



**VILLAGE BOARD OF TRUSTEES  
REGULAR MEETING NOTICE/AGENDA  
OCTOBER 22, 2024 7:00PM**

**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](http://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 1-5-7:A 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. Approval of Minutes** – Regular Meeting – October 8, 2024  
Special Meeting - (Budget Workshop) – October 15, 2024

**4. Special Reports** –

**5. Public Hearings** – None

**6. Plan Commission Reports** - None

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

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

- a. Traffic Safety Commission Appointments  
Bradley Alper  
Robert Campanella

**9. Clerk's Report** – *Family and Senior Services, Advisory Commission on Aging, Chamber of Commerce, Condominium Association*

**10. Staff Report**

- a. **Village Administrator**  
b. **Corporation Counsel**

**11. Reports by Trustees**

- a. **Trustee Khan** – *Finance Department, Appearance Commission, Lehigh/Ferris TIF (Trustee Travis)*

- b. **Trustee Minx** – *Fire Department, Fire Pension Board, Fire and Police Commission, Special Events Commission, RED Center, NIPSTA (Trustee Thill)*
- c. **Trustee Shiba** – *Building Department, Environment & Natural Resources Commission, Legal Department, IT Department Sawmill Station TIF (Trustee Witko)*
- d. **Trustee Thill** – *Public Works Department, SWANCC (Solid Waste Agency of Northern Cook County), MG-Niles Water Commission, Traffic Safety Commission (Trustee Minx)*
  - 1) **Resolution 24-62:** Authorizing an Emergency Water System Interconnection and Water Supply Supplemental Agreement with the Village of Golf
  - 2) **Resolution 24-63:** Authorizing an Intergovernmental Agreement (IGA) Between the Village of Morton Grove and the Village of Golf for the Emergency Water System Connection and Emergency Water Supply from the Village of Morton Grove to the Village of Golf
- e. **Trustee Travis** – *Police Department, Police Pension Board, Fire & Police Commission, Community Relations Commission, (Trustee Khan)*
- f. **Trustee Witko** – *Community & Economic Development Department, Economic Development Commission, Plan Commission/ Zoning Board Lincoln/Lehigh TIF (Trustee Shiba)*
  - 1) **Ordinance 24-17** (*Introduced October 8, 2024*) (*Second Reading*): Approving an Amendment to a Special Use Permit (Ord. 18-09) Granting the Expansion of an Existing School at the Property Commonly Known as 8601 Menard Avenue in Morton Grove, Illinois
  - 2) **Ordinance 24-18** (*Introduced October 8, 2024*) (*Second Reading*): Approving a Special Use Permit for a Parking Variation at 6017-6049 Dempster Street in Morton Grove, Illinois
  - 3) **Ordinance 24-19** (*Introduced October 8, 2024*) (*Second Reading*): Approving a Special Use Permit for an Automobile Minimart Station at 6335 Dempster Street in Morton Grove, Illinois

## 12. Other Business

13. **Presentation of Warrants:** \$1,237,942.25

## 14. Residents' Comments

## 15. 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  
OCTOBER 8, 2024**

**CALL TO ORDER**

- I. Village Clerk Eileen Harford called to order the Regular Meeting of the Village Board at 7:00 p.m. in the Council Chambers of Village Hall. She led the assemblage in the Pledge of Allegiance, then explained that Mayor DiMaria was absent with notice this evening, and asked for a motion to appoint one of the trustees to serve as President pro tem for tonight's meeting.

Trustee Travis moved, seconded by Trustee Thill, to appoint Trustee Witko to serve as Mayor pro tem for this meeting.

**Motion passed: 5 ayes, 0 nays.**

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

- II. Clerk Harford called the roll after noting that Trustee Minx was also absent with notice. Present were Trustees Saba Khan, Ashur Shiba, John Thill, Connie Travis, and Janine Witko.

III. **APPROVAL OF MINUTES**

- a. Village Administrator Chuck Meyer presented the Minutes, Part 1 and Part 2, of the September 24, 2024 Board Meeting. He pointed out that one of the Ordinances that was on the Agenda for the September 24<sup>th</sup> meeting was Ordinance 24-15. This Ordinance number had been previously used. After speaking with Corporation Counsel Liston, the recording secretary changed the ordinance to be Ordinance 24-16.
- b. The Minutes reflect that Ordinance 24-16 was presented and discussed. Mr. Meyer suggested that staff add a footnote to these Minutes noting the reason for the difference between the Agenda item (Ordinance 24-15) and the Minutes (Ordinance 24-16).
- c. Mayor pro tem Witko asked for a motion to approve the Minutes of Part 1 and Part 2 of the Regular Meeting of the September 24, 2024 Village Board as amended. Trustee Travis so moved, seconded by Trustee Shiba. **Motion passed via voice vote with 5 ayes, 0 nays.**

IV. SPECIAL REPORTS

NONE

V. PUBLIC HEARINGS

NONE

VI. PLAN COMMISSION REPORTS

Three Plan Commission reports were read out by Anne Kirchner, Planner/Zoning Administrator.

1. In **Plan Commission Case PC 24-05**, the MCC Academy is requesting approval of an amendment to a Special Use Permit to allow for the expansion of the existing gymnasium and the installation of a two-lane clay track for the existing field. An amendment is also needed to increase the maximum permitted student enrollment to 350. In response to mediation agreement requirements, Resolution 04-32, the Applicant provided a parking management plan to address concerns regarding observed on-street parking activity in the area surrounding the MCC. The Appearance Commission and the Traffic Safety Commission both unanimously approved the project. The Plan Commission also voted unanimously to recommend the project for the Board's approval. None of the Board Members had questions regarding this case.
2. Next, in **Plan Commission Case PC 24-06**, the Applicant is requesting a Special Use Permit for a parking variation for the entire Dempster Commons shopping center at 6015-6049 Dempster. Due to existing limitations, individual uses must apply for parking variations, and the proposed Special Use Permit will identify the total maximum parking at the site, beyond by-right parking ratios, and will enabling the leasing of several smaller vacant spaces currently available at the site. Both the Traffic Safety Commission and the Plan Commission voted unanimously to recommend approval of this request. None of the Board Members had questions regarding this case.
3. Lastly, in **Plan Commission Case PC 24-07**, the Applicant is requesting approval of a Special Use Permit for the redevelopment of an automobile minimart station, including a new 2,500 square foot retail building with two pick-up windows for walk-up customers. The project was unanimously approved by the Appearance Commission and Traffic Safety Commission, and the Plan Commission voted unanimously to recommend the project for approval. As a condition of the approval, the Plan Commission denied the Applicant's request for use of the alley as a southern egress point for the project. Trustee Shiba asked why the request was denied. Ms. Kirchner said the alley not used for ingress/egress currently; it's a one-way alley going west and we want to discourage patrons from leaving the station and possibly making an illegal maneuver to go east, utilizing Ferris Avenue to use the traffic signal on Dempster. Trustee Shiba asked if that denial will harm or hurt any of the proposed construction. Ms. Kirchner said it would not.

VII. **RESIDENTS' COMMENTS (AGENDA ITEMS ONLY)**

NONE

VIII. **PRESIDENT'S REPORT**

1. Mayor pro-tem Witko proclaimed October 6–12, 2024, as Fire Prevention Week in the Village. She said the Village is committed to ensuring the safety and security of all those living in or visiting the Village, and fire is a serious public safety concern. Roughly three out of five fire deaths happen in homes with either no smoke alarms or no working smoke alarms. Working smoke alarms cut the risk of dying in reported home fires almost in half. Smoke alarms sense smoke well before a person can. They alert people to danger in the event of a fire, in which you may have as little as two minutes to escape safely. It is suggested that residents should install smoke alarms in every sleeping room, outside each separate sleeping area, and on every level of the home. Installed smoke alarms should be tested at least once a month.
  - a. The theme of Fire Prevention Week this year is “Smoke alarms: Make them work for you.” It reminds us of the importance of having working smoke alarms in the home. Mayor pro tem Witko urged all residents of Morton Grove to make sure their homes have working smoke alarms, and to support the many public safety activities and efforts of Morton Grove’s fire and emergency services.
2. Mayor pro tem Witko announced the work on Gateway Plaza is wrapping up shortly. The new green space south of Lincoln Avenue at Ferris Avenue includes a public plaza, bicycle parking racks, planting beds, and commemorative bricks donated by the community. The ribbon-cutting is scheduled for Thursday, October 24, at 1:00 p.m. at the site.
3. Mayor pro tem Witko said that, starting on Monday, October 14, construction will begin for the new Metra station just south of Lincoln at Lehigh. It is anticipated that parking will be reduced due to the construction; however, the Village has authorized additional Metra parking on Main Street just west of Lehigh and on Nagle Avenue to the west of Main Street. The new parking spots will tie into the daily Metra parking stations and be marked for the public’s use. The new spots will replace the vast majority of parking spaces lost during the early stages of construction.
4. Mayor pro tem Witko encouraged everyone to stay up to date on the latest Village events and news by signing up for E-News and following the Village of Facebook and Instagram.

IX. **CLERK'S REPORT**

Clerk Harford reported that early voting begins at the American Legion Memorial Civic Center on October 21 and runs through November 4. Hours are 9am to 5pm Monday through Saturday, and 10am to 4pm on Sundays. You can register and vote at the same time. She reminded everyone that Election Day is Tuesday, November 5.

X. **STAFF REPORTS**

A. **Village Administrator:**

1. Mr. Meyer said the Village has begun the 2025 Budget Process. Over the past several months, staff has been developing their Budgets to meet the needs of the community as efficiently as possible. The Village will hold Budget Workshops on October 15 and 16 at Village Hall. The final Budget and tax levy will be considered later this year.
2. Mr. Meyer noted that September 1<sup>st</sup> was the deadline to display 2024-2025 Village vehicle stickers. A late fee will now be imposed if you haven't yet purchased your sticker. Please call Village Hall at 847-965-4100 for assistance. If you want to make changes to your existing vehicle(s), you can make those changes online or with your renewal form and return the changes with your form of payment.

B. **Corporation Counsel:**

Corporation Counsel Liston was absent with notice this evening.

XI. **TRUSTEES' REPORTS**

A. **Trustee Khan:**

Trustee Khan had no formal report this evening.

B. **Trustee Minx:**

Trustee Minx was absent with notice—no report.

C. **Trustee Shiba:**

Trustee Shiba shared some highlights of the 2024 Sustainability Expo. The event hosted over 30 vendors, live music, and over 200 people registered for the popular raffle prize program. The Village is starting the planning process for next year's Sustainability Expo, so if anyone has anyone suggestions for ways to improve the event, please call Village Hall.

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

D. Trustee Thill:

1. Trustee Thill presented **Resolution 24-57, Authorizing a Task Order with Ciorba Group, Inc. for the Austin Avenue Resurfacing Project.**
  - a. This Resolution will authorize the Village Administrator to authorize a task order with Ciorba Group, Inc. to perform design engineering services for the Austin Avenue Resurfacing Project.
  - b. The segment of Austin Avenue south of Main Street is being rehabilitated as part of a federally funded project. This work will be completed in 2025. The Village desires to resurface Austin Avenue from Main Street to Lincoln Avenue because the pavement surface has deteriorated. Federal project development rules preclude the Village from incorporating this work into the federally funded project. The design engineering would need to be completed in 2024 to have the property ready for bidding in 2025. The design engineering for this contract exceeds the capacity of the Public Works Department—Engineering Division. Resolution 22-01, approved January 10, 2022 authorized the execution of a task order contract with Ciorba Group, Inc. for engineering services needs that may arise. Village staff has negotiated a scope of services with Ciorba Group, Inc. to perform the design engineering services. The fiscal impact of this Resolution is \$27,839.14.

Trustee Thill moved, seconded by Trustee Shiba, to approve Resolution 24-57.

**Motion passed: 5 ayes, 0 nays, 1 absent.**

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

2. Next, Trustee Thill presented **Resolution 24-58, Authorizing a Task Order with Ciorba Group, Inc. for the Beckwith Road Resurfacing Project.**
  - a. This Resolution will authorize the Village Administrator to authorize a task order with Ciorba Group, Inc. to perform design engineering services for the Beckwith Road Resurfacing Project.
  - b. The Village desires to resurface Beckwith Road from Waukegan Road to Austin Avenue. The Public Works Department has identified an opportunity to request federal funding to pay for up to 80% of this work's construction and construction engineering costs in 2025. The design engineering would need to be completed in 2024 to have the property ready for bidding in 2025. The design engineering for this contract exceeds the capacity of the Public Works Department—Engineering Division. Resolution 22-01, approved January 10, 2022 authorized the execution of a task order contract with Ciorba Group, Inc. for engineering services needs that may arise. Village staff has negotiated a scope of services with Ciorba Group, Inc. to perform the design engineering services. The fiscal impact of this Resolution is \$44,817.46.

XI. TRUSTEES' REPORTS (continued)

D. Trustee Thill: (continued)

Trustee Thill moved to approve Resolution 24-58, seconded by Trustee Travis.

**Motion passed: 5 ayes, 0 nays, 1 absent.**

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

3. Trustee Thill then presented **Resolution 24-59, Authorizing a Task Order with Ciorba Group, Inc. for the Central Avenue Resurfacing Project.**

- a. This Resolution will authorize the Village Administrator to authorize a task order with Ciorba Group, Inc. to perform design engineering services for the Central Avenue Resurfacing Project.
- b. The Village desires to resurface Central Avenue from Dempster Street to Golf Road. The Public Works Department has identified an opportunity to request federal funding to pay for up to 80% of this work's construction and construction engineering costs in 2025. The design engineering would need to be completed in 2024 to have the property ready for bidding in 2025. The design engineering for this contract exceeds the capacity of the Public Works Department—Engineering Division. Resolution 22-01, approved January 10, 2022 authorized the execution of a task order contract with Ciorba Group, Inc. for engineering services needs that may arise. Village staff has negotiated a scope of services with Ciorba Group, Inc. to perform the design engineering services. The fiscal impact of this Resolution is \$43,925.48.

Trustee Thill moved to approve Resolution 24-59, seconded by Trustee Shiba.

**Motion passed: 5 ayes, 0 nays, 1 absent.**

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

4. Lastly, Trustee Thill presented **Resolution 24-60, Authorizing a Task Order with Ciorba Group, Inc. for the Gross Point Road Resurfacing Project.**

- a. This Resolution will authorize the Village Administrator to authorize a task order with Ciorba Group, Inc. to perform design engineering services for the Central Avenue Resurfacing Project.
- b. The Village desires to resurface Gross Point Road within the Village limits. The Public Works Department has identified an opportunity to request federal funding to pay for up to 80% of this work's construction and construction engineering costs in 2025. The design engineering would need to be completed in 2024 to have the property ready for bidding in 2025. The design engineering for this contract exceeds the capacity of the Public Works Department—Engineering Division.



XI. TRUSTEES' REPORTS (continued)

D. Trustee Thill: (continued)

- c. Resolution 22-01, approved January 10, 2022 authorized the execution of a task order contract with Ciorba Group, Inc. for engineering services needs that may arise. Village staff has negotiated a scope of services with Ciorba Group, Inc. to perform the design engineering services. The fiscal impact of this Resolution is \$33,706.25.

Trustee Thill moved to approve Resolution 24-60, seconded by Trustee Shiba.

**Motion passed: 5 ayes, 0 nays, 1 absent.**

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

- 5. Trustee Thill noted that the Morton Grove-Niles Water Commission, the Village’s provider for potable water, is currently undertaking a lining project for the existing 20-inch main that provides for the western portion of the Village. This will significantly extend the life of the water main and help address water leakage issues. During this time, the Village is operating on an existing 12-inch water main as a backup. While additional backup services were requested of the Water Commission, the Village has taken on the responsibility of finding additional backup services in case the 12-inch water main experiences a significant break that exceeds the 20-24 hours of service provided through water reserves through neighboring communities. While the likelihood of such a break is low, the Village is taking on this responsibility to ensure residents receive potable water in all possible circumstances.
- 6. Trustee Thill encouraged residents to keep watering their trees; we’re in a drought. He added that people should leave fallen leaves on their lawn when they mow it; the leaves make a good fertilizer.

E. Trustee Travis:

- 1. Trustee Travis presented **Resolution 24-61, Authorizing a Contract with Ray O’Herron Company of Danville, IL for the Purchase of Bulletproof Vests and Rifle Rated Ballistic Plates.**
  - a. She explained the Morton Grove Police Department recently began a program to purchase critical safety equipment, including bulletproof vest, for its officers to wear while on duty. Although in the past, each officer purchased his/her own equipment, having the Department purchase this equipment ensures uniformity and ensures that all vests used by the officers are covered by a manufacturer’s 5-year warranty.
  - b. After conducting considerable research and testing, the Department selected the United Shield International Model UPT Moody Airius II bulletproof vest for its officers to wear while on duty.

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

E. Trustee Travis: (continued)

- c. A unique feature of this vest is the ability for officers to quickly insert rifle rated ballistic plates into the vest to increase its ability to stop rifle bullets. This is desirable because the vest can be worn without the plates for normal duties and be quickly transformed to a rifle-resistant tactical vest in critical incidents. United Shield International APL RF2-300 ballistic plates are made for the Model UPT Moody Arius II bulletproof vests, and they are only available from United Shield International through their distributor, Ray O'Herron Company.
- d. The Department has already purchased 21 of these vests, and with this Resolution, the police department will be purchasing 10 more vests, along with 31 sets of rifle rated ballistic plates for officers that received vests from prior purchases as well as the 10 from this purchase. This purchase will be paid for partially from the General Fund, which will be reimbursed from the Bulletproof Vest Reimbursement Grant, and the remainder of the cost will be paid with Seizure Funds. The fiscal impact of this Resolution is \$56,479.70.

Trustee Travis moved to approve Resolution 24-61, seconded by Trustee Thill.

- e. Trustee Thill asked Chief Simo how heavy the vests are. The chief said the vests are comfy; the plates are a couple of pounds each, so the more plates you're wearing the heavier the vest will be.

Mayor pro tem Witko called for the vote on Resolution 24-61.

**Motion passed: 5 ayes, 0 nays, 1 absent.**

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

- 2. Trustee Travis said the Village is gearing up for the Winter Adopt-a-Planter Program. Those interested in adopting a planter should register online by November 10. She also reminded people who had adopted planters at the Metra Station to please collect those as soon as possible, as construction will start on October 14. She encouraged people to visit the Village's website to learn more.
- 3. Trustee Travis noted that, starting October 1, there will be pink Police Department patches available at the front desk of the Police Department for \$15 each. The program is being administered in conjunction with the Fraternal Order of Police Lodge 135 to raise awareness about breast cancer during the month of October and to donate proceeds to charity. Residents interested in purchasing a patch may do so at the front desk of the Police Department, starting at the beginning of October.
- 4. Trustee Travis encouraged people to attend the next Neighborhood Outreach, which takes place on October 17 at 6:00 p.m. at Park View School. It's an opportunity to learn about what's happening in the Village. You can meet your elected officials and department heads, and learn about ongoing and

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

new projects. You can use this opportunity to discuss issues one-on-one or ask questions. You can even use it as an opportunity to meet your neighbors!

F. Trustee Witko:1. Trustee Witko presented for a first reading **Ordinance 24-17, Approving an Amendment to a Special Use Permit (Ord. 18-09) Granting the Expansion of an Existing School at the Property Commonly Known as 8601 Menard Avenue in Morton Grove, IL.**

- a. This was reported out earlier this evening by Anne Kirchner, Village Planner/Zoning Administrator. As this is a first reading, no action will be taken this evening.
- b. Trustee Thill commented that he thought the MCC had come up with a very good parking plan. He said he knows that many of the neighbors of the MCC are very unhappy with the parking situation. He said he hoped the neighborhood would give this updated parking plan a chance, give it some time so that tweaks could be made, if needed. Trustee Witko said that, as liaison to the Plan Commission, she had learned that one of the conditions of the Ordinance is that the track can't be built until it's proven that the parking has worked out.

2. Trustee Witko then presented **Ordinance 24-18, Approving a Special Use Permit for a Parking Variation at 6017–6049 Dempster Street in Morton Grove, IL.**

- a. This, too, was reported out earlier this evening by Ms. Kirchner. As this is a first reading, no action will be taken tonight. Trustee Witko noted that the reason for this Ordinance is to make the property more marketable, as it will be easier to lease smaller units when the parking is factored as the whole parking lot.

3. Lastly, Trustee Witko presented **Ordinance 24-19, Approving a Special Use Permit for an Automotive Minimart Station at 6335 Dempster Street in Morton Grove, IL.**

- a. Trustee Witko noted that this had been reported out earlier in the meeting by Ms. Kirchner. As it is the first read of this Ordinance, no action will be taken this evening.

XII. OTHER BUSINESS

NONE

XIII.

**WARRANTS**

Trustee Khan presented the Warrant Register for October 8, 2024 in the amount of \$706,278.26. She moved to approve the Warrants as presented, seconded by Trustee Travis.

**Motion passed: 5 ayes, 0 nays, 1 absent.**

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

XIV.

**RESIDENTS' COMMENTS**

1. **Bob Burkhart** appeared before the Board as a regular traveler on Lehigh Avenue. He said he often sees the available parking areas for the Metra completely full by 9am on certain days of the week. He said it makes him wonder about how many more people couldn't park there because they didn't get there early enough. Mr. Burkhart said that he's always been a person to think about doing things differently. He said that, when the new train station is constructed, there will be a loss of parking for commuters because there will be a retail element in the area, which will also need parking. He was hoping that some people would park there, and then patronize the business(es) after getting off the train. He felt the "premium" parking space was the lot that is now used by a car company. He suggested that instead of "kicking our residents way down the street" to find parking, that the Village reclaim that lot for commuter parking, or even consider a two-story parking garage in that area; something that could make life easier for the residents/commuters. Trustee Thill remarked that the car company's lease is limited, and as soon as their new building is completed, they will be vacating that lot. But, Trustee Thill said, a development will be happening there. Mr. Burkhart felt that was just "sad." But he hoped the retail entities would allow commuters to park and to take advantage of what they're offering.
2. **Kim Moldofsky** said she would urge everyone to think more creatively. What Morton Grove does with public transportation is really important, and it sets the Village up as a leading community. The future of our country is not fossil fuel or cars. She said she would recommend having more covered, and more secure, bike parking—maybe something that has a live feed to Village Hall or the Police Department so people can feel more secure. She thought there were probably other creative non-car solutions that could also be reviewed. She hoped everyone would think creatively for the future and for the planet.

XV.

**ADJOURNMENT**

As there was no further business before the Board, Trustee Travis moved to adjourn the meeting, seconded by Trustee Thill. **Motion passed unanimously via voice vote.**

The meeting adjourned at 7:31 p.m.

PASSED this 22nd day of October 2024.

Trustee Khan \_\_\_\_\_  
Trustee Minx \_\_\_\_\_  
Trustee Shiba \_\_\_\_\_  
Trustee Thill \_\_\_\_\_  
Trustee Travis \_\_\_\_\_  
Trustee Witko \_\_\_\_\_

APPROVED by me this 22nd day of October 2024.

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

APPROVED and FILED in my office this 23rd day of October 2024.

\_\_\_\_\_  
Eileen Harford, Village Clerk  
Village of Morton Grove, Cook County, Illinois

Minutes by Teresa Cousar

**MINUTES OF THE OCTOBER 15, 2024**  
**SPECIAL MEETING/ 2025 BUDGET WORKSHOP OF THE BOARD OF TRUSTEES**  
**RICHARD T. FLICKINGER CENTER 6101 CAPULINASCANLON CONFERENCE ROOM**  
**MORTON GROVE, ILLINOIS 60053**

Pursuant to proper notice in accordance with the Open Meetings Act, the special meeting was called to order at 6:00 p.m. by Mayor Daniel P. DiMaria who led the assemblage in the pledge of allegiance.

Clerk Eileen Scanlon Harford called the roll. In attendance were:

Elected Mayor Daniel P. DiMaria, Clerk Eileen Scanlon Harford Trustees Janine Witko, Ashur  
Officials: Shiba (arrived at 6:07), John Thill, Rita Minx, Connie Travis, and Saba Khan.  
Absent: None

Village Staff : Village Administrator Charles L. Meyer, Finance Director Hanna Sullivan, Corporation Counsel Teresa Hoffman Liston, Risk Manager Tom Friel, Public Works Director Mike Lukich, Assistant to the Public Works Director Kevin Lochner, Village Engineer Chris Tomich, Police Chief Mike Simo, Fire Chief Ralph Ensign, Manager of Building and Inspectional Services Jim English, Community Development Administrator Brandon Nolin, and IT Manager Boyle Wong,

Guests: None

Mayor DiMaria thanked staff for their efforts in putting tonight's budget presentation together. He then turned the meeting over to Village Administrator, Charles L. Meyer. Mr. Meyer noted elected officials have been provided budget books which contain detailed information and narratives about the budget.

Mr. Meyer stated tonight's presentation, as in past Budget Workshops would include an overview of projected revenues and expenditures estimated in the General Fund, Enterprise Funds, TIF Funds, Fiduciary Funds, and other Funds. The Budget document has two major components: (i) financial information which includes a summary and details on projected financial expenditures for personnel (the costliest area of the budget), contractual obligations and commodity purchases; and (ii) supporting Information on key requests as well as a summary on key budget modifications from the prior year.

The 2025 Proposed Budget totals \$79,680,000.00 which is a \$4,800,000.00 decrease or 5.68% from the 2024 Budget of \$84,480,000.00. Decreases are due to (i) closure of the Lehigh Ferris TIF (\$1.9 Million), (ii) the completion of 2024 water main projects (\$1.25 Million) and completion of 2024 sewer projects (\$520,000). The general theme of the 2025 Budget is that it is a "Managed Budget", i.e. utilizing conservative revenue numbers with progressive enhancements wherever possible.

The 2025 funding priorities are (i) to continue stabilizing the Village's bond rating. Mr. Meyer noted that stabilizing and improving the Village's bond rating has a multiplier effect as a high bond rating typically results in a lower interest rate when the Village borrows money; (ii) continued capital projects development, (iii) proper management of personnel costs, (iv) minimize current Inflationary pressures, (v) response to market Impacts, (vi) recruitment and retention of a quality work force, (vii) promote economic development as every sales tax dollar received by the Village reduces the amount of property taxes the Village must levy, (viii) maintenance of public facilities and (ix) continue the systematic replacement of operational equipment.

The proposed 2025 General Fund budget (the Village's normal, everyday operating costs) increased by \$1,129,000.00 – from \$37,920,000.00 to \$39,050,000.00. These increases are attributed to increased pension contribution of \$915,000.00 (to meet the current actuarial recommendation), increased healthcare insurance costs of \$194,000.00, the purchase of a \$470,000.00 new ambulance, and \$284,000.00 in increased technology

costs (to purchase a new phone system-to replace the existing 15-year-old system, and to add security enhancements, upgrade the website and install a new work order management system).

Due to these increased costs, Mr. Meyer is recommending a property tax levy increase of \$525,000.00. Finance Director Sullivan noted that this levy increase should not increase the property taxes paid by homeowners as the Lehigh Ferris TIF is closing and the Village will recover approximately \$525,000 in property taxes previously paid to the TIF District. Ms. Sullivan noted that the Lehigh/Ferris TIF District is responsible for increased EAV for the Village of \$45,181,979.00 resulting in total Village EAV of \$1,093,883,150.00. Mr. Meyer noted the increased property taxes will support 13.8% in increased pension payments, 31% in increased technology costs, and 23.9% in increased engineering costs for future capital improvements.

Mr. Meyer summarized the anticipated 2025 General Fund revenues as follows:

Source	FY 2024	FY 2025	Difference	% Change
All Taxes	\$29,444,534	\$31,290,785	\$1,846,251	6.27%
Licenses & Permit Fees	\$1,956,500	\$1,956,500	\$0	0.00%
Fines	\$816,500	\$816,500	\$0	0.00%
Charges for Services	\$1,123,650	\$1,162,050	\$38,400	3.42%
Grants	\$302,000	\$302,000	\$0	0.00%
Investment/Rental	\$110,000	\$200,000	\$90,000	81.82%
Transfers	\$2,486,000	\$2,486,000	\$0	11.62%
Miscellaneous	\$594,500	\$594,500	\$0	(1.65%)
American Rescue Plan Act (ARPA)	\$1,088,000	\$242,500	(\$845,500)	(77.71%)
Total	\$37,572,684	\$39,050,835	\$1,129,151	2.98%

Trustee Khan asked if the projected revenue included funds for a signalized intersection at Lincoln and Menard. Village Engineer Chris Tomich noted that the intersection was currently being studied with a report expected by the end of this month. Trustee Witko asked if funds were available for neighborhood streetlights. Mr. Meyer noted that he would work on creating a process for adding streetlights to neighborhoods in an equitable methodical manner. Mayor DiMaria asked about installing solar streetlights. Assistant Director of Public Works, Kevin Lochner noted that neighboring communities were testing solar lights, but numerous questions needed to be addressed before the Village would consider such a project.

General Fund Expenditures were summarized as follows:

Item	FY 2024	FY 2025	Difference	% Change
Media/Communications	\$57,840	\$61,770	\$3,930	6.79%
Information Technology	\$914,009	\$1,197,941	\$283,932	31.06%
Reserves	\$673,860	\$793,000	\$120,000	17.83%
Police Department	\$12,686,821	\$13,681,353	\$994,532	7.84%
Fire Department	\$11,160,931	\$11,198,693	\$37,762	0.34%
PW Streets	\$3,780,350	\$3,787,100	\$6,750	0.18%
PW Engineering	\$567,545	\$703,295	\$135,750	23.92%
All other expenditures	\$8,080,328	\$7,627,178	\$453,150	5.61%
Total General Fund	\$37,921,684	\$39,050,330	\$1,128,646	2.98%

Mr. Meyer then reviewed the Legislation Schedule for the approval of the 2025 Budget and the 2024 Property Tax Levy:

- November 12, 2024      Budget & Tax Levy Ordinances First Reading
- November 26, 2024      Budget Hearing
- November 26, 2024      Budget & Tax Levy Ordinances Second Reading

Mr. Meyer then reviewed the following chart with the Board which detailed key pages of the Budget and Budget Book:

CHART ON NEXT PAGE:



	Page #	2024	2025	\$ Difference	% Difference	Background
<b>GENERAL FUND</b>						
Legislative	3	\$ 122,750	\$ 122,750	\$ -	0.00%	
Media/Communications	6	\$ 57,840	\$ 61,770	\$ 3,930	6.79%	Production hardware
Administration	8	\$ 738,705	\$ 715,435	\$ (23,270)	-3.15%	Personnel Costs - Transition
Legal	11	\$ 373,150	\$ 381,660	\$ 8,510	2.28%	
Community & Economic Development	14	\$ 309,275	\$ 346,904	\$ 37,629	12.17%	Personnel Costs
Finance	17	\$ 2,881,043	\$ 2,901,777	\$ 20,734	0.72%	Increase in Pension Contribution
Information Technology	19	\$ 914,009	\$ 1,197,941	\$ 283,932	31.06%	New Phone System, HR/Payroll Software, Security Infrastructure
Reserves	22	\$ 673,000	\$ 793,000	\$ 120,000	17.83%	Personnel, Collective Bargaining & Unanticipated Expenses
Police Department	24	\$ 12,686,821	\$ 13,681,353	\$ 994,532	7.84%	Salary increases for union, Pension Expense
Fire Department	27	\$ 11,160,931	\$ 11,198,693	\$ 37,762	0.34%	Fire Truck Purchased in 2024, Ambulance 2025, Pension Expense
Public Works - Administration	30	\$ 95,020	\$ 95,090	\$ 70	0.07%	
Public Works - Streets	32	\$ 3,780,350	\$ 3,787,100	\$ 6,750	0.18%	Traffic Signal Replacement completed 2024
Public Works - Engineering	35	\$ 567,545	\$ 703,295	\$ 135,750	23.92%	Specialized Engineering Review,
Public Works - Vehicle Maint.	38	\$ 1,041,305	\$ 1,066,430	\$ 25,125	2.41%	Increase in cost of fuel, repair parts and services
Public Works - Municipal Bldg.	45	\$ 1,301,525	\$ 775,117	\$ (526,408)	-40.45%	Fewer building improvements budgeted, CIP
Family & Senior Services / Civic Center	40	\$ 295,275	\$ 295,775	\$ 500	0.17%	
Bldg. & Inspectional Services	42	\$ 923,140	\$ 926,240	\$ 3,100	0.34%	
<b>Total General Fund</b>		<b>\$ 37,921,684</b>	<b>\$ 39,050,330</b>	<b>\$ 1,128,646</b>	<b>2.98%</b>	
Enterprise - Water	47	\$ 8,253,896	\$ 7,007,355	\$ (1,246,541)	-15.10%	Water Main completed 2024
Enterprise - Sewer	50	\$ 1,888,285	\$ 1,368,725	\$ (519,560)	-27.51%	Austin sewer replacement completed 2024
Enterprise - Administration	52	\$ 1,773,933	\$ 1,706,102	\$ (67,831)	-3.82%	Pension Expense
Fire Alarm	72	\$ 320,800	\$ 294,650	\$ (26,150)	-8.15%	Reduction in telephone expense
Capital Projects	54	\$ 1,803,000	\$ 1,363,000	\$ (440,000)	-24.40%	Austin Ave in 2024
Debt Service	56	\$ 664,213	\$ 663,213	\$ (1,000)	-0.15%	
Motor Fuel Tax Fund	66	\$ 2,209,000	\$ 2,851,000	\$ 642,000	29.06%	Arterial Street resurfacing, grant eligible
Emergency 911 Fund	68	\$ 443,384	\$ 479,403	\$ 36,019	8.12%	Increase in Central Dispatch costs
Solid Waste Funds	70	\$ 2,177,910	\$ 2,218,722	\$ 40,812	1.87%	Increase in collection and disposal costs
Equipment Replacement Fund	72	\$ 300,000	\$ -	\$ (300,000)	-100.00%	No purchases this year, building the fund for future
Liability Insurance Fund	72	\$ 100,000	\$ 100,000	\$ -	0.00%	
Commuter Parking Fund	72	\$ 30,200	\$ 30,200	\$ -	0.00%	
Seizure Fund	72	\$ 300,500	\$ 300,500	\$ -	0.00%	
Morton Grove Days	72	\$ 170,000	\$ 170,000	\$ -	0.00%	
<b>Total Other Funds</b>		<b>\$ 20,435,121</b>	<b>\$ 18,552,870</b>	<b>\$(1,882,251)</b>	<b>-9.21%</b>	
<b>Total General Operations</b>		<b>\$ 58,356,805</b>	<b>\$ 57,603,200</b>	<b>\$ (753,605)</b>	<b>-1.29%</b>	
<b>TIF &amp; Economic Development</b>						
Lehigh/Ferris TIF	58	\$ 2,088,810	\$ 100,010	\$ (1,988,800)	-95.21%	TIF closing - remaining bills
Sawmill Station TIF	60	\$ 2,539,632	\$ 3,134,632	\$ 595,000	23.43%	New economic development support
Lincoln/Lehigh TIF	62	\$ 9,370,000	\$ 7,420,000	\$ (1,950,000)	-20.81%	Developer support given in 2024, Train station & other developer support
Economic Development Fund	64	\$ 1,163,897	\$ 210,000	\$ (953,897)	-81.96%	Revenue Sharing Agreement fulfilled in 2024
<b>TIF &amp; Economic Development</b>		<b>\$ 15,162,339</b>	<b>\$ 10,864,642</b>	<b>\$(4,297,697)</b>	<b>-28.34%</b>	
<b>Pensions</b>						
General Employees' Pension	81	\$ 1,426,000	\$ 1,426,000	\$ -	0.00%	Actual Pension
Firefighters' Pension	81	\$ 4,529,500	\$ 4,832,000	\$ 302,500	6.68%	Increase reflects actual pensions
Police Pension	81	\$ 5,008,100	\$ 4,957,100	\$ (51,000)	-1.02%	Decrease reflects actual pensions
<b>Total Pensions</b>		<b>\$ 10,963,600</b>	<b>\$ 11,215,100</b>	<b>\$ 251,500</b>	<b>2.29%</b>	
<b>TOTAL ALL FUNDS</b>		<b>\$ 84,482,744</b>	<b>\$ 79,682,942</b>	<b>\$ (4,799,802)</b>	<b>-5.68%</b>	

Mayor DiMaria then thanked staff for their hard work.

Trustee Minx moved to adjourn the special meeting. The motion was seconded by Trustee Witko and approved unanimously pursuant to a voice vote at 6:43 PM.

