Most detention basins are grassed and utilitarian.

Ms. Workman said that the developer was willing to address all comments issued by staff in the report to the Appearance Commission. She added that trees were not proposed along Lehigh Avenue because the developer understood that Lehigh Avenue would soon be reconstructed. M/I Homes did not want to plant trees that would be ripped up in just a few years.

Chairman Pietron asked Ms. Heidorn whether Lehigh Avenue would in fact be reconstructed within the next few years.

Ms. Heidorn responded that there were plans to improve Lehigh Avenue in that location, but that she was unsure whether that would impact tree plantings within the public right of way. No plans have been finalized. She added that the Commission could require the public right of way trees in accordance with Code but permit staff to authorize alternative planting locations if deemed appropriate or planting post-construction by requiring funds to be placed in escrow.

Chairman Pietron responded that this seemed appropriate. He asked the petitioner to speak to the durability of the materials being used.

Ms. Workman reviewed the elevations and materials with the Commissioners, including modular brick and Hardie board.

Mr. McLaughlin explained that the HOA assessments will be structured to replace all exterior materials on a 30-year schedule in the event of issues, but that all materials were expected to last at least 50 years. He explained that these are high-quality materials and typical of modern development. These are some of the most durable residential exterior finishes on the market.

Mr. McLaughlin added that the proposed style of townhome is different than any other townhome development by M/I Homes. The design was generated based on staff feedback to the developer at the project's onset.

Commissioner Zimmer stated that he was concerned with the multiple landscape waivers being requested. He asked the developer to address these requests for variation.

Mr. McLaughlin noted that they were willing to comply with the requirement for public right of way trees. He then spoke to waivers for parking lot screening adjacent to private property and public right of way. He stated that they would add landscape screening where they could, so long as the planting locations were not on top of utilities.

Chairman Pietron asked if the developer was planning to comply with the Village's lighting restrictions. He explained that the photometric plan showed higher than permitting illumination along the lot line.

Ms. Workman responded that they would adjust the lighting plan to comply with Village requirements.

Chairman Pietron asked the developer to make sure the color temperature of lighting sources are warmer rather than cooler.

Commissioner Zimmer expressed that he was at first concerned with the use of elm tree cultivars. He reached out to an arborist to discuss the concern, but the arborist assured him that these are disease-resistant cultivars.

Commissioner Ingram asked the developer to explain how the color palettes were planned to be applied to the buildings. He noted that there are two color schemes shown by the developer, but no indication as to how they will be used.

Mr. McLaughlin stated that the two schemes will likely alternate from building to building. The color scheme of each specific building has not yet been decided, but an alternating pattern is typical of this type of development.

Commissioner Block motioned to approve the request for an Appearance Certificate for site, building, landscape, and signage plans for an 89-unit townhome development proposed under Applications for a Map Amendment (PC 22-08) and Planned Unit Development and Subdivision (PC 22-09) for the property commonly known as 8350 Lehigh Avenue in Morton Grove, Illinois, staff recommends the following conditions of approval:

- 1) Prior to filing any Building Permit Application, the owner/applicant shall provide the Village with a final landscape plan for review and approval by the Community Development Administrator and Appearance Commission Chairperson. If the landscape plan is deemed to be inconsistent with the approved plan, the owner/applicant will be required to file an application for an amendment to the Appearance Certificate.

- 2) Prior to filing any Building Permit Application, the owner/applicant shall provide the Village with a final photometric plan that meets the minimum requirements of Village Code for review and approval by the Community Development Administrator and Village Engineer.
- 3) Prior to filing any Building Permit Application, the owner/applicant shall provide the Village with final elevations and material specifications for review and approval. Final elevations and materials must be deemed consistent with the approved elevations and materials, as determined by the Community Development Administrator and Appearance Commission Chairperson. If such designs are deemed to be inconsistent with the approved plans or if materials are deemed to be of a lower quality than the approved materials, then the owner/applicant will be required to file an application for an amendment to the Appearance Certificate.
- 4) Trees required with the public right of way along Lehigh Avenue shall be planted by the developer in accordance with Section 12-11-1:B.4, shall be planted by the Village at a future date and paid for by the developer through funds placed in escrow, or shall be planted at alternative locations on private property at 8350 Lehigh Avenue, subject to approval by the Appearance Commission Chairperson, Community Development Administrator, and Village Engineer.
- 5) Parking lot screening adjacent to public rights of way or private property shall be provided in accordance with Section 12-11-3:B unless plantings will interfere with underground utilities or unless plantings are not feasible, subject to approval by the Community Development Administrator and Village Engineer.

Motion passed 7-0. The Commission issued an Appearance Certificate and forwarded a recommendation of approval of Case PC 22-09.

Departmental Review

- **Building Department:** The developer should be aware that every unit will be required to have separate sewer and water.
- **Fire Department:** The Fire Department wants the town home buildings to be fully protected by an automatic fire sprinkler system in the following manner:
In each building, provide a common area with an outside entrance to each group of town homes that houses the fire sprinkler system water supply, double detector check, flow switch, and control valves. The fire department wants those devices monitored at the RED Center Dispatch Center.
- **Public Works Department/Engineering:** In review of the proposed project, the Village Engineer issued comments dated June 14, 2022, and included in the hearing packet for PC 22-09. A recommended condition of PUD Special Use Permit approval is compliance with all comments and recommendations provided by the Village Engineer, whether by strict compliance or alternative compliance, subject to the Village Engineer's final approval.

Standards for Review

The Standards for Subdivision are established in Section 12-16-4:D.3 of the Unified Development Code:

12-16-4:D.3. Standards for Subdivisions: The following standards for evaluating subdivisions shall be applied in a reasonable manner, taking into consideration the restrictions and/or limitations which exist for the site being considered for development:

1. **Orderly Development:** The proposed subdivision will encourage orderly and harmonious development within the Village.
2. **Coordination of Streets:** The streets within the proposed subdivision will coordinate with other existing and planned streets within the Village.
3. **Coordination of Utilities:** The utilities within the proposed subdivision will coordinate with existing and planned utilities, and create a uniform system of utilities within the Village.
4. **Consistency with Comprehensive Plan:** The proposed subdivision will be evaluated based on its consistency with the overall land use policies of the Village as may be expressed in the Village's comprehensive plan.

Section 12-6-4 establishes the following standards for evaluating PUD Applications:

- a. **Comprehensive Plan:** The planned unit development shall be consistent with the general policies of the Village as may be expressed in the comprehensive plan.

- b. **Public Welfare:** The planned unit development should be so located, designed, operated and maintained in a manner that will not only protect, but promote the public health, safety, and welfare of the Village.
- c. **Impact On Adjoining Properties:** The proposed planned unit development will not be injurious to the use and enjoyment of adjoining property and that the exceptions to the underlying district regulations are for the purpose of promoting development which is beneficial to the residents or occupants of the surrounding properties with and adjoining the proposed development.
- d. **Drives, Parking And Circulation:** Principal vehicular access to the planned unit development shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular and pedestrian traffic. Adequate provision should be made to provide ingress and egress in a manner that minimizes traffic congestion in the public streets.
- e. **Impact On Public Facilities:** The planned unit development shall be so designed that adequate utilities, road access, drainage, and other necessary facilities will be provided to serve it, and not negatively impact the existing public infrastructure. Surface water in all paved access areas shall be collected in a manner that will not obstruct the flow of vehicular and pedestrian traffic.
- f. **Adequate Buffering And Landscaping:** Adequate fencing, screening, and landscaping shall be provided to protect the enjoyment of surrounding properties, or provide for public safety, or to screen parking areas or other visually incompatible uses. The existing landscape should be preserved in its natural state, to the extent as practicable, minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of the neighboring developed area.
- g. **Integrated Design:** The planned unit development shall be laid out and developed as a unit in accordance with an integrated overall design. This design shall provide for safe, efficient, convenient and harmonious groupings of structures, uses, and facilities, including common open space and storm water detention areas, and for appropriate relationship of space between buildings and site. Any common open space shall be integrated into the design in a manner which has a direct or visual relationship to the main building(s) and not be of an isolated or leftover character.
- h. **Appearance:** The design of all buildings, structures, and facilities on the site of the planned unit development shall be subject to the approval of the appearance review commission, and shall be of quality as good, if not better, than the surrounding neighborhood. Higher or denser buildings shall be located in such a way as to dissipate any adverse impact on adjoining lower buildings within the development or on surrounding properties.
- i. **Relationship To Adjoining Land And Neighborhood:** All planned unit developments shall encourage designs that emphasize accessibility, open views and connections to the larger community as a whole, discouraging new development which may divide neighborhoods and restrict access to adjacent property. In order to achieve this objective, the design of lots, streets, sidewalks, and accessways within the planned unit development, the continuation of such existing or proposed features to adjoining areas shall be encouraged. When a proposed planned unit development adjoins land susceptible of being subdivided, resubdivided, or redeveloped, new streets, sidewalks, and accessways may be carried to the boundaries of the proposed planned unit development.

Recommendation

Should the Plan Commission recommend approval of this application, staff suggests the following motion and conditions:

Motion to recommend approval of Case PC 22-09, a request for approval of a Preliminary Plat of Subdivision and Final Plat of Subdivision, with associated waivers in accordance with Chapter 12-8 of the Morton Grove Municipal Code, and a Planned Unit Development (PUD) Special Use Permit for 89 attached single-family dwellings in a C/R General Commercial/Residential District with waivers to accessway standards (12-9) and the location of surface parking (12-5-7) for the property commonly known as 8350 Lehigh Avenue in Morton Grove, Illinois, subject to the following conditions:

1. *Approval shall be contingent on Board of Trustees approval of Case PC 22-08, a Map Amendment to zone the subject property within the C/R Commercial/Residential District.*
2. *Prior to the issuance of a building permit, the Applicant shall submit final site and engineering plans for review and approval by the Community Development Administrator, Village Engineer, and Village Administrator, and shall comply with all comments and recommendations provided by the Village Engineer in the staff report to the Traffic Safety Commission dated May 25, 2022, and the comments provided by the Village Engineer in the departmental comment form dated June 14, 2022, whether by strict or alternative compliance, subject to the Village Engineer's final approval.*

3. *Prior to the issuance of a building permit, the Applicant shall submit all turning path diagrams requested by the Fire Prevention Bureau Coordinator, Community Development Administrator, and Village Engineer, subject to the review and approval of the Village Administrator.*
4. *The final landscape and improvement plan for the abutting public rights of way shall be modified as necessary to meet the needs and requirements of the Village, subject to review and approval by the Village Administrator.*
5. *The Applicant shall bury existing aboveground utilities within the development site as required by the Village, subject to review and approval by the Village Administrator.*
6. *Prior to the issuance of a certificate of occupancy, the Applicant shall submit a signage plan that includes accessway and parking area signage for review and approval by the Village Administrator and shall install and maintain signage in accordance with the approved signage plan.*
7. *The Applicant shall advise the Department of Community and Economic Development of any proposed change in ownership or operation of the subject property. Such changes may subject the owners, lessees, occupants, and users to additional conditions and may serve as the basis for amendment to the PUD Special Use Permit.*
8. *(Any other conditions recommended by the Plan Commission)*

Attachment D

Final Plans and Supporting Documents for PC 22-09

1. ALTA/NSPS Land Title Survey, prepared by Cage Civil Engineering, dated January 27, 2022 (2 sheets)
2. Site Plan – Metro on Main, prepared by Gary R. Weber Associates, Inc., dated May 6, 2022
3. Preliminary Plat of Subdivision of Metro on Main Subdivision, prepared by Cage Civil Engineering, dated May 6, 2022 (2 sheets)
4. Preliminary Engineering Plan, prepared by Cage Civil Engineering, dated April 29, 2022
5. Metro on Main – Morton Grove, IL (Photometric Plan), prepared by KSA Lighting & Controls, dated April 27, 2022
6. Conceptual Fire Truck Turning Analysis, prepared by Cage Civil Engineering, dated April 7, 2022
7. Preliminary Landscape Plan – Metro on Main, prepared by Gary R. Weber Associates, dated May 9, 2022 (6 sheets)
8. 6-Unit Building Mix Preliminary Character Elevations – Edgebrook Series Townhomes, prepared by M/I Homes of Chicago, LLC, dated March 9, 2022
 - a. Sheet 1 – Front Elevation – Palette A
 - b. Sheet 2 – Rear, Right, Left Elevations – Palette A
 - c. Sheet 3 – Front Elevation – Palette B
 - d. Sheet 4 – Rear, Right, Left Elevations – Palette B
9. Preliminary Floor Plan Layouts – Edgebrook Series Townhomes, prepared by M/I Homes of Chicago, LLC, dated March 9, 2022
 - a. Unit 'A' : 1,663 S.F.
 - b. Unit 'B' : 1814 S.F.
 - c. Unit 'C' : 2021 S.F.
10. Metro at Main Townhome Development Traffic Planning Study, prepared by Kimley-Horn, dated March 2022

ON FILE WITH THE DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT

Legislative Summary

Ordinance 22-16

APPROVING A SPECIAL USE PERMIT FOR A MIXED-USE DEVELOPMENT ON PROPERTY COMMONLY KNOWN AS 6222 LINCOLN AVENUE AND 8503-09 FERNALD AVENUE IN MORTON GROVE, ILLINOIS

Introduction:	August 8, 2022
Purpose:	To approve a Special Use Permit for the renovation of an existing two-structure mixed-use development at 6022 Lincoln Avenue and 8503-09 Fernald Avenue.
Background:	<p>Johnnie Jiron (“applicant”) submitted a complete Special Use Application to the Department of Community and Economic Development requesting authorization to renovate a nonconforming mixed-use development (12-5-7:E) at 6222 Lincoln Avenue and 8503-09 Fernald Avenue (“subject property”) with variations to density (12-5-7:C), lot width (12-5-7:C), rear setback (12-5-7:C), number of structures on a zoning lot less than one acre (12-2-2:A), transparency requirements (12-5-7:A.3.k), and off-street parking (12-7-3:I, 12-5-7:C). The subject property is improved with two nonconforming mixed-use structures containing, in total, five residential units and three commercial units.</p> <p>The applicant is planning enhancements to the buildings’ facades and will construct off-street parking and landscape screening on the premises, which will improve the property beyond its original condition. The base off-street parking requirement established in Sections 12-7-3:I and 12-5-7:C is 14 parking spaces. The applicant is planning to improve the unpaved area to the west of the principal structure with five off-street parking spaces, requiring a waiver of nine parking spaces to the minimum Code requirement. Each apartment unit will be assigned one parking space.</p> <p>On July 6, 2022, the Appearance Commission reviewed the Application, approved an Appearance Certificate for proposed improvements, and recommended approval of the Application with conditions. On July 7, 2022, the Traffic Safety Commission reviewed the Application, including the plans and traffic and parking study, and recommended approval with comments. On July 18, 2022, the applicant appeared before the Plan Commission to present the request for approval of the Application made under Case PC 22-10. Based on the Application, supporting staff report, and testimony presented at the public hearing, the Plan Commission voted unanimously (5-0, Commissioners Mohr and Dorgan absent) to recommend approval of the Special Use Permit, with conditions relating to building and site design, construction schedule, signage, lighting, and snow removal.</p>
Programs, Dept’s, Groups Affected	Department of Community and Economic Development
Fiscal Impact:	N/A
Source of Funds:	N/A
Workload Impact:	The Special Use Permit will be implemented and supervised by staff as part of their normal work activities.
Administrative Recommendation:	Approval as presented
Second Reading:	August 22, 2022
Special Considerations or Requirements:	None

ORDINANCE 22-16

APPROVING A SPECIAL USE PERMIT FOR A MIXED-USE DEVELOPMENT ON PROPERTY COMMONLY KNOWN AS 6222 LINCOLN AVENUE AND 8503-09 FERNALD AVENUE IN MORTON GROVE, ILLINOIS

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, and can exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and incur debt; and

WHEREAS, 6222 Lincoln Avenue and 8503-09 Fernald Avenue, legally described in “Exhibit A”, attached hereto and made a part of this Ordinance, is a 0.17-acre property zoned C/R Commercial/Residential (“Subject Property”); and

WHEREAS, the Subject Property is currently improved with two (2) mixed-use structures collectively containing five (5) residential units and three (3) ground-floor commercial units; and

WHEREAS, the existing mixed-use development is nonconforming with respect to density (12-5-7:C), lot width (12-5-7:C), rear setback (12-5-7:C), number of structures on a zoning lot less than one acre (12-2-2:A), transparency requirements (12-5-7:A.3.k), and off-street parking (12-7-3:I, 12-5-7:C); and

WHEREAS, while these nonconformities existed for several decades and were considered legal non-conforming uses. However, one of the buildings was vacant for more than 6 months due to a fire and lost its nonconforming status; and

WHEREAS, an existing nonconforming structure that is no longer protected under the provisions of Sections 12-15-4, “Nonconforming Structures,” may not be restored or altered by-right unless the structure complies with all applicable development standards; and

WHEREAS, mixed-use developments that do not meet the development standards for permitted uses in the C/R District may be approved by a Special Use Permit pursuant to Section 12-5-7:E of the Unified Development Code (Title 12); and

WHEREAS, Johnnie Jiron (“Applicant”), filed a complete application to the Village’s Plan Commission under Case PC 22-10 (“Application”) requesting approval of a Special Use Permit for the renovation of a nonconforming mixed-use development; and

WHEREAS, to authorize the development as presented, the Application requests variations for density (12-5-7:C), lot width (12-5-7:C), rear setback (12-5-7:C), number of structures on a zoning

lot less than one acre (12-2-2:A), transparency requirements (12-5-7:A.3.k), and off-street parking (12-7-3:I, 12-5-7:C); and

WHEREAS, pursuant to the applicable provisions of the Municipal Code, public notice for a public hearing on the Application to be held on July 18, 2022, was published in the *Morton Grove Champion*, a newspaper of general circulation in the Village of Morton Grove, on June 30, 2022, written notification was sent to property owners within 250 feet of the subject property on July 1, 2022, and a sign was posted on the Subject Property on July 1, 2022, as required by ordinance; and

WHEREAS, pursuant to Section 12-7-3:B, the off-street parking standards identified in the Unified Development Code as “Required Spaces by Use” shall be advisory only for Special Use applications and the final number of required parking spaces for Special Use Permits will be established by the Village Board based on the submitted traffic and parking impact study and any recommendations by the Traffic Safety Commission, Plan Commissions, and staff; and

WHEREAS, in accordance with Section 12-7-3:B of the Village Code, the Applicant submitted a traffic and parking impact study, “Summary Traffic and Parking Evaluation,” prepared by Javier Millan of Kenig, Lindgren, O’Hara, Aboona, Inc. (KLOA), dated May 16, 2022, which indicates that the existing development could be modified to fit at maximum five (5) off-street parking spaces and that trips to be generated by the proposed parking lot will not have an additional impact on traffic conditions in the area; and

WHEREAS, on July 6, 2022, the Appearance Commission reviewed the Application, approved an Appearance Certificate for proposed improvements, and recommended approval of the Application with conditions; and

WHEREAS, on July 7, 2022, the Traffic Safety Commission (TSC) reviewed the Application, including the plans and traffic and parking study, and recommended approval with comments; and

WHEREAS, at the July 18, 2022, public hearing, the Village’s Plan Commission heard the Applicant’s presentation and reviewed the Application, 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

WHEREAS, the Village’s Plan Commission considered all the evidence and testimony presented to it, discussed the merits of the Application in light of applicable law, including the Standards for Special Use established in Section 12-16-4:C.5 of the Unified Development Code, and voted to recommend approval of the Special Use Permit, subject to conditions, restrictions, and requirements contained in the report of the Plan Commission, dated August 1, 2022, which was

presented to the Village Board on August 8, 2022, and a copy of that report is contained in “Exhibit B”, attached to and made a part of this Ordinance; and

WHEREAS, pursuant to the provisions of the Village’s Unified Development Code, the Corporate Authorities have determined that the Special Use Permit should be approved, subject to the provisions, conditions, and restrictions contained in this Ordinance.

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. Incorporation by Reference. The Corporate Authorities do hereby incorporate the foregoing WHEREAS clauses into this Ordinance by this reference, as though fully set forth herein, thereby making the findings as hereinabove set forth.

SECTION 2. Approval of Special Use Permit. The Corporate Authorities hereby grant a Special Use Permit to authorize the renovation of a nonconforming mixed-use development with select variations to requirements of the Unified Development Code, with the following conditions and restrictions, which shall be binding on the owners/lessees, occupants and users of this property, their successors and assigns. The Special Use Permit approval shall include the following waivers:

- A. Waiver to Section 12-5-7:C for density;
- B. Waiver to Section 12-5-7:C for lot width;
- C. Waiver to Section 12-5-7:C for rear setback;
- D. Waiver to Section 12-2-2:A for number of structures on a zoning lot;
- E. Waiver to Section 12-5-7:A.3.k for transparency requirements in a C/R District;

SECTION 3. Conditions. The Special Use Permit shall be subject to the following conditions:

- A. The site, improvements, and buildings, including building footprints, shall be improved and operated consistent with the plans and supporting documents and modifications as finalized and specifically approved in writing by the Village Administrator or his/her designee, including:
 - 1. Plat of Survey, prepared by Polena Engineering LLC, dated December 1, 2021;
 - 2. Sheet L-1 – Site & Parking Lot Plan, dated December 13, 2021;
 - 3. Sheet A0.1 – Proposed Plans (First Floor & Second Floor Plans), prepared by HWR Inc., dated May 16, 2022;
 - 4. Sheet A2.1 – Proposed Elevations, Building 1, prepared by HWR Inc., dated March 29, 2022;

5. Sheet A2.2 – Proposed Elevations, Building 2, prepared by HWR Inc., dated March 29, 2022;
6. Materials Palette, Proposed Building Renovation, undated;
7. Colored Elevation – South Elevation, Proposed Building Renovation, undated; and
8. Summary Traffic and Parking Evaluation, prepared by Javier Millan, Kenig, Lindgren, O’Hara, Aboona, Inc. (KLOA), dated May 16, 2022.

Any change to the site or building may subject the Applicant or subsequent owners, lessees, occupants, and users of the Subject Property to additional conditions and may serve as the basis for amendment to the Special Use Permit.

- B. The Subject Property shall be developed and operated consistent with all representations, assertions, and testimony provided by the Applicant and their representatives at the public hearings before the Appearance Commission, Traffic Safety Commission, and Plan Commission. Any inconsistencies in development or operation, as determined by the Village Administrator or his/her designee, may serve as the basis for amendment to or revocation of the Special Use Permit.
- C. All final site development plans must be approved in writing by the Village Administrator or his/her designee and shall be consistent with the site layout and building setbacks shown in Sheet L-1 – Site & Parking Lot Plan, dated December 13, 2021, and final recommendations from staff, the Appearance Commission, Traffic Safety Commission, Plan Commission, and Village Board of Trustees.
- D. Prior to the issuance of a building permit, the Applicant shall submit a final traffic and parking impact study and final site and engineering plans for review and approval by the Community Development Administrator, Village Engineer, and Village Administrator or his/her designee, and shall comply with all comments and recommendations provided by the Village Engineer in the departmental comment form dated July 8, 2022, and by the Traffic Safety Commission Chairperson in the comment form dated July 8, 2022, whether by strict or alternative compliance, subject to the Village Engineer’s final approval.
- E. The Applicant shall comply with all comments issued by the Building Department, Fire Department, and Community and Economic Development Department in the staff report to the Plan Commission dated July 12, 2022, whether by strict or alternative compliance, subject to the Village Administrator or his/her designee’s final approval.

- F. Prior to filing any building permit application, the Applicant shall provide the Village with a detailed landscape plan for review and approval by the Community Development Administrator and Appearance Commission Chairperson. If the landscape plan is deemed to be inconsistent with the approved plan or noncompliant with the requirements of Chapter 12-11, the Applicant will be required to file an application for an amendment to the Appearance Certificate.
- G. Prior to filing any building permit application, the Applicant shall provide the Village with final elevations and material specifications for review and approval. Final elevations and materials must be deemed consistent with the approved elevations and materials, and with comments provided by the Appearance Commission at the public meeting held on July 6, 2022, as determined by the Community Development Administrator and Appearance Commission Chairperson. If such designs are deemed to be inconsistent with the approved plans or if materials are deemed to be of a lower quality than the approved materials, then the Applicant will be required to file an application for an amendment to the Appearance Certificate.
- H. All obsolete signage located along the south and west elevations shall be removed immediately.
- I. Sign colors shall blend with the building and storefront colors through use of complementary color ranges, or as otherwise approved by the Appearance Commission Chairperson.
- J. Portable signage shall be permitted pursuant to Section 10-10-8:E, except that the signage frame and base shall be constructed primarily of metal or wood, or as otherwise authorized by the Village Administrator or his/her designee.
- K. Box signs shall only be permitted with metal or completely opaque material backgrounds. Interior illuminated panel signs or box signs with translucent acrylic faces shall not be permitted.
- L. Rope lighting, or other similar linear lighting with small lights (usually incandescent bulbs or light emitting diodes (LEDs) covered in heavy-duty plastic tubing, and installed to outline signs, merchandise, windows, buildings, or building elements, where such lighting is intended to be visible from the exterior of the building, shall be prohibited.
- M. Illuminated signage and other illuminating features on the property may not exceed 5,000K (degrees Kelvin).