Minutes by  
Teresa Hoffman Liston  
Corporation Counsel

## Legislative Summary

<b>Resolution 24-62</b>
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### **AUTHORIZING AN EMERGENCY WATER SYSTEM INTERCONNECTION AND WATER SUPPLY SUPPLEMENTAL AGREEMENT WITH THE VILLAGE OF GOLF**

<b>Introduced:</b>	October 22, 2024
<b>Purpose:</b>	To authorize the Village President and Village Clerk to execute an Emergency Water System Interconnection and Water Supply Supplemental Agreement with the Village of Golf.
<b>Background:</b>	The Village desires to enter into an intergovernmental agreement with the Village of Golf to provide emergency water services to the Village of Morton Grove. The Village of Morton Grove is supplied by the Morton Grove Niles Water Commission (“MGNWC”) for potable water. The MGNWC is currently engaging in a water main lining project for the primary 20-inch water line that supplies the Village. During this time, the Village is dependent on an existing 12-inch water line. To provide additional redundancy, the Village has negotiated the attached agreement with the Village of Golf to provide emergency potable water to the Village in emergency situations. Once the construction project concludes later this year the emergency agreement with Golf supplying water to Morton Grove will no longer be needed.
<b>Programs, Departments or Groups Affected</b>	Public Works Department
<b>Fiscal Impact:</b>	To be determined based on usage.
<b>Source of Funds:</b>	2024 Water Purchases Account Numbers 40-50-33-55-2340
<b>Workload Impact:</b>	The Public Works Department will manage and implement the project as part of its normal work activities.
<b>Administrator Recommendation:</b>	Approval as presented.
<b>Second Reading:</b>	Not Required
<b>Special Considerations or Requirements:</b>	None

Submitted by: Charles L. Meyer, Village Administrator  
Reviewed by: Teresa Hoffman Liston, Corporation Counsel  
Reviewed by: Mike Lukich, Director of Public Works  
Prepared by: Charles L. Meyer, Village Administrator

## **RESOLUTION 24-62**

### **AUTHORIZING AN EMERGENCY WATER SYSTEM INTERCONNECTION AND WATER SUPPLY SUPPLEMENTAL AGREEMENT WITH THE VILLAGE OF GOLF**

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 has the authority to adopt resolutions and to promulgate rules and regulations that pertain to its government and affairs that protect the health, safety, and welfare of its citizens; and

WHEREAS, the Village desires to purchase water from the Village of Golf ("Golf") pursuant to certain Emergency Water System Interconnection and Water Supply Supplemental Agreement between the Village of Morton Grove, Illinois and the Village of Golf, Illinois, in substantially the form presented to corporate authorities as described below (the "Water Supply Agreement"); and

WHEREAS, the Constitution of the State of Illinois, 1970, Article VII, Section 10, authorizes units of local government to contract or otherwise associate among themselves in any manner not prohibited by law or Ordinance; and

WHEREAS, 5 ILCS 220/1, entitled the "Intergovernmental Cooperation Act," provides that any power or powers, privileges or authority exercised, or which may be exercised by a unit of local government may be exercised and enjoyed jointly with any other unit of local government; and

WHEREAS, Golf and the Village have authority as home rule units of local government, and pursuant to the Constitution of the State of Illinois and the Intergovernmental Cooperation Act, to enter into the Water Supply Agreement; and

WHEREAS, the President and Board of Trustees of the Village find that entering into the Water Supply Agreement will serve to protect the health, safety and welfare of the citizens of the Village.

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

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

SECTION 2: The Water Supply Agreement, in the form attached as Exhibit A hereto, is hereby approved and confirmed, and the Village President and Village Clerk are hereby authorized and directed to execute and deliver such agreement on behalf of the Village with such changes as may be made to such Water Supply Agreement between the date of this Resolution and the date of execution as may be approved

by the Village President, such approval to be evidenced by the execution and delivery of the Water Supply Agreement by the Village President and Village Clerk.

SECTION 3: The Village Administrator and Director of Public Works or their designees are authorized to take all steps necessary to implement the Emergency Water System Interconnection and Water Supply Supplemental Agreement with the Village of Golf.

SECTION 4: This Resolution shall be in full force and effect upon its passage and approval.

Passed this 22nd day of October 2024

- Trustee Khan \_\_\_\_\_
- Trustee Minx \_\_\_\_\_
- Trustee Shiba \_\_\_\_\_
- Trustee Thill \_\_\_\_\_
- Trustee Travis \_\_\_\_\_
- Trustee Witko \_\_\_\_\_

Approved by me this 22nd day of October 2024

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

Attested and filed in my office this  
 23rd day of October 2024

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

**EMERGENCY WATER SYSTEM INTERCONNECTION AND WATER SUPPLY  
SUPPLEMENTAL AGREEMENT BETWEEN THE VILLAGE OF MORTON  
GROVE, ILLINOIS AND THE VILLAGE OF GOLF, ILLINOIS**

This Emergency Water System Interconnection and Water Supply Supplemental Agreement (Agreement) made this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by and between the Village of Morton Grove, Illinois, a municipal home rule corporation in the County of Cook and State of Illinois (Morton Grove), and the Village of Golf, Illinois, a municipal home rule corporation in the County of Cook and State of Illinois (Golf), with respect to a water system interconnection.

WHEREAS Morton Grove owns and operates a water supply distribution system which provides Lake Michigan water to its residents, businesses, and other customers, which is obtained from the Morton Grove-Niles Water Commission (“MGNWC”) with the original source being the City of Evanston, and

WHEREAS, Golf owns and operates a water supply distribution system which provides Lake Michigan water to its residents, businesses, and other customers, and currently purchases its water supply from the Village of Glenview (Glenview) with the original source being the Village of Wilmette, and

WHEREAS, Morton Grove and Golf entered into an emergency water supply agreement dated August 12, 2024 (the Original Agreement) under which Morton Grove provides an emergency water supply to Golf, on an evergreen basis unless either party give advance notice electing to terminate such agreement, and

WHEREAS, under the Original Agreement, Morton Grove has sole authority to operate the components of the metered connection through which emergency water service is supplied to Golf, as identified in Section 7 of the Original Agreement, and

WHEREAS, subsequent to the Original Agreement, Morton Grove has requested that Golf provide an emergency water supply to Morton Grove, initially on a limited basis until December 31, 2024, by means of modifying the existing components within the meter vault in order to reverse the existing water flow to provide emergency water service to Morton Grove, and

WHEREAS, Golf is willing to sell water to Morton Grove on an emergency basis under the terms and conditions in this Agreement.

NOW THEREFORE, it is agreed as follows:

1. **Purchase & Sale of Water.** Golf agrees to sell, and Morton Grove agrees to purchase from Golf an emergency supply of water for water customers of Morton Grove under and in accordance with the terms set forth in this Agreement:
  - a. Upon request from Morton Grove and the mutual agreement of the parties, Golf agrees to sell and, subject to availability from Glenview, provide Morton Grove up to 1.4 million gallons per day (MGD) gallons of water per day at a pressure of not



less than twenty (20) pounds per square inch measured at ground level at the meter to Morton Grove.

- b. Morton Grove shall request to purchase water from Golf only under conditions which constitute a need for a temporary emergency supply of water, including by way of example, but not limited due to a power outage, main break, fire, unplanned temporary outage, or such other unexpected and uncontrollable occurrence, The use of this water is not intended to be a supply to supplement Morton Grove's available normal capacity from the MGNWC .
- c. Morton Grove shall request to purchase an emergency supply of water from Golf by calling Golf's certified water operator at the following number (or as subsequently advised by Golf):

Dave Battaglia  
Village of Glenview  
2498 East Lake Avenue  
Glenview, IL 60026  
(847) 904-4522

and simultaneously by written request via email to [administrator@villageofgolf.us](mailto:administrator@villageofgolf.us). In addition, Morton Grove with the coordination of Golf representatives, shall notify the Village of Glenview Director of Public Works of the emergency water service request. All requests shall specify the reason for needing the water and the approximate length of time and quantity of water that will be taken. Under no circumstances shall Golf be required to provide water to Morton Grove for periods in excess of 5 consecutive 24-hour periods.

- d. Golf shall endeavor to provide water to Morton Grove unless, Golf, in its sole discretion determines that such provision of water will jeopardize its ability to provide a sufficient supply of water to its regular customers, and in no event shall this Agreement be construed as a guarantee that Golf will provide water to Morton Grove.
  - e. Golf may impose restrictions on Morton Grove's use of Golf's water including without limitation, restrictions that are placed on the Golf's other users.
  - f. The water systems of the Parties are currently interconnected at one (1) location, Overlook Drive and Golf Road.
2. **Rates & Charges.** The rates charged by Golf to Morton Grove for said emergency supply of water shall be Golf's then-current published Retail Rate for water, or Golf's then-current published Outside Village Rate, whichever is higher. Morton Grove shall pay Golf for the actual amount of water provided by Golf to the Morton Grove.
  3. **Payment.** Morton Grove shall be billed monthly based upon the rates and charges specified above and any other costs provided for in this Agreement. Morton Grove shall pay Golf consistent with the Illinois Prompt Payment Act.
  4. **No Resale.** Morton Grove shall not resell or distribute any water supplied to it by Golf to any other entity without the express written consent of Golf.
  5. **Term.** This Agreement shall be in effect on execution by both parties and shall continue

until terminated by either party. Either party may terminate this Agreement for any reason by providing at least 12 months of advanced notice of termination in writing to the other party.

6. **Equipment, Meters & Access.**

- a. The control valves, meters, check valves, meter equipment, meter vaults, and valves at the metering locations shall at all times be under the control Morton Grove. Morton Grove with coordination with designated Golf personnel shall be responsible to modify the existing components within the meter vault in order to reverse the existing water flow to provide emergency water service to Morton Grove. Under no circumstances shall Golf operate any equipment under the control of Morton Grove.
- b. If, at any time, a meter shall fail to correctly register the quantity of water furnished and taken hereunder or shall fail to register the flow of water through said meter, then the, under-registered or over-registered amount of water furnished and taken shall be determined by taking an average of the monthly readings for past twelve (12) months that the Village of Glenview provided to Golf, minus the water usage provided during the period Golf provided emergency water to Morton Grove.

7. **Emergency Connection Components, Operation & Utilization.**

- a. Notwithstanding the provisions of Section 7(e) and 7(f) of the Original Agreement, at all times that this Agreement is in force, future replacement of the water meter at Narragansett Avenue and Palma Lane and future repairs or maintenance on the existing emergency supply water main as it runs north from the Village of Golf water meter vault located at Narragansett Avenue and Palma Lane to the edge of the northern right-of-way line of Golf Road will be shared equally by Golf and Morton Grove (but all portions of the water main north of the such right-of-way line shall be repaired and maintained by Golf). The parties acknowledge that, to the extent provided in the preceding sentence, this Agreement shall control over any conflicting or inconsistent provision in the Original Agreement.
  - b. If any water main break shall occur in the Golf Water System within 24 hours after the commencement of the sale of water to Morton Grove (i.e., after Morton Grove has modified the existing components within the meter vault in order to reverse the existing water flow to provide emergency water service to Morton Grove), the damage shall be considered to stem from the sudden change in pressure and Morton Grove shall reimburse Golf for the actual costs of the repair within 30 days after receiving an invoice with reasonable supporting documentation.
  - c. The sale of water by Golf under this Agreement may be restricted by Glenview, and the parties acknowledge that the sale of water hereunder is subject to all terms and conditions of the agreements in place between Golf and Glenview.
8. **Water Quality & Monitoring.** Both Parties recognize that each uses different forms of disinfection. Each Party is responsible for monitoring and maintaining a chlorine residual within its system where the mixing of the two waters might occur. Should subsequent problems arise after Golf begins to provide water to Morton Grove that are directly related to or caused by the characteristics of the Morton Grove's primary water supply or the mixing of Morton Grove's primary water supply with Golf's water supply (exclusive of



normal wear and tear of Morton Grove's facilities and equipment), Morton Grove and Golf agree to mutually work together to implement a mutually agreed upon solution to remedy such problems within 90 days. If such a conclusion cannot be reached, this Agreement shall continue for three (3) months from when the problem arises and both parties are made aware of such problem in writing to allow Morton Grove to identify and initiate implementation of an alternative to this Agreement, or to remedy such problem in a manner mutually agreeable. In any event, each party agrees to assume all liability and accept all responsibility for the quantity and quality of water provided to its customers.

9. **Default.** In the event that one Party believes the other to be in default under this Agreement, that Party acting through its chief administrator, shall notify the other Party in writing and allow the other Party thirty (30) days from the date of receipt of the notice to cure the default. If the default is not then cured, the Party having sent the notice of default may terminate this Agreement by serving written notice on the other Party, such termination to be effective on the date stated in the written notice. No waiver of any default shall be implied by the failure of either Party to give notice of default, and no express waiver shall affect any other default except the one specified in the waiver.
10. **Indemnification.** To the extent allowable by law, Morton Grove shall defend and hold harmless Golf against any and all claims, demands, and causes of action arising out of or connected with this Agreement, including any action or claim brought against Golf because of the water supply purchased by Morton Grove from Golf, and shall indemnify Golf for any costs, expenses, fines, or damages resulting therefrom (including all court costs, fees, and reasonable attorneys' fees), except where such claims arise out of the willful misconduct of the officers, agents or employees of Golf.
11. **Notices.** Except as to required telephone notification in paragraph 1(c), any notice or communication permitted or required under the Agreement shall be in writing and shall become effective on the day of mailing thereof by first class mail, registered or certified mail, postage prepaid, addressed to:

If to Morton Grove:

Village of Morton Grove  
Attention: Village Administrator  
6101 Capulina Avenue  
Morton Grove IL, 60053

With a copy to:

Village of Morton Grove  
Attention: Corporation Counsel  
6101 Capulina Avenue  
Morton Grove IL, 60053

If to Golf:

Village of Golf  
Attention: Village Administrator  
1 Briar Road  
Golf, IL 60029

With a copy to:

Village of Golf  
Attention: Corporation Counsel  
1 Briar Road  
Golf, IL 60029

12. **Binding on Successors.** This Agreement shall be binding upon the successors and assigns of Golf and Morton Grove and their respective governing bodies.
13. **Counterpart & PDF Signatures.** This Agreement may be executed in two or more counterparts, each of which shall be deemed an original and all of which together shall



constitute one and the same instrument. Each Party may execute this Agreement on a facsimile or PDF hereof. In addition, facsimile or PDF signatures of either Party shall be valid and binding, and delivery of a facsimile or PDF signature by either Party shall constitute due execution and delivery of this Agreement.

14. **Amendments.** This Agreement may not be amended except by means of written document, including an addendum, signed by authorized representatives of both Golf and Morton Grove.
15. **Effective Date.** This Agreement shall be deemed dated and become effective on the date the last of the Parties signs as set forth below the signature of their duly authorized representatives.

VILLAGE OF MORTON GROVE, IL

By: \_\_\_\_\_  
Daniel P. DiMaria, Village President

Attest: \_\_\_\_\_  
Eileen Scanlon Harford, Village Clerk

Date: \_\_\_\_\_

VILLAGE OF GOLF, IL

By: Robert Farr  
Rob Farr, Village President

Attest: Mary Osman  
Mary Osman, Village Clerk

Date: 10/14/24

## Legislative Summary

<b>Resolution 24-63</b>
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### **AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN THE VILLAGE OF MORTON GROVE AND THE VILLAGE OF GOLF FOR THE EMERGENCY WATER SYSTEM CONNECTION AND EMERGENCY WATER SUPPLY FROM THE VILLAGE OF MORTON GROVE TO THE VILLAGE OF GOLF**

<b>Introduced:</b>	October 22, 2024
<b>Purpose:</b>	To authorize the Village President and Village Clerk to execute an intergovernmental agreement (IGA) with the Village of Golf for the Village of Morton Grove to provide an Emergency Water System Interconnection and Emergency Water Supply to the Village of Golf.
<b>Background:</b>	The Village of Golf has requested the Village of Morton Grove provide an emergency water supply to the Village of Golf, and desires to enter into an intergovernmental agreement (IGA) with the Village of Morton Grove to secure the emergency water supply. The Village of Morton Grove owns and operates a water supply distribution system that provides Lake Michigan water to its residents, businesses, and other customers, obtained from the Morton Grove Niles Water Commission (MGNWC), with the original source being the City of Evanston. The Village of Golf owns and operates a water supply distribution system that provides Lake Michigan water to its residents, businesses, and other customers. The Village of Golf currently purchases its water supply from the Village of Glenview. The Village of Morton Grove agrees to sell such water, and the Village of Golf agrees to purchase and accept water from Morton Grove for emergency purposes in accordance with the terms of Exhibit "A".
<b>Programs, Departments or Groups Affected</b>	Public Works Department
<b>Fiscal Impact:</b>	This is to be determined based on water usage based on the current Morton Grove retail rate for water or the then-current Morton Grove outside village rate, whichever is higher. Golf shall pay Morton Grove the rate for the water provided by Morton Grove to Golf or the rate for 10,000 gallons of water per month, whichever is higher.
<b>Source of Funds:</b>	Not Applicable.
<b>Workload Impact:</b>	The Public Works Department will manage and implement the project as part of its regular work activities.
<b>Administrator Recommendation:</b>	Approval as presented.
<b>Second Reading:</b>	Not Required.
<b>Special Considerations or Requirements:</b>	None

Submitted by: Charles L. Meyer, Village Administrator  
Reviewed by: Teresa Hoffman Liston, Corporation Counsel  
Prepared by: Mike Lukich, Director of Public Works

Submitted by: Charles L. Meyer, Village Administrator  
Reviewed by: Teresa Hoffman Liston, Corporation Counsel  
Prepared by: Mike Lukich, Director of Public Works

## **RESOLUTION 24-63**

### **AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN THE VILLAGE OF MORTON GROVE AND THE VILLAGE OF GOLF FOR THE EMERGENCY WATER SYSTEM CONNECTION AND EMERGENCY WATER SUPPLY FROM THE VILLAGE OF MORTON GROVE TO THE VILLAGE OF GOLF**

WHEREAS, the Village of Morton Grove (Morton Grove), 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, Morton Grove has the authority to adopt resolutions and to promulgate rules and regulations that pertain to its government and affairs that protect the health, safety, and welfare of its citizens; and

WHEREAS, Morton Grove Constitution of the State of Illinois, Article VII, Section 10, and the Intergovernmental Cooperation Act, 5 ILCS 220/1 et seq (2000) provide the authority for municipalities to join together and combine in the exercise of their powers: and

WHEREAS, the Village of Golf (Golf) Illinois is a home rule unit of local government located in Cook County, Illinois

WHEREAS, Morton Grove owns and operates a water supply distribution system that provides Lake Michigan water to its residents, businesses, and other customers, which is obtained from the Morton Grove Niles Water Commission (MGNWC), with the original source being the City of Evanston, and

WHEREAS, Golf owns and operates a water supply distribution system that provides Lake Michigan water to its residents, businesses, and other customers and currently purchases its water supply from the Village of Glenview, and

WHEREAS, Golf has requested that Morton Grove provide an emergency water supply to Golf, and

WHEREAS, Morton Grove agrees to sell such water, and Golf agrees to purchase and accept water from Morton Grove for emergency purposes in accordance with the terms of Exhibit "A".

WHEREAS, the President and Board of Trustees of the Village find that entering into the Water Supply Agreement will protect the health, safety, and welfare of the citizens of the Village.

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

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

SECTION 2: The Water Supply Agreement, in the form attached as Exhibit “A” hereto, is hereby approved and confirmed, and the Village President and Village Clerk are hereby authorized and directed to execute and deliver such agreement on behalf of the Village with such changes as may be made to such Water Supply Agreement between the date of this Resolution and the date of execution as may be approved by the Village President, such approval to be evidenced by the execution and delivery of the Water Supply Agreement by the Village President and Village Clerk.

SECTION 3: The Village Administrator and Director of Public Works or their designees are authorized to take all steps necessary to implement the Emergency Water System Interconnection and Water Supply Supplemental Agreement with the Village of Golf.

SECTION 4: This Resolution shall be in full force and effect upon its passage and approval.

Passed this 22nd day of October 2024

Trustee Khan \_\_\_\_\_

Trustee Minx \_\_\_\_\_

Trustee Shiba \_\_\_\_\_

Trustee Thill \_\_\_\_\_

Trustee Travis \_\_\_\_\_

Trustee Witko \_\_\_\_\_

Approved by me this 22nd day of October 2024

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

Attested and filed in my office this  
23rd day of October 2024

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

**EXHIBIT “A”**

**EMERGENCY WATER SYSTEM INTERCONNECTION AND WATER SUPPLY  
AGREEMENT BETWEEN THE VILLAGE OF MORTON GROVE, ILLINOIS  
AND THE VILLAGE OF GOLF, ILLINOIS**

This Agreement made this 12<sup>th</sup> day of August, 2024, by and between the Village of Morton Grove, Illinois, a municipal home rule corporation in the County of Cook and State of Illinois (Morton Grove), and the Village of Golf, Illinois, a municipal corporation in the County of Cook and State of Illinois (Golf), with respect to a water system interconnection.

WHEREAS Morton Grove owns and operates a water supply distribution system which provides Lake Michigan water to its residents, businesses, and other customers, which is obtained from the MGNWC with the original source being the City of Evanston, and

WHEREAS, Golf owns and operates a water supply distribution system which provides Lake Michigan water to its residents, businesses, and other customers, and currently purchases its water supply from the Village of Glenview, and

WHEREAS, the Golf has requested that Morton Grove provide an emergency water supply to Golf, and

WHEREAS, Morton Grove is willing to sell water to Golf under certain terms and conditions.

NOW THEREFORE, it is agreed as follows:

1. **Purchase & Sale of Water.** Morton Grove agrees to sell, and Golf agrees to purchase and accept from Morton Grove under and in accordance with the terms hereof, a supply of water through a metered connection(s) hereinafter described to be used by Golf as an emergency supply of water for water customers of Golf. The supply of water to be furnished hereunder to Golf during the period of this Agreement shall be as follows:
  - a. Upon request from Golf and the mutual agreement of the parties, Morton Grove agrees to sell and provide Golf up to **75,000** gallons of water per day at a pressure of not less than twenty (20) pounds per square inch measured at ground level at the meter to Golf.
  - b. Golf shall request to purchase water from Morton Grove only under conditions which constitute a need for a temporary emergency supply of water, including by way of example, but not limited due to a power outage, main break, fire, unplanned temporary outage, or such other unexpected and uncontrollable occurrence, The use of this water is not intended to be a supply to supplement Golf’s available normal capacity from the Village of Glenview.
  - c. Golf shall request to purchase an emergency supply of water from Morton Grove by calling the Village of Morton Grove Police Department Emergency at 847.965.2131 and Director of Public Works, at (224) 240-3188, and simultaneously by written request via email to [publicworks@mortongroveil.org](mailto:publicworks@mortongroveil.org) All requests shall specify the reason for needing the water and the approximate length of time and quantity of water that will be taken. Under no circumstances shall Morton Grove be required to provide water to Golf for period in excess of 5 consecutive 24-hour periods

- d. Morton Grove shall endeavor to provide water to Golf unless, Morton Grove, in its sole discretion determines that such provision of water will jeopardize its ability to provide a sufficient supply of water to its regular customers, and in no event shall this agreement be construed as a guarantee that Morton Grove will provide water to Golf.
  - e. Morton Grove may impose restrictions on Golf's use of Morton Grove's water including without limitation, restrictions that are placed on the Morton Grove's other users.
  - f. The water systems of the Parties are currently interconnected at one (1) location, Overlook Drive and Golf Road. Additional interconnections may be established at mutually agreeable locations, and pursuant to mutually agreeable conditions, and at the sole expense of Golf.
2. **Rates & Charges.** The rates for said emergency supply of water shall be the then-current Morton Grove Retail Rate for water, or the then-current Morton Grove Outside Village Rate, whichever is higher. Golf shall pay Morton Grove the rate for the actual amount of water provided by Morton Grove to Golf, or the rate for 10,000 gallons of water per month whichever is higher, with the flow volume measured at the Village of Golf water meter vault located at Narragansett Avenue and Palma Lane.
  3. **Payment.** Golf shall be billed monthly based upon the rates and charges specified above and any other costs provided for in this Agreement. Golf shall pay Morton Grove consistent with the Illinois Prompt Payment Act.
  4. **No Resale.** Golf shall not resell or distribute any water supplied by Morton Grove to Golf to any other entity without the express written consent of Morton Grove.
  5. **Term.** This Agreement shall be in effect on execution by both parties. Either party may terminate this Agreement for any reason by providing at least 12 months of advanced notice of termination in writing to the other party.
  6. **Equipment, Meters & Access.**
    - a. The control valves, meters, check valves, meter equipment, meter vaults, and valves at the metering locations shall at all times be under the control of Morton Grove. Golf shall pay all Morton Grove out of pocket costs and the costs for all overtime incurred by Morton Grove to maintain, repair, replace, operate, open, close, test, and flush said equipment. Under no circumstances shall Golf operate any equipment under the control of Morton Grove.
    - b. The properly authorized officer, agents and representatives of Golf shall, at reasonable times and after 2 business days written notice to Morton Grove, have access to meter vaults, meter control valves and meter equipment for the purpose of inspection.
    - c. If, at any time, a meter shall fail to correctly register the quantity of water furnished and taken hereunder or shall fail to register the flow of water through said meter, then the unregistered, under-registered or over-registered amount of water furnished and taken shall be determined by taking an average of the monthly readings of such meter, exclusive of deficient or excessive readings. Where said meter has been installed for a period of less than one (1) year or where less than twelve (12) credible monthly readings exist, such average or estimate may be based upon a lesser number than twelve (12) monthly readings taken preceding or subsequent to such increased or stopped registrations.

7. **Emergency Connection Components, Operation & Utilization.** The following items and language are made part of the emergency water supply agreement with Golf for the Golf Road and Overlook Drive / Narragansett Avenue and Palma Lane Emergency Connection.
  - a. The 12” Gate Valve at the northeast corner of Golf Road and Overlook Drive shall be designated as the Control Valve for emergency water supply when required by Golf.
  - b. Golf water meter vault is located at Narragansett Avenue and Palma Lane.
  - c. In order to maintain a high-water quality and acceptable chlorine residual within the pipe segment between the water meter vault and the 12” Control Valve, Golf shall at a mutually set date once per month flush sedimentation and stagnant water from the Emergency Water Supply Connection for safe potable water for domestic use.
  - d. When flushing is conducted it will be performed at the fire hydrant at the northeast corner of Golf Road and Overlook drive and shall be the responsibly of the Golf. Golf shall meet with a Morton Grove Water Division staff member after flushing has been completed to verify the actual water recorded at the Golf water meter vault located at Narragansett Avenue and Palma Lane.
  - e. The Water Meter at Narragansett Avenue and Palma Lane in Morton Grove shall be tested every five (5) years or as needed. The initial cost of the water meter test during regular business hours will be covered by Morton Grove. However, if testing results show repairs are required, Golf shall be responsible for the expense of the original test, repair, parts supplied and retesting of the water meter. Future replacement of the water meter at Narragansett Avenue and Palma Lane will be the responsibility of the Village of Golf.
  - f. Any repairs or maintenance on the existing emergency supply water main north of the Village of Golf water meter vault located at Narragansett Avenue and Palma Lane shall be the responsibility of Golf and no connections shall be made between the water meter and the control valve.
8. **Water Quality & Monitoring.** It is recognized by both Parties that different forms of disinfection are used by each. Each Party is responsible for monitoring and maintaining a chlorine residual within its system where the mixing of the two waters might occur. Should subsequent problems arise after Morton Grove begins to provide water to Golf that are directly related to or caused by the characteristics of the Golf’s primary water supply or the mixing of Golf’s primary water supply with the Morton Grove’s water supply (exclusive of normal wear and tear of Morton Grove’s facilities and equipment), Morton Grove and Golf agree to mutually work together to implement a mutually agreed upon solution to remedy such problems within 90 days. If such a conclusion cannot be reached, this Agreement shall continue for three (3) months from when the problem arises and both parties are made aware of such problem in writing to allow Golf to identify and initiate implementation of an alternative to this Agreement, or to remedy such problem in a manner agreeable to the Morton Grove. In any event, Golf agrees to assume all liability and accept all responsibility for the quantity and quality of water provided to its customers.
9. **Default.** In the event that one Party believes the other to be in default under this Agreement, that Party acting through its chief administrator, shall notify the other Party in writing and allow the other Party thirty (30) days from the date of receipt of the notice to cure the default. If the default is not then cured, the Party having sent the notice of



default may terminate the Agreement by serving written notice on the other Party, such termination to be effective on the date stated in the written notice. No waiver of any default shall be implied by the failure of either Party to give notice of default, and no express waiver shall affect any other default except the one specified in the waiver.

10. **Indemnification.** To the extent allowable by law, Golf shall defend and hold harmless Morton Grove against any and all claims, demands, and causes of action arising out of or connected with this Agreement, including any action or claim brought against Golf because of the water supply that is the subject of this Agreement, and shall indemnify the Morton Grove for any costs, expenses, fines, or damages resulting therefrom (including all court costs, fees, and reasonable attorneys' fees), except where such claims arise out of the willful misconduct of the officers, agents or employees of Morton Grove.
11. **Notices.** Except as to required telephone notification in paragraph 1(c), any notice or communication permitted or required under the Agreement shall be in writing and shall become effective on the day of mailing thereof by first class mail, registered or certified mail, postage prepaid, addressed to:

If to Morton Grove:

Village of Morton Grove  
Attention: Village Administrator  
6101 Capulina Avenue  
Morton Grove IL, 60053

If to Golf:

Village of Golf  
Attention: Village Administrator  
1 Briar Road  
Golf, IL 60029

With a copy to:

Village of Morton Grove  
Attention: Corporation Counsel  
6101 Capulina Avenue  
Morton Grove IL, 60053

With a copy to:

Village of Golf  
Attention: Corporation Counsel  
1 Briar Road  
Golf, IL 60029

12. **Binding on Successors.** This Agreement shall be binding upon the successors and assigns of Golf and Morton Grove and their respective governing bodies.
13. **Counterpart & PDF Signatures.** This Agreement may be executed in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument. Each Party may execute this Agreement on a facsimile or PDF hereof. In addition, facsimile or PDF signatures of either Party shall be valid and binding, and delivery of a facsimile or PDF signature by either Party shall constitute due execution and delivery of this Agreement.
14. **Amendments.** This Agreement may not be amended except by means of written document, including an addendum, signed by authorized representatives of both Golf and Morton Grove.
15. **Effective Date.** This Agreement shall be deemed dated and become effective on the date the last of the Parties signs as set forth below the signature of their duly authorized representatives.

VILLAGE OF MORTON GROVE, IL

By: \_\_\_\_\_  
Daniel P. DiMaria, Village President

Attest: \_\_\_\_\_  
Eileen Scanlon Harford, Village Clerk

Date: \_\_\_\_\_

VILLAGE OF GOLF, IL

By: \_\_\_\_\_  
Robert Farr, Village President

Attest: \_\_\_\_\_  
Mary Osman, Village Clerk

Date: \_\_\_\_\_

## Legislative Summary

### Ordinance 24-17

#### **APPROVING AN AMENDMENT TO A SPECIAL USE PERMIT (ORD. 18-09) GRANTING THE EXPANSION OF AN EXISTING SCHOOL AT THE PROPERTY COMMONLY KNOWN AS 8601 MENARD AVENUE IN MORTON GROVE, ILLINOIS**

<b>Introduction:</b>	October 8, 2024
<b>Purpose:</b>	To approve a Special Use Permit authorizing the expansion of the existing school including the expansion of an existing gymnasium and the installation of a track within the existing field in the northern portion of the property at 8601 Menard Avenue.
<b>Background:</b>	<p>a+c architects, LLC submitted a complete Special Use Application on behalf of MCC Academy (“applicant”), to the Department of Community and Economic Development for the expansion of the existing school at the property commonly known as 8601 Menard Avenue. The proposed project consists of the expansion of the existing gymnasium primarily to the south and west, the installation of a track within the existing field in the northern portion of the property, and related landscaping. The subject property consists of three (3) parcels occupied by the existing MCC Academy and zoned R-2 Single Family Residence. The request to expand the existing use requires an amendment to the existing Special Use Permit (Ord. 18-09) including Plan Commission review and Board of Trustees approval per Section 12-16-4:A of the Morton Grove Unified Development Code.</p> <p>On May 7, 2024, the Appearance Commission reviewed Case PC 24-05 and voted unanimously to recommend approval of the application. On September 5, 2024, the Traffic Safety Commission (TSC) reviewed Case PC 24-05 and voted unanimously to recommend approval of the application. On September 23, 2024, the applicant appeared before the Plan Commission to present the request for approval of the application made under Case PC 24-05. Based on the application, staff report, and testimony presented at the public hearing, the Plan Commission voted unanimously (7-0) to recommend approval of the Special Use Permit with conditions relating to student enrollment, operations, parking management, and site improvements.</p>
<b>Programs, Dept’s, Groups Affected</b>	Department of Community and Economic Development
<b>Fiscal Impact:</b>	N/A
<b>Source of Funds:</b>	N/A
<b>Workload Impact:</b>	The Special Use Permit will be implemented and supervised by staff as part of their normal work activities.
<b>Administrative Recommendation:</b>	Approval as presented
<b>Second Reading:</b>	October 22, 2024
<b>Special Considerations or Requirements:</b>	None

## **ORDINANCE 24-17**

### **APPROVING AN AMENDMENT TO A SPECIAL USE PERMIT (ORD. 18-09) GRANTING THE EXPANSION OF AN EXISTING SCHOOL AT THE PROPERTY COMMONLY KNOWN AS 8601 MENARD 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, 8601 Menard Avenue, legally described in “**Exhibit A**”, attached hereto, and made a part of this Ordinance, is a 167,989-square-foot lot zoned R-2 Single Family Residence and improved with a junior high/high school, mosque, and surface parking lot (“Subject Property”); and

WHEREAS, the Muslim Community Center Academy (“Applicant”) submitted a Special Use Application to the Village’s Plan Commission under Case PC 24-05 (“Application”) requesting an amendment to a Special Use Permit (Ord. 18-09) to authorize the expansion of the existing school including the expansion of an existing gymnasium and the installation of a track within the existing field in the northern portion of the property; and

WHEREAS, pursuant to the applicable provisions of the Municipal Code, public notice for a public hearing on the Application to be held at a special meeting of the Plan Commission on September 23, 2024, was published in the *Morton Grove Champion*, a newspaper of general circulation in the Village of Morton Grove, on September 5, 2024, written notification was sent to property owners within 250 feet of the Subject Property on August 29, 2024, and a sign was posted on the Subject Property on August 29, 2024, as required by ordinance; and

WHEREAS, on May 7, 2024, the Appearance Commission reviewed the Application, including the site plan, building elevations, signage plan, and landscape plan, issued an Appearance Certificate with select variations, and recommended approval of the Application with conditions; and

WHEREAS, on September 5, 2024, the Traffic Safety Commission (TSC) reviewed the Application, including the plans and traffic and parking impact study, and recommended approval of the Application; and

WHEREAS, at the September 23, 2024, 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 October 1, 2024, which was presented to the Village Board on October 8, 2024, 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 expansion of the MCC Academy, with the following conditions and restrictions, which shall be binding on the owners/lessees, occupants and users of this property, their successors, and assigns.

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

- A. 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.

- B. Prior to filing any Building Permit Application, the owner/applicant shall provide the Village with a revised landscape plan that adheres to direction provided by the Appearance Commission, including the potential addition of shade trees, 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.
- C. 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.
- D. Gymnasium operations at the subject property shall be limited to single-game events, single-day special events such as theater performances, training, and education on non-Fridays, and the hosting of tournaments shall be prohibited unless the parking plan can prove to provide necessary accommodations for the events.
- E. Use of the track and field shall be ancillary to school functions and the field area shall not host any special events that would generate additional traffic or parking demand unless the parking plan can prove to provide necessary accommodations for the events.
- F. Prior to the issuance of a building permit, the applicant shall submit proof of an executed parking management agreement in keeping the parking management plan provided to the Village as part of the application materials for PC 24-05.
- G. Section 3, Paragraph B of Ord.18-09, which amends Section of Ordinance 04-44, shall be amended to state, “The MCC shall limit overall enrollment to a maximum of 350 students and a maximum of 30 teachers.”
- H. Prior to the issuance of a building permit, the applicant shall submit a letter of understanding recognizing that the Mediation Agreement (Res. 04-32) remains in place and the amended Ordinance 18-09 does not relieve the burden of monitoring on-street parking impacts related to MCC activities, nor does it mitigate the potential that the MCC shall be required to install additional off-street parking on the subject property. Parking management measures must be implemented by the MCC in coordination with staff until the MCC becomes and remains compliant with the mediation agreement.

- I. Construction of the track shall not begin until the Village Administrator has seen significant improvement relative to parking issues and the parking management plan has shown itself to be effective.

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 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 October 2024.

Trustee Khan \_\_\_\_\_  
Trustee Minx \_\_\_\_\_  
Trustee Shiba \_\_\_\_\_  
Trustee Thill \_\_\_\_\_  
Trustee Travis \_\_\_\_\_  
Trustee Witko \_\_\_\_\_

Approved by me this 22nd day of October 2024.

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

Attested and Filed in my office this  
23rd day of October 2024.

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



**LIST OF EXHIBITS**

- EXHIBIT A            Legal Description, 8601 Menard Avenue  
EXHIBIT B            Plan Commission Report for PC 24-05, dated October 1, 2024

## **EXHIBIT A**

### **8601 MENARD AVENUE, MORTON GROVE, ILLINOIS 60053 LEGAL DESCRIPTION:**

PARCEL 1: LOTS 32 TO 53 IN SHAPIRO'S SUBDIVISION OF LOT 2 IN CIRCUIT COURT PARTITION OF LOTS 2 AND 3 IN THE COUNTY CLERK'S DIVISION OF SECTION 20 AND THE EAST ½ OF THE NORTH EAST ¼ OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

PARCEL 2: A PARCEL OF LAND BOUNDED BY THE NORTH ON THE SOUTH LINES OF LOTS 32 TO 39 OF PARCEL 1; ON THE SOUTH BY THE NORTH LINES OF LOTS 40 TO 47 OF PARCEL 1; ON THE EAST BY EAST LINE ON LOT 39 OF PARCEL 1 EXTENDED SOUTH; AND ON THE WEST BY WEST LINE OF LOT 32 OF PARCEL 1 EXTENDED SOUTH.

### **PROPERTY INDEX NUMBERS:**

10-20-212-019-0000  
10-20-216-010-0000  
10-20-216-011-0000

**EXHIBIT B**

**PLAN COMMISSION REPORT FOR PC 24-05**

Dated October 1, 2024

To: Village President and Board of Trustees  
From: Chris Kintner, Plan Commission Chairperson  
Charles Meyer, Village Administrator  
Teresa Hoffman Liston, Corporation Counsel  
Brandon Nolin, Community Development Administrator

Date: October 1, 2024

Re: Plan Commission Case PC 24-05  
Request for an amendment to a Special Use Permit to allow the expansion of an existing school at the property commonly known as 8601 Menard Avenue in Morton Grove, Illinois (PIN 10-20-212-019-0000, 10-20-216-010-0000, 10-20-216-011-0000) with variations from Section 12-4-2:D for setback and lot coverage, all within a R-2 Single Family Residence District pursuant to Section 12-4-4:E. The applicant is a+c architects LLC on behalf of MCC Academy.

Executive Summary

a+c architects, LLC submitted a complete Special Use Application on behalf of MCC Academy (“applicant”), to the Department of Community and Economic Development for the expansion of the existing school at 8601 Menard Avenue. The proposed project consists of the expansion of the existing gymnasium primarily to the south and west, the installation of a track within the existing field in the northern portion of the property, and related landscaping. The subject property consists of three (3) parcels occupied by the existing MCC Academy and zoned R-2 Single Family Residence. All surrounding properties are zoned R-2 and improved with single-family residences with the exception of the property to the north which is occupied by the Julia S Molloy Education Center (Niles Township District for Special Education #807).

The proposed amendment to the Special Use Permit was considered by the Plan Commission at a special meeting on September 23, 2024 and recommended by a vote of 7-0 that the Village Board of Trustees should approve the application as outlined in this report.

Application Summary

Muslim Community Center (MCC) Academy is proposing to expand its existing school located at 8601 Menard Avenue. The existing gymnasium would be expanded by extending the western wall approximately 29.5 ft. west toward Menard Avenue, extending the southern wall approximately 10 ft. toward Theobald Road, and extending a portion of the northern wall approximately 14 ft. The height of the new gymnasium (including the footprint of the existing gymnasium) would increase from approximately 25.5 ft to 32.0 ft. No other portion of the existing building will be expanded or increased in height. A two-lane clay track is also proposed for the north field along with an ornamental fence and landscaping at the west side of the field along the Menard Avenue frontage. No changes are proposed to existing parking or access to the site and proposed lighting is limited to three (3) wall sconces, up lighting on the west façade, and four (4) light poles to illuminate the track.

Zoning Review

In 2004, the Village approved a Special Use Permit (Ord. 04-44) for 8601 Menard Avenue for use as a mosque and for expansion of an existing school. The Village and the MCC also entered into a Mediation Agreement, Resolution 04-32, which governs the site in conjunction with the approved ordinance. On June 26, 2018, the Village approved an amendment to the Special Use Permit (Ord. 18-09) for 8601 Menard Avenue to convert the existing Pre-K through Junior High School to a Junior High/High School. While the gymnasium is a physically isolated improvement, the MCC Academy is part of the broader MCC use that is permitted by the Special Use Permit, and any expansion of the school represents an expansion of the Special Use. This requires that the use must be evaluated as a whole, including review of broader traffic and parking concerns related to mosque operations.

### *Traffic and Parking Impact*

A traffic impact study prepared by Gewalt Hamilton Associates (GHA) demonstrated that the proposed site plan has sufficient off-street parking to meet the demands of the expanded gymnasium and projected future traffic can be successfully accommodated on the surrounding roadway network. However, several area residents have raised concerns with on-street parking volume related to operation of the MCC mosque, particularly on Fridays when MCC Academy is not in operation at the site.

In response to resident input, Staff performed parking counts to complement the parking counts being provided by GHA and determined that MCC activities appear to have contributed to the use of 270 and 283 on-street parking spaces on Friday, June 7, and Friday, June 14, respectively. In response to Staff concerns and comments from the Traffic Safety Commission Chairperson, the applicant revised their proposed traffic and parking management plan that includes use of a Task Force of individuals stationed at surrounding intersections to direct congregants to off-street parking, monitor traffic and parking on adjacent streets, and be points of contact for nearby residents.

### **“Land Banked” Parking**

There are currently 194 parking spaces on-site. As a condition of the Special Use Permit (Ord. 04-44), the 2018 school expansion plans included an area for 23 “land-banked” parking spaces in the northern portion of the subject property. Per the 2004 mediation agreement (Res. 04-32) between the Village and MCC, “The Village may require the future construction of some or all of the parking spaces on the land-banked area if MCC Friday patrons park more than 50 vehicles on-streets adjacent to the MEC, for four (4) consecutive Normal Fridays, **confirmed by a joint count taken by the Parties.**”

**The Plan Commission’s recommendation for approval included a condition that prohibits issuance of a building permit for any track improvements until a time at which the Village Administrator is satisfied with the implementation of the proposed parking management plan.** The intent noted during Plan Commission discussion was to ensure the land banked parking area could still be used for parking if on-street parking volumes continued to be problematic. It should also be noted that the addition of the track and lighting to the land banked area does not relieve the Village and MCC from adhering to the Mediation Agreement (Res. 04-32) and the amended Ordinance 18-09. If on-street parking impacts related to MCC activities become problematic in the future, the MCC shall be required to install additional off-street parking on the subject property.

### *Student Enrollment*

As part of the application process, MCC Academy reported current enrollment to be 306 students which exceeds the maximum of 240 students permitted by the current Special Use Permit (Ord. 18-09). As MCC Academy is currently operating in violation of the ordinance, approval of the application must include an amendment to Section 3 of Ord. 18-09 to increase the student enrollment limit. *The applicant has requested that the total student enrollment permitted be increased to 350 students and that request was included as a condition of approval by the Plan Commission.*

### Commission Review

#### *Appearance Commission*

On May 7, 2024, 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 April 30, attached hereto as “Attachment A”. The Appearance Commission voted unanimously (7-0) to recommend approval of the application with the following conditions:

- *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.*

- *Prior to filing any Building Permit Application, the owner/applicant shall provide the Village with a revised landscape plan that adheres to direction provided by the Appearance Commission, including the potential addition of shade trees, 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.*
- *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.*

#### *Traffic Safety Commission*

On May 9, 2024, the Traffic Safety Commission (TSC) reviewed Case PC 24-05 and the first draft of the Traffic Impact Study. At the conclusion of the discussion, the TSC voted unanimously (8-0) to recommend approval of the application and no additional comments were issued at that time (see “Attachment B”).

Following the discovery that MCC Academy enrollment exceeds that maximum permitted by Ordinance 18-09, a revised Traffic Impact Study was requested. The revised study was delivered to the Traffic Safety Commission chairperson for review in July 2024 at which time they requested that a traffic management plan be provided that would reduce the amount of on-street parking demand generated by the MCC on Fridays on the neighboring streets. MCC provided an expanded traffic and parking management plan.

On September 5, 2024, the TSC reviewed the revised Traffic Impact Study as well as the updated traffic and parking management plan. MCC representatives presented the traffic and parking management plan and responded to various questions from the TSC. At the conclusion of the discussion, the TSC voted unanimously (7-0) to recommend approval of the application (see “Attachment B”). The following conditions of approval were recommended by the TSC:

- *The gym or sports grounds operations shall not include any school activities on Friday afternoons during prayer service. Any activities should be limited to a single game event on other days.*
- *Any track activities for school activities shall not host any special events that would generate additional traffic or parking demand.*
- *The Parking Management Program (PMP) developed by MCC Academy [should be implemented] in full force utilizing all possible parking on campus to alleviate any additional on-street parking on village streets.*

#### Departmental Review

The proposed project was reviewed by several department representatives with the Department of Public Works being the only department to provide comments (see “Attachment C”).

- Building Department: No comments at this time.
- Fire Department: No comments at this time.
- Public Works Department/Engineering: In review of the proposed project, the Village Engineer issued several comments dated May 9, 2024, regarding:
  - Potential need for special event traffic control which is not discussed in the Traffic Impact Study
  - Agreement with parking need findings specifically tied to gymnasium activities.
  - Potential overlap between school events and gymnasium events that would reduce parking demand.
  - Recommendation to control the use of the field and track as a condition of approval to ensure that area does not generate unforeseen traffic and parking demand.

### Plan Commission Public Hearing

The Village provided Public Notice for the September 23, 2024, Plan Commission public hearing for PC 24-05 in accordance with the Unified Development Code. The Morton Grove Champion published a public notice on September 5, 2024. The Village notified surrounding property owners via mail and placed a public notice sign on the subject property on August 29, 2024.

Plan Commission – September 23, 2024, Proceedings: Seven members of the Plan Commission were in attendance at the public hearing for Case PC 24-05 held on September 23, 2024.

Brandon Nolin, Community Development Administrator, provided a brief introduction to the application. The staff report dated September 16, 2024, and attached hereto as “Attachment D,” was entered into the public record.

Mr. Nolin summarized that the applicant (a+c architects on behalf of MCC Academy) is requesting approval of an amendment to a Special Use Permit to allow the expansion and modification of an existing school at the property commonly known as 8601 Menard Avenue.

The proposed project consists of the expansion of the existing gymnasium primarily to the south and west, and the installation of a two-lane clay track within the existing field in the northern portion of the property. As part of the interior remodel, the existing stage and storage areas in the southern portion of the existing gymnasium would be removed and a storage area and office would be constructed in a new area at the northern end of the expanded gymnasium. Two new team bench areas and a new seating area with capacity for 130 visitors would be installed along the new eastern and western walls respectively.

**During staff review, the school enrollment reported in the applicant’s Traffic Study was compared to the Special Use Permit issued in 2018 and found that the enrollment exceeded the maximum amount permitted. This revelation caused the review to be broadened. In reviewing the existing Special Use Permit and 2004 Mediation Agreement with MCC (including both the school and mosque), Staff have determined that the proposed gymnasium expansion represents an expansion of the use controlled by those agreements.**

As such, mediation agreement requirements pertaining to on-street parking activity should be considered when reviewing parking and traffic impacts of the proposed gymnasium expansion. The applicant provided a Parking Management Plan in early September to address initial staff concerns and comments from the Traffic Safety Commission Chairman. The application, including the parking management plan was reviewed and unanimously approved by the Traffic Safety Commission on September 5. The Appearance Commission also unanimously approved the application back on May 7.

Commissioner Hussaini asked if the gym and track are amending the Special Use Permit, this will be an amendment and the number of students and teachers allowed will need to also be amended. The school is being expanded as the gym but additional classrooms are not being added. Commissioner Hussaini asked if the Mosque was being expanded, it is not.

Commissioner Mohr asked what the front setback requirement is in the R-2 district, it is 25 feet.

Commissioner Liston asked if in the original agreement limiting students and staff there was a reporting requirement for changes in the enrollment and staff. Mr. Nolin said there was an agreement for the Village to be notified if there were changes.

Chairman Kintner asked if the amendment for increased enrollment and staff is for Ord.18-09. Mr. Nolin said it is for 18-09 and not the mediation agreement as that addressed parking and not enrollment.

Commissioner Hussaini asked how traffic and enrollment would be addressed. Mr. Nolin noted there are a wide range of conditions that will be considered at this hearing.

Raffi Arzoumanian, architect, Superintendent Quadri, David Westergreen of Gewalt Hamilton, and two civil engineers were sworn in by Secretary Kirchner.

Commissioner Hussaini asked for an explanation of the architecture and expansion of the gym. Mr. Arzoumanian said the gym expansion will meet high school level basketball requirements. The capacity is not changing. An office is being added to one side. The track is an auxiliary use for the school as a green space. The track will be wide enough to accommodate wheelchairs. The track area will be available for neighbors and the neighboring Molloy Education Center.

Commissioner Stein noted the traffic study said the gym would hold 100 spectators but the staff report references 130 spectators. 130 is the gym capacity that includes coaches, players, support staff and 100 spectators. Commissioner Stein complimented the design and materials.

Commissioner Mohr asked about a discrepancy in the west yard setback dimensions, one dimension notes the overhang. He further asked for gym court dimensions. There is an 8 feet perimeter around the 50 feet by 84 feet court. It is a standard high school court. He asked for further details on the height of the addition. He said the expansion is well worth it.

Mr. Arzoumanian said the height is driven by the minimum height for the court and is dictated by the depth of the joists. Discussion ensued about the north addition and entrance.

Chairman Kintner asked about the sustainability of the materials. Some of the panels and ceramics are recycled. High efficiency HVAC RTU systems with overhangs and energy efficient glazing will be used. The roof will be covered with insulated roof panels with an aluminum finish. It was noted that bird strikes will be mitigated by the type of glass being used.

Commissioner Hussaini asked for the comments from the Appearance Commission. It was unanimously approved by the Commission with landscape modifications.

Commissioner Dorgan asked if there would be a general contractor on-site during the construction to mitigate problems. Mr. Quadri introduced Mr. Khan, who was sworn in by Secretary Kirchner. Mr. Kahn will be a liaison between the school project, neighborhood and the Village. It was confirmed that a general contractor will oversee the project on site.

Chairman Kintner asked for the photometric plan at the track, the vertical and horizontal measurements are important for the neighbors. Mr. Arzoumanian said they will enlist a lighting consultant and conform to code.

Chairman Kintner noted the variance in Friday traffic counts between the Village study and the Gewalt Hamilton Associates (GHA) study. Mr. Westergreen said the Village aggregate average is a fair estimate for Friday. The GHA study was conducted in June, 2024 and lists 185 average with a maximum of 367 and the Village shows an average of 301 and a maximum of 467 which is statistically an anomaly. Niles West high school was not in session during the GHA count. Mr. Quadri noted there are college and high school aged worshipers who are able to attend Friday prayer services, adding more traffic to the area. Molloy school and the MCC academy were both in session at that time.

Crash history was discussed, there have been 5 reported crashes in 5 years, namely at the Menard and Theobald intersection. Chairman Kintner asked what constituted an incapacitating and non-incapacitating injury. These are crash severities, with incapacitating requiring an ambulance.

Chairman Kintner asked about trip generation calculations for the new gym. The added 100 sum trips have a less delay than a typical Friday calculation. The parking lot would have excess capacity for on-site parking during gym events. The 50 trips account 2 people per vehicle. He asked Mr. Westergreen if he was familiar with the MCC parking management plan. Mr. Westergreen said the plan is the best way to increase parking compliance on-site and reduce on street parking.

Commissioner Hussaini asked if the Traffic Safety Commission has reviewed the study. Mr. Nolin said it was initially reviewed in May and the revised study was reviewed and unanimously approved in September. The parking management plan operations to discourage off-site parking were discussed in detail. Commissioner Stein asked about the key factors for success, noting that a decrease in off-site parking is not a factor. It was noted that the outcome of better on-site parking will be less off-street parking.

Commissioner Dorgan said there is a neighborhood problem with the off-site parking. The plan will be monitored on a monthly basis and improvements will be made for the neighborhood by the MCC. Commissioner Dorgan asked what will happen if off-site parking problems are not improved. Mr. Arzoumanian said the MCC community is committed to the plan and its success. Mr. Kahn noted the congregants have been informed of the plan.

Commissioner Gabriel mentioned his house of worship effectively uses parking lot monitors and a shuttle bus to an off-site parking lot. Mr. Quadri said they use the Molloy parking area when possible and have modified the length of services to allow less overlap in traffic.

Chairman Kintner said he appreciates the parking management plan, the key factor of success should include increasing



ridesharing and reducing the number of vehicles. The task force should include outside residents or at the very least communicate with the surrounding neighbors. He noted the target of 70% satisfaction of users should also include the satisfaction of residents. The parking volunteers can also note cars blocking driveways and litter problems.

Chairman Kintner asked if temporary no parking signs could be displayed on one side of the street, similar to the Village 4th of July restrictions. Mr. Nolin said it may be difficult to due staffing and would require review by the Traffic Safety Commission.

Chairman Kintner asked about the land bank area reserved for additional parking. The track encroaches on that area. The parking study and management plan will allow for extra capacity in the parking area so the 23 additional space are not need. He further noted that Friday services continually have large amounts of off-site parking, it is not the gym expansion that has traffic and parking problems. He is worried that the location of the track will not allow the parking needed for Friday services.

Mr. Arzoumanian said the additional 23 spaces will not solve the problem of off-site parking of 270 cars, he agrees there needs to be a cultural change and the management plan addresses that. Chairman Kintner said the track should not be constructed unless the plan proves successful. The gym will be constructed first and will give a significant amount of time to determine if the plan is working.

Commissioner Gabriel asked if the interior of the tack could be used for parking. Could a multipurpose surface be used? They will consider materials for the land bank area.

Commissioner Liston asked if they could monitor the parking plan for a time period before allowing the track to be built. It can be made a condition of approval. He asked how the success of the plan could be measured. A survey of the neighbors will be done at first as s baseline and repeated on a monthly basis to show improvement. Mr. Quadri said they would work with the Village and the community to develop a survey.

Commissioner Stein said measuring success is the key and it may even be an additional traffic study.

Commissioner Mohr said the 23 banked spots should be considered. Discussed ensued regarding the size and use of the track. The track is for play activity and to offer a practice area for Molloy school.

Chairman Kintner asked if the maximum number of students would be 350 and the number of staff would be 30. Mr. Quadri confirmed the numbers.

Chairman Kintner called for a 5 break, with the meeting resuming at 8:39. The meeting resumed at 8:39 with all Commissioners present.

Public comment letters were read into the record:

LETTER 1:

To Whom it May Concern:

My name is and my family resides at . We have lived at this residence since 2003 and the conditions of this area is deteriorating at a rapid speed. I am writing this letter in complete disagreement with the proposed variance of the MCC to expand the gymnasium so more events such as games to be held. This variance should not be considered until the traffic and parking issues are resolved in the neighborhood particularly on Capulina Ave between Menards and Marmora. **When the MCC hosts events, prayer services, Ramadan etc... this causes** at huge problem down Capulina Ave such as no parking for tax paying residents, our cars are getting hit and damaged because the street is narrow yet cars are coming and going in both directions causing issues. Our cars in particular have gotten hit a few times and **we've had to pay for the repairs. The MCC is not** enforcing their traffic flow to exit either left or right from the parking lot instead cars are allowed to zoom down Capulina. Capulina Ave needs to either have permit parking on both sides of the street and the police to enforce this by writing tickets and/or making Capulina a one way street.

A traffic study **MUST** be completed before anymore additions are done at the MCC because with the current state, the MCC does not have enough parking to accommodate what is currently going on. This addition will only increase traffic in the residential neighborhood. Does the MCC even have a special use permit to host these types of events? Again, this is a residential neighborhood and the MCC is producing too much traffic/noise for what a residential neighborhood

should have. What is the parking/square footage ratio currently? This addition will take up the grassy area therefore how will this affect drainage to the nearby homes? A study needs to be conducted. **Why can't the MCC build a garage/parking** to accommodate their increase in traffic currently on the grass they currently have?

Something needs to happen, something needs to change on Capulina Ave before this variance is even approved.

We **STRONGLY** oppose this request. I have also included 3 pictures of recent incidents in direct result of the MCC events.

Thank you for your time.

#### LETTER 2:

Morton Grove Plan Commissioners, My family is opposed to this request for an amendment to a Special Use permit to change the zoning and allow a larger footprint of the school.

As 32 year residents in this neighborhood, we have witnessed an exponential increase in the amount of traffic that has occurred due to previously approved zoning changes to this property. The parking in our neighborhood makes it almost impossible for family and guests to visit because of the massive number of MCC members using their facility at all hours of the day and night.

There have been dozens of instances when the Morton Grove Police have been called to alert them of illegally parked vehicles including vehicles blocking driveways and fire hydrants. On many occasions to our dismay, they have failed to ticket them in a timely fashion or at all.

Why should the Village give additional and continued preferential treatment to a private institution that has already been the recipient of several favorable zoning changes previously?

Please review when this property was originally sold to the MCC, as there was a village Right of Way that ran through this property. This should have been used to benefit traffic egress in our village. The Morton Grove Park District was also interested in this land, but inexplicably the property was sold under very questionable circumstances with its' sales approved secretly by a former superintendent who is now long gone from the area. Unfortunately, due to ineptitude in previous Morton Grove village administrations, this right-of-way became property of the MCC.

There are many times where we experience tremendous difficulty exiting our driveway. This is largely due to the Village creating a pedestrian island on Theobald and closing off Mango to accommodate the MCC and as a result , Menard has become the primary north-south thoroughfare leading to the school and mosque.

It would be much wiser and advisable for the MCC to add on to their other school located on the major thoroughfare of Gross Point Road and a block north of Skokie Boulevard. They have ample land to do so there and it would be much fairer to the residents of our crowded neighborhood.

Why do we say crowded? The Village refuses to enforce occupancy restrictions and there are a number of single family homes containing three and four families in this neighborhood. How do we know this? Because there are between 6 -8 vehicles parked near these residences. I know of at least three houses in the area like this and I'm certain there are many more.

Please do NOT approve this zoning exception as it will create considerably more congestion and additional safety hazards. Hazards such as young drivers using the 2 block southbound stretch of Menard from the stop sign at Theobald to Lincoln as a racetrack. This ongoing danger could lead to serious injury or even death due to the density of children & adults in and around the MCC as there are vehicles that continue to drag race at speeds of 70 mph. This stretch of road leads directly to Niles West High School six blocks to the South. Directly north of the MCC property is Malloy School which serves disabled children and because of this, dozens of required buses travel daily on Menard Ave.

*Please have consideration for long time neighborhood, resident, & tax paying Morton Grove property owners and deny this application for a Special Use Permit & zoning change based on the aforementioned reasons.*

LETTER 3:

*Dear Members of the Village Board,*

*We would like to express our support for the addition of a track around the field at the Muslim Community Center. This enhancement will not only benefit the students of the MCC, but it also presents a unique opportunity for collaboration and shared resources that will positively impact our entire community. MCC has graciously offered to allow students from the Molloy Education Center to use the track, which would be an invaluable resource for our **students' physical** education and overall well-being. Importantly, the track will be designed to be fully accessible to all students, including those who use wheelchairs. This ensures that every student, regardless of mobility needs, will have the opportunity to participate in fitness activities. The accessible track will provide a safe and dedicated space for our students to engage in activities such as walking, running, and training for events, including the Special Olympics. For our Special Olympics athletes, having a track designed with inclusivity in mind will enable them to train more effectively and safely for competitions.*

*Physical fitness is a critical component of a well-rounded education, and having access to this track will greatly enhance our ability to promote healthy habits among our students. Additionally, the track will be a significant asset for our Special Olympics program, giving our athletes a reliable space to train and prepare for competitions. Thank you for your consideration and continued dedication to the Molloy Education Center and the MCC.*

*Sincerely,*

*Christine Perry*

LETTER 4:

*Mr. Friedman of 5743 Theobald read his letter to Mr. Nolin.*

*Dear Mr. Nolin:*

*We are against the expansion of the existing school property commonly known as 8601 Menard Avenue in Morton Grove. We are against this expansion since the current uses of the property already creates excess traffic and parking problems in the area. All previous projections about adequate parking and traffic in the area by **so called "experts" have** been wrong. In addition, the property is not following the current agreement with the village that requires tandem parking in their lot. Some members of MCC do not follow the parking restrictions in the area especially on Fridays and during Ramadan. It is a lot of fun when their patrons obstruct or park in our driveway. Check with the Morton Grove Police Department for the large number of citations they have written in the area.*

*An expansion of the building gymnasium will bring more games and traffic into the area that is already overcrowded. When the MCC first applied for the special use permit they said there would be no high school. Later they asked for a high school. Now they want an expansion and more congestion and traffic and more illegal parking and hindrance of residence rights. Currently the MCC creates parking and traffic problems on 52 Fridays, 30 evenings of Ramadan and various holidays and events. Now they want to add insult to injury. At least 25% of the time, the MCC is creating traffic and parking problems. An expansion will only worsen the problem and is not fair to the residents. Remember, originally when they were granted the special use permit, there was to be no high school.*

*If anything, the previous Special Use Permit should be withdrawn, because the parking lot is too small for the school and mosque, and the village was misled about the numbers of those that would be attending. One wonders if the building is adequately sized for the crowds attending and might be a fire hazard. In the alternative, turn down the expansion plans and limit street parking to residence only and MCC patrons must use only their parking lot and use tandem parking like they agreed to in their agreement with the village. The site plan approved by the 2004 Special Use Permit included 201 **on-site parking spaces, as well as an area for 23 more "land-banked" parking spaces. Per***

*Resolution 04-32, “The Village may require the future construction of some or all of the parking spaces on the land-banked area if MCC’s Friday patrons park more than 50 vehicles on streets adjacent to the MCC for four consecutive normal Fridays, confirmed by a joint count taken by the Parties.” At the last request, there were only 194 parking spaces. The Village has done nothing and there are more than 50 cars parked on the streets each Friday. The Village and MCC should follow the current agreement and require the seven spaces be replaced and the 23 spaces added before even considering any expansion. The Village has ignored the fact that over 50 cars are parked on the streets each Friday and during Ramadan and at other times.*

*In addition, residents surrounding the MCC are discriminated against since there is the least restrictive parking restriction in the area. Residents surrounding the Molloy Education Center on Menard, right next to the MCC, have **No Parking on their side of the Menard. Molly also has Zone 9 with “No Parking Any Time” and Zone 13 with “No Parking on School Days from 8:00 MA to 3:00 PM.** Residents near the Jerusalem Lutheran Church and School have similar restrictions. Where parking at certain times is limited to a Zone 11 parking permit. Why do residents have only the restriction of having a Morton Grove parking sticker and some streets with no restrictions? Most of the time, residents must call the Morton Grove Police to enforce the parking regulations. The Morton Grove Police would park at police car outside of the MCC on Theobald Road during Friday worship. Worshippers at the Mosque would park behind the no parking sign in front of a police car with lights flashing.*

*For all the reasons listed above, the expansion plans should be denied and the MCC should live up to the agreement or its current exceptions be revoked by the Village of Morton Grove. Parking restrictions should increase in the area surrounding the MCC and enforcement improved, or have no parking allowed during Friday prayer and evenings during Ramadan.*

*He further supplied pictures of cars blocking his driveway and a list of parking tickets given over 3 months. Mr. Friedman said he did not receive a notice of this meeting. He said the 30 days of Ramadan were not considered in the traffic studies. He also noted that tandem parking is not being utilized.*

*Staff noted that a public hearing sign was posted on the subject property and notices to residents within 250 feet of the subject property were sent within the required time period of 15 to 30 days before the public hearing. No letters were returned to the Village.*

*Two tenth-grade students and varsity volleyball players at the MCC shared that academics, sports and extracurricular activities are very important for the school. The gym expansion would provide a regulation size court that could also support additional practices. The track would improve the outdoor area for play and practices. Due to the current court size, there is a lack of home games and they lack the ability to use jump serves. The teams, in spite of the small gyn, the volleyball teams have achieved many accolades including winning the regional tournament.*

*The twelfth-grade captain of the volleyball and travel basketball teams said the lack of home games hurts moral. The larger gym would increase the number of practices for the teams. Traveling to away games takes time away from school work in the evenings.*

*The twelfth-grade captain of the varsity basketball team and co-captain of the varsity volleyball team is a lifelong Morton Grove **resident and proud of the sport teams’ accomplishments. He has** been in contact with recruiters and they are not able to see him play on his home court. He noted the gym will serve the many students in the audience wearing sport jerseys.*

*A junior varsity volleyball and basketball player would like the gym to expand to have proper games and practices.*

*The principal of the MCCA College Prep said they are very proud their accomplishments, especially their 100 % college articulation rate. The student academic teams place in many regional competitions. She noted the dual credit program with Oakton College and student academic scholarships being awarded for college. The gym expansion would allow for further athletic experience for the wholistic development of the students.*

*A middle school volleyball and basketball player said the expansion will help the teams and increase the amount of gym time for all students.*

George Askos, 5831 Capulina, and a 20 year resident said the traffic study was not conducted when Niles West high school, Parkview school are not in session. Traffic on Capulina travels over the speed limit and should be addressed. He said he wants **everyone's community to grow but not at the expense of the community.**

The MCCA athletic director said the expansion will allow exposure to scouts for the athletes and further support of sponsors.

Ashfaq Nagori, from 7101 Emerson, said the community should follow the rules. He feels there are sufficient legal parking spaces in the neighborhood that accommodate the services.

Amjad Quadri, 9325 Oak Park, said the community will follow the management plan and the expansion of the gym and the new track will not add to parking and traffic issues.

Sayd Quadri, 8814 Luna, has been a sermon leader in the Mosque and said the community is sorry for any damage caused to the neighborhood. The students and community will be responsible for their actions. Every success for MCC academy is a success for Morton Grove.

Superintendent Quadi said many school and mosque families live in the community around the school. Morton Grove has residents from 56 different countries and we all work together. He noted that enrollment has decreased and this proposal does not expand the school or mosque.

Rashad Choudhary, 5646 Emerson, said his son was pleased that he was going to this meeting. He said he works with the neighbors to stop worshippers from parking during Friday prayers.

That completed the public comment. Chairman Kintner thanked all residents and students for their public participation.

Chairman Kintner noted there are conditions listed that address parking and traffic. He pointed out the possible addition of the track being delayed to study the performance of the parking management plan.

Commissioner Liston made a motion to recommend approval of Case PC 24-05, a request for approval of an amendment to a Special Use Permit (Ord. 18-09) to allow the expansion of an existing school with waivers from Section 12-4-2:D for setback and lot coverage, all within a R-2 Single Family Residence District at the property commonly known as 8601 Menard Avenue in Morton Grove, Illinois, subject to the following conditions:

1. 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.
2. Prior to filing any Building Permit Application, the owner/applicant shall provide the Village with a revised landscape plan that adheres to direction provided by the Appearance Commission, including the potential addition of shade trees, 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.
3. 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.
4. Gymnasium operations at the subject property shall be limited to single-game events, single-day special events such as theater performances, training, and education on non-Fridays, and the hosting of tournaments shall be prohibited unless the parking plan can prove to provide necessary accommodations for the events.
5. Use of the track and field shall be ancillary to school functions and the field area shall not host any special events that would generate additional traffic or parking demand unless the parking plan can prove to provide necessary

*accommodations for the events.*

6. *Prior to the issuance of a building permit, the applicant shall submit proof of an executed parking management agreement in keeping the parking management plan provided to the Village as part of the application materials for PC 24-05.*
7. *Section 3, Paragraph B of Ord.18-09, which amends Section of Ordinance 04-44, shall be amended to state, “The MCC shall limit overall enrollment to a maximum of 350 students and a maximum of 30 teachers.”*
8. *Prior to the issuance of a building permit, the applicant shall submit a letter of understanding recognizing that the Mediation Agreement (Res. 04-32) remains in place and the amended Ordinance 18-09 does not relieve the burden of monitoring on-street parking impacts related to MCC activities, nor does it mitigate the potential that the MCC shall be required to install additional off-street parking on the subject property. Parking management measures must be implemented by the MCC in coordination with staff until the MCC becomes and remains compliant with the mediation agreement.*
9. *Construction of the track shall not begin until the Village Administrator has seen significant improvement relative to parking issue and the parking management plan has shown itself to be effective.*

*The motion as amended by Commissioner Gabriel, seconded by Commissioner Dorgan.*

<i>Commissioner Dorgan</i>	<i>voting</i>	<i>aye</i>
<i>Commissioner Gabriel</i>	<i>voting</i>	<i>aye</i>
<i>Commissioner Hussaini</i>	<i>voting</i>	<i>aye</i>
<i>Commissioner Liston</i>	<i>voting</i>	<i>aye</i>
<i>Commissioner Mohr</i>	<i>voting</i>	<i>aye</i>
<i>Commissioner Stein</i>	<i>voting</i>	<i>aye</i>
<i>Chairman Kintner</i>	<i>voting</i>	<i>aye</i>

*Motion passed (7-0).*

### 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. Special Use Application, submitted by a+c architects, dated April 8, 2024
2. **Letter granting a+c architects permission to submit on owner’s behalf, submitted by a+c architects, dated March 22, 2024**
3. Plat of Survey of 8601 Menard Avenue, prepared by Edward J Molloy and Assoc., dated February 8, 2024
4. Legal Description, submitted by a+c architects, received April 8, 2024
5. Preliminary Landscape Plan, prepared by Manhard Consulting, dated March 27, 2024
6. Preliminary Engineering Drawings, prepared by Manhard Consulting, dated March 19, 2024
7. Demolition & Proposed Site Plans, prepared by a+c architects, dated April 11, 2024
8. Demolition & Proposed Floor Plans, prepared by a+c architects, dated April 8, 2024
9. Proposed Elevations, prepared by a+c architects, dated April 8, 2024
10. Materials Submittal, prepared by a+c architects, dated April 8, 2024
11. Traffic Impact and Expanded Parking Study, prepared by Gewalt Hamilton Associates, Inc., dated July 3, 2024
12. Memo regarding Student Enrollment, submitted by MCC Academy, received May 13, 2024
13. Friday Prayer Parking Management Plan, submitted by MCC Academy, dated September 2, 2024

Attachments

- Attachment A – Staff Report to the Appearance Commission for PC 24-01, prepared by Brandon Nolin, AICP, Community Development Administrator, dated January 30, 2024
- Attachment B – Plan Review Comment Forms for PC 24-05, from the Traffic Safety Commission prepared by Chairperson Keith White, dated July 26, 2024 and September 6, 2024
- Attachment C – Staff Comments to the Traffic Safety Commission for PC 24-05, prepared by Chris Tomich, Village Engineer, dated May 9, 2024
- Attachment D – Staff Report to the Plan Commission for PC 24-05, prepared by Brandon Nolin, Community Development Administrator, dated September 16, 2024
- Attachment E – Final Plans and Supporting Documents for PC 24-05, prepared by various, dated various

Attachment A  
Staff Report to the Appearance Commission for PC 24-05  
Prepared by Brandon Nolin, AICP, Community Development Administrator  
April 30 , 2024



To: Chairperson Pietron and Members of the Appearance Commission

From: Brandon Nolin, AICP, Community Development Administrator  
Anne Ryder Kirchner, Planner/Zoning Administrator

Date: April 30, 2024

Re: Appearance Commission Case AC 24-05  
Request for approval of an Appearance Certificate for site, landscape, and building plans associated with Case PC 24-05, a request for an amendment to a Special Use Permit to allow the expansion and modification of an existing school at the property commonly known as 8601 Menard Avenue in Morton Grove, Illinois (PIN 10-20-212-019-0000, 10-20-216-010-0000, 10-20-216-011-0000) with variations from Section 12-4-2:D for setback and lot coverage, all within a R-2 Single Family Residence District pursuant to Section 12-4-4:E. The applicant is a+c architects LLC on behalf of MCC Academy.

## STAFF REPORT

### Application Summary

a+c architects LLC (“**applicant**”), submitted a complete Special Use Application to the Department of Community and Economic Development and an Appearance Certificate is requested for the expansion of the existing school (MCC Academy) at 8601 Menard Avenue. The proposed project consists of the expansion of the existing gymnasium primarily to the south and west, the installation of a track within the existing field in the northern portion of the property, and related landscaping.

### Subject Property

The subject property consists of three (3) parcels occupied by the existing MCC Academy at 8601 Menard Avenue in Morton Grove, Illinois. The parcel is zoned R-2 Single Family Residence. All surrounding properties to the east, to the south across Theobald Road, and to the west across Menard Avenue, are zoned R-2 and improved with single-family residences. The adjacent property to the north is also zoned R-2 and is the location of the Julia S Molloy Education Center owned by Niles Township District for Special Education #807.