- N. The Applicant shall increase the transparency, or the perceived transparency, of the north building's west elevation through installation of a window or false window, subject to review and approval by the Community Development Administrator.
- O. The applicant shall remove all obstructions of the public right of way or enter into any agreement deemed appropriate by the Village for the continuation and maintenance of obstructions of the public right of way.
- P. Prior to the issuance of a certificate of occupancy, the Applicant shall submit a signage plan that includes parking area signage for review and approval by the Village Administrator or his/her designee and shall install and maintain signage in accordance with the approved signage plan.
- Q. The Applicant shall comply with the construction schedule outlined in the staff report to the Plan Commission dated July 12, 2022, or as modified upon the Applicant's submittal of documentation requesting extensions and as reviewed and approved by the Village Administrator or his/her designee.
- R. The Applicant shall meet weekly with staff to provide reports on the project's progress unless deemed unnecessary by the Community Development Administrator or Village Administrator or his/her designee.
- S. All trash receptacles shall be stored within the proposed trash enclosure and moved to the alley on collection days, or as otherwise authorized by the Village Administrator or his/her designee.
- T. The Applicant shall maintain a contract for snow removal from the site for as long as the development is in existence or shall submit an equally effective plan for removal that does not interfere with on-site parking, subject to review and approval by the Village Administrator or his/her designee.
- U. The Applicant shall advise the Department of Community and Economic Development of any proposed change in ownership or operation of the Subject Property. Such changes may subject the Owner, lessees, occupants, and users to additional conditions and may serve as the basis for amendment to the Special Use Permit. The Special Use Permit is granted so long as the Applicant, Owner, occupants, and users of the Subject Property utilize the area for the purposes as herein designated.
- V. The Owner, Applicant, and any lessees, occupants, and users of the Subject Property, their successors and assigns, shall allow employees and authorized agents of the Village access

to the Subject Property at all reasonable times for the purpose of inspecting the Subject Property to verify all terms and conditions of this Ordinance have been met.

SECTION 4. Village Records. 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 granted hereunder.

SECTION 5. Failure to Comply with Conditions. Upon failure or refusal of the Applicant to comply with any or all of the conditions, restrictions or provisions of this Ordinance, the Corporate Authorities may initiate the revocation of the Special Use Permit granted in this Ordinance, in accordance with process and procedures established in the Unified Development Code.

SECTION 6. Effective Date. 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 22nd day of August 2022.

Trustee Gear	_____
Trustee Khan	_____
Trustee Minx	_____
Trustee Thill	_____
Trustee Travis	_____
Trustee Witko	_____

APPROVED by me this 22nd day of August 2022.

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

APPROVED and FILED in my office this 23rd day of August 2022.

Eileen Scanlon-Harford, Village Clerk
Village of Morton Grove
Cook County, Illinois

LIST OF EXHIBITS

EXHIBIT A	Legal Description, 6222 Lincoln Avenue and 8503-09 Fernald Avenue
EXHIBIT B	Plan Commission Report for PC 22-10, dated August 1, 2022

EXHIBIT A

**6222 LINCOLN AVENUE AND 8503-09 FERNALD AVENUE, MORTON GROVE,
ILLINOIS 60053 LEGAL DESCRIPTION:**

LOTS 40 AND 41 IN BLOCK 5 IN BINGHAM AND FERNALD'S MORTON GROVE
SUBDIVISION OF PART OF LOT 40 IN THE COUNTY CLERK'S DIVISION OF SECTION
20 AND THE EAST ½ OF THE NORTHEAST ¼ OF SECTION 19, TOWNSHIP 41 NORTH,
RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY,
ILLINOIS.

PROPERTY INDEX NUMBERS:

10-20-114-049-0000

10-20-114-050-0000

EXHIBIT B

PLAN COMMISSION REPORT FOR PC 22-10

Dated July 1, 2022

To: Village President and Board of Trustees

From: Steve Blonz, Plan Commission Chairperson
Ralph Czerwinski, Village Administrator
Teresa Hoffman Liston, Corporation Counsel
Zoe Heidorn, Community Development Administrator

Date: August 1, 2022

Re: Plan Commission Case PC 22-10
Request for a Use Permit to legalize and authorize the renovation of a nonconforming mixed-use development (12-5-7:E) at 6222 Lincoln Avenue and 8503-09 Fernald Avenue (10-20-114-049-0000, 10-20-114-050-0000) in Morton Grove, Illinois, with variations to density (12-5-7:C), lot width (12-5-7:C), rear setback (12-5-7:C), number of structures on a zoning lot less than one acre (12-2-2:A), transparency requirements (12-5-7:A.3.k), and off-street parking (12-7-3:l, 12-5-7:C). The applicant is Johnnie Jiron.

Executive Summary

Johnnie Jiron ("applicant") submitted a complete Special Use Application to the Department of Community and Economic Development requesting authorization to renovate a nonconforming mixed-use development (12-5-7:E) at 6222 Lincoln Avenue and 8503-09 Fernald Avenue ("subject property") with variations to density (12-5-7:C), lot width (12-5-7:C), rear setback (12-5-7:C), number of structures on a zoning lot less than one acre (12-2-2:A), transparency requirements (12-5-7:A.3.k), and off-street parking (12-7-3:l, 12-5-7:C).

The Special Use Application was considered by the Plan Commission at the regularly scheduled meeting on July 18, 2022. For the reasons set forth in this report, on July 18, 2022, the Plan Commission unanimously recommended by a vote of 5-0 (Commissioners Mohr and Dorgan absent) that the Village Board of Trustees should approve the requested Special Use Permit with various conditions.

Application

The subject property is improved with two nonconforming mixed-use structures, one located to the north of the lot ("north building"), and one located to the south of the lot ("south building"). In total, there are five residential units and three commercial units located on the property. On November 11, 2020, a fire event occurred at the subject property, causing considerable damage to a residential unit within the south building. Pursuant to Section 12-11-4:B, the nonconforming structure may have been restored if the damage met certain criteria, if reconstruction was initiated within one year from the date of the damage, and the reconstruction was diligently pursued to completion. According to the applicant, due to issues with the insurance adjuster that caused delay, a building permit could not be obtained within the one-year grace period provided by Code and work could not commence. On November 11, 2021, the property lost all nonconforming protection.

On June 13, 2022, the applicant submitted a complete Special Use Application requesting approval of a Special Use Permit to legalize the nonconforming mixed-use development on the subject property so that the damaged building may be restored. The applicant is planning enhancements to the buildings' facades and will construct five off-street parking spaces and landscape screening on the premises, which will improve the property beyond its original condition.

Departmental Review

- **Building Department:** The Building Department issued the following comments:
 1. All egress paths must be brought up to current adopted code (2018 IBC). Examples include interior stairs, egress windows, and exterior egress door paths.
 2. All electrical, mechanical, and plumbing systems are required to be brought up to current code.
 3. Existing lead water service is required to be replaced, and existing sanitary sewer will need to be inspected for water tightness.
- **Fire Department:** The Fire Department issued the following comments:
 1. The entire structure (Buildings 1 & 2) is required to be fully sprinkled.

2. The entire structure (Buildings 1 & 2) is required to be fully protected by an automatic full detection and notification fire alarm system that sends signals to, and is monitored by, the Fire Department Dispatch Center.
 3. The structure is required to be equipped with a Fire Department Knox Box to enable emergency access.
- **Public Works Department/Engineering:** In review of the proposed project, the Village Engineer issued comments dated July 8, 2022, attached hereto as “**Attachment A**”.

Public Hearings

Appearance Commission

On July 6, 2022, the applicant appeared before the Appearance Commission to provide testimony and respond to comments issued by Department of Community and Economic Development staff in the report dated June 28, 2022, attached hereto as “**Attachment B**”. At the meeting, the Commission, the applicant, and the applicant’s consultants discussed the proposed elevations, landscape plan, and general aesthetic compatibility with the surrounding neighborhood. The Commission issued an Appearance Certificate and forwarded a recommendation of approval of Case PC 22-10, subject to the following conditions:

- 1) Prior to filing any Building Permit Application, the owner/applicant shall provide the Village with a detailed landscape plan for review and approval by the Community Development Administrator and Appearance Commission Chairperson. If the landscape plan is deemed to be inconsistent with the approved plan or noncompliant with the requirements of Chapter 12-11, the owner/applicant will be required to file an application for an amendment to the Appearance Certificate.
- 2) Prior to filing any Building Permit Application, the owner/applicant shall provide the Village with final elevations and material specifications for review and approval. Final elevations and materials must be deemed consistent with the approved elevations and materials, as determined by the Community Development Administrator and Appearance Commission Chairperson. If such designs are deemed to be inconsistent with the approved plans or if materials are deemed to be of a lower quality than the approved materials, then the owner/applicant will be required to file an application for an amendment to the Appearance Certificate.
- 3) All obsolete signage located along the south and west elevations shall be removed immediately.
- 4) Sign colors shall blend with the building and storefront colors through use of complementary color ranges, or as otherwise approved by the Appearance Commission Chairperson.
- 5) Any portable signage shall be permitted pursuant to Section 10-10-8:E, except that the signage frame and base shall be constructed primarily of metal or wood, or as otherwise authorized by the Village Administrator.
- 6) Box signs shall only be permitted with metal or completely opaque material backgrounds. Interior illuminated panel signs or box signs with translucent acrylic faces shall not be permitted.
- 7) Rope lighting, or other similar linear lighting with small lights (usually incandescent bulbs or light emitting diodes (LEDs)) covered in heavy-duty plastic tubing, and installed to outline signs, merchandise, windows, buildings, or building elements, where such lighting is intended to be visible from the exterior of the building, is prohibited.
- 8) Illuminated signage and other illuminating features on the property may not exceed 5,000K (degrees Kelvin).
- 9) The applicant shall increase the transparency, or the perceived transparency, of the north building’s west elevation through installation of a window or false window, subject to review and approval by the Community Development Administrator.

Traffic Safety Commission

On July 7, 2022, the applicant appeared before the Traffic Safety Commission to provide testimony and respond to comments issued by the Village Engineer. The Commission, the applicant, the applicant’s consultants, and Village staff discussed accessible parking requirements, vehicular maneuvering, pedestrian safety, and snow removal. The Commission voted (5-1) to recommend approval of the application and forwarded comments dated July 8, 2022, attached hereto as “**Attachment C**”.

Plan Commission

The Village of Morton Grove provided public notice for the July 18, 2022, Plan Commission public hearing for Case PC 22-10 in accordance with the Unified Development Code. The *Morton Grove Champion* published a public notice on June 30, 2022. The Village mailed letters to property owners within 250 feet of the subject property on July 1, 2022, and placed a public notice sign on the subject property on July 1, 2022.

Plan Commission – July 18, 2022, Proceedings: Five members of the Plan Commission were in attendance at the public hearing for Case PC 22-10 held on July 18, 2022. Commissioners Mohr and Dorgan were absent with notice.

Zoe Heidorn, Community Development Administrator, provided a brief introduction to the application. The staff report dated July 12, 2022, and attached hereto as “**Attachment D**,” was entered into the public record.

Ms. Heidorn presented the case for the Village. She explained that Case PC 22-10 is a request for a Special Use Permit it to authorize the renovation of a nonconforming mixed-use development at 6222 Lincoln Avenue and 8503-09 Fernald Avenue with variations to density, lot width, rear setback, number of structures on a zoning lot less than one acre, transparency requirements, and off-street parking. In November of 2020, a fire event occurred at the subject property, causing considerable damage to the south structure. Because a building permit was not issued for restoration of the nonconforming structure within one year of the fire event, the property lost all legal nonconforming protection. The applicant is seeking legalization of the existing development so that it may be restored and improved in accordance with Village requirements.