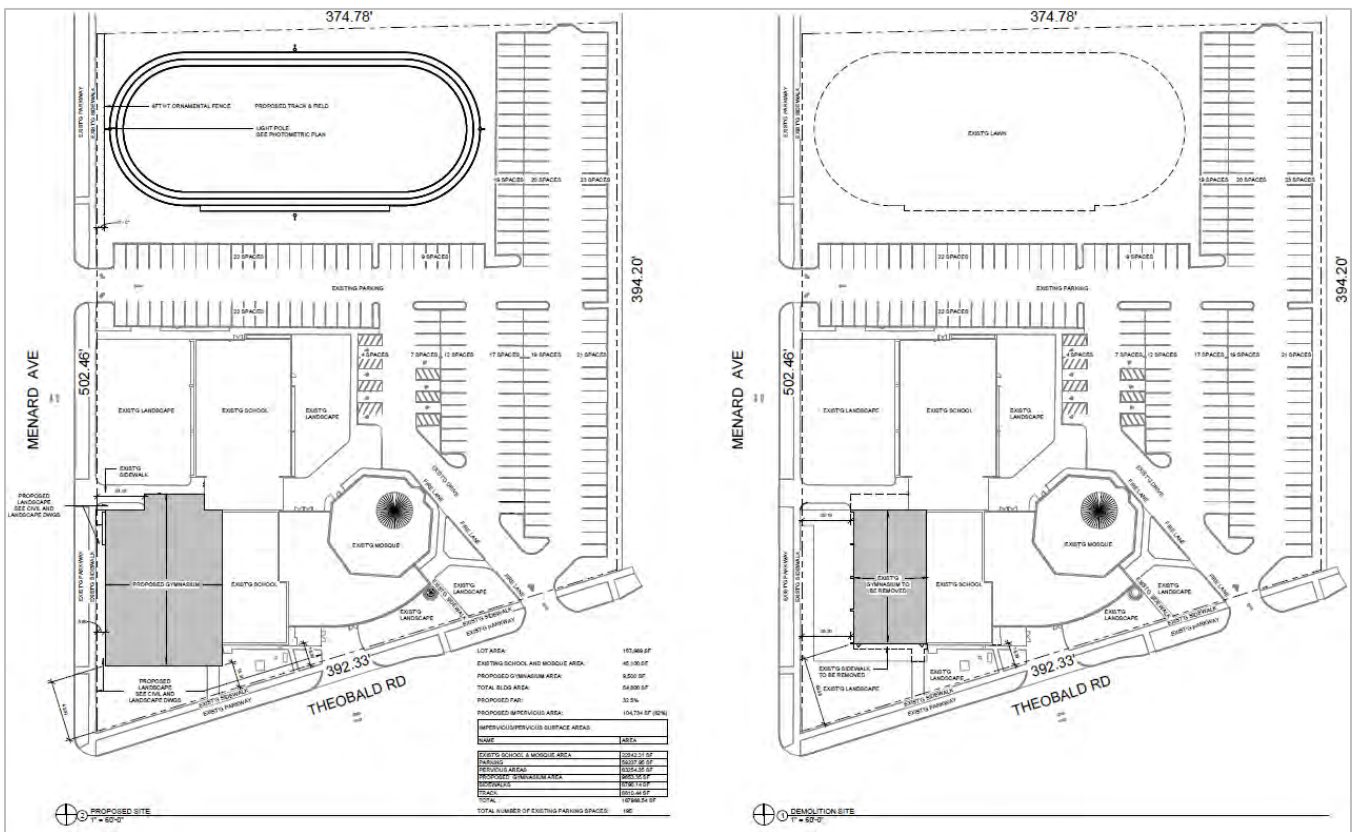
Subject Property Location Map

## Project Overview

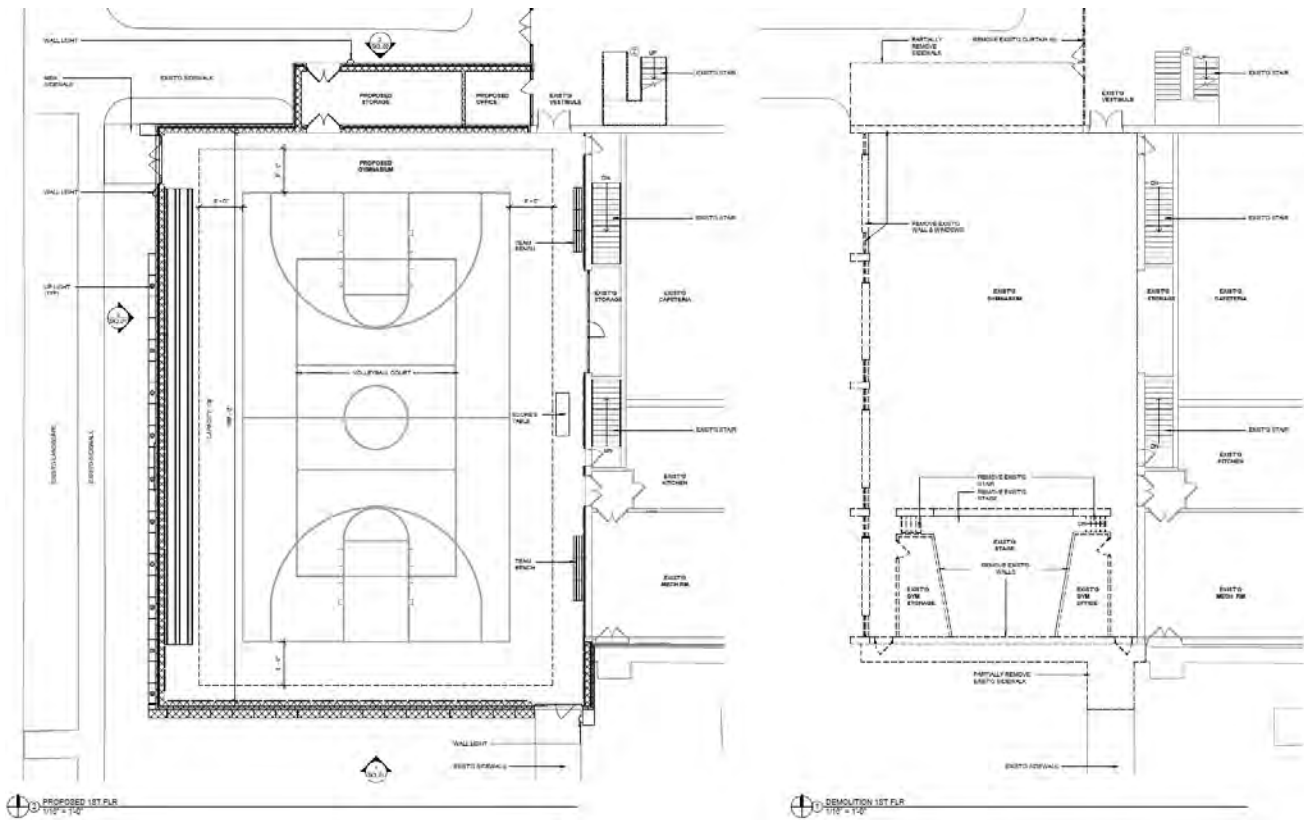
MCC Academy is proposing to expand its existing school located at 8601 Menard Avenue. The existing gymnasium would be expanded including extending the western wall approximately 29.5 ft. west toward Menard Avenue, extending the southern wall approximately 10 ft. toward Theobald Road, and extending a portion of the northern wall approximately 14 ft. The height of the new gymnasium (including the footprint of the existing gymnasium) would increase from approximately 25.5 ft to 32.0 ft. No other portion of the existing building will be expanded or increased in height. A two-lane clay track is also proposed for the northern field along with an ornamental fence and landscaping along the northern portion of the Menard Avenue frontage.

As part of the interior remodel, the existing stage and storage areas in the southern portion of the existing gymnasium would be removed and a storage area and office would be constructed in a new area at the northern end of the expanded gymnasium. Two new team bench areas and a new seating area with capacity for 130 visitors would be installed along the new eastern and western walls respectively.

No changes are proposed to existing parking or access to the site. Proposed lighting is limited to three (3) wall sconces, up lighting on the west façade, and four (4) light poles to illuminate the track. The building name and address sign will be updated to read “MCC Academy 8601 N Menard Ave” and located on the west wall adjacent the new entrance at the northwest corner of the expanded gymnasium.



Proposed (Left) & Existing (Right) Site Plans



*Proposed Gymnasium Expansion (Left) & Existing Gymnasium Footprint (Right)*

**Building Design**

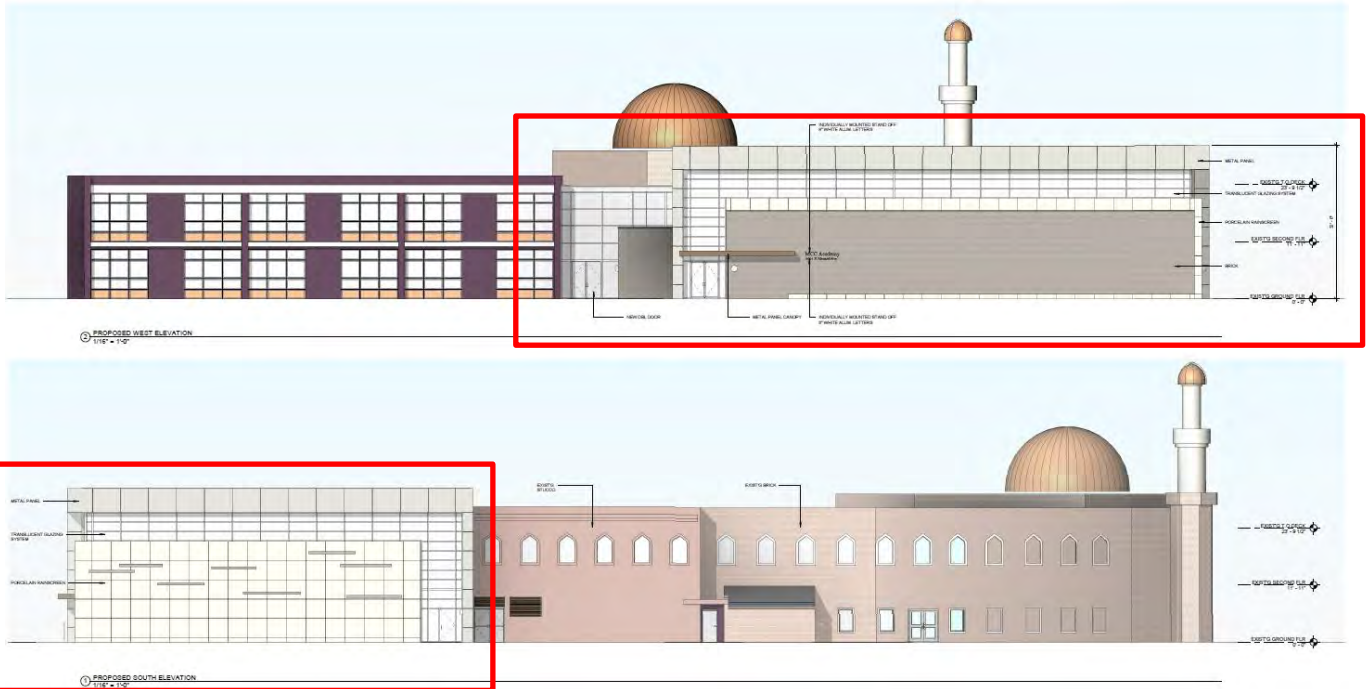
The applicant provided elevations and renderings of the proposed gymnasium expansion. Sample imagery of the proposed façade materials are provided in the following pages.

All components of the addition would have a flat roof. The gymnasium would have a height of 32 ft. to match the roofline of the adjacent existing school building. The addition on the north side of the expanded gymnasium would have a height of approximately 15 ft.

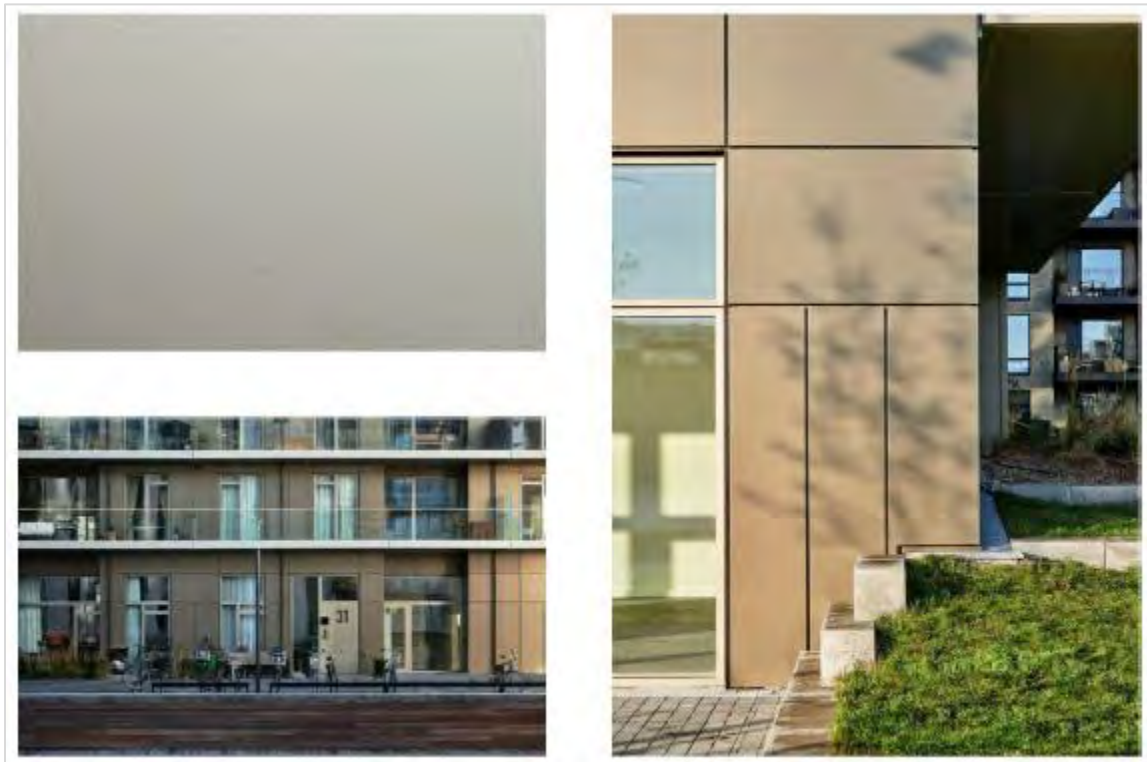
The east wall and north wall of the proposed expanded gymnasium would utilize a metal panel system for the façade. The northern addition where the storage area and office are to be located would have a gray brick façade on both exterior walls.

The west façade of the expanded gymnasium would comprise a mix of materials. The wall would primarily consist of gray brick that would be accented by a porcelain rainscreen located at the base of the building, along the southwest edge, and midway up the wall. The porcelain rainscreen would provide a horizontal break in the façade between the brick wall and a large span of windows near the top of the west wall. Glazed windows would span the upper portion of both the west and south facades and extend in vertical columns above the northwest and southeast entrances of the expanded gymnasium.

The south façade would primarily consist of a porcelain rainscreen with small horizontal slits and gray brick to add visual interest. The top of the west and south walls and parapet walls would be improved with a metal panel façade that wraps the northwest and southwest corners of the building and matches east and north walls. A metal panel canopy would also be installed above the northwest entrance to the expanded gymnasium.

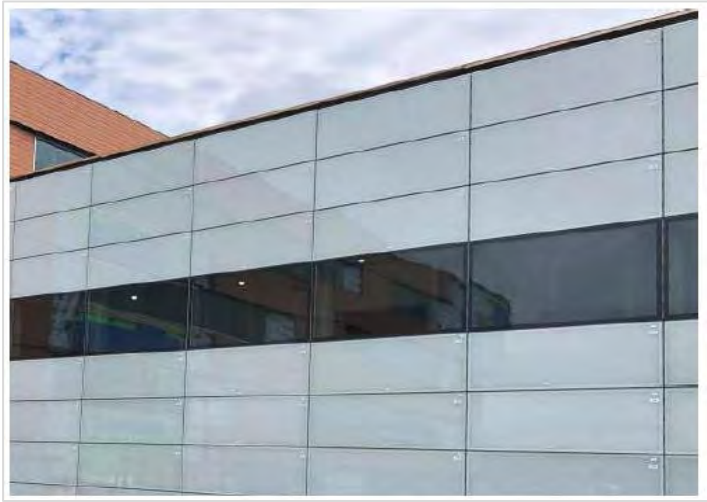


*Proposed West (Top) and South (Bottom) Elevations*

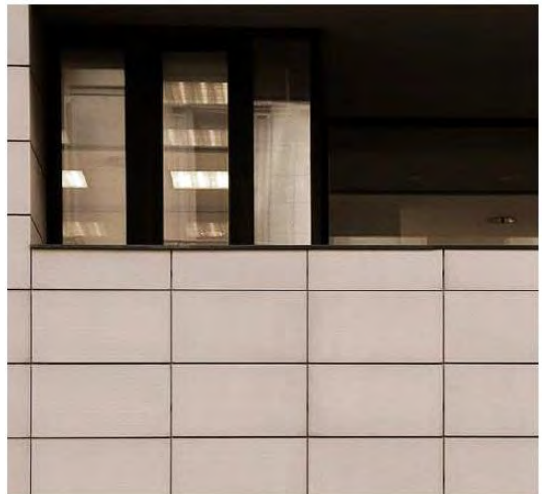


*Proposed Façade Material – Metal Panel System (Source: Alpolic)*

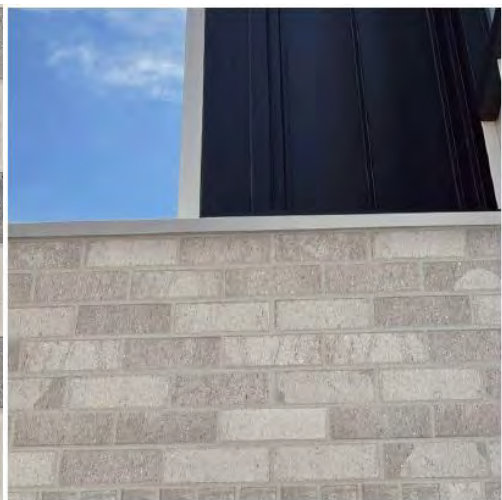




*Proposed Façade Material – Translucent Glazing System (Source: Solera)*



*Proposed Façade Material – Porcelain Façade System (Source: Terra Core Panels)*



*Proposed Façade Material – “Ash Blend” Brick (Source: Brickworks Supply Center)*

Landscape Design

The applicant submitted a landscape plan prepared by Manhard Consulting. The existing school has landscaping in place that complies with the Special Use Permit (Ordinance 18-09) granted to the project. The proposed gymnasium expansion and track installation only impact one aspect of the landscape requirements which is the requirement for areas adjacent public right-of-way. The proposed landscaping is **compliant with the Village's applicable landscape requirement** to maintain a landscaped yard a minimum of five (5) ft. in width as outlined in the following table.

R-2 DISTRICT LANDSCAPING REQUIREMENTS	REQUIREMENT	PROPOSED	COMPLIANCE
General Landscaping Requirements			
Landscaping Adjacent to Public ROW - Sidewalks & Streets (12-11-3:B.1)	Landscape yard min. 5 ft. width containing a year-round dense opaque screen measuring min. 3 ft. in height.	Menard Ave. (North): 5 ft., turf with shrubs 5 ft. in height and 4 ft. ornamental fence  Menard Ave. (South): 5.7 ft., turf with shrubs 3-5 ft. in height  Theobald Rd.: 5 ft. min., turf with shrubs 3-5 ft. in height and detention area; 6 ornamental trees	<i>Compliant</i>

*Shade Tree Replacement*

Existing landscaping along the south and west walls of the gymnasium includes foundation landscaping consisting of small shrubs and a landscape bed, and two mature shade trees (Honey Locusts). The landscape plan includes the removal of the two shade trees along the west wall to accommodate expansion of the gymnasium and the installation of six ornamental trees surrounding a required stormwater detention area located in the southwest portion of the site. No street trees within the parkway would be removed as part of the proposed landscape plan.

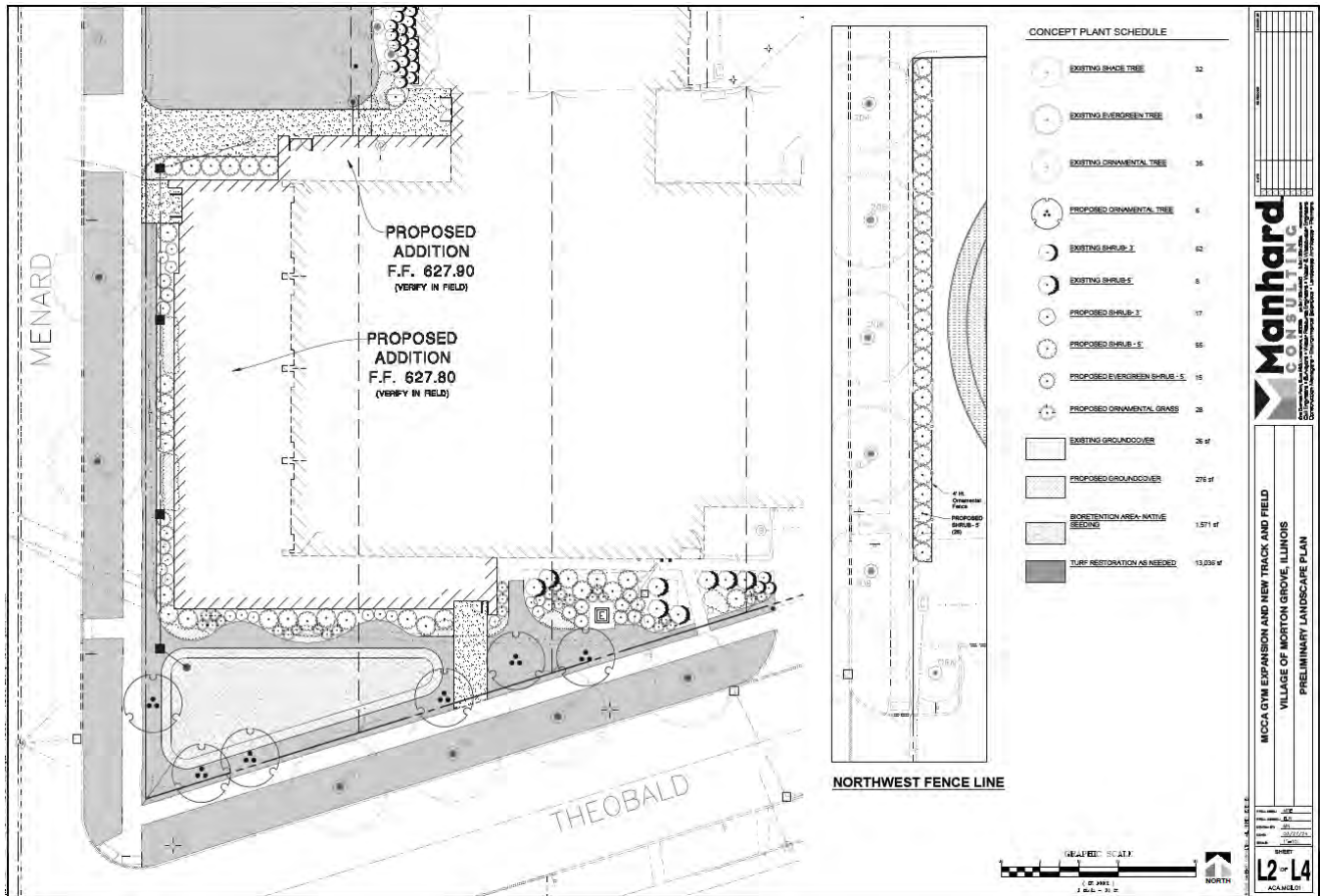
Existing parkway trees limit the ability to install additional shade trees along the south property line, however Staff believe the southern portion of the Menard Avenue frontage may have sufficient depth and clearance from nearby trees. The applicant should speak to the ability to install replacement shade trees in addition to, or in place of, proposed ornamental trees, and/or any constraints related to installing shade trees.

*Track Screening*

The landscape plan includes the installation of a four-foot ornamental fence and hedge row along the northern portion of Menard Avenue frontage adjacent to the proposed track. When speaking to the applicant, they indicated that the intent of the landscaping adjacent the field was to achieve screening similar to the hedge row and fence installed on Oakton Street adjacent the Niles West High School track. The notable difference between the cited example and the proposed landscape plan being the proposed ornamental fence would be installed on the interior of the field (facing the track) with the greenery on the outside.



*Landscape Screening of Nile West High School – 5701 W Oakton (Source: Google Streetview)*



Proposed Landscape Plan

## Lighting

The applicant proposes the use of in-ground fixtures to provide up lighting along the west façade and three sconces for lighting adjacent to the three proposed entrances. Four (4) light poles are also proposed for illuminating the track and field that would be located on the edge of the track at the center points of each east-west stretch of track and the two turns.

The applicant submitted a photometric plan for the track light poles showing levels of illumination along all lot lines. *The Unified Development Code provides limited guidance for field lighting and Staff recommend that if lighting is to be provided, off street parking lighting standards should be applied.* Per Section 12-12-3, for off-street parking areas, lighting must be directed away from adjacent property, streets, and other public rights-of-way. All lighting units must be of the full cutoff type, meaning **luminaires may not emit any light above the source's horizontal plane.** The International Dark-Sky Association (IDA) recommends full cutoff fixtures, which minimize glare and light trespass. The fixtures proposed in the submitted lighting plan can be configured as full cutoff fixtures and would be 23 ft. in height (which is 2 ft. less than the maximum height permitted).

Light levels along the north lot line, adjacent to parking for the Molloy Education Center, measure up to 8.4 foot-candles. Light levels along the west property line, adjacent Village right-of-way, measure up to 6.4 foot-candles. Per Section 12-4-3:B.5, lighting must be confined to the property boundary and reach as close to zero illumination at the property boundaries as possible. Glare may not be evident from surrounding properties or adjacent public rights of way. *Staff recommends that as a condition of approval, the applicant modify the lighting plan to include full cutoff and achieve close to zero illumination at the northern and western property lines, subject to review and approval by the Village Engineer.* The applicant should speak to the types of lighting fixtures proposed in the photometric plan and address concerns regarding spill over to adjacent properties.





*Proposed Up Lighting Fixtures (Source: BEGA)*



*Proposed Light Pole Fixtures (Source: Lithonia)*

### 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, landscape, and building plans, for the expansion and modification of an existing school under Special Use Permit (PC 24-05) for the property commonly known as 8601 Menard 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 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.*
2. *Prior to filing any Building Permit Application, the owner/applicant shall provide the Village with a revised landscape plan that adheres to direction provided by the Appearance Commission, including the potential addition of shade trees, 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.*
3. *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.*

Attachment B  
Plan Review Comment Forms for PC 24-05,  
Prepared by Keith White, Traffic Safety Commission Chair,  
Dated July 26, 2024 and September 6, 2024

REVIEWING:

BUILDING

FIRE

POLICE

PUBLIC WORKS/ENGINEERING

TSC

VILLAGE OF MORTON GROVE, ILLINOIS  
**PLAN REVIEW COMMENT FORM**

DATE DISTRIBUTED: 4/12/2024

CASE NUMBER: PC 24-05

**APPLICATION:** Request for an amendment to a Special Use Permit to allow the expansion and modification of an existing school located in an R-2 Single Family Residence District in accordance with Section 12-4-2:C of the Village of Morton Grove Unified Development Code (Title 12), with variations to Section 12-4-2:D for setback and lot coverage requirements for the property commonly known as 8601 Menard Avenue in Morton Grove, Illinois (10-20-212-019-0000, 10-20-216-010-0000, 10-20-216-011-0000). The applicant is a+c architects LLC on behalf of MCC Academy.

A Special Permit Application has been submitted to the Plan Commission for action. Please return your review to the Department of Community and Economic Development by **Friday, May 10, 2024.**

Thank you,  
Brandon Nolin, AICP  
Community Development Administrator

**COMMENTS OR CONCERNS**

The Parking Management Program developed and submitted after initial submittal of material to Traffic Safety Commission is accepted.


The application is approved as presented with the following conditions:

1. The gym or sports grounds operations shall not include any school activities on Friday afternoons during prayer service. Any activities should be limited to a single game event on other days.
2. Any track activities for school activities shall not host any special events that would generate additional traffic or parking demand.
3. The Parking Management Program (PMP) developed by MCC Academy be in full force with utilizing all possible parking on campus to alleviate any additional on-street parking on village streets.

These comments accurately represent existing Village regulations or policies.

Name (please print): Keith White Traffic Safety Commission Chairman

Signed:



Date: 09/09/2024

REVIEWING:

BUILDING

FIRE

POLICE

PUBLIC WORKS/ENGINEERING

TSC

VILLAGE OF MORTON GROVE, ILLINOIS  
**PLAN REVIEW COMMENT FORM**

**DATE DISTRIBUTED:** 4/12/2024

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**APPLICATION:** Request for an amendment to a Special Use Permit to allow the expansion and modification of an existing school located in an R-2 Single Family Residence District in accordance with Section 12-4-2:C of the Village of Morton Grove Unified Development Code (Title 12), with variations to Section 12-4-2:D for setback and lot coverage requirements for the property commonly known as 8601 Menard Avenue in Morton Grove, Illinois (10-20-212-019-0000, 10-20-216-010-0000, 10-20-216-011-0000). The applicant is a+c architects LLC on behalf of MCC Academy.

A Special Permit Application has been submitted to the Plan Commission for action. Please return your review to the Department of Community and Economic Development by **Friday, May 10, 2024**.

Thank you,  
Brandon Nolin, AICP  
Community Development Administrator

**COMMENTS OR CONCERNS**

**Revised Comments: July 26, 2024 from Traffic & Safety:**

I have reviewed the correspondence along with the updated revised traffic study submitted on July 3, 2024. The occupancy survey was performed on Wednesday June 5, 2024 by Gewalt Hamilton Associates, Inc. It is my opinion that the survey should have been performed on a Friday which is the day of most concern with on-street parking with the residents in the general area around the MCC. This has been an issue for many years and we as the TSC are concerned with the expansion which will cause more issues for on-street parking in the neighborhood.

In summary, the TSC would like to see a reduction plan that would reduce the amount of on-street parking on Fridays on the neighboring streets around the MCC in order to support the expansion.

**Keith White**

**Traffic & Safety Commission Chairman**

These comments accurately represent existing Village regulations or policies.

Name (please print): *Keith White*

Signed: *[Signature]* *Chairman*

Date: *7/26/24*

Attachment C  
Staff Comments to the Traffic Safety Commission for PC 24-05  
Prepared by Chris Tomich, Village Engineer  
Dated May 9, 2024

### **PC24-05 – MCC Academy – 8601 Menard Avenue**

The Traffic Safety Commission is requested to review a request for an amendment to an existing Special Use Permit to expand an existing gymnasium in an R-2: Single Family Residence district.

#### **Background**

The MCC Academy is an existing school at the northeast quadrant of Menard Avenue at Theobald Road. The Village approved the addition of high school education to the elementary school and house of worship around 2018. The school currently serves grades 6 through 12.

The proposed improvements consist of expanding the existing gymnasium and constructing an oval track on existing open space.

The facility must provide off-street parking according to the Municipal Code. As previously advised with Special Use Permit applications, the Municipal Code specifies that for special uses the proposed parking spaces required by land use are advisory only. The final number of parking spaces required for each special use is decided by the Village Board based on a study or recommendation prepared by an independent engineering consultant, Village staff, Traffic Safety Commission, and the recommendation of the Plan Commission.

#### **Staff Comments**

1. **TRAFFIC** – The Traffic Study does not evaluate the impact of the gymnasium generated traffic to the area roadway, therefore Village staff cannot comment specifically. Generally, the gymnasium event times stated in the Traffic Study would occur during peak evening traffic times. Consider whether the additional traffic generated by events in the gymnasium would be adequately absorbed by area roadways and intersections during peak traffic times. Perhaps special traffic control would be needed during gymnasium events to facilitate safe and efficient traffic movement—the issue is not presented or analyzed.
2. **PARKING** - The Traffic Study concludes the peak parking demand is around 83 parking spaces during gymnasium events between 4:00 and 7:00 PM, weekdays except on Friday. Public Works staff agrees with that conclusion based upon the analysis presented in the study.
3. **PARKING** – Public Works staff thinks it is reasonable to assume those visitors parking for a gymnasium event would also be coming from or staying after for other events described in the study thus reducing site/gymnasium generated traffic volumes and parking needs at times.

4. PARKING – The Parking Supply and Occupancy Survey of the Traffic Study indicates there are no hosted events planned at this time for the athletic field after the track is constructed. Traffic and parking associated with this part of the site was assumed to be captured by the existing parking survey. That may be acceptable if the track is to be used as part of regular school curriculum activities. The athletic field lighting system seems that a larger use is envisioned. Controlling the expanded use of the athletic field that generates traffic or parking demand should be a condition of the special use.

Cc: Mr. Ralph Czerwinski, Village Administrator  
Mr. Mike Lukich, Director of Public Works  
Ms. Zoe Heidorn, Assistant Village Administrator  
Mr. Brandon Nolin, Community Development Administrator

Attachment D  
Staff Report to the Plan Commission for PC 24-05,  
Prepared by Brandon Nolin, Community Development Administrator,  
Dated September 16, 2024



To: Chairperson Kintner and Members of the Plan Commission

From: Brandon Nolin, AICP, Community Development Administrator;  
Anne Ryder Kirchner, Planner/Zoning Administrator

Date: September 16, 2024

Re: Plan Commission Case PC 24-05

Request for an amendment to a Special Use Permit to allow the expansion of an existing school at the property commonly known as 8601 Menard Avenue in Morton Grove, Illinois (PIN 10-20-212-019-0000, 10-20-216-010-0000, 10-20-216-011-0000) with variations from Section 12-4-2:D for setback and lot coverage, all within a R-2 Single Family Residence District pursuant to Section 12-4-4:E. The applicant is a+c architects LLC on behalf of MCC Academy.

## STAFF REPORT

### Public Notice

The Village provided Public Notice for the September 23, 2024, Plan Commission public hearing for PC 24-05 in accordance with the Unified Development Code. The Morton Grove Champion published a public notice on September 5, 2024. The Village notified surrounding property owners via mail and placed a public notice sign on the subject property on August 29, 2024.

### Application Summary

**a+c architects LLC (“applicant”), submitted a complete Special Use Application to the Department of Community and Economic Development for the expansion of the existing school (MCC Academy) at 8601 Menard Avenue. The proposed project consists of the expansion of the existing gymnasium primarily to the south and west, the installation of a track within the existing field in the northern portion of the property, and related landscaping.**

### Subject Property

The subject property consists of three (3) parcels occupied by the existing MCC Academy at 8601 Menard Avenue in Morton Grove, Illinois. The parcel is zoned R-2 Single Family Residence. All surrounding properties to the east, to the south across Theobald Road, and to the west across Menard Avenue, are zoned R-2 and improved with single-family residences. The adjacent property to the north is also zoned R-2 and is the location of the Julia S Molloy Education Center owned by Niles Township District for Special Education #807.



## Project Overview

Muslim Community Center (MCC) Academy is proposing to expand its existing school located at 8601 Menard Avenue. The existing gymnasium would be expanded to include extending the western wall approximately 29.5 ft. west toward Menard Avenue, extending the southern wall approximately 10 ft. toward Theobald Road, and extending a portion of the northern wall approximately 14 ft. The height of the new gymnasium (including the footprint of the existing gymnasium) would increase from approximately 25.5 ft to 32.0 ft. No other portion of the existing building will be expanded or increased in height. A two-lane clay track is also proposed for the north field along with an ornamental fence and landscaping at the west side of the field along the Menard Avenue frontage.

As part of the interior remodel, the existing stage and storage areas in the southern portion of the existing gymnasium would be removed and a storage area and office would be constructed in a new area at the northern end of the expanded gymnasium. Two new team bench areas and a new seating area with capacity for 130 visitors would be installed along the new eastern and western walls respectively. Proposed hours of operation include school hours 8 am-4 pm, events in the gymnasium 4-7 pm, and after-school religious uses 6-8 pm.

No changes are proposed to existing parking or access to the site. Proposed lighting is limited to three (3) wall sconces, up lighting on the west façade, and four (4) light poles to illuminate the track. The building name and address sign will be updated to **read “MCC Academy 8601 N Menard Ave” and located on the west wall adjacent the new entrance** at the northwest corner of the expanded gymnasium.

## Zoning Review

In 2004, the Village approved a Special Use Permit (Ord. 04-44) for 8601 Menard Avenue for use as a mosque and for expansion of an existing school. The Village and the MCC also entered into a Mediation Agreement, Resolution 04-32, which governs the site in conjunction with the approved ordinance. On June 26, 2018, the Village approved an amendment to the Special Use Permit (Ord. 18-09) for 8601 Menard Avenue to convert the existing Pre-K through Junior High School to a Junior High/High School. The school was a Kindergarten through 8th grade parochial school, developed prior to the special use process.

### **“Land Banked” Parking**

There are currently 194 parking spaces on-site. As a condition of the Special Use Permit (Ord. 04-44), the 2018 school expansion plans **included an area for 23 “land-banked” parking spaces in the northern portion of the subject property** (highlighted in site plan below). Per the 2004 mediation agreement (Res. 04-32) **between the Village and MCC, “The Village may require the future construction of some or all of the parking spaces on the land-banked area if MCC Friday patrons park more than 50 vehicles on-streets adjacent to the MEC, for four (4) consecutive Normal Fridays, confirmed by a joint count taken by the Parties.”**

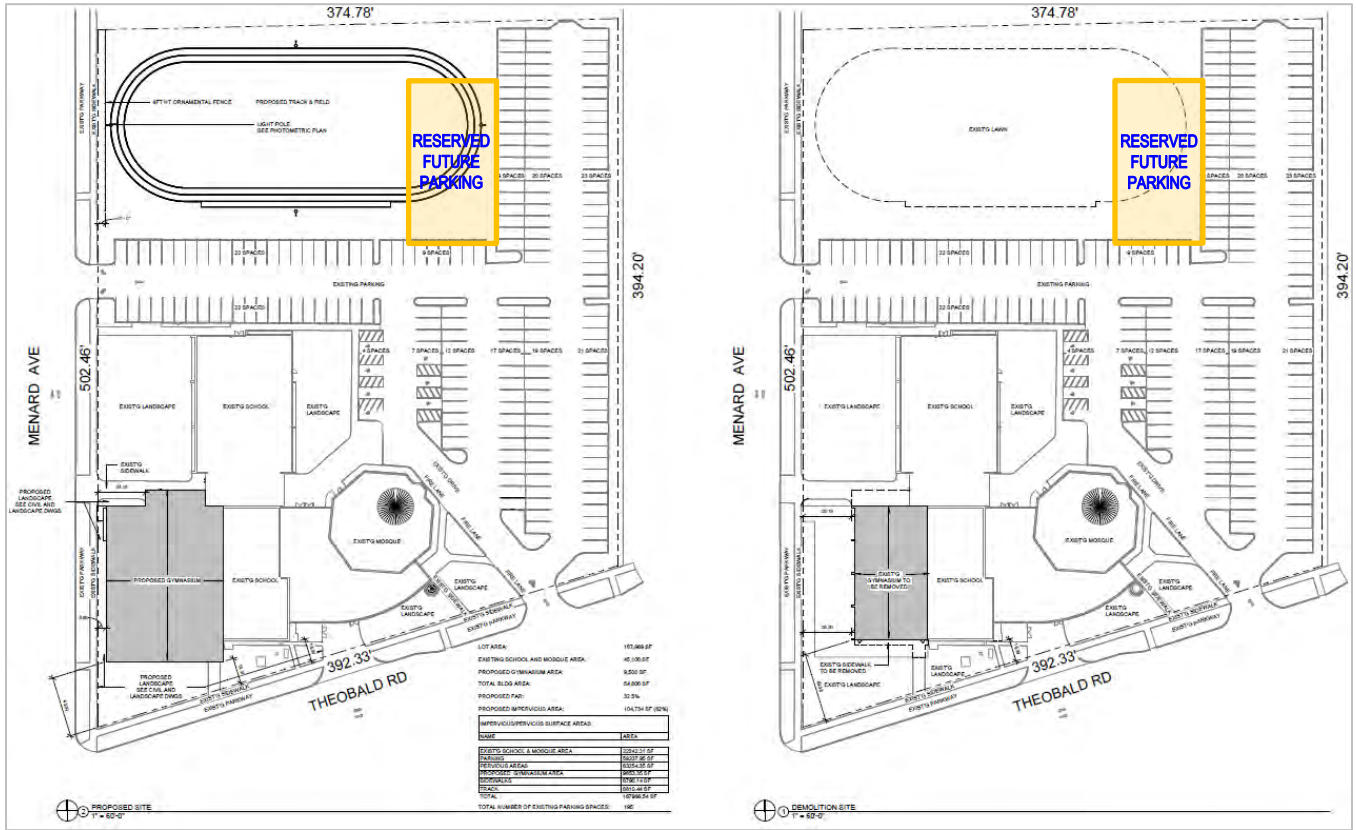
## Traffic and Parking Impact

A traffic impact study was prepared by Gewalt Hamilton Associates (GHA) and is included in the hearing packet for Case PC 24-05. The study demonstrated that the proposed site plan has sufficient off-street parking to meet the demands of the expanded gymnasium and projected future traffic can be successfully accommodated on the surrounding roadway network. However, there are concerns regarding on-street parking volume related to operation of the MCC mosque.

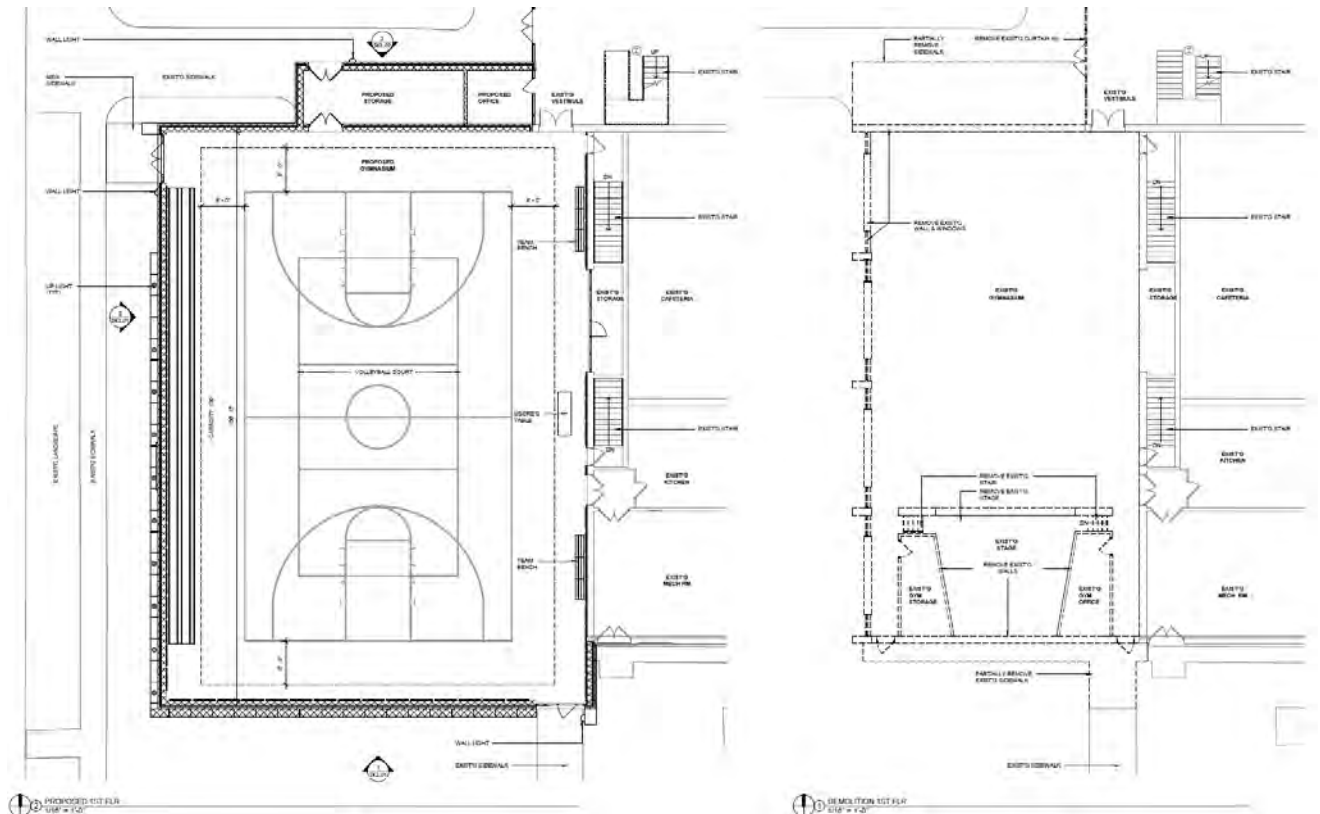
### *Gymnasium Traffic and Parking*

Per the Traffic Impact Study, the traffic and parking to be generated by the proposed gymnasium expansion are not anticipated to add to congestion or parking concerns in the area. Gymnasium events will occur after school, do not overlap with Friday mosque services, which generate the highest parking demand across the mix of uses, and represent a less intense use than current school activities. As such, no modifications along Menard Avenue or Theobald Road, such as turn lanes or pavement striping modifications, are recommended. Staff agree that the expanded gymnasium use will not exacerbate traffic and parking issues, which is consistent with the Traffic Safety Commission’s recommendation of project approval with no comments.

With that said, as the MCC Academy is part of the larger MCC use that is permitted by the Special Use Permit, any expansion of the school represents an expansion of the Special Use. The use must be evaluated as a whole, which includes ensuring the MCC is compliant with the two Special Use Permit ordinances (Ord. 04-44 and Ord. 18-09) and the mediation agreement (Res. 04-32) guiding use of the site.



Proposed (Left) & Existing (Right) Site Plans with "land-banked" area for potential future parking spaces (per Ord. 04-44)



Proposed Gymnasium Expansion (Left) & Existing Gymnasium Footprint (Right)

### *Revised Traffic Impact Study Overview*

As part of the public notice process, Staff received three letters in opposition to the application that included references to parking and congestion issues on surrounding streets. Staff also received a call from another individual who shared similar issues, but did not wish to provide written comments. In response to these complaints, Staff collected data to document the extent of any parking issues surrounding the MCC and requested that the applicant update their initial parking study to include observations related to on-street parking on surrounding public streets.

The Traffic Impact Study was revised to include observations for a Monday, Wednesday, and Friday prior to the end of the school year at the MCC Academy. Both off-street parking in the MCC lot and on-street parking on surrounding streets were observed between 2:00 p.m. and 8:00 p.m. by GHA. The parking study was also updated to project anticipated demand for the maximum enrollment of 350 students requested in the application. Public Works staff also collected parking observations for several days as a complement to data collected by the applicant.

### *Parking Study Area*

The 2004 mediation agreement did not define how to establish a baseline for typical parking activity, or how to document increases in on-street parking. Staff used historical aerial imagery from 2018 to present and early morning site visits to document average on-street parking volume and establish a baseline measure.

The mediation agreement also did not define which streets should be evaluated. After initial field observations regarding the frequency of on-street parking in the general area, Staff chose to include the following streets in the analysis: Crain Street, Capulina Avenue, South Park Avenue, and Theobald Road between Major and Marmora Avenues; and Menard, Major, and Mango Avenues between Carol Avenue and Lee Street. GHA was directed to collect data for the same streets.



### *Public Works Field Observations – June 2024*

- Staff observed on-street parking on June 6-7, June 11, and June 13-14 at 1:30 p.m. and 6:30 p.m. to correspond with posted religious services at the MCC.
- The average number of vehicles parked on-street during observed times was 200 vehicles.
- The highest counts observed were on Friday, June 7, with 450 on-street vehicles and Friday, June 14, with 463 on-street vehicles during the midday visit.

### *Gewalt Hamilton Observations – June 2024*

- GHA observed on-street parking activity on Monday, June 3; Wednesday, June 5; and Friday, June 7. Parking was counted from 2:00 p.m. to 8:00 p.m. each day.  
*(NOTE: GHA included several street segments not included in the aerial photo analysis and Public Works observations. Those street segments were removed from this summary to allow for as close to a one-for-one comparison as possible.)*
- An average of 132 vehicles were observed across all times of day on Monday, June 3. The average for Wednesday, June 5, was 166 vehicles with a peak of 219 at 7:00 pm. Friday, June 7 witnessed an average of 185 cars with a peak of 367 vehicles at 2:00 p.m.
- On-street parking at 2:00 p.m. on Friday exceeded Monday and Wednesday by 221 vehicles and 243 vehicles respectively. That time slot represented the peak demand for the entire week and corresponded closely to midday service time at MCC.
- The GHA study notes that on-street parking never exceeded 40% of total capacity at any time, however, the on-street parking volume generated by MCC activity appears to exceed the 50-vehicle threshold specified in the 2004 Mediation Agreement.

*Staff Findings*

Overall, parking on the streets surrounding the MCC appears to have been steady between 2018 and 2022, but increased between 2022 and 2024 based on aerial imagery. While historical parking information is limited to aerials for 15 dates from the past 6 years, parking counts undertaken in June 2024 show a marked increase in on-street parking compared to available data.

According to counts by Public Works staff, non-peak on-street parking is typically 150 to 180 vehicles in the early morning and late morning. When accounting for that as a baseline, MCC activities appear to have contributed 270 and 283 vehicles on Friday, June 7, and Friday, June 14, respectively. Parking lot use documented by Public Works on those dates was near capacity (182-190 of 195 spaces).

Staff met with the applicant to discuss preliminary concerns regarding on-street parking and requested a parking management plan. In response, MCC Academy proposed the use of three parking attendants on Fridays from 12:00 to 2:30 p.m. to address on-street parking concerns (see "Attachment A"). Based on parking count findings, Staff expressed concerns that the parking attendants alone would not be sufficient to address increased use of on-street parking. In response to Staff comments and comments from the Traffic Safety Commission Chairperson, the applicant revised the proposed traffic and parking management plan and that expanded plan is summarized below.

The applicant should speak to on-street parking issues and be prepared to present an alternative design of the track and field that includes additional off-street parking in the land-banked area. *If the Plan Commission were to make a motion to approve the application, Staff recommends one of the following two conditions to address the MCC's current impact on on-street parking in the area and noncompliance with the mediation agreement:*

- 1) *The land-banked area must be improved to provide a minimum of 23 off-street parking spaces; or*
- 2) *The proposed track design must be modified to prevent any improvement of the land-banked area to allow for future off-street parking spaces, monitoring of on-street parking must continue, and parking management measures must be implemented by the MCC in coordination with staff until the MCC becomes and remains compliant with the mediation agreement.*

*Summary On-Street Statistics*

*Aerial Image Counts – 2018-2024*

Median	101	
Average	94	
Monday	104	
Tuesday	111	
Wednesday	60	
Thursday	67	
Friday	104	
Saturday	91	
Sunday	101	
Min	51	Wednesday, Sept. 28, 2022
Max	143	Friday, Sept. 15, 2023

*Public Works Field Counts - June 2024*

Median	142.5	
Average	200	
1:25 PM	257.8	
6:35 PM	143	
Tuesday	129.5	
Thursday	135	
Friday	301.25	
Min	118	Tuesday, June 11 - 1:25 PM
Max	463	Friday, June 14 - 1:25 PM

NOTE: No image dates occurred during Ramadan in any year

*Gewalt Hamilton Associates – June 2024*

Median	142	
Average	161	
2:00 PM	212	
7:00 PM	170	
Monday	132	
Wednesday	166	
Friday	185	
Min	115	Monday, June 3 - 5:00 PM
Max	367	Friday, June 7 - 2:00 PM



### Parking Management Plan

Prior to the September 5 Traffic Safety Commission meeting, the applicant provided a Friday Prayer Parking Management Plan (PMP) (see "Attachment B"). The PMP calls for the formation of a task force comprising members of the community, a supervisor, and up to 10 MCC staff. Task force members will be trained, provided with standard procedures, and will use two-way radios to communicate to one another. Task Force members will be stationed in the parking lot to maximize use of off-street parking spaces:

1. Vehicular and pedestrian congregants will be directed to the on-site parking lot.
2. Parking lot staff will direct traffic to the rear of the lot to fully utilize tandem spots.
3. Once the tandem spots are filled, on-site staff will direct vehicles to the west stalls.
4. Pedestrians walking to the mosque will be directed by staff to ensure their safety.

To minimize issues related to on-street parking spaces, Task Force members will be posted at key intersections surrounding the MCC. Task Force members will monitor traffic and parking on adjacent streets. The MCC is also proposing to lengthen the time between afternoon services on Fridays to minimize the overlap between congregants coming to and leaving the two different services.

The PMP identifies the following targets and metrics to manage parking both off-street and on-street:

- Reduce parking search time by 20% within 3 months based on task force time trials.
- Achieve a 70% satisfaction rate among users within 3 months based on congregant surveys.

*Staff agree that maximizing use of the MCC parking lot and reducing overlap between the busier afternoon services should help reduce on-street parking volumes to some degree. However, it is unclear at this time exactly how much of a reduction in on-street parking will result from implementation of the PMP and if it will be sufficient to avoid exceeding the additional 50 vehicles cited in the 2004 Mediation Agreement.*

### Student Enrollment

Per information reported in the parking study, the reported current enrollment at MCC Academy exceeds what is permitted by the current Special Use Permit (Ord. 18-09). Enrollment is reported at 306 students. Per Ordinance 18-09, approving the Special Use Permit for the MCC Academy transition to a High School, "the MCC shall limit overall enrollment to a maximum of 240 students and a maximum of 30 teachers." As MCC Academy is currently operating in violation of the ordinance, the request for an amendment to the existing Special Use Permit for a proposed gymnasium expansion and track cannot be approved without also addressing the attendance issue.

Approval of the application must include an amendment to Section 3 of Ord. 18-09 to increase the student enrollment limit. In response to Staff requests, the applicant has requested that the total student enrollment permitted be increased to 350 students (see "Attachment C").

Given that the requested student enrollment number would only impact operations and parking demand during school hours Monday through Thursday (school operates off-site on Fridays), and the MCC parking lot has demonstrated capacity during those hours, Staff are not opposed to the requested increase. The MCC Academy had been operating in excess of the limits stated in Ord. 18-09 for several years and, **to Staff's knowledge**, no issues were reported related to school operations during the 2023-24 school year. Concerns regarding MCC parking and traffic management have generally been related to Friday religious services.

The applicant should speak to the current and projected enrollment of the MCC Academy and experiences with operating at a volume greater than 240 students. *Approval of the requested increase in the student enrollment cap can be included as a condition of approval. If the Plan Commission does not support the requested increase in student enrollment, Staff recommend that the application be withdrawn until the MCC can provide proof that enrollment has been reduced to 250 students or fewer.*

### Commission Review

#### *Appearance Commission*

On May 7, 2024, the Appearance Commission reviewed Case PC 24-05. At the conclusion of the discussion, the Appearance Commission voted unanimously (7-0) to recommend approval of the application. No additional comments were issued.

#### *Traffic Safety Commission*

On May 9, 2024, the Traffic Safety Commission (TSC) reviewed Case PC 24-05 and the first draft of the Traffic Impact Study. At the conclusion of the discussion, the TSC voted unanimously (8-0) to recommend approval of the application. No additional comments were issued at that time.

The revised Traffic Impact Study was delivered to the Traffic Safety Commission chairperson for review in July 2024. The TSC chairperson requested that a traffic management plan be provided that would reduce the amount of on-street parking demand generated by the MCC on Fridays on the neighboring streets (**see** "Attachment D"). In response to this comment, MCC provided an expanded traffic and parking management plan summarized above.

On September 5, 2024, the TSC reviewed the revised Traffic Impact Study as well as the updated traffic and parking management plan. MCC representatives presented the traffic and parking management plan and responded to various questions from the TSC. At the conclusion of the discussion, the TSC voted unanimously (7-0) to recommend approval of the application. If the Plan Commission approves the request to amend the Special Use Permit, the following conditions were recommended for inclusion by the TSC (see "Attachment D"):

- *The gym or sports grounds operations shall not include any school activities on Friday afternoons during prayer service. Any activities should be limited to a single game event on other days.*
- *Any track activities for school activities shall not host any special events that would generate additional traffic or parking demand.*
- *The Parking Management Program (PMP) developed by MCC Academy [should be implemented] in full force utilizing all possible parking on campus to alleviate any additional on-street parking on village streets.*

### Departmental Review

The proposed project was reviewed by several department representatives with the Department of Public Works being the only department to provide comments (**see** "Attachment E").

- Building Department: No comments at this time.
- Fire Department: No comments at this time.
- Public Works Department/Engineering: In review of the proposed project, the Village Engineer issued several comments dated May 13, 2024, regarding:
  - Potential need for special event traffic control which is not discussed in the Traffic Impact Study
  - Agreement with parking need findings specifically tied to gymnasium activities.
  - Potential overlap between school events and gymnasium events that would reduce parking demand.
  - Recommendation to control the use of the field and track as a condition of approval to ensure that area does not generate unforeseen traffic and parking demand.

### Standards for Review

The Standards for Special Uses are established in Section 12-16-4:C.5 of the Unified Development Code:

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.

### Recommendation

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

*Motion to recommend approval of Case PC 24-05, a request for approval of an amendment to a Special Use Permit (Ord. 18-09) to allow the expansion of an existing school with waivers from Section 12-4-2:D for setback and lot coverage, all within a R-2 Single Family Residence District at the property commonly known as 8601 Menard Avenue in Morton Grove, Illinois, subject to the following conditions:*

1. *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.*
2. *Prior to filing any Building Permit Application, the owner/applicant shall provide the Village with a revised landscape plan that adheres to direction provided by the Appearance Commission, including the potential addition of shade trees, 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.*
3. *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.*
4. *Gymnasium operations at the subject property shall be limited to single-game events, single-day special events such as theater performances, training, and education on non-Fridays, and the hosting of tournaments shall be prohibited.*
5. *Use of the track and field shall be ancillary to school functions and the field area shall not host any special events that would generate additional traffic or parking demand.*
6. *Prior to the issuance of a building permit, the applicant shall submit a photometric analysis to document appropriate field lighting, subject to review and approval of the Community Development Administrator.*
7. *Prior to the issuance of a building permit, the applicant shall submit proof of an executed parking management agreement in keeping the parking management plan provided to the Village as part of the application materials for PC 24-05.*
8. *Section 3, Paragraph B of Ord. 18-09, which amends Section of Ordinance 04-44, shall be amended to state, "The MCC shall limit overall enrollment to a maximum of 350 students and a maximum of 30 teachers."*



9. *Prior to the issuance of a building permit, the applicant shall submit revised plans that include conversion of the land-banked area to off-street parking to include a minimum of 23 spaces and a reduced/relocated track and related lighting, subject to review and approval of the Community Development Administrator.*

*OR*

*Prior to the issuance of a building permit, the applicant shall submit revised plans that include a reduced/relocated track and related lighting that does not overlap with the land-banked area, subject to review and approval of the Community Development Administrator. The applicant shall also submit a letter of understanding recognizing that the Mediation Agreement (Res. 04-32) remains in place and the amended Ordinance 18-09 does not relieve the burden of monitoring on-street parking impacts related to MCC activities, nor does it mitigate the potential that the MCC shall be required to install additional off-street parking on the subject property. Parking management measures must be implemented by the MCC in coordination with staff until the MCC becomes and remains compliant with the mediation agreement.*

*OR*

*Prior to the issuance of a building permit, the applicant shall submit a letter of understanding recognizing that the Mediation Agreement (Res. 04-32) remains in place and the amended Ordinance 18-09 does not relieve the burden of monitoring on-street parking impacts related to MCC activities, nor does it mitigate the potential that the MCC shall be required to install additional off-street parking on the subject property. Parking management measures must be implemented by the MCC in coordination with staff until the MCC becomes and remains compliant with the mediation agreement.*

#### Attachments

- Attachment A – Memo from Applicant regarding a Parking Management Plan, dated July 31, 2024
- Attachment B – Memo from Applicant regarding an updated Parking Management Plan, dated September 2, 2024
- Attachment C – Memo from Applicant regarding student enrollment, received May 13, 2024
- Attachment D – Plan Review Comment Forms for PC 24-05, from the Traffic Safety Commission prepared by Chairperson Keith White, dated July 26, 2024 and September 6, 2024.
- Attachment E – Plan Review Comment Form for PC 24-05, prepared by Chris Tomich, Village Engineer dated May 13, 2024
- Attachment F – Communications from area property owners
- Attachment G – Plans and Supporting Documents for PC 24-05

Attachment E  
Plans and Supporting Documents for PC 24-05

1. Special Use Application, submitted by a+c architects, dated April 8, 2024
2. **Letter granting a+c architects permission to submit on owner's behalf, submitted by a+c architects, dated March 22, 2024**
3. Plat of Survey of 8601 Menard Avenue, prepared by Edward J Molloy and Assoc., dated February 8, 2024
4. Legal Description, submitted by a+c architects, received April 8, 2024
5. Preliminary Landscape Plan, prepared by Manhard Consulting, dated March 27, 2024
6. Preliminary Engineering Drawings, prepared by Manhard Consulting, dated March 19, 2024
7. Demolition & Proposed Site Plans, prepared by a+c architects, dated April 11, 2024
8. Demolition & Proposed Floor Plans, prepared by a+c architects, dated April 8, 2024
9. Proposed Elevations, prepared by a+c architects, dated April 8, 2024
10. Materials Submittal, prepared by a+c architects, dated April 8, 2024
11. Traffic Impact and Expanded Parking Study, prepared by Gewalt Hamilton Associates, Inc., dated July 3, 2024
12. Memo regarding Student Enrollment, submitted by MCC Academy, received May 13, 2024
13. Friday Prayer Parking Management Plan, submitted by MCC Academy, dated September 2, 2024

MATERIALS ON FILE WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

ELECTRONIC COPY OF MATERIALS INCLUDED IN THE PUBLIC HEARING MEETING PACKET  
[https://www.mortongroveil.org/wp-content/uploads/2024/09/PC\\_PACKET\\_240923SEPT.pdf](https://www.mortongroveil.org/wp-content/uploads/2024/09/PC_PACKET_240923SEPT.pdf)

## Legislative Summary

### Ordinance 24-18

#### APPROVING A SPECIAL USE PERMIT FOR A PARKING VARIATION AT 6017-6049 DEMPSTER STREET IN MORTON GROVE, ILLINOIS

<b>Introduction:</b>	October 8, 2024
<b>Purpose:</b>	To approve a Special Use Permit authorizing a parking variation greater than 30 at the Dempster Commons shopping center (6015-6049 Dempster Street).
<b>Background:</b>	<p>JJK Property, LLC (“applicant”), submitted a complete Special Use Permit Application to the Department of Community and Economic Development requesting a parking variation. To help address problematic vacancies at the shopping center, the Staff recommended solution was for the owner to apply for a single parking variation for the entire site (rather than individual uses) that will identify the total parking maximum for the site beyond by-right parking ratios and enable leasing of smaller vacant spaces provided they do not require parking beyond what is permitted for the entire center. Since the requested parking variation is greater than 30%, it is considered a special use and requires Plan Commission recommendation and Board of Trustees approval pursuant to Section 12-7-3:K.</p> <p>On September 5, 2024, the Traffic Safety Commission (TSC) reviewed Case PC 24-06 and voted unanimously to recommend approval of the application. On September 17, 2024, the applicant appeared before the Plan Commission to present the request for approval of the application made under Case PC 24-06. Based on the application, staff report, and testimony presented at the public hearing, the Plan Commission voted unanimously (7-0) to recommend approval of the Special Use Permit with conditions relating to parking lot improvements and business operations</p>
<b>Programs, Dept’s, Groups Affected</b>	Department of Community and Economic Development
<b>Fiscal Impact:</b>	N/A
<b>Source of Funds:</b>	N/A
<b>Workload Impact:</b>	The Special Use Permit will be implemented and supervised by staff as part of their normal work activities.
<b>Administrative Recommendation:</b>	Approval as presented
<b>Second Reading:</b>	October 22, 2024
<b>Special Considerations or Requirements:</b>	None

## **ORDINANCE 24-18**

### **APPROVING A SPECIAL USE PERMIT FOR A PARKING VARIATION AT 6017-6049 DEMPSTER STREET 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, 6017-6049 Dempster Street, legally described in “**Exhibit A**”, attached hereto, and made a part of this Ordinance, is an approximately 26,317-square-foot (0.6-acre) property zoned C-1 General Commercial and improved with two commercial buildings and a surface parking lot (“Subject Property”); and

WHEREAS, JJK Property LLC (“Applicant”) submitted a Special Use Application to the Village’s Plan Commission under Case PC 24-06 (“Application”) requesting a parking variation greater than 30%, which is considered a special use and requires Plan Commission recommendation and Board of Trustees approval pursuant to Section 12-7-3:K; and

WHEREAS, pursuant to the applicable provisions of the Municipal Code, public notice for a public hearing on the Application to be held at a regular meeting of the Plan Commission on September 17, 2024, was published in the *Morton Grove Champion*, a newspaper of general circulation in the Village of Morton Grove, on August 29, 2024, written notification was sent to property owners within 250 feet of the Subject Property on August 29, 2024, and a sign was posted on the Subject Property on August 30, 2024, as required by ordinance; and

WHEREAS, on September 5, 2024, the Traffic Safety Commission (TSC) reviewed the Application, including the plans and traffic and parking impact study, and recommended approval of the Application; and

WHEREAS, at the September 17, 2024, 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 October 1, 2024, which was presented to the Village Board on October 8, 2024, 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 a parking variation at the subject property, with the following conditions and restrictions, which shall be binding on the owners/lessees, occupants and users of this property, their successors, and assigns.

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

- A. At no time shall the uses at the subject property exceed a shared parking demand of 59 parking spaces.
- B. Employees of businesses located at 6017-6049 Dempster Street shall park within south parking lot located at the rear the subject property. If spaces are not available within the south parking lot, employees shall park in the municipal parking lot located at 6055 Dempster Street. Employee parking on surrounding residential streets, in the north parking lot at the subject property, and at area businesses shall be prohibited.
- C. The Applicant shall maintain signage to encourage parking in the north and south parking lots before parking in the municipal parking lot.
- D. Prior to filing any future Business Compliance Certificates for 6017-6049 Dempster Street, the Applicant shall provide a snow removal/storage plan, for review and approval by the Village Engineer.
- E. Prior to filing any future Business Compliance Certificates for 6017-6049 Dempster Street, the owner/applicant shall install traffic control signage and parking lot striping

in keeping the improvements proposed in the Parking Study authored by Kimley-Horn Associates, Inc. and dated June 28, 2024, for review and approval by the Community Development Administrator.

- F. Prior to filing any future Business Compliance Certificates for 6017-6049 Dempster Street, the Applicant shall confirm the number of parking spaces the north and south parking lots can provide.
- G. A minimum of one ADA accessible parking space shall remain located and properly striped within the north parking lot of the subject property.
- H. Snow removal shall not occupy a parking space in the north parking or south parking lot of the subject property.

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 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 October 2024.

Trustee Khan \_\_\_\_\_  
Trustee Minx \_\_\_\_\_  
Trustee Shiba \_\_\_\_\_  
Trustee Thill \_\_\_\_\_  
Trustee Travis \_\_\_\_\_  
Trustee Witko \_\_\_\_\_

Approved by me this 22nd day of October 2024.

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

Attested and Filed in my office this  
23rd day of October 2024.

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

**LIST OF EXHIBITS**

- EXHIBIT A            Legal Description, 6017-6049 Dempster Street  
EXHIBIT B            Plan Commission Report for PC 24-06, dated October 1, 2024



## **EXHIBIT A**

### **6017-6049 DEMPSTER STREET, MORTON GROVE, ILLINOIS 60053 LEGAL DESCRIPTION:**

PARCEL 1: LOTS 1, 2, 3, 4 AND 5 IN BLOCK 1, IN DEMPSTER-AUSTIN HIGHLAND, BEING A SUBDIVISION IN THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 20, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 20, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF SAID WEST 1/2 OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 20, 40 FEET SOUTH OF THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 20; THENCE SOUTH ON THE EAST LINE OF THE WEST 1/2 OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 20 FOR A DISTANCE OF 293.8 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 20 FOR A DISTANCE OF 70 FEET; THENCE NORTH PARALLEL WITH SAID EAST LINE FOR A DISTANCE OF 163.4 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST 1/4 OF A DISTANCE OF 20 FEET; THENCE NORTH PARALLEL WITH SAID EAST LINE FOR A DISTANCE OF 130.4 FEET; THENCE EAST ALONG A LINE 40 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID NORTHWEST 1/4 FOR A DISTANCE OF 90 FEET TO THE POINT OF BEGINNING, EXCEPT LOT IN THE PLAT RECORDED AS DOCUMENT NUMBER 16862074 IN COOK COUNTY, ILLINOIS.

### **PROPERTY INDEX NUMBERS:**

10-20-106-064-0000

**EXHIBIT B**

**PLAN COMMISSION REPORT FOR PC 24-06**

Dated October 1, 2024

To: Village President and Board of Trustees

From: Chris Kintner, Plan Commission Chairperson  
Charles Meyer, Village Administrator  
Teresa Hoffman Liston, Corporation Counsel  
Brandon Nolin, Community Development Administrator

Date: September 10, 2024

Re: Appearance Commission Case PC 24-06  
Request for a Special Use Permit for a parking variation for an existing shopping center in a C-1 General Commercial District in accordance with Section 12-7-3:K at the property commonly known as 6015-6049 Dempster Street in Morton Grove, Illinois (PIN 10-20-106-064-0000). The applicant is JJK Property LLC.

#### Executive Summary

The applicant, JJK Property, Inc., is seeking approval of a Special Use Permit for a parking variation for the two westernmost properties of the three properties collectively comprising the existing Dempster Commons shopping center. The two properties at 6017-6035 Dempster Street and 6037-6049 Dempster Street have a combined gross floor area of 13,200 sq. ft. of commercial space served by a total of 30 on-site parking spaces (including four (4) ADA accessible spaces) divided into two (2) lots. Any future uses locating at 6015 Dempster Street which is excluded from the applicant's request would need to rely on the two parking spaces (four tandem) provided at that address.

The 0.67-acre (29,378 sq. ft.) site is located on the south side of Dempster Street between Austin Avenue and School Street. The property is within the C-1 General Commercial zoning district as are the properties to the east and west, and the block located across Dempster Street to the north. The block to the south across an alley is zoned R-2 Single-family Residence and improved with single-family homes.

The applicant is requesting approval of a Special Use Permit to reduce the collective amount of parking required by the various uses at the Dempster Commons shopping center. The applicant is also proposing improvements to assist with traffic flow and maximize efficient use of existing parking spaces. Staff works with prospective tenants applying for a Business Compliance Certificate (BCC) to ensure their business activities comply with Village Code requirements, particularly off-street parking and loading requirements. Should the Plan Commission decide to grant the requested parking variation, the BCC process will be used to track compliance with the variation and any conditions issued by the Plan Commission.

#### Application Overview

Dempster Commons shopping center has had several vacancies in recent years, but the owner cannot lease those spaces due to lack of available parking for new uses. A restaurant user (OMG Nafisa's) at the shopping center was granted a parking variation (ZBA 22-08) wherein all available parking unassigned to other uses at the time was assigned to the restaurant. The shopping center had existing vacancies when the variation was approved and as a result, Staff has had to reject several potential lessees' Business Compliance Certificate requests due to lack of parking at the shopping center. New uses at the subject property cannot be approved unless other uses leave the property and the proposed new uses have a required parking minimum of equal to or less than the previous use.

To help address problematic vacancies at the shopping center, the Staff recommended solution was for the owner to apply for a single parking variation for the entire site (rather than individual uses) that will identify the total parking maximum for the site beyond by-right parking ratios and enable leasing of smaller vacant spaces provided they do not require parking beyond what is permitted for the entire center. Toward that end, the owners retained Kimley-Horn to perform a parking study with the goal

of documenting parking demand and have submitted an application tied strictly to parking. Since the requested parking waiver is in excess of what can be permitted by ZBA for a parking variation, the variation must be treated as a Special Use Permit application to be reviewed by the Plan Commission.

### Parking Impact

The subject property has 30 off-street parking spaces that are shared between the mix of uses. Based on the proposed mix of uses, the property will have 38 fewer spaces than required by Code for the base parking requirement and 28 fewer spaces than required by Code for the shared parking requirement.

A traffic study by Kimley-Horn Associates, Inc. utilized cameras in multiple locations to record parking use and determined that the requested waiver would enable vacant spaces to be leased without causing an issue for current tenants, provided that the new tenants were low parking demand uses. The study recommended restriping an existing ADA accessible parking space to create two regular parking spaces, while still maintaining the required number of accessible parking spaces. Additional recommended improvements including the addition and replacement of one-way and stop signage, and removal of a solid paint line at the Dempster Street entrance would improve traffic flow and safety.

*Although not discussed by Kimley-Horn explicitly, Staff would like to note that 22 off-street public parking spaces are located directly west of the subject property and may be used by customers. While those spaces may not be included in the parking supply for the subject property per Village Code, Staff believe it is reasonable that customers will use the municipal lot, though signage should encourage parking in the north and south parking lots.* Based on the shared parking requirement of 58 spaces per Staff calculations, with and an on-site parking capacity of 31 spaces after recommended improvements are installed, a variation of 27 spaces is being requested.

### Commission Review

#### **Traffic Safety Commission**

On September 5, 2024, the Traffic Safety Commission (TSC) reviewed Case PC 24-06 (see "Attachment A"). At the conclusion of the discussion, the TSC voted unanimously (7-0), with Commissioners Chalabi and Karagozian absent, to recommend approval of the application with the following conditions:

- *Employee parking be limited to areas that promote customer parking (such as the south parking lot).*
- *Parking lot flow modifications, as presented, be implemented along with new signage.*

### Department Review

The proposed project was reviewed by several department representatives with the Department of Public Works being the only department to provide comments (see "Attachment B").