Ms. Heidorn explained that said the applicant is proposing to refinish the exterior of both structures and construct a parking area containing five parallel spaces to the east. Currently, there are no conforming parking spaces located on the subject property. With five residential units on the structure’s second floors and assuming that general retail uses will occupy the two vacant commercial spaces on the ground floor, the base off-street parking requirement for the overall development set forth by Village Code is 14 spaces, which includes a 15% reduction for properties within 1/8 of a mile from a municipal parking lot or the Morton Grove Metra station.

Ms. Heidorn noted that the proposed parking layout does not conform with the Village’s minimum dimensional requirements, but that the applicant has made effort to remedy the lack of off-street parking using the space available on the property. As noted in the staff report but not included in the list of recommended conditions, staff recommends a restriction on future ground floor commercial uses to uses that require no more than 1 parking space per 250 square feet of gross floor area to prevent future on-street parking issues.

Commissioner Kintner asked about an alternative to parallel parking that was mentioned in the staff report.

Ms. Heidorn said a conforming parking plan would be to have two spaces off the alley, but that this would require an even greater variation to the minimum number of off-street parking spaces.

Secretary Kirchner swore in the representatives of the applicant, including Johnnie Jiron, contractor Jorge Rocha, and architect Francisco Navarez.

Mr. Jiron thanked Ms. Heidorn for her help with this application.

Mr. Jiron told the Commission that his family did not want to wait these 20 months to get started on the restoration. Their bank that held the mortgage paid off most of the mortgage with the first half of the insurance proceeds. That left the family with fewer funds than expected to start the renovation. They also switched contractors, as the first contractor did not meet their requirements. They want to repair the building but were constrained by their budget. He stated that they have their finances in order and are ready to proceed with the project.

Commissioner Kintner asked about the cornice preservation and limited facade transparency discussed by the Appearance Commission.

Mr. Jiron said they are happy to comply with the Appearance Commission requirements.

Mr. Navarez said they will try to preserve the cornice and may replicate it on the other building. They are also adding additional windows as required. This is not reflected on the plans before the Commission, but additional window area will be added to the final plans.

Chairman Blonz asked for the traffic consultant to come forward.

Brendan May of KLOA was sworn in. He said it is important to note that the traffic study is based on existing conditions as the use is not changing. It is an improvement to add 5 parking spaces for the continued use. The study shows the new parking spaces can be maneuvered into and out of, and that pedestrian activity will be limited to residents of the property.

Chairman Blonz asked if the cars will back in from the alley to the spaces. One car will have to reverse the length of four cars.

Mr. May said that the parking is only for the apartments and a tenant will understand the parking constraints. He said that use of the parking area will be self-selective. Drivers who are uncomfortable with the backing-in maneuvering will not rent an apartment.

Chairman Blonz explained his concerns with the parallel parking configuration and the number of spaces being significantly less than required.

KLOA studied census data for the neighborhood and found it generated 0.88 vehicles available per occupied housing unit within one-quarter mile of the train station. This means at one space per unit, the 5 proposed spaces will be sufficient to accommodate the residential use. He noted that the commercial tenants will have enough parking that is provided on-street and in a nearby municipal lot. The commercial spaces serve the immediate neighborhood and can be walked or biked to.

Commissioner Kintner asked if access to the lot off Lincoln Avenue was considered.

Mr. May said there would be too many traffic conflicts to add access off Lincoln Avenue.

Commissioner Stein asked if both buildings would be brought up to current building code. He asked if there would be an exterior fire wall rating due to the proximity of the two buildings.

Mr. Jiron said he has received all comments from the Building and Fire Departments and will comply with all applicable codes.

Jim English, Manager of Building and Inspectional Services, said that anything that was affected by the fire must be brought up to code, which includes the water service for both buildings.

Mr. Navarez reiterated that the buildings will meet all applicable code requirements.

Commissioner Gabriel said he is glad they are bringing the buildings up to code. He wants to make sure they are aware of the costs and that the project is viable for the owner.

Mr. Jiron said they trust their contractor and architect. They are improving the property, the units, and the parking conditions.

Mr. Rocha said that only one unit was affected by the fire, by smoke and water damage.

Chairman Blonz asked for questions from the audience.

Mrs. Judy Garcia (8510 Georgiana Avenue), who lives down the alley from the building, stated that she has no parking concerns. She does not want the parking lot to cause stormwater drainage or flooding problems.

Ms. Heidorn said the amount of paving proposed will require some amount of stormwater detention to be provided on the site, which will be determined by the Public Works Department.

Chairman Blonz asked the applicant if they contacted the property's neighbors.

Mr. Jiron said they have not directly spoken to neighbors, but that he has heard that some neighbors have been complaining about the property's condition. He hopes this work will be welcomed.

Commissioner Gabriel notes that the property has been part of the neighborhood for a long time and is glad that it will come into compliance.

Chairman Blonz asked for any further discussion.

Commissioner Kintner made a motion to recommend approval of Case PC 22-10, a request for approval of a Special Use Permit to legalize and authorize the renovation of a nonconforming mixed-use development (12-5-7:E) at 6222 Lincoln Avenue and 8503-09 Fernald Avenue (10-20-114-049-0000, 10-20-114-050-0000) in Morton Grove, Illinois, with variations to density (12-5-7:C), lot width (12-5-7:C), rear setback (12-5-7:C), number of structures on a zoning lot less than one acre (12-2-2:A), transparency requirements (12-5-7:A.3.k), and off-street parking (12-7-3:I, 12-5-7:C), subject to the following conditions:

1. Prior to the issuance of a building permit, the applicant shall submit final site and engineering plans for review and approval by the Community Development Administrator, Village Engineer, and Village Administrator, and shall comply with all comments and recommendations provided by the Village Engineer in the departmental comment form dated July 8, 2022, and the comment form issued by the Traffic Safety Commission dated July 8, 2022, whether by strict or alternative compliance, subject to the Village Engineer's final approval.
2. The applicant shall comply with the comments issued by the Building Department in the departmental comment form dated June 28, 2022, and with the comments issued by the Fire Department in the departmental comment form dated July 6, 2022.
3. The applicant shall remove all obstructions of the public right of way or enter into any agreement deemed appropriate by the Village for the continuation and maintenance of obstructions of the public right of way.
4. Prior to the issuance of a certificate of occupancy, the applicant shall submit a signage plan that includes parking area signage for review and approval by the Village Administrator and shall install and maintain signage in accordance with the approved signage plan.
5. The applicant shall comply with the construction schedule outlined in the staff report to the Plan Commission dated July 12, 2022, or as modified upon the applicant's submittal of documentation requesting extensions and as reviewed and approved by the Village Administrator.
6. The applicant shall meet weekly with staff to provide reports on the project's progress unless deemed unnecessary by the Community Development Administrator and/or Village Administrator.
7. The applicant shall comply with all conditions of approval included in the Appearance Certificate issued by the Appearance Commission on July 6, 2022.
8. All trash receptacles must be stored within the proposed trash enclosure and moved to the alley on collection days, or as otherwise authorized by the Village Administrator.
9. The applicant shall maintain a contract for snow removal from the site for as long as the development is in existence or shall submit an equally effective plan for removal that does not interfere with on-site parking, subject to review and approval by the Village Administrator.
10. The Applicant shall advise the Department of Community and Economic Development of any proposed change in ownership or operation of the subject property. Such changes may subject the owners, lessees, occupants, and users to additional conditions and may serve as the basis for amendment to the Special Use Permit.

The motion was unanimously (5-0) approved.

Final Plans and Supporting Documents

The application's final plans and supporting documents recommended for approval by the Plan Commission include the following and are attached hereto as "**Attachment E**":

1. Plat of Survey, prepared by Polena Engineering LLC, dated December 1, 2021
2. Sheet L-1 – Site & Parking Lot Plan, dated December 13, 2021
3. Sheet A0.1 – Proposed Plans (First Floor & Second Floor Plans), prepared by HWR Inc., dated May 16, 2022
4. Sheet A2.1 – Proposed Elevations, Building 1, prepared by HWR Inc., dated March 29, 2022
5. Sheet A2.2 – Proposed Elevations, Building 2, prepared by HWR Inc., dated March 29, 2022
6. Materials Palette, Proposed Building Renovation, undated
7. Colored Elevation – South Elevation, Proposed Building Renovation, undated
8. Summary Traffic and Parking Evaluation, prepared by Javier Millan, Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA), dated May 16, 2022

Attachments

- **Attachment A** – Departmental Comment Form for Case PC 22-10, prepared by Chris Tomich, Village Engineer, dated July 8, 2022
- **Attachment B** – Staff Report to the Appearance Commission for AC 22-07, prepared by Zoe Heidorn, Community Development Administrator, dated June 28, 2022
- **Attachment C** – Traffic Safety Commission Comment Form for Case PC 22-10, prepared by Keith White, Traffic Safety Commission Chairperson, dated July 8, 2022
- **Attachment D** – Staff Report to the Plan Commission for PC 22-10, prepared by Zoe Heidorn, Community Development Administrator, dated July 12, 2022
- **Attachment E** – Final Plans and Supporting Documents for PC 22-10

Attachment A

Departmental Comment Form for Case PC 22-10
Prepared by Chris Tomich, Village Engineer
Dated July 8, 2022

VILLAGE OF MORTON GROVE, ILLINOIS
PLAN REVIEW COMMENT FORM

DATE DISTRIBUTED: 6/22/2022

CASE NUMBER: PC 22-10

APPLICATION: Request for approval of a Special Use Permit for a Mixed Use Development in a C/R Commercial/Residential District (12-5-7:E) with variations to lot width (12-5-7:C), rear setback (12-5-7:C), number of structures on a zoning lot less than one acre (12-2-2:A), landscaping requirements (12-11), and off-street parking (12-7-3:I, 12-5-7:C) for the property commonly known as 6222 Lincoln Avenue and 8503-8509 Fernald Avenue (10-20-114-049-0000, 10-20-114-050-0000) in Morton Grove, Illinois.

A Special Use Application has been submitted for Plan Commission action. Please return your review to the Department of Community and Economic Development by **Wednesday, July 6, 2022.**

Thank you,
Zoe Heidorn, Community Development Administrator

COMMENTS OR CONCERNS

-
- 1) A hard surface for the parking lot with perimeter curb will be required for a site improvement permit. The dimensional plan does not include material labels and it is not clear where the parking lot, walkway and landscaping limits are proposed to be located. Refining to include these facilities could affect the feasibility of the proposed improvements.
 - 2) State and Village requirements for a mixed-use development are anticipated to require one accessible parking space and an accessible entrance to the non-residential space of the building.
 - 3) The plan indicates the parallel parking space is 8 feet wide and the driveway is 12'-5" wide. The Municipal Code requires parallel parking spaces to be 8'-6" wide and the driveway to be 12' wide. It is not likely Engineering staff would be supportive of approving a new parking lot at a new facility with two-way circulation. Although not explicitly stated in the Municipal Code, one-way circulation would be needed for this driveway width, but two-way operation is planned. Driveways on single family residential properties of this width generally operate safely as two-way because of the level of control of the property. As the driveway lengths get longer and as the ability, familiarity, and cooperation of drivers diversifies, the operational safety should be anticipated to decrease.
 - 4) The exterior stairway is shown to be at the proposed edge of driveway. There is no safety buffer to maneuver past this point. Bollards could be installed to provide a modest level of (passive) protection of the structure.
 - 5) Garbage collection maneuvers have not been evaluated for the proposed new trash enclosure. It is anticipated that garbage truck maneuvers onto the property would be difficult. Rolling the garbage containers to the alley for collection should be a condition of development.
 - 6) Snow removal has not been addressed in the Traffic Study. The Public Works Department considers this to be a noteworthy issue to be addressed because it could have the effect of further constricting a constricted site.
 - 7) It is clear in the Traffic Study that the proposed parking lot is intended to maximize the number of parking spaces on this constrained site. The Municipal Code states an Impact Study details the traffic impact and the amount of parking necessary and its usage. The Traffic Study does not meet the requirement without a parking demand analysis for the site. Without the parking demand, the application's conclusion that the proposed

development will not have a significant impact on area roadways is unsupported.