- Building Department: No comments at this time.
- Fire Department: No comments at this time.
- Public Works Department/Engineering: In review of the proposed project, the Village Engineer issued ten comments dated September 9, 2024 regarding:
  - The application refers to public parking in the analysis of site. Village provided public parking should not be used for determining the parking supply for a private business. Public parking should only be considered as supplementary after the private site's parking supply requirement is approved.
  - After the north parking lot fills, patrons of 6017-6035 Dempster Street would be expected to choose to park in the public parking lot next to 6037-6049 Dempster Street because it is closer than the south parking lot of 6037-6049 Dempster Street. The Special Use Permit should include a condition that the applicant maintains signage to encourage parking in the north and south parking lots before parking in the public parking lot.

- The Traffic Study is focused on parking space count. It does not include a dimensional analysis of the parking layout of the site to determine parking spaces.
- The existing one-way circulation of the north parking lot is supportable.
- Each parking lot would require one accessible parking space. Three are provided in the north parking lot. This is supportable. However, the purpose of the extra accessible parking space(s) is unclear. Each extra accessible parking space reduces the number of unrestricted parking spaces by two.
- The Traffic Study states that the peak time parking in the north and south lots have available parking spaces with 5 vacant businesses. Employee parking should be accounted for on-site. It is not clear how many employees each business has, what peak employee parking demand is. One goal of this parking issue should be to reduce the chance of an inadequate parking supply at the private development reduce the public parking supply or causing on-street parking in the adjacent residential neighborhood. The Special Use Permit should include a condition on the parking demand allowed for the vacant spaces.
- The north parking lot's existing eastern parking spaces are marked as accessible spaces. The pedestrian access route connecting this parking spaces to a building entrance should be explained by the applicant.
- The applicant has not provided a plan that compares all dimensional aspects of parking spaces and circulation comply with Village requirements. The Traffic Study mentions this should be confirmed in a future effort. The representation of the number of parking spaces could vary by a few parking spaces. The Special Use Permit process should include a requirement to confirm the number of parking spaces these parking lots can provide. This step should be completed before approving the Special Use Permit.
- Existing signage does not provide reasonable advanced notice to Dempster Street traffic, especially for eastbound Dempster Street. This circumstance could contribute to a traffic safety problem for circulating or parking drivers. The Special Use Permit should include a condition requiring new signage be installed and maintained at a better location.
- A snow removal/storage plan should be a condition of the Special Use Permit.

#### Plan Commission Public Hearing

The Village provided Public Notice for the September 17, 2024, Plan Commission public hearing for Case PC 24-06 in accordance with the Unified Development Code. The Morton Grove Champion published a public notice on August 29, 2024. The Village notified surrounding property owners via mail and placed a public notice sign on the subject property on August 30, 2024.

*Plan Commission – February 20, 2024, Proceedings:* Seven members of the Plan Commission were in attendance at the public hearing for Case PC 24-06 held on September 17, 2024.

*Brandon Nolin, Community Development Administrator, provided a brief introduction to the application. The staff report dated September 10, 2024, and attached hereto as "Attachment C," was entered into the public record.*

*Brandon Nolin summarized that the applicant is requesting a Special Use Permit for a parking variation for an existing shopping center in a C-1 General Retail District at the property commonly known as 6015-6049 Dempster Street. Dempster Commons shopping center has had several vacancies, but the owner cannot lease those spaces since all available parking was essentially tapped with the approval of a Special Use Permit for a restaurant user at the center (OMG Nafisa's). Staff have had to reject several potential lessees' Business Compliance Certificate requests due to lack of parking.*

*The Staff recommended solution is for the owner to apply for a single parking variation for the entire site (rather than individual uses) that will identify the total parking maximum for the site beyond by-right parking ratios and enable leasing of smaller vacant spaces provided they do not require parking beyond what is permitted for the entire center. Toward that end, the owners retained Kimley-Horn to perform a parking study with the goal of documenting parking demand and have submitted a*

*Special Use application tied strictly to parking. Since the requested parking waiver is in excess of what can be permitted by ZBA for a parking variation, the variation must be treated as a special use.*

*The Traffic Safety Commission reviewed case PC 24-06 at its meeting on September 5, 2024 and voted unanimously to recommend the project for approval with comments.*

*Commissioner Gabriel asked how future tenants can be assured parking. Mr. Nolin noted the conditions being recommended for approval will allow business review with the Business Compliance Certificate to dictate what type of business could be approved for the property, keeping parking available for all tenants.*

*Chairman Kintner said the parking ratio is a variable, this would not be a unilateral approval for any tenant.*

*Commissioner Gabriel said we should be more welcoming when it comes to parking for businesses. Mr. Nolin noted that if the parking variation is approved for the whole property, individual businesses would not need to separately seek a parking variation. The proposed special use for parking would make it easier for the vacant spaces to be rented.*

*The applicant and traffic engineer were sworn in. Mr. Opitz walked the Commissioners through the parking study. He noted that the special use does not include 6015 Dempster. The north and south parking lots were described with the number of spaces, circulation and ADA spaces. The adjacent Village owned lot was included for demand but not included in parking supply. A single parking variation is being requested so the total parking maximum demand was identified, then the future uses of the vacant spaces could occupy the spaces left.*

*The parking study determined the demand to be 22 out of the 30 spaces were occupied, leaving 8 available spaces. The restaurants have the most demand. There were 2 brief periods in the north lot where 13 out of 15 spaces were occupied, due to restaurant carry-out traffic. Mr. Opitz noted there are 3 ADA spaces in the north lot, and noted that only one is required.*

*Chairman Kintner said the north lot is the most used, he asked why the south lot was statistically more busy on Friday. The restaurant may have more employees and regular customers using the south lot at that time.*

*Mr. Opitz proposed changes to the lots to make them more efficient. This includes reducing the number of ADA spaces in the north lot, improving one-way signage, striping changes, and signage encouraging the use of the north and south lots as recommended by the Traffic Safety Committee and Village Engineer.*

*Chairman Kintner asked if one-way arrows would be added and possibly narrow the exit. Signage for the south lot will include the name Dempster Commons.*

*The co-owner, Mr. Kim said his buildings have been updated and are ready to be rented. He hopes the parking variation will be granted.*

*One letter was submitted and read into the record.*

*Thank you for your prompt reply. It is unfortunate that more detail was not available to community members ahead of the meeting. And, I apologize, that I am afraid that I had mistakenly read the second case on the agenda as further detail of the JJK case.*

*If I understand you correctly, this request is basically one business owner looking to rent already existing parking spaces from another business owner. The spaces TO BE rented, are in the small shopping strip mall at 6015-49 Dempster, basically at the SW corner of Dempster and Austin. If that is the case, or basically, I continue to recommend that the Special Use Permit request be denied for the same of my second reasons: so many people already do not obey the sign that prohibits a left turn out of that parking lot onto Austin, that having more traffic that will inevitably also disobey the signs, seems to just again, increase the likelihood of an accident, and more significantly, a pedestrian accident (because of the bus stop, the schools and places of employment that are accessed).*

*Thank you again, for your follow up.*

*In response to incongruities between the letter and the facts of the case, Mr. Nolin noted the letter writer likely misunderstood the operation and perhaps the address.*

*Chairman Kintner said he appreciated the suggestions by the Village Engineer for improving the parking lots and wants to make sure they noted in the approval conditions. Snow removal was discussed.*

*Case Commissioner Liston made a motion to recommend approval of Case PC 24-06, a request for approval of a Special Use Permit for a parking variation for an existing shopping center in a C-1 General Commercial District in accordance with Section 12-7-3:K at the property commonly known as 6015-6049 Dempster Street in Morton Grove, Illinois (PIN 10-20-106-064-0000), subject to the following conditions:*

- 1. At no time shall the uses at the subject property exceed a shared parking demand of 59 parking spaces.*
- 2. Employees of businesses located at 6017-6049 Dempster Street shall park within south parking lot located at the rear the subject property. If spaces are not available within the south parking lot, employees shall park in the municipal parking lot located at 6055 Dempster Street.*
- 3. The Applicant shall maintain signage to encourage parking in the north and south parking lots before parking in the municipal parking lot.*
- 4. Prior to filing any future Business Compliance Certificates for 6017-6049 Dempster Street, the Applicant shall provide a snow removal/storage plan, for review and approval by the Village Engineer.*
- 5. Prior to filing any future Business Compliance Certificates for 6017-6049 Dempster Street, the owner/applicant shall install traffic control signage and parking lot striping in keeping the improvements proposed in the Parking Study authored by Kimley-Horn Associates, Inc. and dated June 28, 2024, for review and approval by the Community Development Administrator.*
- 6. Prior to filing any future Business Compliance Certificates for 6017-6049 Dempster Street, the Applicant shall confirm the number of parking spaces the north and south parking lots can provide.*
- 7. Allow only one ADA parking space that must remain in the north parking lot.*
- 8. Snow removal cannot occupy parking space in the north and south lots.*

*The motion as amended to include item numbers 7 and 8, seconded by Commissioner Dorgan.*

<i>Commissioner Dorgan</i>	<i>voting</i>	<i>aye</i>
<i>Commissioner Gabriel</i>	<i>voting</i>	<i>aye</i>
<i>Commissioner Hussaini</i>	<i>voting</i>	<i>aye</i>
<i>Commissioner Liston</i>	<i>voting</i>	<i>aye</i>
<i>Commissioner Mohr</i>	<i>voting</i>	<i>aye</i>
<i>Commissioner Stein</i>	<i>voting</i>	<i>aye</i>
<i>Chairman Kintner</i>	<i>voting</i>	<i>aye</i>

*Motion passed (7-0).*

### 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. *Special Use Permit Application, submitted by JJK Property, LLC, dated July 12, 2024*
2. *Special Use Permit Cover Letter, submitted by JJK Property, LLC, dated July 12, 2024*
3. *Proof of Ownership, submitted by JJK Property, LLC, dated July 12, 2024*
4. *Plat of Survey of 6017-6049 Dempster Street, prepared by Professionals Associated Survey, Inc., dated July 17, 2007*
5. *Site Plan indicating commercial unit divisions, prepared by Kimley-Horn Assoc., dated July 12, 2024*
6. *Parking Study – 6015-6049 Dempster Street, prepared by Kimley-Horn Assoc., dated June 28, 2024*

### Attachments

- Attachment A – Plan Review Comment Form for PC 24-06, prepared by Keith White, Traffic Safety Commission Chair dated September 9, 2024
- Attachment B – Plan Review Comment Forms for PC 24-06, prepared by Chris Tomich, Village Engineer dated September 9, 2024
- Attachment C – Staff Report to the Plan Commission for PC 24-06, prepared by Brandon Nolin, Community Development Administrator, dated September 10, 2024
- Attachment D – Final Plans and Supporting Documents for PC 24-06



Attachment A  
Plan Review Comment Form for PC 24-06,  
Prepared by Keith White, Traffic Safety Commission Chair  
Dated September 9, 2024

REVIEWING:

BUILDING

FIRE

POLICE

PUBLIC WORKS/ENGINEERING



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VILLAGE OF MORTON GROVE, ILLINOIS  
**PLAN REVIEW COMMENT FORM**

**DATE DISTRIBUTED:** 8/30/2024

**CASE NUMBER:** PC 24-06

**APPLICATION:** Request for a Special Use Permit for a parking variation for an existing shopping center in a C-1 General Retail District in accordance with Section 12-7-3:K at the property commonly known as 6015-6049 Dempster Street in Morton Grove, Illinois (10-20-106-064-0000). The applicant is JJK Property LLC.

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A Special Permit Application has been submitted to the Plan Commission for action. Please return your review to the Department of Community and Economic Development by **Friday, September 6, 2024.**

Thank you,  
Brandon Nolin, AICP  
Community Development Administrator

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**COMMENTS OR CONCERNS**

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Approval as presented. The following conditions must be considered. It is suggested that employee parking be limited to areas that promote customer parking. Parking lot flow modifications as presented be implemented along with new signage.

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These comments accurately represent existing Village regulations or policies.

Name (please print): Keith White Traffic Safety Commission Chairman

Signed:

A handwritten signature in black ink, appearing to read "Keith White", is written over the "Signed:" label.

Date: 09/09/2024

Attachment B  
Plan Review Comment Forms for PC 24-06,  
Prepared by Chris Tomich, Village Engineer  
Dated September 9, 2024

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VILLAGE OF MORTON GROVE, ILLINOIS  
PLAN REVIEW COMMENT FORM

DATE DISTRIBUTED: 8/30/2024

CASE NUMBER: PC 24-06

APPLICATION: Request for a Special Use Permit for a parking variation for an existing shopping center in a C-1 General Retail District in accordance with Section 12-7-3:K at the property commonly known as 6015-6049 Dempster Street in Morton Grove, Illinois (10-20-106-064-0000). The applicant is JJK Property LLC.

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A Special Permit Application has been submitted to the Plan Commission for action. Please return your review to the Department of Community and Economic Development by Friday, September 6, 2024.

Thank you,  
Brandon Nolin, AICP  
Community Development Administrator

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COMMENTS OR CONCERNS

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1. The application refers to public parking in the analysis of site. Village provided public parking should not be used for determining the parking supply for a private business. Public parking should only be considered as supplementary after the private site's parking supply requirement is approved.
2. After the north parking lot fills, patrons of 6017-6035 Dempster Street would be expected to choose to park in the public parking lot next to 6037-6049 Dempster Street because it is closer than the south parking lot of 6037-6049 Dempster Street. The Special Use Permit should include a condition that the applicant maintains signage to encourage parking in the north and south parking lots before parking in the public parking lot.
3. The Traffic Study is focused on parking space count. It does not include a dimensional analysis of the parking layout of the site to determine parking spaces.
4. The existing one-way circulation of the north parking lot is supportable.
5. Each parking lot would require one accessible parking space. Three are provided in the north parking lot. This is supportable. However, the purpose of the extra accessible parking space(s) is unclear. Each extra accessible parking space reduces the number of unrestricted parking spaces by two.
6. The Traffic Study states that the peak time parking in the north and south lots have available parking spaces with 5 vacant businesses. Employee parking should be accounted for on-site. It is not clear how many employees each business has, what peak employee parking demand is. One goal of this parking issue should be to reduce the chance of an inadequate parking supply at the private development reduce the public parking supply or causing on-street parking in the adjacent residential neighborhood. The Special Use Permit should include a condition on the parking demand allowed for the vacant spaces
7. The north parking lot's existing eastern parking spaces are marked as accessible spaces. The pedestrian access route connecting this parking spaces to a building entrance should be explained by the applicant.
8. The applicant has not provided a plan that compares all dimensional aspects of parking spaces and circulation comply with Village requirements. The Traffic Study mentions this should be confirmed in a future effort. The representation of the number of parking spaces could vary be a few parking spaces. The Special Use Permit

process should include a requirement to confirm the number of parking spaces these parking lots can provide. This step should be completed before approving the Special Use Permit.

9. Existing signage does not provide reasonable advanced notice to Dempster Street traffic, especially for eastbound Dempster Street. This circumstance could contribute to a traffic safety problem for circulating or parking drivers. The Special Use Permit should include a condition requiring new signage be installed and maintained at a better location.
10. A snow removal/storage plan should be a condition of Special Use Permit.

---

These comments accurately represent existing Village regulations or policies.

Name (please print): Chris Tomich, Village Engineer

Signed: 

Date: 09/09/2024

Attachment C  
Staff Report to the Plan Commission for PC 24-06,  
Prepared by Brandon Nolin, Community Development Administrator,  
Dated September 10, 2024

To: Chairperson Kintner and Members of the Plan Commission

From: Brandon Nolin, AICP, Community Development Administrator  
Anne Ryder Kirchner, Planner/Zoning Administrator

Date: September 10, 2024

Re: Appearance Commission Case PC 24-06

Request for a Special Use Permit for a parking variation for an existing shopping center in a C-1 General Commercial District in accordance with Section 12-7-3:K at the property commonly known as 6015-6049 Dempster Street in Morton Grove, Illinois (PIN 10-20-106-064-0000). The applicant is JJK Property LLC.

## STAFF REPORT

### Public Notice

The Village provided Public Notice for the September 17, 2024, Plan Commission public hearing for Case PC 24-06 in accordance with the Unified Development Code. The Morton Grove Champion published a public notice on August 29, 2024. The Village notified surrounding property owners via mail and placed a public notice sign on the subject property on August 30, 2024.

### Property Background

The subject property at 6015-6049 Dempster Street is a 0.67-acre (29,378 sq. ft.) site located on the south side of Dempster Street between Austin Avenue and School Street. The property is within the C-1 General Commercial zoning district and is improved with three commercial buildings. 6037-6049 Dempster Street and 6017-6035 Dempster Street provide approximately 13,200 sq. ft. of combined gross floor area of in-line retail space. 6015 Dempster Street, which is the easternmost building, provides 2,400 sq. ft. of commercial space. The block located across Dempster Street to the north is also zoned C-1 General Commercial and improved with commercial buildings of varying size. The block to the south across an alley is zoned R-2 Single-family Residence and improved with single-family homes.



Subject Property Location Map



### Application Overview

The applicant, JJK Property, Inc., is seeking approval of a Special Use Permit for a parking variation for the existing Dempster Commons shopping center. The applicant is requesting that only the two larger, westernmost properties (6017-6035 Dempster Street and 6037-6049 Dempster Street) be included within the Special Use Permit. Those two (2) properties have a combined gross floor area of 13,200 sq. ft. of commercial space served by a total of 30 on-site parking spaces (including four (4) ADA accessible spaces) divided into two (2) lots. Per the applicant's request, any future uses locating at 6015 Dempster Street would need to rely on the two parking spaces (four tandem) provided at that address.

Dempster Commons shopping center has had several vacancies in recent years, but the owner cannot lease those spaces due to lack of available parking for new uses. A restaurant user (OMG Nafisa's) at the shopping center was granted a parking variation (ZBA 22-08) wherein all available parking unassigned to other uses at the time was assigned to the restaurant. The shopping center had existing vacancies when the variation was approved and as a result, Staff have had to reject several potential lessees' Business Compliance Certificate requests due to lack of parking at the shopping center. New uses at the subject property cannot be approved unless other uses leave the property and the proposed new uses have a required parking minimum of equal to or less than the previous use.

To help address problematic vacancies at the shopping center, the Staff recommended solution was for the owner to apply for a single parking variation for the entire site (rather than individual uses) that will identify the total parking maximum for the site beyond by-right parking ratios and enable leasing of smaller vacant spaces provided they do not require parking beyond what is permitted for the entire center. Toward that end, the owners retained Kimley-Horn to perform a parking study with the goal of documenting parking demand and have submitted an application tied strictly to parking. Since the requested parking waiver is in excess of what can be permitted by ZBA for a parking variation, the variation must be treated as a Special Use Permit application to be reviewed by the Plan Commission.



**Kimley»Horn**

**EXHIBIT 1  
EXISTING SITE PARKING LOCATIONS**

*Existing Parking Configuration (Source: Kimley-Horn)*

### Required Parking



The subject property has 30 off-street parking spaces that are shared between the mix of uses. Five units totaling approximately 6,400 sq. ft. are currently vacant. The combined parking requirement for all existing uses on the site, without applying the shared parking calculation provided by Section 12-7-3:H, is 41.5 spaces, which is rounded up to 42 spaces.

The applicant is requesting that vacant spaces be treated as general commercial spaces that would require 1.0 space per 250 square feet. Applying this standard to existing vacant space, a total of 26 additional spaces would be required. In total, the shopping center would require 68 parking spaces if vacant spaces were to be fully leased using as-of-right parking requirements.

Based on the proposed mix of uses, the property will have 38 fewer spaces than required by Code for the base parking requirement and 28 fewer spaces than required by Code for the shared parking requirement. Based on the shared parking requirement of 58 spaces and an on-site parking capacity of 30 spaces, the requested reduction of 28 spaces, which is greater than a 30% variation, requires a Special Use Permit.

Address	Business	Use	General Use	Square Feet	Parking Ratio	Parking Req.
6015	Vacant		Permitted Commercial	2400	1 per 250 sq. ft.	9.6
6017	Vacant		Permitted Commercial	1000	1 per 250 sq. ft.	4
6019	Filipino Food Catering	Catering	Commercial Services	1000	1 per 300 sq. ft.	3.3
6021	Vacant		Permitted Commercial	1000	1 per 250 sq. ft.	4.0
6023	Ya Hala Restaurant	Restaurant	Restaurant	1150	1 per 150 sq. ft.	7.7
6027-29	OMG Nafisa's Kitchen	Restaurant	Restaurant	1000	1 per 150 sq. ft.	6.7
	OMG Nafisa's Kitchen	Catering	Commercial Services	1000	1 per 300 sq. ft.	3.3
6031	Vacant		Permitted Commercial	1000	1 per 250 sq. ft.	4.0
6035	Dehan Medical Supplies	Medical supplies	Retail	1000	1 per 250 sq. ft.	4.0
6037	Smash It Burgers	Restaurant	Restaurant	900	1 per 150 sq. ft.	6.0
6041	Insuan Home Health	Office	Commercial Services	950	1 per 300 sq. ft.	3.2
6043	Vivacity Beauty Salon	Salon	Commercial Services	1200	1 per 250 sq. ft.	4.8
6047	Manny's Sewing Machine Services	Commercial services	Commercial Services	1000	1 per 300 sq. ft.	3.3
6049	Vacant		Permitted Commercial	1000	1 per 250 sq. ft.	4.0
						68
General Use			Weekdays	Weekends		
	2:00 a.m. - 7:00 a.m.	7:00 a.m. - 6:00 p.m.	6:00 p.m. - 2:00 a.m.	2:00 a.m. - 7:00 a.m.	7:00 a.m. - 6:00 p.m.	6:00 p.m. - 2:00 a.m.
Retail Sales and Services	0%	90%	80%	0%	100%	60%
Restaurant	10%	70%	100%	20%	70%	100%
General Use			Weekdays	Weekends		
	2:00 a.m. - 7:00 a.m.	7:00 a.m. - 6:00 p.m.	6:00 p.m. - 2:00 a.m.	2:00 a.m. - 7:00 a.m.	7:00 a.m. - 6:00 p.m.	6:00 p.m. - 2:00 a.m.
Retail Sales and Services	0.0	42.8	38.0	0.0	47.6	28.5
Restaurant	4.1	14.2	20.3	4.1	14.2	20.3
	4.1	57.0	58.4	4.1	61.8	48.9

Off-street Parking Requirements per Section 12-7-3:I (Source: Kimley-Horn)

As required by Section 12-7-3:K, the applicant obtained an independent traffic study from Kimley-Horn Associates, Inc., to support the request for variation. The study, prepared by Justin Opitz, AICP, and dated June 28, 2024, is included in the hearing packet. The study assesses parking demand based on Village Code requirements and observed parking counts, and included recommendations to increase parking supply and traffic safety. The study makes the following observations:

- Peak parking demand in the north and south parking lots was 22 parking spaces out of 30 spaces, leaving a total of 8 spaces to be utilized by new businesses on-site. As such, the requested waiver would enable vacant spaces to be leased without causing an issue for current tenants, provided that the new tenants were low parking demand uses.
- Parking turnover was the highest in the north parking lot, likely due to the carryout orders of the restaurants.
- The two, tandem spaces behind 6015 Dempster were not included in the study as the building is currently vacant and experiencing no parking demand.
- One ADA accessible parking space at the northeast corner of the north parking lot could be restriped to create two regular parking spaces, while still maintaining the required number of accessible parking spaces.
- Additional improvements including the addition and replacement of one-way and stop signage, and removal of a solid paint line at the Dempster Street entrance would improve traffic flow and safety.

The study notes a shared parking requirement of 60 spaces during the 7:00 a.m. – 6:00 p.m. time period on weekdays; however, Staff calculations indicate a requirement of 58 spaces. Staff believe this is due to the reduction percentage being applied to round numbers.

Although not discussed by Kimley-Horn explicitly, Staff would like to note that 22 off-street public parking spaces are located directly west of the subject property and may be used by customers. While those spaces may not be included in the parking supply for the subject property per Village Code, Staff believe it is reasonable that customers will use the municipal lot, though signage should encourage parking in the north and south parking lots.

The submitted study concludes that based on collected parking count data, peak parking demand across all parking lots occurred between 3:00-5:00 p.m. on weekdays and 1:00-2:00 p.m. on Saturday. Similarly, peak parking demand in only the north and south parking lots occurred on Friday at 3:45 p.m., where 22 out of the 30 spaces were occupied, leaving eight available spaces. Based on the shared parking requirement of 58 spaces per Staff calculations, with and an on-site parking capacity of 31 spaces after recommended improvements are installed, a variation of 27 spaces is being requested.

### Discussion

The applicant is requesting the Plan Commissions' **approval of a** Special Use Permit to reduce the collective amount of parking required by the various uses at the Dempster Commons shopping center. The applicant is also proposing improvements to assist with traffic flow and maximize efficient use of existing parking spaces. Staff works with prospective tenants applying for a Business Compliance Certificates (BCC) to ensure their business activities comply with Village Code requirements, particularly off-street parking and loading requirements. Should the Plan Commission decide to grant the requested parking variation, the BCC process will be used to track compliance with the variation and any conditions issued by the Plan Commission.

### Variation Standards

The Zoning Board of Appeals can approve the application as presented, approve it with conditions, or deny the application based on the following standards, established in Section 12-16-3:A:

- a. Not Self-Imposed: The alleged difficulty or hardship is caused by this title and has not been created by any persons presently having an interest in the subject property.
- b. Nonmonetary Considerations: The circumstances or conditions are such that the strict application of the provisions of this title would deprive the applicant of a reasonable use of his land. Mere loss in value shall not justify a variation.
- c. Not Detrimental to Public Welfare: The granting of any variation is in harmony with the general purposes and intent of this title and will not be detrimental to the public welfare or to other property or improvements in the neighborhood.
- d. Not Detrimental to Neighborhood: The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the streets

### Commission Review

#### *Traffic Safety Commission*

On September 5, 2024, the Traffic Safety Commission (TSC) reviewed Case PC 24-06. At the conclusion of the discussion, the TSC voted unanimously (7-0), with Commissioners Chalabi and Karagozian absent, to recommend approval of the application, with conditions.

- Employee parking be limited to areas that promote customer parking (such as the south parking lot).
- Parking lot flow modifications, as presented, be implemented along with new signage.

### Department Review

The proposed project was reviewed by several department representatives with the Department of Public Works being the **only department to provide comments (see "Attachment A")**.

- Building Department: No comments at this time.
- Fire Department: No comments at this time.
- Public Works Department/Engineering: In review of the proposed project, the Village Engineer issued ten comments dated September 9, 2024 regarding:
  - The application refers to public parking in the analysis of site. Village provided public parking should not be used for determining the parking supply for a private business. Public parking should only be considered as **supplementary after the private site's parking supply requirement** is approved.
  - After the north parking lot fills, patrons of 6017-6035 Dempster Street would be expected to choose to park in the public parking lot next to 6037-6049 Dempster Street because it is closer than the south parking lot of 6037-6049 Dempster Street. The Special Use Permit should include a condition that the applicant maintains signage to encourage parking in the north and south parking lots before parking in the public parking lot.
  - The Traffic Study is focused on parking space count. It does not include a dimensional analysis of the parking layout of the site to determine parking spaces.
  - The existing one-way circulation of the north parking lot is supportable.
  - Each parking lot would require one accessible parking space. Three are provided in the north parking lot. This is supportable. However, the purpose of the extra accessible parking space(s) is unclear. Each extra accessible parking space reduces the number of unrestricted parking spaces by two.
  - The Traffic Study states that the peak time parking in the north and south lots have available parking spaces with 5 vacant businesses. Employee parking should be accounted for on-site. It is not clear how many employees each business has, what peak employee parking demand is. One goal of this parking issue should be to reduce the chance of an inadequate parking supply at the private development reduce the public parking supply or

causing on-street parking in the adjacent residential neighborhood. The Special Use Permit should include a condition on the parking demand allowed for the vacant spaces.

- **The north parking lot's existing eastern parking spaces are marked as accessible spaces. The pedestrian access** route connecting this parking spaces to a building entrance should be explained by the applicant.
- The applicant has not provided a plan that compares all dimensional aspects of parking spaces and circulation comply with Village requirements. The Traffic Study mentions this should be confirmed in a future effort. The representation of the number of parking spaces could vary by a few parking spaces. The Special Use Permit process should include a requirement to confirm the number of parking spaces these parking lots can provide. This step should be completed before approving the Special Use Permit.
- Existing signage does not provide reasonable advanced notice to Dempster Street traffic, especially for eastbound Dempster Street. This circumstance could contribute to a traffic safety problem for circulating or parking drivers. The Special Use Permit should include a condition requiring new signage be installed and maintained at a better location.
- A snow removal/storage plan should be a condition of the Special Use Permit.

### Standards for Review

The Standards for Special Uses are established in Section 12-16-4:C.5 of the Unified Development Code:

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.

Recommendation

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

*Motion to recommend approval of Case PC 24-06, a request for approval of a Special Use Permit for a parking variation for an existing shopping center in a C-1 General Commercial District in accordance with Section 12-7-3:K at the property commonly known as 6015-6049 Dempster Street in Morton Grove, Illinois (PIN 10-20-106-064-0000), subject to the following conditions:*

1. *At no time shall the uses at the subject property exceed a shared parking demand of 59 parking spaces.*
2. *Employees of businesses located at 6017-6049 Dempster Street shall park within south parking lot located at the rear the subject property. If spaces are not available within the south parking lot, employees shall park in the municipal parking lot located at 6055 Dempster Street.*
3. *The Applicant shall maintain signage to encourage parking in the north and south parking lots before parking in the municipal parking lot.*
4. *Prior to filing any future Business Compliance Certificates for 6017-6049 Dempster Street, the Applicant shall provide a snow removal/storage plan, for review and approval by the Village Engineer.*
5. *Prior to filing any future Business Compliance Certificates for 6017-6049 Dempster Street, the owner/applicant shall install traffic control signage and parking lot striping in keeping the improvements proposed in the Parking Study authored by Kimley-Horns Associates, Inc. and dates June 28, 2024, as consistent with discussions with the Appearance Commission, for review and approval by the Community Development Administrator.*
6. *Prior to filing any future Business Compliance Certificates for 6017-6049 Dempster Street, the Applicant shall confirm the number of parking spaces the north and south parking lots can provide.*

Attachments

- Attachment A – Plan Review Comment Form for PC 24-06, prepared by Keith White, Traffic Safety Commission Chair dated September 9, 2024
- Attachment B – Plan Review Comment Forms for PC 24-06, prepared by Chris Tomich, Village Engineer dated September 9, 2024
- Attachment C – Final Plans and Supporting Documents for PC 24-06

Attachment D

Final Plans and Supporting Documents for PC 24-06

7. *Special Use Permit Application, submitted by JJK Property, LLC, dated July 12, 2024*
8. *Special Use Permit Cover Letter, submitted by JJK Property, LLC, dated July 12, 2024*
9. *Proof of Ownership, submitted by JJK Property, LLC, dated July 12, 2024*
10. *Plat of Survey of 6017-6049 Dempster Street, prepared by Professionals Associated Survey, Inc., dated July 17, 2007*
11. *Site Plan indicating commercial unit divisions, prepared by Kimley-Horn Assoc., dated July 12, 2024*
12. *Parking Study – 6015-6049 Dempster Street, prepared by Kimley-Horn Assoc., dated June 28, 2024*

**MATERIALS ON FILE WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT**

## Legislative Summary

### Ordinance 24-19

#### APPROVING A SPECIAL USE PERMIT FOR AN AUTOMOBILE MINIMART STATION AT 6335 DEMPSTER STREET IN MORTON GROVE, ILLINOIS

<b>Introduction:</b>	October 8, 2024
<b>Purpose:</b>	To approve a Special Use Permit authorizing the construction of an automobile minimart station at 6335 Dempster Street.
<b>Background:</b>	<p>Cissily, Inc. (“applicant”), submitted a complete Special Use Permit Application to the Department of Community and Economic Development requesting a Special Use Permit to authorize the construction of an automobile minimart station, a use which is classified as a Special Use in the C-1 District pursuant to Section 12-4-3:D. The proposed project consists of the demolition of the existing automobile minimart station at the subject property, the development of a new station with new locations for two (2) pump islands, and installation of new signage, lighting, and landscaping. The proposed retail building would include a 2,495-square-foot convenience store with an approximately 450-square-foot office for use by the owner in an upper level mezzanine.</p> <p>On September 3, 2024, the Appearance Commission reviewed Case PC 24-07 and voted unanimously to recommend approval of the application. On September 5, 2024, the Traffic Safety Commission (TSC) reviewed Case PC 24-07 and voted unanimously to recommend approval of the application. On September 17, 2024, the applicant appeared before the Plan Commission to present the request for approval of the application made under Case PC 24-07. Based on the application, staff report, and testimony presented at the public hearing, the Plan Commission voted unanimously (7-0) to recommend approval of the Special Use Permit with conditions relating to building materials, lighting, business operations, operating hours, and prohibiting proposed use of the alley.</p>
<b>Programs, Dept’s, Groups Affected</b>	Department of Community and Economic Development
<b>Fiscal Impact:</b>	N/A
<b>Source of Funds:</b>	N/A
<b>Workload Impact:</b>	The Special Use Permit will be implemented and supervised by staff as part of their normal work activities.
<b>Administrative Recommendation:</b>	Approval as presented
<b>Second Reading:</b>	October 22, 2024
<b>Special Considerations or Requirements:</b>	None

## ORDINANCE 24-19

### APPROVING A SPECIAL USE PERMIT FOR AN AUTOMOBILE MINIMART STATION AT 6335 DEMPSTER STREET 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, 6335 Dempster Street, legally described in “**Exhibit A**”, attached hereto, and made a part of this Ordinance, is a 13,540-square-foot (0.3-acre) property zoned C-1 General Commercial and improved with an automobile minimart station (“Subject Property”); and

WHEREAS, Cissily, Inc. (“Applicant”) submitted a Special Use Application to the Village’s Plan Commission under Case PC 24-07 (“Application”) requesting a Special Use Permit to authorize the construction of an automobile minimart station, a use which is classified as a Special Use in the C-1 District pursuant to Section 12-4-3:D; and

WHEREAS, pursuant to the applicable provisions of the Municipal Code, public notice for a public hearing on the Application to be held at a regular meeting of the Plan Commission on September 17, 2024, was published in the *Morton Grove Champion*, a newspaper of general circulation in the Village of Morton Grove, on August 29, 2024, written notification was sent to property owners within 250 feet of the Subject Property on August 29, 2024, and a sign was posted on the Subject Property on August 30, 2024, as required by ordinance; and

WHEREAS, on September 3, 2024, the Appearance Commission reviewed the Application, including the site plan, building elevations, signage plan, and landscape plan, issued an Appearance Certificate with select variations, and recommended approval of the Application with conditions; and

WHEREAS, on September 5, 2024, the Traffic Safety Commission (TSC) reviewed the Application, including the plans and traffic and parking impact study, and recommended approval of the Application; and

WHEREAS, at the September 17, 2024, 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 October 1, 2024, which was presented to the Village Board on October 8, 2024, 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 construction of an automobile minimart station, with the following conditions and restrictions, which shall be binding on the owners/lessees, occupants and users of this property, their successors, and assigns.

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

- A. The development shall adhere to bird-friendly design guidelines contained in the “Bird-Friendly Building Design” manual of the American Bird Conservancy (2015, [https://abcbirds.org/wp-content/uploads/2015/05/Bird-friendly-Building-Guide\\_2015.pdf](https://abcbirds.org/wp-content/uploads/2015/05/Bird-friendly-Building-Guide_2015.pdf)) where practicable. Mirrored coatings may not be used, and inconspicuous window films featuring simple dot or lined patterns are strongly encouraged.
- B. 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.

- C. Prior to filing any Building Permit Application, the owner/applicant shall provide the Village with final details regarding wall sign size, and gas canopy and pump signage size and location, that meet the minimum requirements of Village Code for review and approval by the Community Development Administrator.
- D. Illuminated signage and other illuminating features on the property may not exceed 5,000K (degrees Kelvin).
- E. Prior to filing any Building Permit Application, the owner/applicant shall provide the Village with final details regarding the monument sign location, perimeter landscape locations including the proposed trash enclosure island, and a revised landscape plan that meet the minimum requirements of Village Code for review and approval by the Community Development Administrator.
- F. 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.
- G. So as not to be injurious to the use and enjoyment of adjacent and nearby residential properties, deliveries to the subject property, including but not limited to fuel deliveries, retail deliveries, and trash pick-up, shall not occur between the hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., Monday through Friday, or prior to 6:00 a.m. or after 10:00 p.m. all days.
- H. Prior to filing any Building Permit Application, the owner/applicant shall provide a final site plan confirming the location of the air filling station and vacuum station that shall not interfere with the gas filling area Code for review and approval by the Community Development Administrator.
- I. Prior to filing any Building Permit Application, the owner/applicant shall provide a final site plan confirming the location of future propane gas storage that shall be located in a protected area that does not impact vehicular maneuvers for review and approval by the Community Development Administrator.

- J. Employee parking shall not interfere with patron parking or deliveries, and shall not take place on Narragansett Avenue.
- K. Future improvements such as, but not limited to, the installation of electric vehicle charging stations shall not interfere with vehicular maneuver within the subject property.
- L. Snow plowing, storage, and removal shall be completed in such a manner so as to maintain site accessibility for walking and vehicular access, and not diminish the number of available parking spaces.
- M. The hours of operation for the retail facility and gas pumps shall be 24-hours each day.
- N. The use of pick-up windows at the subject property shall be limited to 10 a.m. to sundown.
- O. Prior to filing any Building Permit Application, the owner/applicant shall provide a revised site plan that indicates removal of alley access from the proposed concept, with the exception of access to the trash enclosure from the alley, for review and approval by the Community Development Administrator.

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 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 October 2024.

Trustee Khan \_\_\_\_\_  
Trustee Minx \_\_\_\_\_  
Trustee Shiba \_\_\_\_\_  
Trustee Thill \_\_\_\_\_  
Trustee Travis \_\_\_\_\_  
Trustee Witko \_\_\_\_\_

Approved by me this 22nd day of October 2024.

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

Attested and Filed in my office this  
23rd day of October 2024.

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

**LIST OF EXHIBITS**

- EXHIBIT A            Legal Description, 6335 Dempster Street  
EXHIBIT B            Plan Commission Report for PC 24-07, dated October 1, 2024

## **EXHIBIT A**

### **6335 DEMPSTER STREET, MORTON GROVE, ILLINOIS 60053 LEGAL DESCRIPTION:**

PARCEL 1: LOTS 1, 2, 3, 4, AND 5 ALL IN LUMPP'S SUBDIVISION OF THE NORTH 366.17 FEET OF LOT 3 IN HENNING'S SUBDIVISION OF LOTS 42 AND 43, TOGETHER WITH THE NORTH 16.00 FEET OF LOT 44 IN COUNTY CLERK'S DIVISION OF SECTION 20 AND THE NORTHEAST 1/4 OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THEREFROM THE NORTH 100.17 FEET OF THE EAST 85.00 FEET OF SAID LOT IN HENNING'S SUBDIVISION), IN COOK COUNTY, ILLINOIS.

### **PROPERTY INDEX NUMBERS:**

10-20-100-026-0000

**EXHIBIT B**

**PLAN COMMISSION REPORT FOR PC 24-07**

Dated October 1, 2024

To: Village President and Board of Trustees

From: Chris Kintner, Plan Commission Chairperson  
Charles Meyer, Village Administrator  
Teresa Hoffman Liston, Corporation Counsel  
Brandon Nolin, Community Development Administrator

Date: October 1, 2024

Re: Appearance Commission Case PC 24-07

Request for approval of a Special Use Permit for the construction of an automobile minimart station in a C-1 General Commercial District in accordance with Section 12-4-2:C of the Village of Morton Grove Unified Development Code (Title 12), with variations to Section 12-5-5:A for setback and parking requirements for the property commonly known as 6335 Dempster Street in Morton Grove, Illinois (10-20-100-026-0000). The applicant is Atul Karkhanis Architects, Ltd. on behalf of Cissily, Inc.

### Executive Summary

Cissily, Inc. ("applicant"), submitted a complete Special Use Application to the Department of Community and Economic Development for the construction of an automobile minimart station at 6335 Dempster Street. The proposed project consists of the demolition of the existing automobile minimart station at the subject property, the development of a new station with new locations for two (2) pump islands, and installation of new signage, lighting, and landscaping.

The proposed Special Use Permit was considered by the Plan Commission at the regularly scheduled meeting on September 17, 2024 and recommended by a vote of 7-0 that the Village Board of Trustees should approve the applications with certain conditions outlined in this report.

### Application Overview

The subject property consists of a 13,540-square-foot (0.3 acre) lot in the C-1 General Commercial zoning district. The adjoining property to the east is a residential remodeling and design business (Ainslie Design Studio), and the property to the west across Narragansett Avenue is a restaurant with outdoor dining area (Moretti's). The subject property is located to the north across an alley from multi-family residence. All surrounding properties (except for the Forest Preserve) are in the C-1 General Commercial zoning district. The Linne Woods property of the Cook County Forest Preserves is located across Dempster Street to the north.

The existing automobile minimart station at 6335 Dempster Street is being demolished and redeveloped. The gas station will maintain the Mobil brand while the minimart structure will be rebranded as "Joey's." The applicant is proposing the installation of two (2) islands with four (4) gas pumps designed to serve up to 8 vehicles simultaneously under a new canopy. The proposed retail building would include a 2,495-square-foot convenience store with an approximately 450-square-foot office for use by the owner in an upper level mezzanine. Two pick-up windows are proposed for the north and west sides of the retail building. Per the applicant's business narrative, the windows, "will offer pedestrians a safe and clean area to place and pick-up orders without entering the store given the bustling nature of Dempster Street."

Existing access drives along Dempster Street and Narragansett Avenue would be modified with the addition of perimeter landscaping. Alley access was also requested by the applicant. The Plan Commission recommended limited hours for the pick-up windows and granted a request for 24-hour operation of the retail building and gas pumps.



### Traffic Impact

A traffic impact study prepared by KLOA, Inc. demonstrated that the proposed site plan has sufficient off-street parking to meet the demands of the development and projected future traffic can be successfully accommodated on the surrounding roadway network and intersection controls.

The proposed development would provide eight (8) parking spaces, one (1) of which will be ADA accessible. Based on the off-street parking requirements outlined in Section 12-7-3 of the UDC, seven (7) parking spaces are required, including two (2) accessible spaces, for the proposed automobile minimart station. The spaces proposed on-site exceed the Code minimum overall, but are short one (1) accessible space. Based on parking occupancy surveys of two gas stations in the region, the maximum parking demand observed was six (6) spaces and it is believed that eight (8) spaces should be sufficient to meet demand. Traffic Safety Commission discussion on parking was limited to concerns regarding employee parking potentially interfering with customer parking. The applicant indicated that two of four employees currently take transit to the subject property and they would anticipate future employees having a similar travel behavior.

Area businesses provided letters in general support of the project, but opposed proposed use of the alley which is relied upon for their business operations. A new access point was requested along the east-west alley on the south edge of the property, however Plan Commission excluded the alley access as a condition of approval. Concerns regarding delivery logistics were also addressed as conditions of approval.

### Commission Review

#### **Appearance Commission**

On September 3, 2024, the Appearance Commission (AC) reviewed Case PC 24-07. At the conclusion of the discussion, the Appearance Commission voted unanimously (7-0) to recommend approval of the application. The Staff Report to the Appearance Commission has been included as Attachment A. *No formal conditions were added to the recommendation, but Chairman Pietron asked that the Plan Commission approval reflect AC discussion regarding signage, bird-friendly building design, lighting at property lines, and trash enclosure landscaping.*

#### **Traffic Safety Commission**

On September 5, 2024, the Traffic Safety Commission (TSC) reviewed Case PC 24-07 and the Traffic Impact Study. At the conclusion of the discussion, the TSC voted unanimously (7-0) to recommend approval of the application. Comments reflecting the discussion of the TSC were issued by Chairman White (see "Attachment B").

### Departmental Review

The proposed project was reviewed by several department representatives (see "Attachment C"):

- Building Department: No comments at this time.
- Fire Department: Comments regarding the proper potential future storage of gas cylinders.
- Public Works Department/Engineering: In review of the proposed project, the Village Engineer issued several comments dated September 9, 2024, regarding:
  - Needed documentation for stormwater management.
  - Permit requirements from the MWRDGC and IDOT with emphasis on stormwater management requirements within a flood protection area.
  - Sight distance concerns and questions regarding the seasonality of traffic to the site.
  - Alley access and potential changes to the current one-way designation.
  - Concerns with left-turn movements at Dempster Street, employee parking, and delivery logistics.
  - Points of clarification regarding the need for parking blocks, desired future electric charging stations, and proposed site lighting.

### Plan Commission Public Hearing

The Village provided Public Notice for the September 17, 2024, Plan Commission public hearing for Case PC 24-07 in accordance with the Unified Development Code. The *Morton Grove Champion* published a public notice on August 29, 2024. The Village notified surrounding property owners via mail and placed a public notice sign on the subject property on August 30, 2024.

Plan Commission – September 17, 2024, Proceedings: *Seven members of the Plan Commission were in attendance at the public hearing for Case PC 24-06 held on September 17, 2024.*

*Brandon Nolin, Community Development Administrator, provided a brief introduction to the application. The staff report dated September 10, 2024, and attached hereto as “Attachment D,” was entered into the public record.*

*Mr. Nolin summarized that the applicant is requesting approval for a Special Use Permit for the construction of an automobile minimart station at the property commonly known as 6335 Dempster Street. The existing automobile minimart station at the subject property would be redeveloped and the site will maintain the Mobil brand with two gas pump islands and a canopy. The new minimart structure will be rebranded as “Joey’s” (an unknown brand) and would be nearly 2,500 sq. ft. Two pick-up windows are proposed for the retail building and the applicant is requesting a 24-hour operation with pick-up windows open 11am to 9 pm.*

*The applicant is proposing the use of the alley as a southern egress point for the project. No details have been provided regarding the logistics and schedule for truck deliveries to the site. The Appearance Commission reviewed case PC 24-07 at its meeting on September 3, 2024 and the Traffic Safety Commission reviewed the case on September 5, 2024. Both bodies voted unanimously to recommend the project for approval with comments.*

*The applicant, traffic engineer, landscape architect, and operator were sworn in. Mr. Skariah is the operator and son of the owner. He said they have operated this station for 12 years and wish to upgrade the store and its offerings.*

*Chairman Kintner asked if there would be revenue growth with expanded offerings. Mr. Skariah said there is a lot of potential on Dempster Street. The 24-hour operation was discussed. The operator would like to be open 24 hours. Chairman Kintner asked if late night purchases are more likely to be gas or in the store. Mr. Skariah said they make more revenue with the store.*

*The pick-up windows were discussed. The west window is handicapped accessible, it would be used if the store was not open for inside access. The window on the north would be for pedestrians to get ice-cream and treats, the raised area would be off the street and sidewalk. Mr. Skariah sees this as a place for kids as there are not many options on Dempster Street for walk-up food. Chairman Kintner asked if the north walk-up window would be used when the store is not open for inside access. Discussion ensued regarding the possible hours of operation for the windows.*

*Commissioner Liston confirmed it is a walk-up window, not accessible to cars.*

*The architect, Mr. Kipnis, described the exterior materials and layout of the building. Commissioner Stein asked about the use of the mezzanine and deck. It is for the personal use of the operator.*

*Chairman Kintner noted there was no reference to the train traffic nearby. The traffic engineer said the train does slow traffic on Dempster and would affect westbound traffic, it is an inevitability. Train events were recorded in the video study determining the peak hour factor. The projected volumes in the study are much higher than would be on site. The site will maintain two-way traffic from Narragansett and Dempster. It was asked why there is an access point to the alley. The alley is one-way going west and it should not be encouraged to flow east to Ferris. Multiple access points are beneficial for circulation. Chairman Kintner noted the alley is shared by other businesses and the shortcut of using the alley by going east to Ferris could be a problem.*

*Commissioner Hussaini asked if the survey of the alley accounted for truck and deliveries, it was noted that it had. He asked staff if the small interior seating area was permitted, it was noted it is incidental to the store. Commissioner Hussaini said the cashier station is off to one side and seems their view would be obstructed. Mr. Kipnis said there is a window for the cashier.*

Mr. Skariah said he does not want the cashiers staring at the customers. Security cameras and a door bell system will be used.

Commissioner Stein asked about the vacuum and air station location. The area will be landscaped and it will be a combination system that will comply with Village noise requirements. The propane area will be near the building. A future EV charging station is being considered.

Chairman Kintner asked they are replacing the underground storage tanks. They will be replaced.

Commissioner Hussaini asked about the fuel delivery route. The trucks exit Dempster onto Narragansett and enter the station. They exit onto eastbound Dempster. Turing radii have been provided for engineering and the Traffic Safety Committee.

Chairman Kintner asked if the trash enclosure doors could be moved to the west and the trash not picked up from the alley. Mr. Skariah said trash pick-up is needed from the alley, it currently works well.

Commissioner Hussaini asked if there would be enough illumination at the doors and windows. Commissioner Gabriel asked for the foot-candle readings, the lighting will not cross the property lines.

Two letters from neighboring businesses were read by Mr. Nolin:

Letter 1: Please accept my letter as testimony for Plan Commission case PC-24-07 request for special use. I am the owner of Equipment International at 8778 Ferris Avenue, the company directly south of the gas station. While I am in full support of my neighbor's plans to redevelop the property, I want to point out a potential impact on my business.

We are an industrial machinery distributor and we warehouse some of our equipment on site. We accept deliveries multiple times per week, sometimes per day, requiring us to use a forklift in the alleyway to offload the equipment from box or semi-trucks. Additionally, two to three times a week our rigging crew loads and secures machinery onto our delivery vehicle in preparation for installations. When I purchased the building a decade ago, I had access to alleyways on both the north and south ends of the alley that runs behind my building. Recently, the south alley was permanently removed to accommodate the townhomes being built on Hennings Court. The applicant's plans call for a 3rd point of egress from the gas station into the alleyway that my business depends on. This access point and the traffic it could create would severely impact our operations.

I ask the Plan Commission to consider that there are two other access points in the plans. Also, the Village's Plan Review Comment Form states the following warning from the Village Engineer:

"The Traffic Study includes a site plan showing full access at the Village's alley at the south edge of the site. However, the Traffic Study narrative does not describe purpose or need for access at the alley and no site traffic has been distributed to this access point. The alley is restricted to one-way westbound movements. The Traffic Study does not consider the traffic distribution through the proposed alley access drive at the south property line of the site or its effect on the neighborhood. Public Works staff is not supportive of this access point without justification that it is a necessary part of the business' operations plan. There is concern that, in a desire to access the traffic signal at Dempster and Ferris, traffic might regularly ignore the One-Way westward alley designation at the site's proposed alley access and cause alley congestion or safety issues."

Again, I am supportive of the applicant's plans overall, my concern is the negative impact this access point will have on my business, which has already been impacted by development in the area. The potential traffic using the only alley in which I can receive deliveries or load equipment would be a hardship on my business, one that generates substantial sales tax revenue for the Village.

I appreciate the Plan Commission's consideration. My employees and I look forward to patronizing the new mini-mart.

Letter 2: Please accept my letter as testimony for Plan Commission case PC-24-07 request for special use. I recently purchased the building at 8732 Ferris Ave., a workspace off the alley south of the gas station. I look forward to moving into the building this year, post renovation. The case for development was recently brought to my attention and I want to point out a potential impact on my business.

We are an interior plant design firm and we will be housing our plants, planters, and materials in the workspace. We plan to accept deliveries regularly and will be using a liftgate in order to receive these deliveries along the alleyway behind our building. We will also be using the alley to access our space with our delivery van that we will load and unload each day and park inside the building. Since the south alley way is blocked, we will be solely relying on the north alley running east to west for access. The applicant's plans call for a 3rd point of egress from the gas station into the alleyway that my business depends on. This access point and the traffic it could create would severely impact our operations.

I ask the Plan Commission to consider that there are two other access points in the plans. Also, the Village's Plan Review Comment Form states the following warning from the Village Engineer:

"The Traffic Study includes a site plan showing full access at the Village's alley at the south edge of the site. However, the Traffic Study narrative does not describe purpose or need for access at the alley and no site traffic has been distributed to this access point. The alley is restricted to one-way westbound movements. The Traffic Study does not consider the traffic distribution through

*the proposed alley access drive at the south property line of the site or its effect on the neighborhood. Public Works staff is not supportive of this access point without justification that it is a necessary part of the business' operations plan. There is concern that, in a desire to access the traffic signal at Dempster and Ferris, traffic might regularly ignore the One-Way westward alley designation at the site's proposed alley access and cause alley congestion or safety issues."*

*I am excited to have a mini-mart close by for my employees to use, however, I have concerns on the impact the access point to the alley will have on my business. The potential traffic using the only alley in which I can receive deliveries or load equipment would be a hardship on my business, one that will generate substantial sales tax revenue for the Village. I appreciate the Plan Commission's consideration.*

*There was no further public comment.*

*Commissioner Gabriel said the concerns of the neighbors could be addressed by eliminating the alley access to station and store patrons. It should not be a thoroughfare. The trash could still be collected from the alley. There are no on-way signs internally in the alley at the t-intersection.*

*Chairman Kintner noted the hours of operation in the conditions seem limited. An 8 pm closure is early. Staff provided a survey of gas station and convenience store hours. It varies with 24-hour gas allowed and stores operating from 6 am to 11 pm. The hours are regulated by the Special Use Permits, not by municipal code.*

*Commissioner Liston made a motion to recommend approval of Case PC 24-07, a request for approval of a Special Use Permit for the construction of an automobile minimart station in a C-1 General Commercial District in accordance with Section 12-4-2:C of the Village of Morton Grove Unified Development Code (Title 12), with variations to Section 12-5-5:A for setback and parking requirements for the property commonly known as 6335 Dempster Street in Morton Grove, Illinois, subject to the following conditions:*

- 1. The development shall adhere to bird-friendly design guidelines contained in the "Bird-Friendly Building Design" manual of the American Bird Conservancy (2015, [https://abcbirds.org/wp-content/uploads/2015/05/Bird-friendly-Building-Guide\\_2015.pdf](https://abcbirds.org/wp-content/uploads/2015/05/Bird-friendly-Building-Guide_2015.pdf)) where practicable. Mirrored coatings may not be used, and inconspicuous window films featuring simple dot or lined patterns are strongly encouraged.*
- 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 details regarding wall sign size, and gas canopy and pump signage size and location, that meet the minimum requirements of Village Code for review and approval by the Community Development Administrator.*
- 4. Illuminated signage and other illuminating features on the property may not exceed 5,000K (degrees Kelvin).*
- 5. Prior to filing any Building Permit Application, the owner/applicant shall provide the Village with final details regarding the monument sign location, perimeter landscape locations including the proposed trash enclosure island, and a revised landscape plan that meet the minimum requirements of Village Code for review and approval by the Community Development Administrator.*
- 6. 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.*
- 7. Deliveries, including fuel deliveries, and trash pick-up at the subject property shall be at off peak times to minimize conflicts with heavy traffic, and at times that are not injurious to the use and enjoyment of adjacent and nearby*

*residential properties.*

8. *The location of the air filling station and vacuum station shall not interfere with the gas filling area.*
9. *The future propane gas storage cage shall be located in a protected area that does not impact vehicular maneuvers.*
10. *Employee parking shall not interfere with patron parking or deliveries, and shall not take place on Narragansett Avenue.*
11. *Future improvements such as, but not limited to, the installation of electric vehicle charging stations shall not interfere with vehicular maneuver within the subject property.*
12. *Snow plowing, storage and removal shall be completed in such a manner so as to maintain site accessibility for parking, walking and vehicular access.*
13. *The hours of operation for this facility shall be 24-hours each day.*
14. *The use of pick-up windows at the subject property shall be limited to 10 a.m. to 8 p.m. or sundown, (whichever is earlier).*
15. *Remove alley access from the site, but keep access to the trash enclosure from the alley.*

*The motion was amended and seconded by Commissioner Dorgan.*

<i>Commissioner Dorgan</i>	<i>voting</i>	<i>aye</i>
<i>Commissioner Gabriel</i>	<i>voting</i>	<i>aye</i>
<i>Commissioner Hussaini</i>	<i>voting</i>	<i>aye</i>
<i>Commissioner Liston</i>	<i>voting</i>	<i>aye</i>
<i>Commissioner Mohr</i>	<i>voting</i>	<i>aye</i>
<i>Commissioner Stein</i>	<i>voting</i>	<i>aye</i>
<i>Chairman Kintner</i>	<i>voting</i>	<i>aye</i>

*Motion passed (7-0).*

#### 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. *Special Use Application, submitted by Cissily, Inc., dated April 22, 2024*
2. *Plat of Survey of 6335 Dempster Street, prepared by Geodetic Survey, Ltd., dated August 24, 2022*
3. *Project Narrative, prepared by Cissily, Inc., dated June 4th, 2024*
4. *Preliminary Site Plan, prepared by aka Architects, dated July 31, 2024*
5. *Landscape Plan, prepared by aka Architects, dated July 24, 2024*
6. *Civil Plans, prepared by aka Architects, dated July 18, 2024*
7. *Proposed Monument Sign, prepared by aka Architects, dated July 31, 2024*
8. *Photometric Plan, prepared by PG Enlighten dated June 18, 2024*
9. *Light Fixture details submitted by aka Architects, dated June 18, 2024*
10. *Exterior Elevations, prepared by aka Architects, dated July 31, 2024*
11. *Staff revised Elevations, prepared by Village staff based on aka Architects materials, dated August 22, 2024*
12. *Parking Study – 6015-6049 Dempster Street, prepared by KLOA, Inc., dated June 28, 2024*
13. *Revised Site Plan, prepared by aka Architects, received September 3, 2024*

### Attachments

- Attachment A – Staff Report to the Appearance Commission for PC 24-07, prepared by Brandon Nolin, AICP, Community Development Administrator, dated August 27, 2024
- Attachment B – Plan Review Comment Form for PC 24-07, prepared by Keith White, Traffic Safety Commission Chair dated September 9, 2024
- Attachment C – Plan Review Comment Forms for PC 24-07, prepared by:
  - Rick Dobrowski, Fire Prevention Coordinator received September 9, 2024
  - Chris Tomich, Village Engineer dated September 9, 2024
- Attachment D – Staff Report to the Plan Commission for PC 24-06, prepared by Brandon Nolin, Community Development Administrator, dated September 10, 2024
- Attachment E – Final Plans and Supporting Documents for PC 24-07

Attachment A  
Staff Report to the Appearance Commission for PC 24-07  
Prepared by Brandon Nolin, AICP, Community Development Administrator  
Dated August 27, 2024

To: Chairperson Pietron and Members of the Appearance Commission

From: Brandon Nolin, AICP, Community Development Administrator  
Anne Ryder Kirchner, Planner/Zoning Administrator

Date: August 27, 2024

Re: Appearance Commission Case AC 24-07  
Request for approval of an Appearance Certificate for site, landscape, and building plans associated with Case PC 24-06, a request for a Special Use Permit for the construction of an automobile minimart station in a C-1 General Commercial District in accordance with Section 12-4-2:C of the Village of Morton Grove Unified Development Code (Title 12), with variations to Section 12-5-5:A for setback and parking requirements for the property commonly known as 6335 Dempster Street in Morton Grove, Illinois (10-20-100-026-0000). The applicant is Atul Karkhanis Architects, Ltd. on behalf of Cissily, Inc.

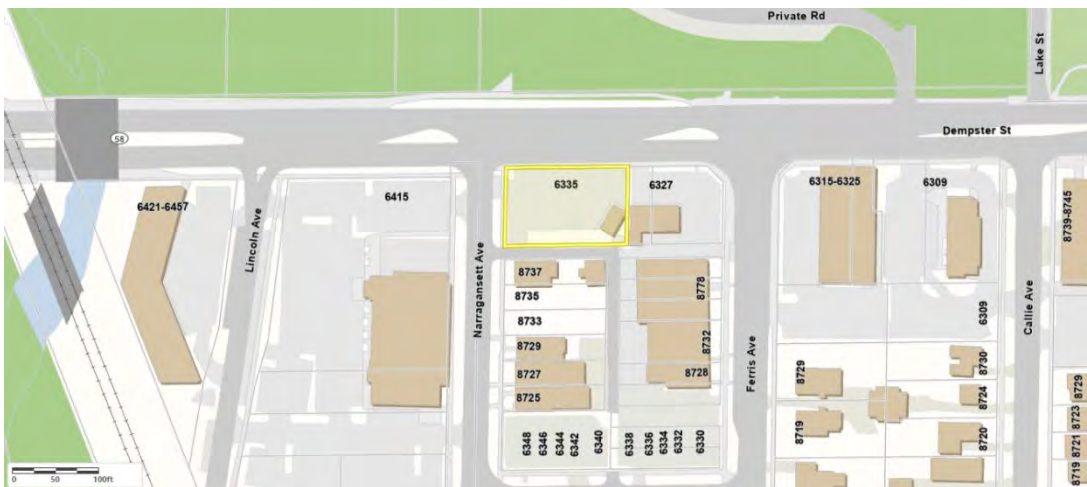
## STAFF REPORT

### Application Summary

Cissily, Inc. (“**applicant**”), submitted a complete Special Use Application to the Department of Community and Economic Development and an Appearance Certificate is requested for the construction of an automobile minimart station at 6335 Dempster Street. The proposed project consists of the demolition of the existing automobile minimart station at the subject property, the development of a new station with new locations for two (2) pump islands, and installation of new signage, lighting, and landscaping.

### Subject Property

The subject property consists one (1) lot at 6335 Dempster Street in Morton Grove, Illinois. Located at the southeast corner of Dempster Street and Narragansett Avenue, the parcel is zoned C-1 General Commercial and is 13,540 sq. ft. (0.3 acres) in total area. The adjoining property to the east is a residential remodeling and design business (Ainslie Design Studio), and the property to the west across Narragansett Avenue is a **restaurant with outdoor dining area (Moretti’s)**. The subject property is located to the north across an alley from multi-family residence. All surrounding properties (except for the Forest Preserve) are in the C-1 General Commercial zoning district. The Linne Woods property of the Cook County Forest Preserves is located across Dempster Street to the north.



Subject Property Location Map



## Project Overview

The existing automobile minimart station at 6335 Dempster Street is being demolished and redeveloped. The gas station will maintain the Mobil brand while the minimart structure will be rebranded as “**Joey’s**.” The applicant is proposing the installation of two (2) islands with four (4) gas pumps designed to serve up to 8 vehicles simultaneously. The gas pumps would be located under a new canopy measuring approximately 55 feet east-to-west, and 66.5 feet north-to-south (3658 sq. ft.). The proposed retail building would include a 2,495-square-foot convenience store with an approximately 450-square-foot office for use by the owner in an upper level mezzanine. The proposed retail building would have no setback from the east property line and would be located immediately adjacent the Ainslie Design Studio property to the east.

Existing access drives along Dempster Street and Narragansett Avenue would be modified with the addition of perimeter landscaping, and a new access point would be established along the east-west alley on the south edge of the property. Ramped and stepped pedestrian accesses to the building will be provided on the west and north sides of the building respectively. The existing pylon sign would be replaced by a taller monument sign that includes both a gas pricing sign and **Joey’s retail logo**.

Two pick-up windows are proposed for the north and **west sides of the retail building**. **Per the applicant’s business narrative, the windows, “will offer pedestrians a safe and clean area to place and pick-up orders without entering the store given the bustling nature of Dempster Street.”** The applicant is requesting to operate the retail store 24 hours per day with the walk-up windows open for business seasonally from spring to fall from 11:00 am to 9:00 pm. *Staff are not aware of another example of a business that utilizes the type of pick-up window proposed and the applicant should provide additional details regarding the desired placement and function of the pick-up windows.*

## Building Design

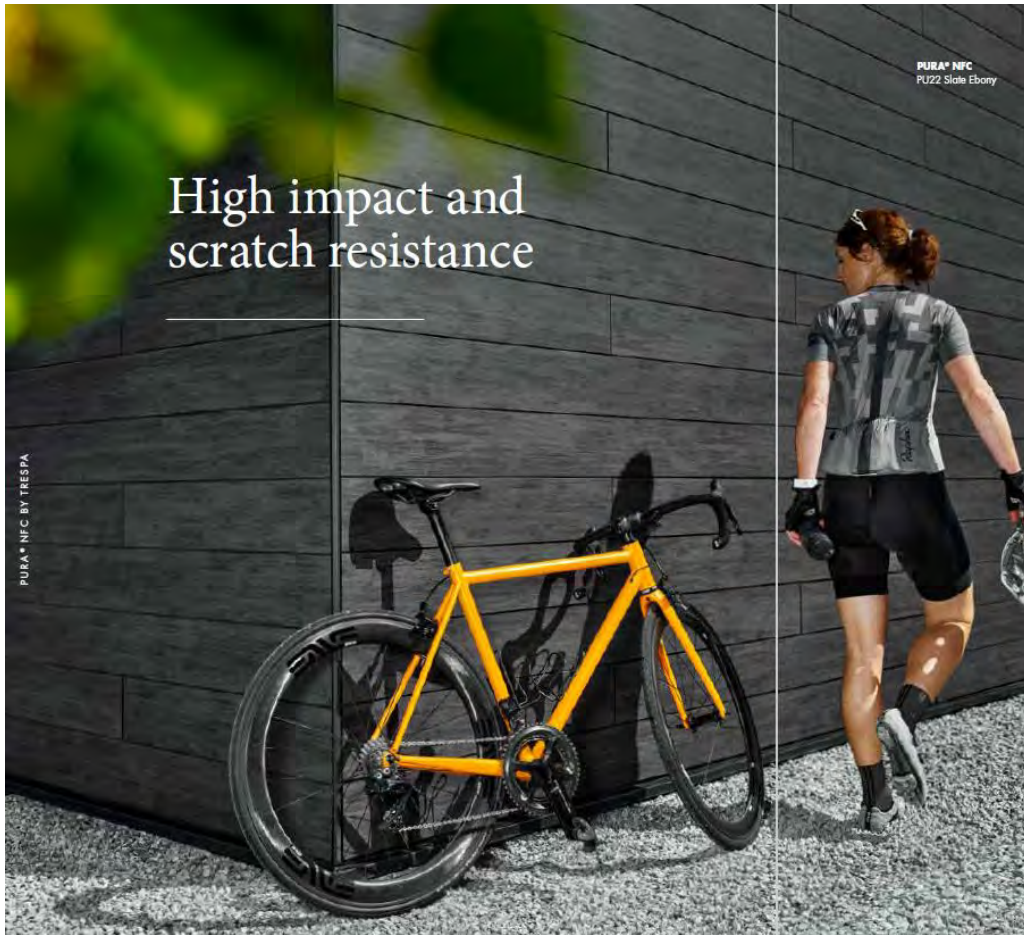
Based on the submitted elevations, the exterior finishes of the proposed building will predominantly consist of dark gray brick veneer with gray and black metal coping and trim, and glazed windows. Dark gray architectural panels will be used on the eastern portion of the north façade, and the southern portion of the west façade. Staff researched the façade materials and have provided sample imagery below. Entry doors and window storefronts shall have a dark bronze anodized aluminum frame material shaded with metal canopies to match the storefront frames. All windows are proposed to be double pane and insulated to achieve energy efficiency. It is unclear from the description provided whether security glass will be utilized for any of the proposed windows. The applicant should clarify whether security glass will be used for any portion of the project including the pick-up windows.

### *Bird-Friendly Building Design*

The subject property is located across Dempster Street from the Linne Woods portion of the Forest Preserves of Cook County. To mitigate bird collisions, staff recommends as a condition of approval that the development must adhere to bird-friendly design guidelines **contained in the “Bird-Friendly Building Design” manual of the American Bird Conservancy (2015, [https://abcbirds.org/wpcontent/uploads/2015/05/Bird-friendly-Building-Guide\\_2015.pdf](https://abcbirds.org/wpcontent/uploads/2015/05/Bird-friendly-Building-Guide_2015.pdf))** where practicable. Mirrored coatings may not be used, and inconspicuous window films featuring simple dot or lined patterns are strongly encouraged.



*Glen-Gery brick veneer in Blue Smooth Ironspot color (Staff Research)*



*Trespa Pura Architectural Panels in Slate Ebony Color (Staff Research)*

### Lighting

Proposed lighting consists of six (6) LED fixtures mounted to the underside of the gas canopy to illuminate the fuel pumps, and four (4) wall mounted LED fixtures along the north, west, and south facades of the proposed retail building. The wall fixtures would emit light with a temperature of 4,000K (degrees Kelvin). The canopy light fixtures can provide a range of light temperature between 3,000 and 5,000K, but the selected temperature is not specified in the application.

Per Section 12-4-3:B.5, lighting of parking and loading areas must be a minimum of one foot-candle on the surface. However, such lighting must be confined to the property boundary and reach as close to zero illumination at the property boundaries as possible. Glare may not be evident from surrounding properties or adjacent public rights of way. As proposed, light levels **along nearly all segments of the subject property's lot lines will exceed 1 foot candle.**

Per the photometric plan submitted by the applicant, light levels along the north and west property edges adjacent to the canopy and parking area measure between 0.5 and 1.7 foot candles. The lighting on the retail building at the north and south property lines measures between 2.8 and 5.3 foot candles. And lastly, light levels along the south lot line abutting an improved public alley measure between 1.2 and 3.9 foot candles. The only property line at or near 0 foot candles is the east property line where the unlit façade of the proposed building sits immediately adjacent the property to the east.

The applicant is expected to discuss the types of lighting fixtures proposed in the photometric plan including the light temperature to be used on all fixtures. The applicant should also speak to the lighting plan and how it could be modified to achieve as close to zero illumination at the property lines.

## Landscaping

The proposed landscaping is largely **compliant with the Village's applicable landscape requirements, which are outlined in the following table.** The applicant is proposing the installation of a five (5) foot landscape bed with shrubs and ground cover along all property edges except for the east property line where the proposed retail building has no setback. The plan also calls for the installation of five shade trees (three Ginkgo, two Maple) within the perimeter landscaping. Two existing street trees along Narragansett Avenue would be preserved.

The north property line adjacent the proposed retail building, where the building would be served by a wide elevated sidewalk, would not be landscaped. Staff believe there may be potential to install a landscape bed between the public sidewalk on Dempster and the raised walkway, which would require the building footprint to shift and/or the walkway width to be reduced. The applicant should speak to the lack of landscaping adjacent Dempster Street **along the proposed retail building's north façade.**

### *Sight Line Triangles*

The proposed fence along the south lot line would end 10 feet east of Narragansett Avenue, and 10 feet west of the alley access point. This would serve to preserve required sight line triangles for those using the alley. Proposed landscaping adjacent the alley would be installed at a height of 30 inches and be maintained at that height.

### *Trash Enclosure*

A trash enclosure is proposed to be located in the front of the retail building along the south edge of the property line. A dumpster area will be screened with a six (6) foot tall masonry wall and accessed by employees via an opening in the east wall, and a gate on the south wall that can be accessed from the alley for garbage service. A 2.5-foot wide island will be located adjacent the trash enclosure on the west along the alley access drive. The island is not included in the landscape plan. The applicant should speak the potential to include ground cover and shrubs at the trash enclosure island consistent with the perimeter landscaping proposed at south property line across the alley.

C-1 DISTRICT DIMENSIONAL CONTROLS	REQUIREMENT	PROPOSED	COMPLIANCE
General Landscaping Requirements			
Landscaping Required (12-11-1:B.1.C)	5% of total site (677 sq. ft.)	846.5 sq. ft. (6.3%)	<i>Compliant</i>
Trees in Public Parkways (12-11-1:B.4)	Max. 40 ft. separation, min. 2.5 in. caliper (applies to both Narragansett Ave. and Dempster St.)	2 Armstrong Golden Maple and 1 Ginkgo located in 5 ft. perimeter landscape bed	<i>Dempster St.: Waiver for location in adjacent perimeter landscape bed*</i> <i>* Staff supports the proposed location versus installation in carriage walk</i>
Landscaping Adjacent to Public ROW - Sidewalks & Streets (12-11-3:B.1)	Landscape yard min. 5 ft. width containing a year-round dense opaque screen measuring min. 3 ft. in height.	Dempster St.: 5.0 ft. width, Various shrubs min. 3 ft. height, Various groundcover plantings, No landscaping adjacent building  Narragansett Ave.: 5.0 ft. width, Various shrubs min. 3 ft. height, Various groundcover plantings  Alley: 5.0 ft. width, Various Arborvitae min. 3 ft. height	<i>Dempster St.: Waiver for landscaping adjacent primary structure</i>  <i>Narragansett Ave.: Compliant</i>  <i>Alley: Compliant</i>
Screening Requirements			
Screening of Trash Areas (12-11-4)	Trash areas shall be screened with listed materials with a required height five feet (5').	6 ft. brick enclosure with limestone coping and steel sliding gate facing the alley	<i>Compliant</i>

## Signage

A complete sign package was not submitted as part of the Special Use Permit application. A monument sign and two wall signs are included in the application, but it is anticipated that additional signage would be required for the gas canopy and pumps. The **Village's applicable sign requirements are outlined in the following table.**

M-2 SIGN CONTROLS	REQUIREMENT	PROPOSED	COMPLIANCE
Wall Signs Size – Primary Frontage (Narragansett Ave.) (10-10-7.F.3)	Up to one and one-half (1.5) sq. ft. of wall signage per each linear foot of frontage or one hundred twenty (120) sq. ft. of signage (whichever is less) shall be allowed on the primary frontage of each tenant space of a nonresidential building.  Max. 120 sq. ft.	140 sq. ft.	<i>Waiver of 20 sq. ft. to increase allowed primary frontage wall signage</i>
Number of Additional Signs (10-10-4:F)	No more than two (2) exempt small signs shall be allowed per lot.	Unknown	<i>Unknown</i>
Wall Signs Size – Secondary Frontage (Dempster St.) (10-10-7.F.4)	Up to one and one-half (1.5) sq. ft. of additional wall signage per each linear foot of frontage or thirty two (32) sq. ft. of signage (whichever is less) shall be allowed on the secondary frontage of each tenant space of a nonresidential building.  Max. 32. sq. ft.	26.8 sq. ft.	<i>Compliant</i>
Ground Monument Sign Location (10-10-7.G.6)	Min. greater of ½ height or 4 ft. from public ROW = Min. 5.0 ft. from ROW	< 2.5 ft. from public ROW (north and west sidewalk)	<i>Waiver to allow a setback of &lt; 5.0 ft. from public ROW</i>
Ground Monument and Pylon Sign Landscaping (10-10-7.G.5)	All ground monument and pylon signs shall be located in a landscaped bed that extends at least two feet (2') from the base on all sides. The landscape bed of a pylon sign shall be planted with shrubs at least three feet (3') in height.	Landscape bed with various shrubs each 3 ft. in height and turf.	<i>Compliant</i>

### Monument Sign

The proposed monument sign is to be located in the same general area as the existing sign at the subject property. However, at a proposed height of 10 feet, the sign should be located a minimum of five (5) feet away from both the Dempster St. and Narragansett Ave. sidewalks. There appears to be sufficient room for vehicular circulation in the northwest corner of the site, such that the monument sign and related landscape bed could be installed away from the corner as required. The applicant should speak to potential modifications that could be made to the site plan to eliminate the need for a waiver on monument sign location.