- 8) The Traffic Study recommends assigned parking spaces and reversing from the alley into parking spaces on the property. The Municipal Code does not explicitly prohibit or encourage this, so some judgement is needed. Reversing into parking spaces should be considered a voluntary compliance issue because it is not part of a broad requirement for any driver within Morton Grove, Cook County, or Illinois. Public Works staff considers lengthy reversing maneuvers to be a potential safety hazard to pedestrians, parked vehicles, moving vehicles, and fixed objects. All of those factors are present in close proximity to the vehicle accessing the parking area.
- 9) Although not proposed or explored in the application, Public Works staff would not be supportive of a proposed parking facility that would provide direct access to Lincoln Avenue because of concerns of pedestrian safety.
- 10) Stormwater detention will be required for a site improvement permit. This requirement is mentioned for the benefit of the applicant only because there are items that are lacking from the application identified in the comments above that will have a cost associated with the development.

These comments accurately represent existing Village regulations or policies.

Name (please print): Chris Tomich, Village Engineer

Signed:



Date: 7/8/2022

Attachment B

Staff Report to the Appearance Commission for AC 22-07
Prepared by Zoe Heidorn, Community Development Administrator
Dated June 28, 2022

To: Chairperson Pietron and Members of the Appearance Commission

From: Zoe Heidorn, Community Development Administrator; Anne Ryder Kirchner, Assistant Land Use Planner

Date: June 28, 2022

Re: Appearance Commission Case AC 22-07
Request by Johnnie Jiron for an Appearance Certificate for site, building, and landscape plans with associated waivers for a 4-unit mixed-use development proposed to be legalized and renovated under a Special Use Application (PC 22-10) for the property commonly known as 6222 Lincoln Avenue and 8503-09 Fernald Avenue (10-20-114-049-0000, 10-20-114-050-0000) in Morton Grove, Illinois

Project Overview

Johnnie Jiron ("applicant") submitted a complete Special Use Application to the Department of Community and Economic Development requesting authorization to renovate a nonconforming mixed-use development (12-5-7:E) at 6222 Lincoln Avenue and 8503-09 Fernald Avenue ("subject property") with variations to lot width (12-5-7:C), rear setback (12-5-7:C), number of structures on a zoning lot less than one acre (12-2-2:A), transparency requirements (12-5-7:A.3.k), and off-street parking (12-7-3:l, 12-5-7:C). Pursuant to Section 12-16-4:2, Appearance Commission review is required for all Special Use Permit applications.

The subject property was purchased by its current owners, Laureano Jiron, Teresa Jiron, Miguel Herran, and Irma Herran, in 2004. The owners have authorized the applicant, a close relative, to submit the application and appear before the reviewing commissions on their behalf.



Subject Property Location Map

Subject Property

The subject property is a 0.17-acre corner lot located at the northeast intersection of Lincoln and Fernald Avenues. A 16-foot-wide improved public alley abuts the property to the north and a multi-family residential building at 6218 Lincoln Avenue abuts the property to the east. Another multi-family residential building is located just north of the public alley abutting the subject property. The subject property and all surrounding properties are zoned in a C/R Commercial/Residential District.

The subject property is improved with two mixed-use structures, one located to the north of the lot (“north building”) and one located to the south of the lot (“south building”). Each structure contains two commercial units on the ground floor and two residential units on the second floor. At this time, only 8509 Fernald Avenue, the northern unit within the north building, has an active business license on file for Super Cup, a coffee shop. The two residential units within the north building are also occupied. The entire south building was vacated following the fire event.

Project Summary

On November 11, 2020, a fire event occurred at the subject property, causing considerable damage to the south structure. Pursuant to Section 12-11-4:B, if a nonconforming structure is destroyed by a fire and the cost of restoring the structure to its original condition does not exceed 50% of the cost of restoring the entire structure, then the structure may be restored provided that a building permit is secured, reconstruction is initiated within one year from the date of the damage, and the reconstruction is diligently pursued to completion. According to the applicant, due to issues with the insurance adjuster that caused considerable delay, a building permit could not be obtained within the one-year grace period provided by Code.

The applicant is now seeking a Special Use Permit to legalize the nonconforming mixed-use development so that the damaged building may be restored. Per the Building Department, the extent of work to be performed will trigger the requirement for compliance with the current adopted 2018 International Building Code with respect to egress paths, electrical, mechanical, plumbing, and water service. The applicant is planning enhancements to the buildings’ facades and will construct off-street parking and landscape screening on the premises, which will improve the property beyond its original condition. A summary of existing nonconformities is provided in the following table:

Control	Requirement	Existing	Conformity
Lot Width (12-5-7:C)	Min. 60 ft.	57.22 ft.	<i>Nonconforming</i>
Rear Setback (12-5-7:C)	Min. 10 ft.	0.77 ft.	<i>Nonconforming</i>
Off-Street Parking (12-5-3:I)	Min. 75% of total for commercial + residential uses or amount required of larger use, whichever is greater; min. 1 space/du Residential: 7 spaces required Commercial: 15 spaces required 6222 Lincoln: Vacant (1,500 sf. x 1 space/250 sf.) – 6 spaces 8505 Fernald: Vacant (320 sf. x 1 space/250 sf.) – 1 space 8507 Fernald: Vacant (720 sf. x 1 space/250 sf.) – 3 spaces 8509: Super Cup (720 sf. x 1 space/150 sf.) – 5 spaces Total: 17 spaces required	0 spaces	<i>Nonconforming</i>
Number of Structures (12-2-2)	Max. 1 (zoning lots < 1 ac in the C/R District)	2	<i>Nonconforming</i>

Staff notes that the Appearance Commission’s review is not for the property’s current exterior, for which the owners have received multiple property maintenance violations that will remain open until resolved by repair or demolition. No building permit can be issued until the Board approves a Special Use Permit authorizing the nonconforming structures. The property owners have been required through the adjudication process to secure the existing facades, which are in extreme disrepair, to ensure that they present no hazard to the public or persons living on the premises.

Site Design

That the development was constructed over a century ago should be taken into consideration in the Commission’s review of the existing site design. Generally, the site design is in keeping with the guidelines for C/R District development. Section 12-5-7:A.3 establishes fundamental design principals for development in the District, which “is intended to encourage the creation of a vibrant mixed-use neighborhood that allows for convenient access to local businesses and the Metra station while giving priority to pedestrians and residents.” The principals encourage a defined streetwall that creates a comfortable public space scaled for humans.

The existing site plan includes near-zero-foot setbacks along the Lincoln and Fernald Avenue frontages, which define the streetwall and help create a traditional neighborhood feel. The proposed parking area is located to the side of the buildings, which complies with established guidelines for C/R District development.

The minimal separation between the two existing structures is not typical of current development and would likely not be approved today. The parking area to the east is also much narrower than permitted by Village dimensional standards for parallel parking and an abutting access drive. The parking area would function better with two-way access, but the existing geometry of the street and property do not support an additional vehicular access point along Lincoln Avenue.

Building Design

The existing building exteriors are proposed to be refinished with a charcoal gray Hardie board siding. New aluminum capping in white will be placed around most windows and new commercial grade entry doors with transparent glazing are proposed at existing entry points along the street frontages. Based on the submitted elevations, some windows will be replaced but most will remain in place. **The applicant should clarify the treatment proposed for the rooflines and whether the existing cornice along Lincoln Avenue, which provides architectural interest and maintains historic integrity, will be preserved or removed.**



Existing Cornice

Section 12-5-7 establishes facade requirements for commercial and mixed-use structures in the C/R District. A minimum transparency of 50% is required between two and 12 feet above grade for ground-floor commercial uses. The existing windows along the south elevation facing Lincoln Avenue are proposed to remain in place and currently provide a conforming transparency of 51.1%. Two new windows will be added to the south building's west elevation, which will increase the transparency to 46.3%. With an existing facade transparency of 32.5%, the north building's west elevation also does not comply with minimum facade transparency requirements. The applicant is requesting variations to approve the submitted elevations as presented. The applicant is expected to comply with all other face requirements set forth in Section 12-5-7.

Development Control	Requirement	Proposed	Waivers Requested
Facade Transparency (12-5-7:A.3.k)	Min. 50% of wall area between 2 and 12 feet above grade shall be occupied by windows or entry doors	<u>South Building</u> South elevation (Lincoln): 51.1% West elevation (Fernald): 46.3% <u>North Building</u> West elevation (Fernald): 32.5%	<u>South Building</u> <i>West elevation (Fernald): 3.7%</i> <u>North Building</u> <i>West elevation (Fernald): 17.5%</i>
Clarity (12-5-7:A.3.k.1)	Clear transparent glass	Clear transparent glass	Compliant
Tinting & Screening (12-5-7:A.3.k.2)	Tint, internal screening, patterns, and mirrored coating prohibited	No tint, internal screening, patterns, or mirrored coating proposed	Compliant
Coatings (12-5-7:A.3.k.3)	Limited to minimum U-factor requirement in the State-adopted International Energy	Coating limited to minimum U-factor requirement	Compliant

	Conservation Code		
Grade (12-5-7:A.3.k.4)	Commercial grade and design	Commercial grade and design	Compliant
Obstruction (12-5-7:A.3.k.5)	No obstruction beyond Chapter 10-10 permissions	No obstruction beyond Chapter 10-10 permissions	Compliant

Based on the submitted elevations, the existing cornice, variety in material and color, and window overhang along the south elevation are proposed to be removed. These features currently help break up the facades and provide definition between the first and second floors. Staff is concerned that the removal of all architectural detail from both street-facing elevations will minimize visual interest, enhance the buildings' bulk, and reduce the pedestrian-friendly scale of the buildings. The Commission may recommend or require that additional architectural detail is provided to enhance the buildings' design, including changes in material, ornamentation, planter boxes, and lighting. Future signage may help provide visual interest along all elevations. **The applicant should speak to how the facade design can be enhanced to provide greater visual interest. The applicant should also discuss how building details, such as stair railings and mailboxes, will be improved, the durability of the proposed materials, and the future maintenance of said materials.**

Landscape Design

The applicant submitted a parking lot plan that includes a new landscape bed along the south lot line. Per Section 12-11-3:B.1.a, paved surface areas located adjacent to sidewalks or streets must be screened with a landscape yard measuring at least five feet in width and containing a year-round dense opaque screen of landscaping a minimum of three feet in height. **The applicant should verify whether the landscape bed measures five feet in width because no dimension is provided on the submitted plan and should clarify the materials to be used to construct the bed.** Because no planting specifications are provided, staff recommends that as a condition of approval, a detailed landscape plan that includes the size and species of the proposed plantings must be submitted to the Appearance Commission Chairperson and staff for review and approval prior to the issuance of a building permit.

Signage

Because no specific future tenants are being proposed at this time, a signage plan was not submitted to the Appearance Commission for review. All signage is expected to comply with all requirements of Chapter 10-10 unless waivers are requested and approved by the Appearance Commission at a later date. As a condition of approval, staff recommends that all obsolete signage located along the south and west elevations is removed immediately. **The applicant should verify whether the existing Super Cup wall sign will be replaced. The existing sign is extremely faded and has detached from its mounting in areas.**

In order to maintain a high quality "downtown" feel, staff recommends conditions of approval that will enhance the overall quality of signage and attention-seeking ornamentation serving the property:

- 1) Sign colors shall blend with the building and storefront colors through use of complementary color ranges, or as otherwise approved by the Appearance Commission Chairperson.
- 2) Any portable signage shall be permitted pursuant to Section 10-10-8:E, except that the signage frame and base shall be constructed primarily of metal or wood, or as otherwise authorized by the Village Administrator.
- 3) Box signs shall only be permitted with metal or completely opaque material backgrounds. Interior illuminated panel signs or box signs with translucent acrylic faces shall not be permitted.
- 4) Rope lighting, or other similar linear lighting with small lights (usually incandescent bulbs or light emitting diodes (LEDs)) covered in heavy-duty plastic tubing, and installed to outline signs, merchandise, windows, buildings, or building elements, where such lighting is intended to be visible from the exterior of the building, is prohibited.
- 5) Illuminated signage and other illuminating features on the property may not exceed 5,000K (degrees Kelvin).



Existing Signage (West and South Elevations)

Appearance Commission Review

In accordance with Unified Development Code Section 12-12-1:C, all site, landscape and building plans are to be reviewed by the Appearance Commission, and an Appearance Certificate by the Commission granted, prior to the issuance of a building permit. Further, per Section 12-16-2:C.2, the Appearance Commission is charged with reviewing the exterior elevations, sketches, and materials and other exhibits as to whether they are appropriate to or compatible with the character of the immediate neighborhood and whether the submitted plans comply with the provisions of the regulations and standards set forth in chapter, 12 "Design Standards," of this title.

The Design Standards (Sec. 12-12-1:D) are as follows:

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

1. Evaluation Standards:

- a. Property Values: Where a substantial likelihood exists that a building will depreciate property values of adjacent properties or throughout the community, construction of that building should be barred.

- b. Inappropriateness: A building that is obviously incongruous with its surroundings or unsightly and grotesque can be inappropriate in light of the comprehensive plan goal of preserving the character of the municipality.
 - c. Similarity/Dissimilarity: A builder should avoid excessively similar or excessively dissimilar adjacent buildings.
 - d. Safety: A building whose design or color might, because of the building's location, be distracting to vehicular traffic may be deemed a safety hazard.
2. Design Criteria:
- a. Standards: Appearance standards as set forth in this chapter.
 - b. Logic Of Design: Generally accepted principles, parameters and criteria of validity in the solution of design problems.
 - c. Architectural Character: The composite or aggregate of the components of structure, form, materials and functions of a building or group of buildings and other architectural and site composing elements.
 - d. Attractiveness: The relationship of compositional qualities of commonly accepted design parameters such as scale, mass, volume, texture, color and line, which are pleasing and interesting to the reasonable observer.
 - e. Compatibility: The characteristics of different uses of activities that permit them to be located near each other in harmony and without conflict. Some elements affecting compatibility include intensity of occupancy as measured by dwelling units per acre; floor area ratio; pedestrian or vehicular traffic generated; parking required; volume of goods handled; and such environmental effects as noise, vibration, glare, air pollution, erosion, or radiation.
 - f. Harmony: A quality which produces an aesthetically pleasing whole as in an arrangement of varied architectural and landscape elements.
 - g. Material Selection: Material selection as it relates to the evaluation standards and ease and feasibility of future maintenance.
 - h. Landscaping: All requirements set forth in chapter 11, "Landscaping and Trees", of this title. (Ord. 07-07, 3-26-2007)

Recommendation

If the Appearance Commission approves the request for an Appearance Certificate for site, building, and landscape plans with associated waivers for a 4-unit mixed-use development proposed to be legalized and renovated under a Special Use Application (PC 22-10) for the property commonly known as 6222 Lincoln Avenue and 8503-09 Fernald Avenue in Morton Grove, Illinois, staff recommends the following conditions of approval:

- 1) Prior to filing any Building Permit Application, the owner/applicant shall provide the Village with a detailed landscape plan for review and approval by the Community Development Administrator and Appearance Commission Chairperson. If the landscape plan is deemed to be inconsistent with the approved plan or noncompliant with the requirements of Chapter 12-11, the owner/applicant will be required to file an application for an amendment to the Appearance Certificate.
- 2) Prior to filing any Building Permit Application, the owner/applicant shall provide the Village with final elevations and material specifications for review and approval. Final elevations and materials must be deemed consistent with the approved elevations and materials, as determined by the Community Development Administrator and Appearance Commission Chairperson. If such designs are deemed to be inconsistent with the approved plans or if materials are deemed to be of a lower quality than the approved materials, then the owner/applicant will be required to file an application for an amendment to the Appearance Certificate.
- 3) All obsolete signage located along the south and west elevations shall be removed immediately.
- 4) Sign colors shall blend with the building and storefront colors through use of complementary color ranges, or as otherwise approved by the Appearance Commission Chairperson.
- 5) Any portable signage shall be permitted pursuant to Section 10-10-8:E, except that the signage frame and base shall be constructed primarily of metal or wood, or as otherwise authorized by the Village Administrator.

- 6) Box signs shall only be permitted with metal or completely opaque material backgrounds. Interior illuminated panel signs or box signs with translucent acrylic faces shall not be permitted.
- 7) Rope lighting, or other similar linear lighting with small lights (usually incandescent bulbs or light emitting diodes (LEDs)) covered in heavy-duty plastic tubing, and installed to outline signs, merchandise, windows, buildings, or building elements, where such lighting is intended to be visible from the exterior of the building, is prohibited.
- 8) Illuminated signage and other illuminating features on the property may not exceed 5,000K (degrees Kelvin).

Attachment C

Traffic Safety Commission Comment Form for Case PC 22-10
Prepared by Keith White, Traffic Safety Commission Chairperson
Dated July 8, 2022

REVIEWING:

POLICE

PUBLIC WORKS/ENGINEERING

BUILDING

FIRE

TSC

VILLAGE OF MORTON GROVE, ILLINOIS
PLAN REVIEW COMMENT FORM

DATE DISTRIBUTED: 6/22/2022

CASE NUMBER: PC 22-10

APPLICATION: Request for approval of a Special Use Permit for a Mixed Use Development in a C/R Commercial/Residential District (12-5-7:E) with variations to lot width (12-5-7:C), rear setback (12-5-7:C), number of structures on a zoning lot less than one acre (12-2-2:A), landscaping requirements (12-11), and off-street parking (12-7-3:I, 12-5-7:C) for the property commonly known as 6222 Lincoln Avenue and 8503-8509 Fernald Avenue (10-20-114-049-0000, 10-20-114-050-0000) in Morton Grove, Illinois.

A Special Use Application has been submitted for Plan Commission action. Please return your review to the Department of Community and Economic Development by **Wednesday, July 6, 2022.**

Thank you,
*Zoe Heidorn, Community
Development Administrator*

COMMENTS OR CONCERNS

1. Concerns with safety and logistical aspects of the use of the proposed parking lot. The narrow width of the driveway will have vehicles very close to the exterior stairway, parked cars, and people walking to and from parked cars. Reversing vehicles into or out of the parking lot is not desirable.
2. The application shows trash facilities, but a garbage truck will likely not be able to enter the property with parked cars in it. Requiring rolling trash container(s) should be required so alley pickup is feasible.
3. Snow removal was not addressed in the application, but could have a bigger effect on maneuvering into and out of the site. The applicant expressed willingness to submit a plan that would include removal for snowfall that restrict parking and driveway widths.

These comments accurately represent existing Village regulations or policies.

KW

Name Keith White, Chairman

Signed: 

Date: 7/8/2022

Attachment D – Staff Report to the Plan Commission for PC 22-10
Prepared by Zoe Heidorn, Community Development Administrator
Dated July 12, 2022

Project Overview

The subject property was purchased by its current owners, Laureano Jiron, Teresa Jiron, Miguel Herran, and Irma Herran, in 2004. The owners have authorized the applicant, a close relative, to submit the application and appear before the reviewing commissions on their behalf.



Subject Property Location Map

The subject property is a 0.17-acre corner lot located at the northeast intersection of Lincoln and Fernald Avenues. A 16-foot-wide improved public alley abuts the property to the north and a multi-family residential building at 6218 Lincoln Avenue abuts the property to the east. Another multi-family residential building is located just north of the public alley abutting the subject property. The subject property and all surrounding properties are zoned in a C/R Commercial/Residential District.

The subject property is improved with two mixed-use structures, one located to the north of the lot ("north building") and one located to the south of the lot ("south building"). The north building contains two commercial structures on the ground

floor and two residential units on the second floor. The south building contains one commercial unit and one residential unit on the ground floor and two residential units on the second floor. In total, there are five residential units and three commercial units located on the property. Currently, only 8509 Fernald Avenue, the northern ground-floor unit within the north building, has an active business license on file for a coffee shop. The entire south building is currently vacant.

Project Summary

On November 11, 2020, a fire event occurred at the subject property, causing considerable damage to the south structure. Pursuant to Section 12-11-4:B, if a nonconforming structure is destroyed by a fire and the cost of restoring the structure to its original condition does not exceed 50% of the cost of restoring the entire structure, then the structure may be restored provided that a building permit is secured, reconstruction is initiated within one year from the date of the damage, and the reconstruction is diligently pursued to completion. According to the applicant, due to issues with the insurance adjuster that caused considerable delay, a building permit could not be obtained within the one-year grace period provided by Code.

The applicant is now seeking a Special Use Permit to legalize the nonconforming mixed-use development so that the damaged building may be restored. Per the Building Department, the extent of work to be performed will trigger the requirement for compliance with the current adopted 2018 International Building Code with respect to egress paths, electrical, mechanical, plumbing, and water service. The applicant is planning enhancements to the buildings' facades and will construct off-street parking and landscape screening on the premises, which will improve the property beyond its original condition.

Development Controls

Applying current development controls for mixed-use development in the C/R District, the subject property is nonconforming with respect to lot area (density), lot width, rear setback, number of structures on a zoning lot, and number of bedrooms per unit. A summary of existing and proposed compliance with applicable development controls is provided in the following table. Section 12-5-7 does not establish any maximums for lot coverage or floor area ratio (FAR) for mixed-use development in the C/R District.

Control	Requirement	Existing	Proposed	Conformity
Lot Area (Density) (12-5-7:C)	Max. 24 dwelling units/ac	29.4 du/ac (5 du / 0.17 ac)	29.4 du/ac (5 du / 0.17 ac)	<i>Nonconforming – Waiver of 5.4 du/ac requested</i>
Lot Width (12-5-7:C)	Min. 60 ft.	57.22 ft.	57.22 ft.	<i>Nonconforming – Waiver of 2.78 ft. requested</i>
Front Setback (12-5-7:C)	Min. 0 ft., Max. 10 ft.	Lincoln: 1.94 ft. Fernald: 0.19 ft.	Lincoln: 1.94 ft. Fernald: 0.19 ft.	Conforming
Interior Side Setback (12-5-7:C)	Min. 5 ft. – 10 ft.	West: 25 ft. Separating:	West: 25 ft. Separating:	Conforming
Rear Setback (12-5-7:C)	Min. 10 ft.	0.77 ft.	0.77 ft.	<i>Nonconforming – Waiver of 9.23 ft. requested</i>
Building Height (12-5-7:C)	Max. 50 ft.	< 50 ft.	< 50 ft.	Conforming
Number of Structures (12-2-2)	Max. 1 (zoning lots < 1 ac in the C/R District)	2	2	<i>Nonconforming – Waiver of 1 structure requested</i>
Stairs (12-2-6:G)	Permitted encroachment in front yards, Max. 5 ft.	Max. encroachment < 5 ft.	Max. encroachment < 5 ft.	Conforming
Number of Bedrooms (12-5-7:D)	Min. 1 bedroom per unit	8505 Fernald: Studio apartment	8505 Fernald: Studio apartment	<i>Nonconforming – Waiver to allow 1 studio apartment</i>

Only building demolition or reconstruction would help address the above dimensional nonconformities. As the applicant is seeking legalization of the existing buildings in their current footprints and no change to the residential unit count, no dimensional nonconformities will be alleviated or eliminated by the requested Special Use Permit. That the development was constructed over a century ago should be taken into consideration in the Commission's review of the existing site design and dimensional nonconformities.

Section 12-5-7:D requires that commercial uses shall be located on the ground floor facing the street with residential units above or behind the commercial space. Staff finds that the south building's ground-floor residential unit complies with this standard when the building is considered as a standalone development. The residential unit is considered to be behind the dominant commercial unit, which fronts on Lincoln Avenue, even though it also faces a public street.

Off-Street Parking & Site Access

Per Section 12-7-3:B, all Special Use Applications must provide a traffic and parking impact study which details the traffic impact and the amount of parking necessary and its usage. For Special Uses, the off-street parking requirements set forth in Section 12-7-3:I are advisory only and the final parking required is decided by the Village Board based on the submitted study, any traffic and parking recommendation prepared by the Village staff, and the final recommendation of the Plan Commission. The applicant submitted a study prepared by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA) which describes existing conditions, proposed parking lot use, and an evaluation of on-site access and circulation, but does not provide a parking demand analysis. The applicant is expected to discuss the development's parking demand at the Plan Commission meeting and discuss whether the development can be supported by the proposed on-site parking capacity in combination with available surrounding on-street parking, which is naturally subject to change.

Currently, no conforming parking spaces are located on the subject property. Historically, the unimproved 25-foot-wide lot to the east of the principal structures has been used for occasional vehicle parking even though it is partially grassed and partially graveled. In 2022, the owners were issued citations for vehicles parking on the unimproved lot due to noncompliance with Section 12-7-3:E, which requires that all parking areas are paved. Since the citation was issued, the owners have roped off the lot to prevent parking.

The applicant was advised by staff to make every effort to provide on-site parking to help alleviate the parking nonconformity and reduce the development's impact on surrounding street parking. The applicant produced a parking lot plan for the lot to the east that includes 5 parallel parking spaces located along the east lot line. The parking lot stalls measure 8 feet in width by 22 feet in depth and the abutting drive aisle measures 12.42 feet at the narrowest point. Section 12-7-3:J establishes minimum dimensional requirements for parallel parking stalls, which are 8.5 feet for width, 21 feet for depth, and 12 feet for drive aisle width. Staff notes that the 12-foot minimum drive aisle width is intended to support one-way traffic only. A typical two-way drive aisle measures 24 feet in width.

Due to the physical constraints of the parking lot, the applicant is proposing that vehicles back into the parking lot from the abutting alley and into the parallel parking spaces. This maneuvering allows the driver's door to open onto the drive aisle and presents the least amount of hazard to pedestrians and vehicles within the alley. A landscaping bed along the south lot line will provide separation between the parking lot and the Lincoln Avenue public sidewalk, so pedestrian activity within the parking lot will be limited to residents of the development. The applicant is proposing that each residential unit is provided with one on-site parking space.

The applicable off-street parking requirements are outlined in the table below. A requirement of one space per 250 feet applies to Super Cup, a coffee shop or "specialty food store." Future occupancy of the vacant units at 6222 Lincoln Avenue and 8507 Fernald Avenue assumes a parking requirement of 1 space per 250 square feet of floor area, which would permit most retail and commercial service uses. Staff recommends that future occupancy is limited to uses requiring no more than one space per 250 square feet of gross floor area. Section 12-5-7:C adjusts the requirements for off-street parking for mixed-use developments in a C/R District to 75% of the sum of each use set forth by Chapter 7 or the amount required of the larger use. A minimum of one space must be reserved for each residential unit. A parking bonus of 15% for developments within a quarter mile of a municipal parking lot is also provided by Section 12-5-7:A.2.a. A municipal parking lot for public use is located just east of the Morton Grove Fire Station #4 at 6250 Lincoln Avenue, just over 200 feet from the subject property.

Control	Requirement	Existing	Proposed	Conformity
Off-Street Parking (12-5-3:l)	<p>Min. 75% of total for commercial + residential uses or amount required of larger use, whichever is greater; min. 1 space/du</p> <p>Residential: 1.75 spaces/du = 9 spaces required</p> <p>Commercial: 12 spaces required</p> <p>6222 Lincoln: Vacant (1,500 sf. x 1 space/250 sf.) – 6 spaces</p> <p>8507 Fernald: Vacant (720 sf. x 1 space/250 sf.) – 3 spaces</p> <p>8509: Super Cup (720 sf. x 1 space/250 sf.) – 3 spaces</p> <p>Subtotal: 21 spaces required x 0.75 = 16 spaces</p> <p>Total: 16 spaces x 0.85 (TOD discount) = 14 spaces</p>	0 spaces	5 spaces	Nonconforming – Waiver of 9 spaces requested

The proposed parking layout and access plan are intended to improve the property's current conditions, but also present safety and operational concerns. These concerns are discussed in greater detail in the summaries that follow of the Traffic Safety Commission meeting, their comments issued to the Plan Commission, and the comments issued by the Village Engineer.

If the Plan Commission does not support the five-parking-space configuration proposed by the applicant, a more Code-compliant parking layout would include two parking stalls located at the north lot line. This would require a variation of 12 parking spaces.

Building & Landscape Design

The exteriors of both north and south buildings are proposed to be refinished with a charcoal gray Hardie board siding. New white aluminum capping will be installed around most windows and new commercial grade entry doors with transparent glazing are proposed at existing entry points along the street frontages. Some windows will be replaced but most will remain in place. A landscape bed measuring at least five feet in depth is proposed along the south Lincoln Avenue lot line.

At the July 6, 2022, meeting of the Appearance Commission, the applicant presented a site plan and building elevations. The applicant presented a plan for improving facade transparency and requested a minor request for variation. The applicant agreed to further enhance facade transparency and provide a Code-compliant landscape plan for the proposed landscape area. The Appearance Commission conditionally approved an Appearance Certificate for the project. The of the meeting are summarized in a following section.

Stormwater

The applicant is proposing to pave the unimproved 25-foot-wide lot to the east of the principal structures. As noted in the departmental comment form issued by the Village Engineer, stormwater detention will be required as part of a site improvement permit. Per Section 12-10-4:B, detention volume and release rates will be calculated in accordance with Metropolitan Water Reclamation District (MWRD) standards. The applicant was not asked to submit a stormwater detention plan because of the limited nature of the detention to be required and the possibility of the parking lot not being approved as presented. It is expected that the stormwater detention will be provided underground unless surface detention is a viable option.

Trash & Snow Removal

A new trash enclosure is proposed to the east of the north building. Staff does not expect that garbage trucks will be able to access the site, so trash receptacles will need to be moved to the alley on collection days. This is a recommended condition of Special Use Permit approval.

The submitted traffic and parking impact study and site plans do not identify a location for snow storage on the property. As such, a recommended condition of Special Use Permit approval is that the applicant maintains a contract for snow removal from the site for as long as the development is in existence or submits an equally effective plan for removal that does not interfere with on-site parking, such as a snow melting system, subject to review and approval by the Village Administrator.

Departmental Review

- **Building Department:** The Building Department issued the following comments:
 1. All egress paths must be brought up to current adopted code (2018 IBC). Examples include interior stairs, egress windows, and exterior egress door paths.
 2. All electrical, mechanical, and plumbing systems are required to be brought up to current code.
 3. Existing lead water service is required to be replaced, and existing sanitary sewer will need to be inspected for water tightness.
- **Fire Department:** The Fire Department issued the following comments:
 1. The entire structure (Buildings 1 & 2) is required to be fully sprinkled.
 2. The entire structure (Buildings 1 & 2) is required to be fully protected by an automatic full detection and notification fire alarm system that sends signals to, and is monitored by, the Fire Department Dispatch Center.
 3. The structure is required to be equipped with a Fire Department Knox Box to enable emergency access.
- **Public Works Department/Engineering:** In review of the proposed project, the Village Engineer issued comments dated July 8, 2022, and included in the hearing packet for PC 22-10.

A recommended condition of Special Use Permit approval is compliance with all comments and recommendations provided by the Building Department, Fire Department, and Village Engineer, whether by strict compliance or alternative compliance, subject to the respective department's final review and approval.

Commission Review

Appearance Commission

On July 6, 2022, the applicant appeared before the Appearance Commission to provide testimony and respond to comments issued by Department of Community and Economic Development staff. The draft minutes for the discussion of Case AC 22-07 are as follows:

Zoe Heidorn, Community Development Administrator, introduced the case. She explained that in the case of AC 22-07, the applicant is requesting an Appearance Certificate for modifications to an existing mixed-use development proposed to be legalized and renovated under a Special Use Application.

The applicant is proposing to refinish the exterior of both structures in a Hardie board siding in charcoal gray with white window trim. Two new windows will be added to the west elevation of the south structure. The west elevations of both structures still require variations to the minimum transparency requirement of 50% for ground-floor commercial uses in the C/R District. Staff has some concern with the lack of building articulation, which helps provide visual interest along the streetscape. The applicant should also speak to the design of the proposed landscape bed along the new proposed parking area and the plan for future signage along the buildings' elevations. Staff has no further comment.

Chairman Pietron called for applicant to comment. Johnnie Jiron introduced himself as the applicant and noted that he is representing the owners, who are his parents and his aunt and uncle. The applicant's architect, Francisco Navarez, summarized the proposed building improvements.

Mr. Navarez said the stucco finish will be replaced with Hardie board. The southern building was affected by the fire, but both buildings will have consistent facade finishes. They will be adding windows to better comply with the transparency requirements, but there are limitations due to some interior structural conditions. Parking is to be provided on the side lot, with five stacked parking stalls, which are to be screened from Lincoln Avenue with landscaping. All access will be from the existing alley to the north.

Chairman Pietron asked how deep the landscape bed is proposed to be.

Mr. Navarez responded that the landscape bed will be just over five feet deep and will be planted with shrubs and a landscape tree. The applicant will comply with the Village's screening requirements. A trash enclosure will be provided in the parking lot.

Chairman Pietron said this building is unique and a part of the history of Morton Grove. He noted that the elevations look boxy and plain. They do not include the original elements and cornice of the building. He noted that the neighborhood has interesting features on both new and old buildings.

Mr. Jiron said that their original plans were to re-side the building in vinyl but that Village Code restrictions on vinyl caused them to choose Hardie board, and they somewhat rushed the new submittal for the meeting. He agreed to work with staff to provide more visual interest to the proposed elevations to better match the surrounding neighborhood. He noted that his sister lives in Morton Grove and that wants to make the proper changes.

Chairman Pietron said this is a high-visibility area.

Mr. Jiron told the Commission that his family did not want to wait these 18 months to get started on the restoration. Their bank that held the mortgage paid off most of the mortgage with the insurance proceeds. That left the family with insufficient funds to start the renovation. They also switched contractors, as the first contractor was unresponsive.

Chairman Pietron asked for comments from the Commissioners.

Commissioner Zimmer would like the existing cornice to be saved. He asked if the applicant knows the condition of the cornice.

Mr. Navarez said they will look at the cornice. Commissioner Zimmer said preserving the cornice would go a long way in preserving the character of the building.

Mr. Jiron said that the water damage may have damaged the cornice. He said that they will try to fix it.

Chairman Pietron noted they should add more windows to the west facade of the south building, which is at 43.5 %. Mr. Navarez noted the internal structural prohibitions. Chairman Pietron noted that the west transparency on the north building is 32.5%. This is near the two, recessed entrances to the ground floor tenants. He asked if a false window could be placed in between the doors.

Mr. Navarez responded that he could add a real window or false window, based on the structural limitations in that location.

Chairman Pietron asked for more landscape details, needed year-round, sustainable plantings. Mr. Navarez described the parking lot screening and said that he will work with Village staff to ensure the plantings are appropriate and Code-compliant.

Chairman Pietron asked the developer to make sure the color temperature of lighting sources are warmer rather than cooler. He noted that signs will need to conform to the conditions recommended by staff and that rope lighting will not be allowed. He added that obsolete signage will need to be removed.

Mr. Jiron said he will remove existing and obsolete signs.

Commissioner Manno asked if commercial tenants will occupy the first floor and if they had any prospective tenants.

Mr. Jiron said they will seek tenants when the renovation is completed.

The Appearance Commission voted (6-0) to approve the requested Appearance Certificate, with conditions, and forward a recommendation of approval with conditions to the Plan Commission. The conditions of approval are as follows:

- 1) Prior to filing any Building Permit Application, the owner/applicant shall provide the Village with a detailed landscape plan for review and approval by the Community Development Administrator and Appearance Commission Chairperson. If the landscape plan is deemed to be inconsistent with the approved plan or

noncompliant with the requirements of Chapter 12-11, the owner/applicant will be required to file an application for an amendment to the Appearance Certificate.

- 2) Prior to filing any Building Permit Application, the owner/applicant shall provide the Village with final elevations and material specifications for review and approval. Final elevations and materials must be deemed consistent with the approved elevations and materials, as determined by the Community Development Administrator and Appearance Commission Chairperson. If such designs are deemed to be inconsistent with the approved plans or if materials are deemed to be of a lower quality than the approved materials, then the owner/applicant will be required to file an application for an amendment to the Appearance Certificate.
- 3) All obsolete signage located along the south and west elevations shall be removed immediately.
- 4) Sign colors shall blend with the building and storefront colors through use of complementary color ranges, or as otherwise approved by the Appearance Commission Chairperson.
- 5) Any portable signage shall be permitted pursuant to Section 10-10-8:E, except that the signage frame and base shall be constructed primarily of metal or wood, or as otherwise authorized by the Village Administrator.
- 6) Box signs shall only be permitted with metal or completely opaque material backgrounds. Interior illuminated panel signs or box signs with translucent acrylic faces shall not be permitted.
- 7) Rope lighting, or other similar linear lighting with small lights (usually incandescent bulbs or light emitting diodes (LEDs)) covered in heavy-duty plastic tubing, and installed to outline signs, merchandise, windows, buildings, or building elements, where such lighting is intended to be visible from the exterior of the building, is prohibited.
- 8) Illuminated signage and other illuminating features on the property may not exceed 5,000K (degrees Kelvin).
- 9) The applicant shall increase the transparency, or the perceived transparency, of the north building's west elevation through installation of a window or false window, subject to review and approval by the Community Development Administrator.

Traffic Safety Commission

On July 7, 2022, the applicant appeared before the Traffic Safety Commission to provide testimony and respond to comments issued by the Village Engineer. The Commission, a representative of KLOA, Village staff, and the applicant discussed the following:

- The Commission discussed whether an accessible space must be provided in the proposed parking lot, and whether use of the parking lot by the public or by private residents will affect requirements. The applicant's traffic engineer consultant asserted that if no accessible residential units are provided on-site and all on-site spaces are dedicated to residential units, then no on-site accessible spaces are required by the Americans with Disabilities Act (ADA). Ultimately, the ADA will be fully enforced, as interpreted by Village staff.
- The Commission discussed whether vehicles backing into the parking area will endanger pedestrians within the parking lot or physical structures on the lot. The applicant's traffic engineer noted that parking lot pedestrians will be limited to the development's residents because the landscape area presents a physical barrier between Lincoln Avenue. The applicant indicated that he would be open to installing bollards or other traffic control mechanisms.
- The Commission discussed whether maneuvering into the parking area would be feasible for most drivers and how maneuvering would be regulated by the owners. The applicant's traffic engineer responded that directives could be included in the lease and that self-regulation would keep individuals who are unable or uncomfortable with backing into spaces from signing new leases.
- The Commission discussed the necessity for snow removal services if no other plan is presented by the applicant. The applicant agreed that the owners would maintain snow removal services.

The Commission voted (5-1) to recommend approval of the application and forwarded comments dated July 8, 2022, which are included in the hearing packet for Case PC 22-10.

Construction Schedule

The applicant is expected to discuss the proposed schedule for renovation. Considering that approximately 20 months have passed since the fire event, staff is concerned by the one-year time limit provided for Special Use Permits by Section 12-16-4:C.6.c, which reads as follows:

12-16-4:C.6.c. Time Limit for Special Use Permits: A permit for a special use shall be valid for a period no longer than one year from the date of issue 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.

Staff recommends that a more stringent schedule for completion is included as a condition of Special Use Permit approval and that weekly meetings with staff are required to ensure the applicant is working proactively to obtain all necessary permits. Staff recommends the following schedule, with adjustments permitted to be made based on submitted documentation by the applicant and approval by the Village Administrator:

Recommended Required Action	Recommended Required Date
Submit Complete Building and Site Improvement Permit Applications	30 days from ordinance adoption
Obtain Building and Site Improvement Permits	90 days from ordinance adoption
Begin Construction	120 days from ordinance adoption
Complete Construction	365 days from ordinance adoption

Standards for Review

Section 12-16-4:C.5 of the Unified Development Code establishes Standards for Special Uses, which are intended to be used for evaluating Special Use Permit requests. The Standards are as follows:

12-16-4:C.5. Standards for Special Uses: The following standards for evaluating special uses shall be applied in a reasonable manner, taking into consideration the restrictions and/or limitations which exist for the site being considered for development:

1. Preservation of Health, Safety, Morals, And Welfare: The establishment, maintenance and operation of the special use will not be detrimental to or endanger the public health, safety, morals or general welfare.
2. Adjacent Properties: The special use should not be injurious to the use and enjoyment of other property in the immediate vicinity for the uses permitted in the zoning district.
3. Orderly Development: The establishment of the special use will not impede normal and orderly development or impede the utilization of surrounding property for uses permitted in the zoning district.
4. Adequate Facilities: Adequate utilities, access roads, drainage and other necessary facilities are in existence or are being provided.
5. Traffic Control: Adequate measures have been or will be taken to provide ingress and egress designed to minimize traffic congestion on the public streets. The proposed use of the subject site should not draw substantial amounts of traffic on local residential streets.
6. Adequate Buffering: Adequate fencing and/or screening shall be provided to ensure the right of enjoyment of surrounding properties to provide for the public safety or to screen parking areas and other visually incompatible uses.
7. Conformance to Other Regulations: The special use shall, in all other respects, conform to applicable provisions of this title or amendments thereto. Variation from provisions of this title as provided for in subsection 12-16-3A, "Variations", of this chapter, may be considered by the plan commission and the Village board of trustees as a part of the special use permit.

The applicant should be prepared to discuss how the project meets the above standards at the Plan Commission public hearing.

Recommendation

Should the Plan Commission recommend approval of this application, staff suggests the following motion and conditions:

Motion to recommend approval of Case PC 22-10, a request for approval of a Special Use Permit to legalize and authorize the renovation of a nonconforming mixed-use development (12-5-7:E) at 6222 Lincoln Avenue and 8503-09 Fernald Avenue (10-20-114-049-0000, 10-20-114-050-0000) in Morton Grove, Illinois, with variations to density (12-5-7:C), lot width (12-5-7:C), rear setback (12-5-7:C), number of structures on a zoning lot less than one acre (12-2-2:A), transparency requirements (12-5-7:A.3.k), and off-street parking (12-7-3:I, 12-5-7:C), subject to the following conditions:

- 1. Prior to the issuance of a building permit, the applicant shall submit final site and engineering plans for review and approval by the Community Development Administrator, Village Engineer, and Village Administrator, and shall comply with all comments and recommendations provided by the Village Engineer in the departmental comment form dated July 8, 2022, and the comment form issued by the Traffic Safety Commission dated July 8, 2022, whether by strict or alternative compliance, subject to the Village Engineer's final approval.*
- 2. The applicant shall comply with the comments issued by the Building Department in the departmental comment form dated June 28, 2022, and with the comments issued by the Fire Department in the departmental comment form dated July 6, 2022.*
- 3. The applicant shall remove all obstructions of the public right of way or enter into any agreement deemed appropriate by the Village for the continuation and maintenance of obstructions of the public right of way.*
- 4. Prior to the issuance of a certificate of occupancy, the applicant shall submit a signage plan that includes parking area signage for review and approval by the Village Administrator and shall install and maintain signage in accordance with the approved signage plan.*
- 5. The applicant shall comply with the construction schedule outlined in the staff report to the Plan Commission dated July 12, 2022, or as modified upon the applicant's submittal of documentation requesting extensions and as reviewed and approved by the Village Administrator.*
- 6. The applicant shall meet weekly with staff to provide reports on the project's progress unless deemed unnecessary by the Community Development Administrator and/or Village Administrator.*
- 7. The applicant shall comply with all conditions of approval included in the Appearance Certificate issued by the Appearance Commission on July 6, 2022.*
- 8. All trash receptacles must be stored within the proposed trash enclosure and moved to the alley on collection days, or as otherwise authorized by the Village Administrator.*
- 9. The applicant shall maintain a contract for snow removal from the site for as long as the development is in existence or shall submit an equally effective plan for removal that does not interfere with on-site parking, subject to review and approval by the Village Administrator.*
- 10. The Applicant shall advise the Department of Community and Economic Development of any proposed change in ownership or operation of the subject property. Such changes may subject the owners, lessees, occupants, and users to additional conditions and may serve as the basis for amendment to the Special Use Permit.*
- 11. (Any other conditions recommended by the Plan Commission)*

Attachment E

Final Plans and Supporting Documents for PC 22-10

1. Plat of Survey, prepared by Polena Engineering LLC, dated December 1, 2021
2. Sheet L-1 – Site & Parking Lot Plan, dated December 13, 2021
3. Sheet A0.1 – Proposed Plans (First Floor & Second Floor Plans), prepared by HWR Inc., dated May 16, 2022
4. Sheet A2.1 – Proposed Elevations, Building 1, prepared by HWR Inc., dated March 29, 2022
5. Sheet A2.2 – Proposed Elevations, Building 2, prepared by HWR Inc., dated March 29, 2022
6. Materials Palette, Proposed Building Renovation, undated
7. Colored Elevation – South Elevation, Proposed Building Renovation, undated
8. Summary Traffic and Parking Evaluation, prepared by Javier Millan, Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA), dated May 16, 2022

Attachment E on file with the Department of Community and Economic Development

Legislative Summary

Resolution 22-33

AUTHORIZING A CONTRACT EXTENSION WITH HAYES MECHANICAL, LLC FOR THE HVAC MAINTENANCE PROGRAM

Introduced:	August 8, 2022
Purpose:	To authorize the Village Administrator to approve a one-year extension for 2022 to 2023, and if circumstances so warrant an additional one-year extension for 2023 to 2024 for the contract with Hayes Mechanical, LLC for the HVAC Maintenance Program to service HVAC equipment at 6101 Capulina Avenue, 8954 Shermer Road, 6250 Lincoln Avenue, 7840 Nagle Avenue, 7830 Nagle Avenue, 8300 Lehigh Avenue, and 6140 Dempster Street.
Background:	Resolution 21-47 was approved on July 26, 2021, to authorize a contract with Hayes Mechanical, LLC for HVAC Maintenance services for a three-year term (one year and two optional renewal periods) beginning September 1, 2021. Hayes Mechanical, LLC performed the work satisfactorily and has agreed to extend the existing terms for these services from September 1, 2022, to August 31, 2023. This Resolution approves the extension for 2022 to 2023 and if circumstances warrant, authorizes the Village Administrator to approve an additional one-year extension for 2023 to 2024. This contract must conform to the requirements of the Prevailing Wage Act. The Village Administrator is authorized to extend this contract in 2023.
Programs, Departments or Groups Affected	Public Works Department – Building Maintenance Division
Fiscal Impact:	\$27,512.00
Source of Funds:	2022 General Funds – Building Maintenance
Workload Impact:	The Public Works Department as part of their normal work activities will perform the management and implementation of the project.
Administrator Recommendation:	Approval as presented.
Second Reading:	Not Required
Special Considerations or Requirements:	None i

Submitted by: Ralph E. Czerwinski, Village Administrator
Reviewed by: Teresa Hoffman Liston, Corporation Counsel
Reviewed by: Joe Dahm, Director of Public Works
Prepared by: Bill Burns, Superintendent of Building Maintenance

RESOLUTION 22-33

AUTHORIZING A CONTRACT EXTENSION WITH HAYES MECHANICAL, LLC FOR THE HVAC MAINTENANCE PROGRAM

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 utilizes a contractor to perform quarterly maintenance to HVAC equipment at Village Owned facilities; and

WHEREAS, Resolution 21-47 approved on July 26, 2021, authorized a contract with Hayes Mechanical, LLC for HVAC maintenance for the period from September 1, 2021, to August 31, 2022; and

WHEREAS, the contract authorized by Resolution 21-47 included a provision for two annual renewal terms; and

WHEREAS, Hayes Mechanical, LLC performed HVAC maintenance in a satisfactory manner and is willing and available to perform the work with the existing contract terms for the contract extension period from September 1, 2022, to August 31, 2023; and

WHEREAS, the estimated contract amount for the work during the 2022-2023 contract renewal period is \$27,512.00; and

WHEREAS, funding for the HVAC Maintenance services is included in the Village of Morton Grove Adopted 2022 Budget for Municipal Buildings; and

WHEREAS this contract must conform to the requirements of the Prevailing Wage Act; 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 3: The Village Administrator is hereby authorized to approve a one-year extension for the contract with Hayes Mechanical, LLC for HVAC maintenance services in the amount not to exceed \$27,512.00 for the period from September 1, 2022, to August 31, 2023.

SECTION 4: The Village Administrator is authorized to execute an extension of this contract for the second renewal period, i.e., from September 1, 2023, to August 31, 2024, if, in the opinion of the Village Administrator, circumstances so warrant.

SECTION 5: The Village Administrator and Director of Public Works or their designees are authorized to take all steps necessary to implement the contract extension(s) for the HVAC Maintenance Program.

SECTION 6: This Resolution shall be in full force and effect upon its passage and approval.

PASSED this 8th day of August 2022

Trustee Grear	_____
Trustee Khan	_____
Trustee Minx	_____
Trustee Travis	_____
Trustee Thill	_____
Trustee Witko	_____

APPROVED by me this 8th day of August 2022

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

APPROVED and FILED in my office this
9th day of August 2022

Eileen Scanlon Harford, Village Clerk
Village of Morton Grove
Cook County, Illinois