Pursuant Section 10-10-7:G, ground monument and pylon signs should be located in a landscaped bed that extends at least two feet from the sign base on all sides and be planted with shrubs at least three feet (3') in height. The monument sign is shown in the site plan as being located in the northwest corner of the site; however, the landscape plan omits the sign and related landscaping. The applicant should speak to the sign location and how proposed landscaping will meet requirements for monument signs.

### *Gas Canopy and Pump Island Signage*

Details regarding branding and signage have not been provided aside some of the monument sign information. Staff anticipate the requested signage to be similar to the Mobil gas signage currently existing at the subject property, and the sign package recently approved by the Appearance Commission (AC 24-03) for the gas station at 6000 Oakton. The applicant should speak to the branding and signage envisioned for the gas canopy and pump islands.

### Appearance Commission Review

In accordance with Unified Development Code Section 2-10-2:A, the Appearance Commission shall conduct design reviews and approve or disapprove applications for sign permits and relief from the technical requirements of the sign code in accordance with title 10, chapter 10 of this code.

*The Sign Variance Standards (Sec. 10-10-3:E) established in the Code are as follows:*

1. In the opinion of the appearance commission the proposed sign displays a level of creativity which might not be achieved if strict adherence to the technical requirements of this chapter were imposed; or
2. There are special circumstances unique to the property that would create practical difficulties if the technical requirement of this chapter were imposed. By way of example, but not by way of limitation, such circumstances include the size, shape, topography, location or surroundings affecting the property; however,
3. Under no circumstances may a sign be approved if the proposed sign violates the standards set forth in subsection D2 or D3 of this section. (See below)
4. The appearance commission may approve and amend a sign plan for a building or development with multiple tenants. Upon such approval, the village administrator shall approve all signs for such building or developments which conform to said plan without further design review by the appearance commission.

*As referenced in Section 10-10-3:E, the standards established in subsections D2 and D3 are as follows:*

- D. Standards For Permit Approval: The village administrator shall approve an application if all of the following standards have been met or can be met with conditions as may be included in a conditional approval:
  2. The sign as proposed does not violate any other applicable code provisions and/or standards of the village of Morton Grove, state of Illinois, or federal government; and
  3. The sign will not:
    - a. Cause substantial injury to the value of other properties in the vicinity, or
    - b. Be detrimental to the public safety or welfare in the neighborhood where it is located, or
    - c. Unreasonably impair the visibility to adjacent property or public right of way, or
    - d. Be inconsistent with any approved plan for the building or the district or area where it is located, or
    - e. Be inconsistent with other signs on the property, or with the architectural character of the building, or
    - f. Alter the essential character of the neighborhood, or
    - g. Violate the purpose, spirit, or intent of this code.

## Recommendation

If the Appearance Commission approves the request for an Appearance Certificate for new signage and landscaping, with associated waivers described herein, under Appearance Certificate (AC 24-07) for the property commonly known as 6335 Dempster Street in Morton Grove, Illinois, staff recommends the following conditions of approval:

1. *The development shall adhere to bird-friendly design guidelines contained in the “Bird-Friendly Building Design” manual of the American Bird Conservancy (2015, [https://abcbirds.org/wp-content/uploads/2015/05/Bird-friendly-Building-Guide\\_2015.pdf](https://abcbirds.org/wp-content/uploads/2015/05/Bird-friendly-Building-Guide_2015.pdf)) where practicable. Mirrored coatings may not be used, and inconspicuous window films featuring simple dot or lined patterns are strongly encouraged.*
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 details regarding wall sign size, and gas canopy and pump signage size and location, that meet the minimum requirements of Village Code for review and approval by the Community Development Administrator.*
4. *Illuminated signage and other illuminating features on the property may not exceed 5,000K (degrees Kelvin).*
5. *Prior to filing any Building Permit Application, the owner/applicant shall provide the Village with final details regarding the monument sign location, perimeter landscape locations including the proposed trash enclosure island, and a revised landscape plan that meet the minimum requirements of Village Code for review and approval by the Community Development Administrator.*
6. *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.*
7. *[Any other condition(s) deemed appropriate by the Appearance Commission]*

Attachment B  
Plan Review Comment Form for PC 24-07,  
Prepared by Keith White, Traffic Safety Commission Chair  
Dated September 9, 2024



REVIEWING:

BUILDING

FIRE

POLICE

PUBLIC WORKS/ENGINEERING

TSC

VILLAGE OF MORTON GROVE, ILLINOIS  
**PLAN REVIEW COMMENT FORM**

**DATE DISTRIBUTED:** 5/16/2024

**CASE NUMBER:** PC 24-07

**APPLICATION:** Request for a Special Use Permit for the construction of an automobile minimart station in a C-1 General Commercial District in accordance with Section 12-4-2:C of the Village of Morton Grove Unified Development Code (Title 12), with variations to Section 12-5-5:A for setback and parking requirements for the property commonly known as 6335 Dempster Street in Morton Grove, Illinois (10-20-100-026-0000). The applicant is Atul Karkhanis Architects, Ltd. on behalf of Cissily, Inc.

A Special Permit Application has been submitted to the Plan Commission for action. Please return your review to the Department of Community and Economic Development by **Friday, June 7, 2024**.

Thank you,  
Brandon Nolin, AICP  
Community Development Administrator

**COMMENTS OR CONCERNS**

Approval as presented with the following conditions:

1. Restricted times of operation for deliveries and garbage pick-up. Garbage pick up should be at off peak times and keeping in a respectful hour of the residential area.
2. The sight distance should not be interfered with the placement of the exterior sign on corner of Dempster St. and Narragansett Ave.
3. Location of the air filling station and vacuum station should not interfere with the gas filling area.
4. A proposed future propane gas storage cage be in a protected area from vehicle maneuverability.
5. Employee parking shall not interfere with patron parking, deliveries and shall not spill onto Narragansett Ave.
6. A future electric car charging station shall not interfere with vehicle maneuverability within the property.

These comments accurately represent existing Village regulations or policies.

Name (please print): Keith White Traffic Safety Commission Chairman

Signed:



Date: 09/09/2024



Attachment C  
Plan Review Comment Forms for PC 24-07  
Prepared by:

Rick Dobrowski, Fire Prevention Coordinator  
Received September 9, 2024

Chris Tomich, Village Engineer  
Dated September 9, 2024

REVIEWING:

BUILDING

FIRE

POLICE

PUBLIC WORKS/ENGINEERING

TSC

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VILLAGE OF MORTON GROVE, ILLINOIS  
PLAN REVIEW COMMENT FORM

DATE DISTRIBUTED: 8/16/2024

CASE NUMBER: PC 24-07

APPLICATION: Request for a Special Use Permit for the construction of an automobile minimart station in a C-1 General Commercial District in accordance with Section 12-4-2:C of the Village of Morton Grove Unified Development Code (Title 12), with variations to Section 12-5-5:A for setback and parking requirements for the property commonly known as 6335 Dempster Street in Morton Grove, Illinois (10-20-100-026-0000). The applicant is Atul Karkhanis Architects, Ltd. on behalf of Cissily, Inc.

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A Special Permit Application has been submitted to the Plan Commission for action. Please return your review to the Department of Community and Economic Development by Friday, September 6, 2024.

Thank you,  
Brandon Nolin, AICP  
Community Development Administrator

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COMMENTS OR CONCERNS

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**Any storage of liquefied petroleum gas (LP) cylinders must strictly adhere to IFC, 2018 and NFPA 58, 2017 ed.**

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These comments accurately represent existing Village regulations or policies.

Name (please print):

Signed:

Date:

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VILLAGE OF MORTON GROVE, ILLINOIS  
PLAN REVIEW COMMENT FORM

DATE DISTRIBUTED: 5/16/2024

CASE NUMBER: PC 24-07

APPLICATION: Request for a Special Use Permit for the construction of an automobile minimart station in a C-1 General Commercial District in accordance with Section 12-4-2:C of the Village of Morton Grove Unified Development Code (Title 12), with variations to Section 12-5-5:A for setback and parking requirements for the property commonly known as 6335 Dempster Street in Morton Grove, Illinois (10-20-100-026-0000). The applicant is **Atul Karkhanis Archtiects, Ltd.** on behalf of Cissily, Inc.

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A Special Permit Application has been submitted to the Plan Commission for action. Please return your review to the Department of Community and Economic Development by Friday, June 7, 2024.

Thank you,  
Brandon Nolin, AICP  
Community Development Administrator

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COMMENTS OR CONCERNS

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1. A comprehensive report on all aspects of stormwater management is required for this site. Floodplain development must be described. An simple exhibit showing only the floodplain of North Branch Chicago River relative this site is required. Existing and proposed drainage patterns must be described. Watershed boundaries must be defined. All stormwater management requirements of the Village and of the Metropolitan Water Reclamation District of Greater Chicago (MWRDGC) must be presented and compared to the proposed facility.
2. A permit from the Illinois Department of Transportation (IDOT) will be required for the access point on Dempster. IDOT may have design requirements that are more restrictive than the Village's requirements and may change some aspects of the design.
3. A Watershed Management Ordinance (WMO) permit from the MWRDGC will be required for the construction of sewers in a combined sewer area tributary to MWRDGC sewers.
4. A Floodplain Submittal will be required with the WMO permit for development in a Flood Protection Area.
5. A Federal Emergency Management Agency Elevation Certificate may be required for development on this site.
6. As previously stated, the site will include a floodplain of the North Branch Chicago River. The Village participates in the national flood insurance program. Municipal Code Section 12-14 pertains to flood protection. The site will include underground storage tanks for fuel. It is understood by Public Works staff that there are no environmental regulations preventing this type of development. However, it would be the applicant's responsibility at all points of development to comply with any and all regulations from all regulatory agency's including the Village.
7. While stormwater detention and floodplain compensatory storage calculations are provided on the plans, a separate stormwater management report needs to be provided to identify and address the complexities of this site.
8. The Project Narrative provided with the application materials states this business would be more active

seasonally from spring to fall but the traffic counts were taken during the winter in February 2024. The Traffic Study should address whether there might be any significant differences for traffic volumes between the winter and spring, summer, or fall seasons.

9. Site circulation and turning templates should be included and discussed in the Traffic Study.
10. A sight distance study should be provided and evaluated to ensure adequate visibility for vehicles accessing and circulating within the site or to address shortcomings. This should include proposed building, signage, and landscaping.
11. Based on the site plan provided, it is unclear how traffic can circulate along the south property limits should a vehicle stop to use the air or vacuum facilities shown at the southwest limit of the property.
12. The Traffic Study includes a site plan showing full access at the Village's alley at the south edge of the site. However, the Traffic Study narrative does not describe purpose or need for access at the alley and no site traffic has been distributed to this access point. The alley is restricted to one-way westbound movements. The Traffic Study does not consider the traffic distribution through the proposed alley access drive at the south property line of the site or its effect on the neighborhood. Public Works staff is not supportive of this access point without justification that it is a necessary part of the business' operations plan. There is concern that, in a desire to access the traffic signal at Dempster and Ferris, traffic might regularly ignore the One-Way westward alley designation at the site's proposed alley access and cause alley congestion or safety issues. If this access is included in the approved site plan, then it should be considered whether two-way traffic would be needed for a useful and safe facility.
13. It might be considered to prohibit left-turn movements from the proposed Dempster access onto westbound Dempster Street. This movement requires crossing the existing westbound left-turn lane on Dempster Street north of the site. This could conflict with a vehicle attempting to enter the storage lane and prohibit that vehicle from fully entering the left-turn lane thereby blocking the inside westbound lane on Dempster until the left-turning vehicle exiting the fuel center can enter the westbound traffic stream and clear the left-turn storage lane.
14. In the Traffic Study, Table 3 shows Project-Generated Traffic Volumes. One hundred percent of trips generated by the existing fuel center were subtracted from the predicted site generated traffic to provide a Net Total Trips. Net Total Trips were then reduced by 60% to account for Pass-By traffic not specifically generated by the development to result in a Total New Trips estimated to be directly attributable to the proposed development. It seems the Trips generated by the existing fuel center should initially have been reduced by 60% to account for assumed existing Pass-By traffic before being subtracted from the predicted site generated traffic. This might provide a more accurate Net Total Trips before being reduced by 60% to again account for Pass-By trips and arrive at an estimated Total New Trips.
15. The applicant should describe the garbage collection plan, snow removal/storage plan, fuel delivery plan, and merchandise delivery plan.
16. All driveways crossing pedestrian routes must comply with the Illinois accessibility requirements.
17. It does not seem reasonable that patrons would be encouraged or allowed to leave a vehicle blocking access to a fuel pump to shop the mini-mart assuming others are waiting to have access.
18. The Project Narrative states there may be a maximum of 5 employees present at any given time during business hours which are stated to be 24 hours a day. Eight parking spaces are proposed along the building. It should be clarified where employees will be designated to park and if there will be any restrictions placed on these eight spaces to facilitate turn over for shopping.
19. The existing facility includes portable propane tank sales. The Project Narrative describes picnic supply sales, so it is assumed the proposed facility intends to sell that product. The outside storage space is not identified on the site plan or described in the application materials. The applicant should provide information about this part of the business operation.
20. The sidewalk in front of the proposed building is elevated and protected with railing. Consider whether

parking blocks are needed in the parking spaces to reduce the chance of parked cars damaging these elements.

- 21. The Project Narrative mentions a desire for future plans to incorporate electric vehicle charging stations. This is not part of the current proposal, so it is unclear whether and how to address this aspect in the Special Use Permit.
- 22. Site lighting has not been adequately addressed. The design criteria for the site lighting should be described in the project narrative because this is a commercial use abutting a residential use.

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These comments accurately represent existing Village regulations or policies.

Name (please print): Chris Tomich, Village Engineer

Signed:



Date: 09/09/2024

Attachment D  
Staff Report to the Plan Commission for PC 24-06,  
Prepared by Brandon Nolin, Community Development Administrator,  
Dated September 10, 2024

To: Chairperson Kintner and Members of the Plan Commission

From: Brandon Nolin, AICP, Community Development Administrator  
Anne Ryder Kirchner, Planner/Zoning Administrator

Date: September 10, 2024

Re: Appearance Commission Case PC 24-07  
Request for approval of a Special Use Permit for the construction of an automobile minimart station in a C-1 General Commercial District in accordance with Section 12-4-2:C of the Village of Morton Grove Unified Development Code (Title 12), with variations to Section 12-5-5:A for setback and parking requirements for the property commonly known as 6335 Dempster Street in Morton Grove, Illinois (10-20-100-026-0000). The applicant is Atul Karkhanis Architects, Ltd. on behalf of Cissily, Inc.

## STAFF REPORT

### Public Notice

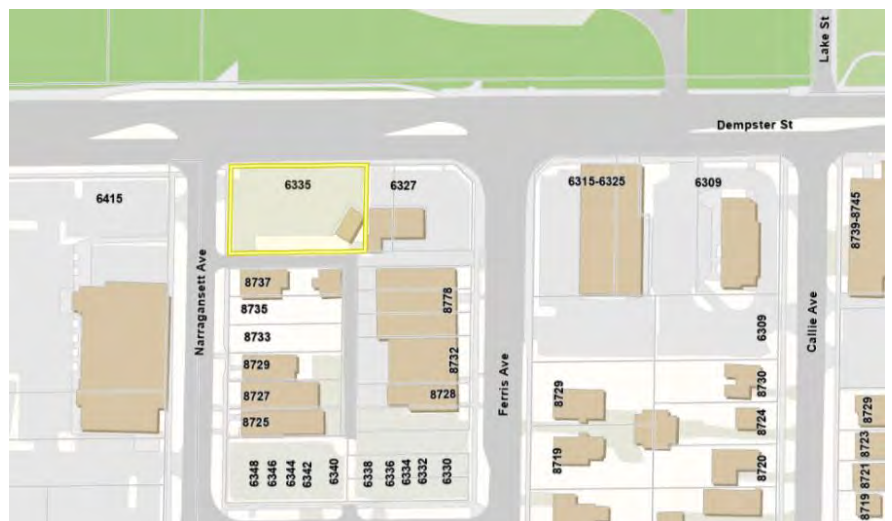
The Village provided Public Notice for the September 17, 2024, Plan Commission public hearing for Case PC 24-07 in accordance with the Unified Development Code. The *Morton Grove Champion* published a public notice on August 29, 2024. The Village notified surrounding property owners via mail and placed a public notice sign on the subject property on August 30, 2024.

### Application Summary

Cissily, Inc. (“**applicant**”), **submitted a complete** Special Use Application to the Department of Community and Economic Development for the construction of an automobile minimart station at 6335 Dempster Street. The proposed project consists of the demolition of the existing automobile minimart station at the subject property, the development of a new station with new locations for two (2) pump islands, and installation of new signage, lighting, and landscaping.

### Subject Property

The subject property consists one (1) lot at 6335 Dempster Street in Morton Grove, Illinois. Located at the southeast corner of Dempster Street and Narragansett Avenue, the parcel is zoned C-1 General Commercial and is 13,540 sq. ft. (0.3 acres) in total area. The adjoining property to the east is a residential remodeling and design business (Ainslie Design Studio), and the property to the west across Narragansett Avenue is a restaurant with **outdoor dining area (Moretti’s)**. The subject property is located to the north across an alley from multi-family residence. All surrounding properties (except for the Forest Preserve) are in the C-1 General Commercial zoning district. The Linne Woods property of the Cook County Forest Preserves is located across Dempster Street to the north.



Subject Property Location Map

Project Overview

The existing automobile minimart station at 6335 Dempster Street is being demolished and redeveloped. The gas station will maintain the Mobil brand while the minimart structure will be rebranded as “Joey’s.” The applicant is proposing the installation of two (2) islands with four (4) gas pumps designed to serve up to 8 vehicles simultaneously. The gas pumps would be located under a new canopy measuring approximately 55 feet east-to-west, and 66.5 feet north-to-south (3658 sq. ft.). The proposed retail building would include a 2,495-square-foot convenience store with an approximately 450-square-foot office for use by the owner in an upper level mezzanine. The proposed retail building would have no setback from the east property line and would be located immediately adjacent the Ainslie Design Studio property to the east.

Existing access drives along Dempster Street and Narragansett Avenue would be modified with the addition of perimeter landscaping, and a new access point would be established along the east-west alley on the south edge of the property. Ramped and stepped pedestrian accesses to the building will be provided on the west and north sides of the building respectively. The existing pylon sign would be replaced by a taller monument sign that includes both a gas pricing sign and Joey’s retail logo.

Two pick-up windows are proposed for the north and west sides of the retail building. Per the applicant’s business narrative, the windows, “will offer pedestrians a safe and clean area to place and pick-up orders without entering the store given the bustling nature of Dempster Street.”

Zoning Review

Automobile minimart stations require a Special Use Permit within the C-1 district and must adhere special zoning provisions listed in Section 12-5-5: Criteria for Specific Commercial Special Uses of the Unified Development Code (UDC).

Hours Of Operation

Per Section 12-5-5:A.5, hours of operation are to be established as part of the special use permit granted by the Board of Trustees. The hours specified as a condition within the Special Use Permit may be shortened at the discretion of the operator, but longer hours of operation would require an amendment to the Special Use Permit.

The applicant is requesting to operate both the gas pumps and retail store 24 hours per day with the walk-up windows open for business seasonally from spring to fall from 11:00 am to 9:00 pm. Based on the operation of automobile minimart stations elsewhere in the Village, should the Plan Commission approve the Special Use Permit, *Staff recommend that as a condition, hours of operation for this facility should be limited to: Monday through Friday 5 a.m. to 11 p.m., Saturday 6 a.m. to 11 p.m., and Sunday 7 a.m. to 8 p.m.*

*Staff are not aware of another example of a business that utilizes the type of pick-up window proposed and the applicant should provide additional details regarding the desired placement and function of the pick-up windows. If approved, Staff recommend that as a condition the hours of the pick-up windows be set to 10:00 am to 8:00 pm (or sundown), so as to reduce the hours the window would be used when it is dark.*

Development Controls

The following table provides a comparison of the proposed development against applicable dimensional controls. The overall project height and front and side setbacks comply with C-1 Mixed Use requirements, however variances are needed for rear setback and sidewalk locations.

C-1 DISTRICT - AUTO. MINIMART STATION DIMENSIONAL CONTROLS	REQUIREMENT	PROPOSED	COMPLIANCE
Front Setback (12-4-3:E)	Min. 0 ft.	0.0 ft.	<i>Compliant</i>
Side Setback (12-4-3:E)	Side yard is not required, but if one is provided, it shall not be less than 5 ft.	5.0 ft.	<i>Compliant</i>



Rear Setback Not Abutting an Alley (12-4-3:E)	Min. 5 ft.	0.0 ft.	Waiver of 5 ft.
Building Height (12-5-6:E)	Max. 40 ft.	24.2 ft.	Compliant
Permitted Obstruction - Sidewalk (12-2-6:G)	<b>Max. 4' width in front and street side yards; Min. 3' from all lot lines; 3'- setback may be reduced to allow a sidewalk width of 3' if yard is less than 6</b>	5.0 ft. sidewalk with 0 ft. setback	Dempster St: Waiver of 1 ft. in width; Waiver of 3 ft. setback  South Property Line: Waiver of 1 ft. in setback
Pump Island Setback (12-5-5:D)	Min. 15 ft.	15.5 ft.	Compliant
Canopy Setbacks (12-5-5:D)	Canopies shall conform to the minimum building setback.	Min. 6.6 ft.	Compliant

### Rear Setback

The proposed retail building would be located along the east property line, providing zero (0) rear setback from the adjacent commercial property (Ainslie Design Studio). Currently there are a pair of landscape beds that straddle the property line and **measure approximately eight feet (8') in total width**. *The applicant should speak what aspects of the project require that the proposed retail building be located to the far east side of the subject property and not meet setback requirements.*

### Side Setbacks with Sidewalks

Side setbacks are provided including an elevated five-foot (5') sidewalk on the north property line, and a three-foot (3') sidewalk against the building on the south **with a setback of only two feet (2')**. Sidewalks should be located at least three feet (3') from the property line. The portion of the north property line adjacent the proposed retail building, would be the only area along Dempster Street without landscaping. *Staff believe there may be potential to install a landscape bed between the public sidewalk on Dempster and the raised walkway, which would require the building footprint to shift and/or the walkway width to be reduced.* The Appearance Commission noted concern with the elevated sidewalk being adjacent the Dempster Street sidewalk and right of way. *The applicant should speak to the lack of a setback adjacent the proposed elevated sidewalk and **lack of landscaping adjacent Dempster Street along the proposed retail building's north façade.***

### Traffic Impact

A traffic impact study was prepared by KLOA, Inc. and is included in the hearing packet for Case PC 24-07. The study demonstrated that the proposed site plan has sufficient off-street parking to meet the demands of the development and projected future traffic can be successfully accommodated on the surrounding roadway network and intersection controls. The report was present to the Traffic Safety Commission (TSC) on Sept. 5, 2024.

### Dempster Street Site Access

At its meeting, TSC members expressed concerns with vehicles turning west (left) onto Dempster Street from the subject, and likewise with westbound vehicles turning into the subject property. Some TSC members also indicated potential support for restricting left turns on to Dempster St. during peak hours. In response, the applicant highlighted that the access point along Dempster St. has been reduced in width to better control ingress/egress and noted key findings that demonstrated that left turn movements at Dempster St. are not projected to be problematic, even when increasing the size of development on the site.

### Alley Access

The proposed development includes a 24-foot (24') wide alley access point. **The TSC was generally supportive of the alley connection**, however the applicant noted the proposed benefit would be to enable patrons to travel eastbound to potentially travel northbound on Ferris Avenue and then take a left on to Dempster Street at that intersection. Staff noted as part of TSC

discussion, that the alley is currently one-way westbound and the proposed travel route to Ferris Avenue would be an illegal movement.

If alley access is to continue to be included as part of the proposed development, Staff recommend reevaluating the westbound only one-way restriction currently in place, such that vehicles leaving the site would legally have the ability to travel east to Ferris Avenue. If eastbound travel on the alley is not permitted from the subject property, the usefulness of the alley access will be largely limited to trash service and deliveries.

*Deliveries*

The application materials do not provide details as to how and when deliveries would be accommodated at the site. At the TSC meeting, the applicant commented that the access drive and pump spacing works well for gas tanker deliveries, providing an easy route through the site from Dempster Street to Narragansett and vice versa. The TSC indicated a desire to restrict deliveries to non-peak times, while also ensuring they are not too early or too late in the day so as to negatively impact nearby residences.

Parking

The proposed development would provide eight (8) parking spaces, one (1) of which will be ADA accessible. Based on the off-street parking requirements outlined in Section 12-7-3 of the UDC, seven (7) parking spaces are required, including two (2) accessible spaces, for the proposed automobile minimart station. The spaces proposed on-site exceed the Code minimum overall, but are short one (1) accessible space. **The Village’s parking requirements are summarized** in the following table.

C-1 DISTRICT PARKING STANDARDS	REQUIREMENT	PROPOSED	COMMENT
Off-Street Parking: Automobile Minimart Station (12-7-3:1)	1.0 space per employee, not to exceed 5 spaces of which 2 spaces shall be for handicapped individuals	8 spaces; 1 ADA	<i>Waiver of 1 ADA Space</i>
Loading Berths (Sec. 12-7-4.1)	None required for commercial uses less than 10,000 sq. ft.	None	<i>Compliant</i>

*Parking Study Recommendations*

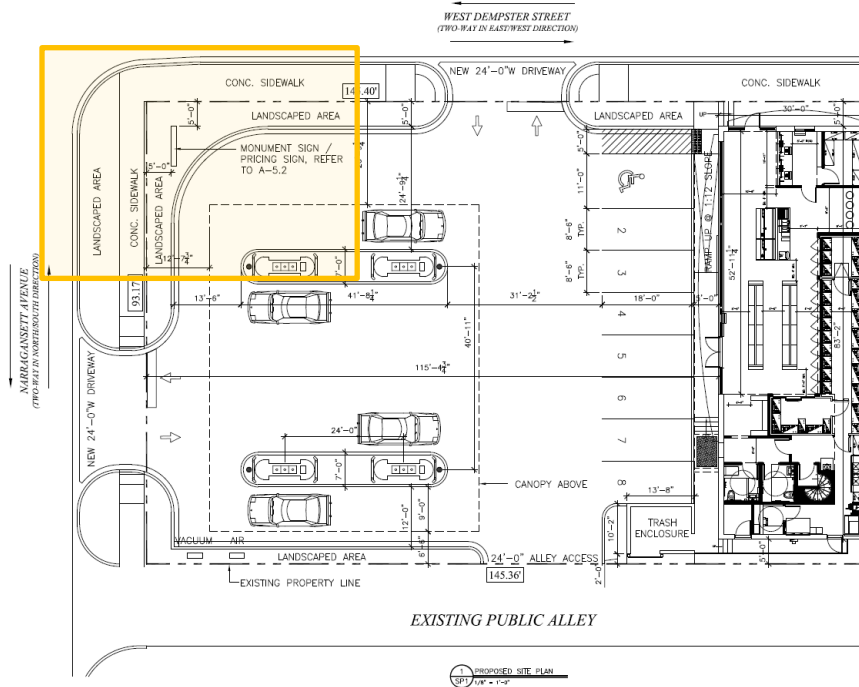
As part of the traffic impact study, KLOA, Inc. also evaluated parking. Based on parking occupancy surveys of two gas stations in the region, the maximum parking demand observed was six (6) spaces and it is believed that eight (8) spaces should be sufficient to meet demand.

TSC discussion on parking was limited to concerns regarding employee parking potentially interfering with customer parking. The applicant indicated that two of four employees currently take transit to the subject property and they would anticipate future employees having a similar travel behavior.

Commission Review  
Appearance Commission

On September 3, 2024, the Appearance Commission (AC) reviewed Case PC 24-07. At the conclusion of the discussion, the Appearance Commission voted unanimously (7-0) to recommend approval of the application. The Staff Report to the Appearance Commission has been included as Attachment A. *No formal conditions were added to the recommendation, but Chairman Pietron asked that the following areas of discussion be reflected in conditions recommended by the Plan Commission:*

- Signage – Appearance Commission members noted several aspects of the proposed signage that could potentially require a waiver:
  - The proposed monument sign was initially located less than the required 5 feet from the north and west property lines. In response to initial staff comment on the issue, and in reply to discussion, the applicant provided a revised site plan to relocate the sign to a compliant location. The remainder of the application materials have not been updated to reflect the agreed upon change. The monument sign also included a **secondary logo for the retail building tenant (Joey's) that would have been in excess of permitted sign area** for the monument sign face. In response to Appearance Commission comments, the applicant agreed to **relocate the Joey's logo to within the sign area of the gas pricing sign and eliminate the need for a waiver.**
  - Materials were not submitted for the gas canopy and gas pump signage. The Appearance Commission indicated general support for a future sign package that would be in keeping with the previous Mobil signage at the subject property and similar to signage recently approved for another gas station in the Village (AC 24-03).
  - It was requested that the light temperature of the signage, and gas canopy and building façade lighting be at 5,000K (degrees Kelvin) or less.



*Revised Site Plan Showing Relocated Monument Sign and Updated Landscape Bed and Curb*

- Bird-Friendly Building Design – The subject property is located across Dempster Street from the Linne Woods portion of the Forest Preserves of Cook County. Appearance Commission members requested that window films or glazing, or other mitigation strategies be employed to minimize the potential for bird collisions

- Lighting at Property Lines – Per the photometric plan submitted by the applicant, light levels along the north and west property edges adjacent to the canopy and parking area measure between 0.5 and 1.7 foot candles. The lighting on the retail building at the north and south property lines measures between 2.8 and 5.3 foot candles. And lastly, light levels along the south lot line abutting an improved public alley measure between 1.2 and 3.9 foot candles. The only property line at or near 0 foot candles is the east property line where the unlit façade of the proposed building sits immediately adjacent the property to the east. The Appearance Commission indicated an expectation that the applicant would identify modifications to the proposed lighting plan to achieve as close to zero illumination at the property lines.
- Trash Enclosure Landscaping – During review of the landscaping plan, the applicant offered that the parking lot island area adjacent the trash enclosure could be landscaped and the Appearance Commission indicated support of that recommendation.

#### *Traffic Safety Commission*

On September 5, 2024, the Traffic Safety Commission (TSC) reviewed Case PC 24-07 and the Traffic Impact Study. At the conclusion of the discussion, the TSC voted unanimously (7-0) to recommend approval of the application. Comments reflecting the discussion of the TSC were issued by Chairman White (**see “Attachment B”**).

#### Departmental Review

The proposed project was reviewed by several department representatives (**see “Attachment C”**):

- Building Department: No comments at this time.
- Fire Department: Comments regarding the proper potential future storage of gas cylinders.
- Public Works Department/Engineering: In review of the proposed project, the Village Engineer issued several comments dated September 9, 2024, regarding:
  - Needed documentation for stormwater management.
  - Permit requirements from the MWRDGC and IDOT with emphasis on stormwater management requirements within a flood protection area.
  - Sight distance concerns and questions regarding the seasonality of traffic to the site.
  - Alley access and potential changes to the current one-way designation.
  - Concerns with left-turn movements at Dempster Street, employee parking, and delivery logistics.
  - Points of clarification regarding the need for parking blocks, desired future electric charging stations, and proposed site lighting.

#### Standards for Review

The Standards for Special Uses are established in Section 12-16-4:C.5 of the Unified Development Code:

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.

### Recommendation

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

*Motion to recommend approval of Case PC 24-07, a request for approval of a Special Use Permit for the construction of an automobile minimart station in a C-1 General Commercial District in accordance with Section 12-4-2:C of the Village of Morton Grove Unified Development Code (Title 12), with variations to Section 12-5-5:A for setback and parking requirements for the property commonly known as 6335 Dempster Street in Morton Grove, Illinois, subject to the following conditions:*

1. *The development shall adhere to bird-friendly design guidelines contained in the "Bird-Friendly Building Design" manual of the American Bird Conservancy (2015, [https://abcbirds.org/wp-content/uploads/2015/05/Bird-friendly-Building-Guide\\_2015.pdf](https://abcbirds.org/wp-content/uploads/2015/05/Bird-friendly-Building-Guide_2015.pdf)) where practicable. Mirrored coatings may not be used, and inconspicuous window films featuring simple dot or lined patterns are strongly encouraged.*
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 details regarding wall sign size, and gas canopy and pump signage size and location, that meet the minimum requirements of Village Code for review and approval by the Community Development Administrator.*
4. *Illuminated signage and other illuminating features on the property may not exceed 5,000K (degrees Kelvin).*
5. *Prior to filing any Building Permit Application, the owner/applicant shall provide the Village with final details regarding the monument sign location, perimeter landscape locations including the proposed trash enclosure island, and a revised landscape plan that meet the minimum requirements of Village Code for review and approval by the Community Development Administrator.*
6. *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.*
7. *Deliveries, including fuel deliveries, and trash pick-up at the subject property shall be at off peak times to minimize conflicts with heavy traffic, and at times that are not injurious to the use and enjoyment of adjacent and nearby residential properties.*
8. *The location of the air filling station and vacuum station shall not interfere with the gas filling area.*
9. *The future propane gas storage cage shall be located in a protected area that does not impact vehicular maneuvers.*
10. *Employee parking shall not interfere with patron parking or deliveries, and shall not take place on Narragansett Avenue.*

11. *Future improvements such as, but not limited to, the installation of electric vehicle charging stations shall not interfere with vehicular maneuver within the subject property.*
12. *Snow plowing, storage and removal shall be completed in such a manner so as to maintain site accessibility for parking, walking and vehicular access.*
13. *The hours of operation for this facility shall be limited to: Monday through Friday 5 a.m. to 11 p.m., Saturday 6 a.m. to 11 p.m., and Sunday 7 a.m. to 8 p.m.*
14. *The use of pick-up windows at the subject property shall be limited to 10 a.m. to ~~8 p.m. or~~ sundown, whichever is earlier).*  
**OR**  
*The use of pick-up windows at the subject property shall be prohibited.*
15. *[Any other condition(s) deemed appropriate by the Plan Commission]*

### Attachments

- Attachment A – Staff Report to the Appearance Commission for PC 24-07, prepared by Brandon Nolin, AICP, Community Development Administrator, dated August 27, 2024
- Attachment B – Plan Review Comment Form for PC 24-07, prepared by Keith White, Traffic Safety Commission Chair dated September 9, 2024
- Attachment C – Plan Review Comment Forms for PC 24-07, prepared by:
  - Rick Dobrowski, Fire Prevention Coordinator received September 9, 2024
  - Chris Tomich, Village Engineer dated September 9, 2024
- Attachment D – Letters from area property owners, dated September 16, 2024
- Attachment E – Final Plans and Supporting Documents for PC 24-07

Attachment E  
Final Plans and Supporting Documents for PC 24-07

14. *Special Use Application, submitted by Cissily, Inc., dated April 22, 2024*
15. *Plat of Survey of 6335 Dempster Street, prepared by Geodetic Survey, Ltd., dated August 24, 2022*
16. *Project Narrative, prepared by Cissily, Inc., dated June 4th, 2024*
17. *Preliminary Site Plan, prepared by aka Architects, dated July 31, 2024*
18. *Landscape Plan, prepared by aka Architects, dated July 24, 2024*
19. *Civil Plans, prepared by aka Architects, dated July 18, 2024*
20. *Proposed Monument Sign, prepared by aka Architects, dated July 31, 2024*
21. *Photometric Plan, prepared by PG Enlighten dated June 18, 2024*
22. *Light Fixture details submitted by aka Architects, dated June 18, 2024*
23. *Exterior Elevations, prepared by aka Architects, dated July 31, 2024*
24. *Staff revised Elevations, prepared by Village staff based on aka Architects materials, dated August 22, 2024*
25. *Parking Study – 6015-6049 Dempster Street, prepared by KLOA, Inc., dated June 28, 2024*
26. *Revised Site Plan, prepared by aka Architects, received September 3, 2024*

**MATERIALS ON FILE WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT**