

# Village of La Grange

## AGENDA

### VILLAGE OF LA GRANGE PLAN COMMISSION

Village Hall Auditorium  
53 S. La Grange Road, La Grange, IL

December 12, 2017 – 7:30 p.m.



1. Call to Order and Roll Call of the Plan Commission
2. Approval of Minutes – September 12, 2017
3. Public Hearings
  - a. PC #239 –Text Amendment to Article XVI, Section 14-501 of the La Grange Zoning Code to allow planned developments in Single Family Residential Districts, Pulte Home Company, LLC.
  - b. PC #240 –Text Amendments relating to Articles III, IV, V, VI IX, XII, and XVI of the La Grange Zoning Code proposed by Village staff.
4. General Discussion  
*(an opportunity for staff or commissioners to raise topics for discussion but not action)*
5. Public Comments  
*(an opportunity for public comments unrelated to the public hearings)*
6. Adjournment

Individuals with disabilities and who require certain accommodations to participate at this meeting are requested to contact the ADA Coordinator at 579-2315, to allow the Village to make reasonable accommodations.

**Village of La Grange**  
**Plan Commission**  
Regular Meeting of September 12, 2017

A regular meeting of the Plan Commission for the Village of La Grange was held at 7:30 p.m. on Tuesday, September 12, 2017 in the second floor Auditorium Room of the Village Hall, 53 S. La Grange Road, La Grange, Illinois.

**I. CALL TO ORDER AND ROLL CALL OF THE PLAN COMMISSION**

Chairman Kardatzke called the meeting to order at 7:30 p.m.

**Verify Quorum**

Upon roll call the following were:

Present: Egan, Hoffenberg, Schwartz, Wentink, Weyrauch, Kardatzke

Absent: Paice

Heather Valone, Planner, Charity Jones, Community Development Director, Mark Burkland, Village Attorney, and Trustee Holder were also present.

**II. APPROVAL OF MINUTES – JUNE 13, 2017**

Commissioner Schwartz made a motion, seconded by Commissioner Weyrauch to approve the minutes from the June 13, 2017 meeting with no changes. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

**III. PUBLIC HEARINGS**

**A. PC#237 – Zoning Code Text Amendment to Operate Individual and Family Social Services at 136 N. La Grange Road in the C-3 General Service Commercial District, Women’s Care Center Foundation, Inc.**

Chairman Kardatzke asked anyone in the audience that was planning on speaking this evening, to please stand and raise his/her right hand. He then administered the oath. He asked for the applicant to step up to the podium to make their presentation.

**Applicant Presentation**

Burt Odelson, Attorney and Founding Director of the Women’s Care Center Foundation, introduced himself, Bob Williams, Foundation Director, and Ann

Manion, President. Mr. Odelson said the team was there to present tonight about the Center and what they are looking to do in La Grange.

Bob Williams, Foundation Director, gave a brief history on how the foundation was started back in 1984. In 1984 they saw 300 women and today they see about 25,000 women who will make over 100,000 visits. They have 27 locations in 10 states. Mr. Williams said they are the largest pregnancy resource center in the country. He handed out a brochure to the Commissioners with information about their organization. Since 1984 there have been over 150,000 babies born to moms that go to the Women's Care Center and 12,000 babies that were born just last year alone. Mr. Williams said that according to Cook County Public Health one in four women in Cook County do not receive adequate prenatal care. He said that when women don't get prenatal care in the first trimester it can have terrible results. Mr. Williams explained that there is no such agency in this community that can provide the things that the Women's Care Center would do for families here in La Grange. Mr. Williams said that they can provide medical care, education, referrals, and support to clients at no cost, which leads to healthier moms and babies. He said that some of the services they provide are pregnancy plans for their patients, ultrasounds, prenatal vitamins, classes and help finding a doctor.

Mr. Williams said the reason they are so successful is because their centers do not look like medical clinics, but rather homes. He showed the Commissioners pictures of some of their facilities. Mr. Williams said they have full-time hours and compassionate nurses; they take a holistic approach to medical care and provide care even after the baby is born. He asserted there is no politics and their facilities are professionally managed; when they open a center they are there for life. Mr. Williams said they have not closed a center once it was opened. In 2003, they started the Women's Care Center Foundation to build an sustainable endowment and operating income for their centers nationwide. That endowment now has a balance over 22 million dollars and is growing. Mr. Williams said they plan on putting a significant investment into this property. He said they want to beautify the property and make it a great place for young women to come to; they are excited to come to this community to take care of the sons and daughters of their friends and neighbors.

Mr. Odelson said the application asks for a text amendment to the C-3 to include this type of facility. He said they are largely a medical facility. They do ultrasounds and test blood and urine. Mr. Odelson said there is a registered nurse on staff and a doctor that oversees the activities. Staff has made a determination that they are a counseling center. Mr. Odelson said the Center does give women their options and let them know what they can and cannot do. Mr. Odelson mentioned other health care services, providers and practitioners on the same block as the subject property. This property itself housed the DuPage Home Health Care Center until recently. He then listed all the properties adjacent to the subject property that provides health care. Mr. Odelson feels the public health, safety and welfare of the citizens of La Grange will be greatly improved with their center. He claimed this is a great location and

they have looked long and hard for the right site. They are asking the Commission for approval to this text amendment.

Ann Manion, President, stated that if the Commission had any questions in regards to the day to day operations she would be able to answer them.

Chairman Kardatzke asked if there were any other comments from the applicant. None responded. He then asked if there was anyone in the audience that wanted to speak in regards to this case.

### **Public Comment**

Shawn Kaminski, 141 N. Madison, said her block is immediately behind the proposed property. She noted that on the La Grange side the block looks very commercial and on the opposite side it looks very residential. She is concerned about parking which is limited for this facility; heir side streets are filled with cars from other businesses in the area. She said that their visitors have a hard enough time coming to visit them as it is. She is concerned about protestors with this type of facility.

Chairman Kardatzke asked if there was anyone else in the audience that wanted to speak in regards to this case. None responded. He then asked if there were any questions from the Commissioners.

Commissioner Schwartz thanked them for their presentation. He stated that he also had questions the number of parking spaces on the site and how that related to the number of staff members and patients.

Ms. Manion stated they like a center to feel homey and that is part of their model. Compared to the Home Health Care that occupied the space previously, Ms. Manion feels this will be a substantial upgrade. She said there are fifteen parking spaces and probably five to six staff people at one time. She noted that their operation is really a one-on-one business. They feel that some patients will come via public transport so they feel the fifteen parking spaces will be enough.

Chairman Kardatzke asked if the women make appointments.

Ms. Manion said they do make appointments but they can also be walk-ins. As far as politics, Ms. Manion said that is not something they engage in. She said they have never had a problem with that. She claimed they are there to love, serve and provide care for women who can't get assistance anywhere else.

Mr. Williams stated they love to be good neighbors and will be enhancing the property; hey become part of a community. He said they are not what you think when think of an organization like this and that is why they are so successful.

Commissioner Egan asked if there are any income restrictions on women or families that they work with. She also asked if this property would be exempt from paying property taxes.

Ms. Manion said there are no income restrictions at all and they serve everyone. They are exempt from property taxes because they are a 501C3 non-profit organization.

Commissioner Hoffenberg said it was stated that there are 15 parking spaces. He noted the survey shows an easement for the 9 and another easement for the additional 5 on the south. He asked if there is any restriction on the easement as far as use of the spots.

Mr. Odelson stated there are no restrictions and are entitled to use the additional parking spaces to the south. He said they do not have a high volume of traffic; there are only four to five staff and one to two appointments at any given time. Mr. Odelson said they can share the pictures that were shown to the Commission to Mrs. Kaminski so she can see that all of our facilities are very residential looking.

Commissioner Wentink asked if they were familiar with the Women's Care Center on 6<sup>th</sup> Avenue.

Mr. Odelson said they were and that is how they got involved.

Ms. Manion stated the director of the Women's Care Center on 6<sup>th</sup> Avenue contacted them and asked them to come to La Grange. Ms. Manion said that while they serve the same population, theirs will be a different outreach. She said they have been taking the prior Women's Care Center's phone calls and the phone has been ringing off the hook so there is a need for this service in the community.

Commissioner Wentink asked what is similar and different from what the Women's Care Center provided and what this facility will provide.

Ms. Manion said the prior Women's Care Center was much smaller in scale and only provided limited services. She said their facility is a full-time model and much more medical. They are serving the same target population.

Commissioner Weyrauch asked if they are expecting to make modifications to this building to make it handicap accessible.

Ms. Manion stated they are not going to do a lot to the layout of the rooms. She noted the major problems are the porch and cosmetic work. She said they will do whatever is required.

Mr. Odelson said they will do whatever is required for handicap accessibility.

Chairman Kardatzke stated with the parking lot they would like to see permeable pavers.

Mr. Odelson said the parking lot is in need of major repair and they will do something to help with the drainage.

Commissioner Hoffenberg stated he appreciates that they don't get involved with politics; but cautioned that you don't always get to choose your audience. He asked whether they have had any significant protesting at any of their facilities in the last two years.

Ms. Manion said no they have not and she has found that the longer they are in a community, the more they become partners with that community. She noted that they can't meet all the needs of their patients so they build relationships with all kinds of providers.

Mr. Odelson stated they are not an anti-abortion or pro-choice, but rather a medical care facility for the prospective mother and baby. They have not had any problems at any of their facilities that he is aware of with protesting. He would like to add that the seller has extended their contract and they are fearful of losing the property. There is no other property that they have seen like this. They do need to go forward with closing on the property and would need to hear a decision from the Commission this evening.

Chairman Kardatzke asked if there were any other questions from the Commission. None responded.

### **Plan Commission Discussion**

Commissioner Weyrauch said she thinks it is a wonderful use for this building. She is happy to see them take this building and do great things.

Commissioner Egan stated she agrees and appreciates the use. Her concern is the text amendment to the code to allow anyone that falls under the SIC category to operate as a permitted use in the C-3 District. She noted that the list that was provided in the packet includes a long list uses within the category of family and social services. She said there were a lot of questions that were heard tonight from the Commission and residents. To her it is more of a special use and not a permitted use in the C-3.

Chairman Kardatzke asked if they did a special use just for that property would it expire when the property is sold.

Mr. Burkland said that is correct. The Commission could also narrow the scope of the amendment from the broad category of individual and family social services to just include the service that is being requested tonight. They could consider it as a special use, however when a special use is listed in code it is listed because it is

deemed appropriate for the zoning district category in which it is being placed. He said it is a special use not because of the consideration of the use itself but rather of the particular conditions that would need to be imposed on it in order for it to be successful. He explained that under these circumstances, this use is not a use that is noisy, loud, over crowded, and/or has parking issues. He advised that the Commission should not look at making it a special use but rather making a determination on the list as to which would be the right type of uses. He also said the Commission can take a five minute recess to look at the uses.

Commissioner Egan stated her only concern with that is even with the list being tailored there still might be parking issues or other things that might arise that should be evaluated on a case by case basis.

Chairman Kardatzke asked how this is different than the other medical facilities that are on the same block.

Mrs. Jones said because there are similarities between this use and the Women's Care Facility on 6<sup>th</sup> Avenue and because there are counseling services being offered, staff had made the determination that the use fits within social services because it is not just a medical office.

Commissioner Weyrauch said maybe they need to revisit that because it is not the same model.

Mrs. Jones stated if that is the case, then the matter needs to go to the Zoning Board of Appeals. The process outlined in the Zoning Code is that if there is an administrative decision and someone wants to appeal that decision, then it goes to the Zoning Board of Appeals. They advised the applicant that they should seek a text amendment for individual and family social services, which they have done.

Commissioner Weyrauch asked if medical offices are already approved.

Mrs. Jones said the Home Health Care which was on the subject property was a special use, but a regular medical office is permitted in a C-3. The Commission can amend the text of the code to allow a very narrow tailored use that basically mirrors the applicant's proposed operations.

Commissioner Schwartz stated he would be in favor of that approach.

Commissioner Egan said instead of bringing up the individual family social services code, that perhaps the text could be something like medical services with pregnancy related education and counseling.

Chairman Kardatzke asked if there were any other comments from the Commission. None responded. He then called for a motion for recommendation.

## **Plan Commission Recommendation**

Commissioner Egan made a motion, seconded by Commissioner Wentink to recommend to the President and Board of Trustees approval of a Zoning Code Text Amendment to include as a permitted use in the C-3 district medical services with pregnancy related education and counseling. A roll call vote was taken:

*Ayes: Egan, Hoffenberg, Schwartz, Wentink, Weyrauch, Kardatzke*

*Nays: None*

*Motion passed*

### **B. PC#238 – (1) Special Use and (2) Site Plan Approval to Operate an Exercise Center at 806 W. Arlington Street in the C-4 Convenience Commercial District, Frances Naughton and Diana Pasquinelli**

Chairman Kardatzke asked anyone in the audience that was planning on speaking this evening in regards to this case, to please stand and raise his/her right hand. He then administered the oath. He asked for the applicant to step up to the podium to make their presentation.

### **Applicant Presentation**

Diana Pasquinelli, applicant, said they are hoping that the Plan Commission will allow them to put a full service gym in the DeVries Building. It will be a full service gym for the whole family to enjoy. There are many surrounding fitness centers that have niche work outs, but theirs will provide a work out for the whole family. They will have spin classes, regular yoga, and pilates. There will be a full service gym with weights, machines, some babysitting and showers. This is the best location and they feel it will be great for the community. She and her partner have both worked in the fitness field for the past 10 years.

Mrs. Pasquinelli stated she feels that they fall into the C-4 Code because they do provide the intended use to serve the day to day consumer service needs. They believe the parking will be fine because their busy time will be from 6 am till 10 am and Vintage Charm and Now Serving don't open until 10 am. They are not that busy during the mid-day hours, then busy once again at 5:30 pm till 8 pm. Those shops will be closed once again during those hours. She asked if the Commission had any questions for them.

Chairman Kardatzke asked if there was anyone else for the petitioner that would like to give any testimony.

Dick DeVries, former owner of DeVries Grocery, said he has been in the business community for over 42 years and is delighted to be working with the applicants. He feels this will be a great fit for the community.

Dan Chopp stated he was the real estate broker representing the DeVries family and trying to find a new tenant for the facility. Ideally it would have been great to find another grocery store. The inquires that they had from prospective tenants were a wide variety of uses. With the limitations of the space, residential dwellings and the single-family homes nearby, they feel they have found the right use.

Dave Pasquinelli, husband to the applicant, said one of the things that they looked at, especially with the parking and traffic patterns, was where most of their customers live. Generally, most of their customers live within a mile to a mile and a half. A lot of their target markets are people who will take the train and that is why they have provided the showers and the same with after work.

Mr. DeVries stated he does not feel that there will be an issue with parking. He never had an issue with his store and he had delivery trucks in and out. He feels it will be the same number of cars with even less during the business day.

Chairman Kardatzke asked if there was any other testimony for the petitioners. None responded. He then asked if there were any questions or comments from the audience. None responded. He then asked if any of the Commissioners had any questions.

Commissioner Weyrauch said she was looking at the floor plan that was included in the packet, there looks like they will be offering some type of classes. The yoga studio has a capacity of 26 people and the spin studio has a capacity of 14 people. She is concerned about parking if they have both classes going on at the same time. She asked how are children incorporated into the function of this facility.

Frances Naughton, applicant, stated the yoga and spin class will not be going on at the same time. They are spread out so they don't have traffic piling up. The memberships are for ages 12 and older. They will also be offering babysitting. Most of the young kids don't take classes but rather work out in the gym or with a trainer.

Commissioner Weyrauch asked if they are going to have personal trainers coming in with their clients.

Ms. Naughton said yes they will.

Commissioner Schwartz stated with other facilities like kickboxing, they had turnover times so there were no parking issues. He asked if that is something they will be doing.

Ms. Naughton said their class schedule does work around the traffic. They don't have anything after 10:45 am and then again at 6:30 pm for classes.

Commissioner Schwartz stated his concerns are if you have a class from 5 to 6, would they have the next class start at 6.

Ms. Naughton said no they would not and they have that built into their schedule so it does not happen that way.

Commissioner Schwartz stated he saw that they are going to have soundproofing for the side walls. He asked if there was going to be soundproofing for the residents above.

Mr. Pasquinelli said they are going to be providing soundproofing for residents above.

Commissioner Schwartz asked if with the process do they do sound testing.

Mrs. Jones stated with the I Love Kickboxing it was a condition of approval. It would apply to units either above or adjacent.

Commissioner Schwartz asked if lower decimal readings would be appropriate here since there are residential units here.

Mrs. Jones said this standard comes from the municipal code and it is the standard that applies to all properties within the Village at the property line. This is more stringent because they are applied at the walls.

Chairman Kardatzke asked if they played music during workouts.

Mr. Pasquinelli stated if you look at the floor plan there are four distinct areas. The common element with the showers and babysitting which will not have much sound. There is the work out facility which will have music but it will not be loud. The yoga room is generally quiet. The only area which might need additional soundproofing would be the cycle room. They can have loud music and cheering going on. They might need to test this area and it could need an additional sound element and they are prepared to do that. He has constructed several different fitness centers and they have been adjacent to day spas. He knows how to build walls that will get the decimal level where it should be.

Commissioner Egan asked if the soundproofing was going to be through the whole ceiling and not just above the spin room.

Mr. Pasquinelli said yes it will be the whole ceiling. The spin room just may require additional soundproofing.

Commissioner Weyrauch asked if they were purchasing the building or leasing.

Mr. Pasquinelli stated they are leasing.

Mr. DeVries said he was concerned about the noise as well because the other tenants are just as important. After looking over the plans he does not feel there will be an issue at all.

Commissioner Weyrauch asked how is the signage being approved and has staffed looked at the lighting of the signage.

Mrs. Jones stated the sign is to be externally illuminated and not internally illuminated.

Commissioner Weyrauch said when they approved the kickboxing facility she remembers limiting the time their sign can be lit because of residents next door. She asked if that has been considered here.

Mrs. Jones stated because their plans indicate that it is a non-illuminated sign it was not included. However, they can add that provision so if in the future they did want to have an internally illuminated sign.

Commissioner Hoffenberg asked if the noise level fluctuated in the code based on the time of day.

Mrs. Jones said it is 55 decibels maximum during daytime hours and 45 decibels at night.

Commissioner Hoffenberg asked if it is specified by hours since this business is going to be open so early in the morning.

Mrs. Jones stated the municipal code does not specify. It would fluctuate throughout the year with sunrise and sunset.

Commissioner Hoffenberg said it might want to be specified here to protect the residents.

Commissioner Schwartz stated if they could meet the 45 maximum decibel at all hours then it does not need to be specified.

Mrs. Jones said if they require the maximum at the 45 decibel then it would be more stringent than what they apply at a residential property.

Chairman Kardatzke asked if there were any more questions for the applicant. None responded. He then asked if there were any comments from the Commission.

### **Plan Commission Discussion**

Chairman Kardatzke stated he feels it is a good use for the property and that they are doing everything that they need to do to eliminate the noise to the residents above. There could be a motion for the restriction on the lighting on the sign and noise.

Commissioner Schwartz said there is the break between the classes.

Chairman Kardatzke stated he feels there is enough parking and there is parking along the Burlington there.

Commissioner Hoffenberg said he does not disagree with him on that but the capacity here is much larger here. If they run both classes at the same time and then start stacking them up you will then run into a problem. You also have to think of rush hour and people coming off of the train.

Commissioner Schwartz stated he heard the applicant say that there are no two classes scheduled at the same time, a 30 minute turnover would not be a problem and the soundproofing would be handled. He feels those three conditions would be fine to add.

Commissioner Egan agreed with Commissioner Schwartz

Chairman Kardatzke asked if there were any other comments from the Commission. None responded. He then called for a motion for recommendation.

#### **Plan Commission Recommendation**

Commissioner Egan made a motion, seconded by Commissioner Wentink to recommend to the President and Board of Trustees approval of the Special Use and Site Plan Approval to Operate an Exercise Center at 806 W. Arlington Street in the C-4 Convenience Commercial District with the following conditions:

1. The classes are only offered one class at a time and are staggered appropriately to provide for traffic flow.
2. The applicant complies with the noise control requirements similar to restrictions placed on ilovekickboxing.
3. If the sign is internally illuminated then the hours of illumination need to be limited.

A roll call vote was taken:

*Ayes: Egan, Hoffenberg, Schwartz, Wentink, Weyrauch, Kardatzke*

*Nays: None*

*Motion passed*

#### **IV. GENERAL DISCUSSION**

None

#### **V. PUBLIC COMMENTS**

None

**VI. ADJOURNMENT**

Commissioner Weyrauch made a motion, seconded by Commissioner Schwartz to adjourn the meeting. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

*Minutes prepared by Peggy Halper*

**STAFF MEMORANDUM**

TO: Plan Commission

FROM: Heather Valone, Village Planner

THROUGH: Charity Jones, AICP, Community Development Director

SUBJECT: PC Case #239 - Amendment to the Text of the La Grange Zoning Code to allow Planned Development within the Single Family Residential (R-1 to R-5) Districts.

DATE: December 12, 2017

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**PROPOSAL**

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**PROJECT DESCRIPTION**

Pulte Home Company, LLC., contract purchaser of property at 441 9<sup>th</sup> Ave., the former Masonic Children’s Home (Subject Property, is requesting an amendment to the text of the Zoning Code to allow Planned Developments in single family districts. The applicant will be bringing an application for a rezoning to single family and new subdivision on the Subject Property within the coming months.

**APPLICATION BACKGROUND**

The applicants entered into a contract to purchase the Subject Property for redevelopment into single family homes. The developer is interested in a Planned Development for the property to provide a comprehensive set of guidelines for the new development that meet the expectations of the Village.

However it was discovered that the current La Grange Zoning Code allowed Planned Developments are permitted in the Multiple Family Residential, Commercial, and Industrial Districts. Planned Developments are not included as a special use in Single Family Residential Districts. Based on staff’s research it appears that original intent of the code was not to specifically prohibit Planned Developments in Single Family Districts, but rather an unintentional omission as there had not previously been a need for Single Family Districts to apply for Planned Developments since almost all of the Village’s single family areas were developed.

The applicant is seeking to amend the code, in order to allow for the future submittal of a Planned Development application. Amendment of the code would not guarantee that the application would be granted approval of a Planned Development, but it would enable for the applicants to apply. The Planned Development application will still have to appear before the Plan Commission and subsequently the Village Board for review and subsequent approval or denial.



**GENERAL INFORMATION**

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**Applicant:** Pulte Homes Company, LLC  
c/o Dave Cummings  
1900 E. Golf Rd.  
Suite 300  
Schaumburg, IL 60173

**Status of Applicants:** Contract purchaser of the Subject Property

**Request:** Amendment to the Zoning Code to allow Planned Developments in Single Family (R-1 to R-5) Districts

**Site Location:** 411 9<sup>th</sup> Ave.

**PIN(s):** 18-04-423-002-0000, 18-04-423-003-0000, and 18-04-423-004-0000

**Existing Zoning:** IB Institutional Buildings District

**Existing Land Use:** Masonic Children’s Home facility

**Property Size:** Approximately 8.8 acres

**Comprehensive Plan:** Public and Institutional

**Surrounding Zoning and Land Uses**

	<b>Zoning District</b>	<b>Land Use</b>
<b>North</b>	IB Institutional Buildings District	Meadowbrook Manor
<b>South</b>	R-4 Single Family Residential, OS Open Space	Single family residences, Sedgwick Park
<b>East</b>	R-4 Single Family Residential	Single family residences
<b>West</b>	R-8 Multiple Family Residential, I-1 Light Industrial District	Multi-family residences, M Motors, Atop Auto Repair and Towing railroad tracks

**STAFF ANALYSIS**

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**STANDARDS FOR AMENDMENTS TO THE ZONING CODE**

In determining whether the proposed amendment should be granted or denied, be guided by the data and the following standards required in 14-605:

- 1. The consistency of the proposed amendments with the purposes of the Zoning Code.**  
Section 1-102 of the Zoning Code lists a number of purposes, of the 21 listed purposes only two are applicable to this request. The first is “establish a rational pattern of land uses and encourage the most appropriate use of individual parcels of land in the Village.” Planned developments are special uses designed to provide flexibility from the traditional bulk, space, and yard regulations for an individual property. Planned developments are a plan that is developed for a specific area to allow development/redevelopment of that area. Providing the option for single family properties to apply for Planned



Developments directly contributes to the purpose of the Zoning Code. The second applicable purpose in section 1-102 is “encourage compatibility between different land uses.” The majority of the single family areas are built out and are unlikely to need Planned Developments. The remaining undeveloped/underdevelopment single family properties may be challenging properties due to the established nature of surrounding properties and uses. Allowing single family zoned properties the opportunity to apply for Planned Developments provides flexibility to accommodate and mitigate differences between neighboring land uses.

Section 3-101 defines the purposes of the Single Family Residential Districts, only one of the three listed purposes are applicable to the request. The Single Family Residential Districts list “perpetuating the existing high quality residential character of the Village by preserving established neighborhoods while encouraging beneficial new development consistent with the overall character of the existing Village.” The Planned Development as previously discussed allows for conditions to be placed on the approval that can require a higher quality development in exchange for deviations from the Zoning Code. As an example a Planned Development could require higher quality building materials such as brick/stone and fiber cement siding and restrict the use of lower quality materials such as vinyl. The use of higher quality building materials directly impacts the viewshed of the surrounding properties. Conditions could also be placed on the style of architecture to match the surrounding neighborhood or be consistent with the types of new homes being constructed within the Village. These conditions can be used to both perpetuate the high quality residential character of the community and require consistency with the overall character of the Village.

Section 14-502 also lists the purposes for Planned Developments. Planned Developments encourage flexibility in development/ redevelopment of land, promote creative architectural and site designs, and promote open spaces and recreational opportunities. The last purpose of Planned Developments is to create a more desirable environment than would be possible through strict application of the Zoning Code, through the use of open space(s), excellent building design, or amenities. The purposes for Planned Developments are consistent with and support the purposes from Sections 1-102 and 3-101 of the Zoning Code discussed above.

Lastly, Section 14-509-D-4 lists standards for granting Planned Developments for the R-1 Single Family District. This exiting section indicates that Planned Developments would permitted in the Single Family District; however, the preceding section (14-502) does not list Single Family Residential Districts as an option for Planned Development requests. The requested text amendment would provide more consistency between the two sections.

**2. The community need for the proposed amendments and for the uses and development they would allow.**

The requested text amendment would apply to all Single Family Residential Districts; however, it does not guarantee that Planned Development will be granted. The text amendment looks to simply allow interested property owners within Single Family Residential Districts the option to apply for a Planned Development. Once an application is submitted, the Planned Development must be brought before the Plan Commission and Village Board for approvals. Under the current code Single Family Residential zoned properties could not submit an application for a Planned Development.

Additionally, there are some properties that due to unique challenges could not develop/redevelop without Planned Developments. Meaning that these properties could be left vacant and become



potential nuisances. By providing the opportunity for these challenged properties to apply for Planned Development allows these properties to potentially develop, which in turn benefits the neighboring properties and the community as a whole. Planned Developments are a special use, which enables the Village to place conditions on the development to promote compatibility with surrounding properties and mitigate any adverse impacts of the development during the approval process. Other amenities or improvements that can be required as part of a Planned Development range from public improvements (sidewalks, landscaping, open spaces etc.) to aesthetics of the architecture within the development. Planned Developments can be a tool to enable development of challenging single family zoned properties with development/redevelopment that is consistent with the established community character.

## **ATTACHMENTS**

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1. Applicant submittal package



APPLICATION FOR AMENDMENTS

TO THE PRESIDENT AND  
BOARD OF TRUSTEES  
VILLAGE OF LA GRANGE

Application No. \_\_\_\_\_  
Date Filed \_\_\_\_\_  
UARCO No. \_\_\_\_\_

Application is hereby made by: PULTE HOME COMPANY LLC, the contract purchaser of the Property.

Address: 1900 E. Golf Road, Suite 300, Schaumburg, Illinois 60173

Phone 847-230-5400

Email: Dave.Cumming@PulteGroup.com; Dave Cumming- Pulte Land Entitlement Manager

Owner of the property and the address: ILLINOIS MASONIC CHILDREN'S HOME, an Illinois not for profit corporation; the Property is commonly known as the Illinois Masonic Children's Home Property as described in the legal description that is appended hereto as "Exhibit 1".

Permanent Real Estate Index No. 18-04-423-002; 18-04-423-003; 18-04-423-004.

(1) REZONING FROM: N/A

(2) AMENDMENT (other than rezoning) OF THE ZONING ORDINANCE, as follows:

(Indicate Article, Section, etc. where applicable): Article III- Section 3-106 and Article XIV- Section 14-502. The proposed text amendments are appended hereto as "Exhibit 2" (the "Amendments").

(3) PURPOSE of rezoning/amendment: To authorize planned developments as a special use within Single Family Residential Districts.

**STANDARDS:** The petitioner should state reasons and submit any pertinent evidence to support the following factors:

(1) **The consistency of the proposed amendment with the purposes of this code.**

The proposed text amendments (the "Amendments") are consistent with the stated intent of the Zoning Code as set forth in Section 1-102, which states: "...implement and foster the goals and policies of the Village's Official Comprehensive Plan". The Amendments are narrowly intended to provide for planned developments as a permitted special use in the Single Family Residential Districts. The Zoning Code currently permits planned developments as a special use in all zoning districts except Single Family Residential Districts. Planned developments provide flexibility to ensure that the Village achieves certain stated objectives, such as flexibility in the redevelopment of land and the promotion of creative architectural and site designs. The use of planned developments provides the Village with the opportunity to relax certain land use regulations, which promotes the creation of a more desirable environment than would be possible through strict application of the Code.<sup>1</sup>

<sup>1</sup> Zoning Code Section 14-502(A-E)

(2) **The community need for the proposed amendment and the uses and development it would allow.**

The trend in land development is to complete larger developments as planned developments because, as noted above, planned developments provide flexibility to ensure that the Village achieves certain stated objectives, such as flexibility in the redevelopment of land and the promotion of creative architectural and site designs. Unless the Amendments are adopted, the Village and its residents will continue to be precluded from developing land within Single Family Residential Districts as planned developments. This would be inconsistent with the goals and policies of the Village's Official Comprehensive Plan because it would prevent the Village from completing larger developments within Single Family Residential Districts as planned developments, which would deny the Village the flexibility that planned developments provide.

(3) The following standards related to a particular property: This section does not apply.

(a) **Existing Uses and Zoning.** The existing uses and zoning classifications of properties in the vicinity of the subject property.

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(b) **Trend of Development.** The trend of development in the vicinity of the subject property, including changes, if any, in such trend since the subject property was placed in its present plan designation or zoning classification.

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(c) **Adverse Impact on Subject Property Value.** The extent to which the value of the subject property is diminished by the existing plan designation or zoning classification applicable to it.

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(d) **Presence or Absence of Offsetting Public Benefit.** The extent to which such diminution in value is offset by an increase in the public health, safety, and welfare.

---

- (e) **Suitability for Use as Currently Zoned.** The suitability of the subject property for uses permitted or permissible under its present plan designation and zoning classification.
- 

- (f) **Lack of Development as Zoned.** The length of time, if any, that the subject property has been vacant, considered in the context of the pace of development in the vicinity of the subject property.
- 

\* \* \*

**NOTICE:** This application must be filed with the office of the Community Development Director, accompanied by necessary data called for above and the required filing fee escrow a minimum of thirty days in advance of the public hearing date.

The escrow for the application is \$1,500.00. Should the funds in escrow fall below \$300 the Village will request that the applicant replenish the escrow funds prior to further processing of said application.

The above filing fee and escrow shall be payable at the time of the filing of such request. Any funds remaining in escrow will be returned to the applicant after the Village Board approval and all staff and consultant work is completed.

The above minimum fee shall be payable at the time of the filing of such request. It is also understood that the applicant shall reimburse the village any additional costs over and above these minimums, which are incurred by the Village, including but not limited to the following:

- (a) Legal Publication (direct cost);
- (b) Recording Secretarial Services (direct costs);
- (c) Court Reporter (direct cost);
- (d) Administrative Review and Preparation (hourly salary times a multiplier sufficient to recover 100 percent of the direct and indirect cost of such service);
- (e) Document Preparation and Review (hourly salary times a multiplier sufficient to recover 100 percent of the direct and indirect cost of such service);
- (f) Professional and Technical Consultant Services (direct cost);
- (g) Legal Review, Consultation and Advice (direct cost);
- (h) Copy Reproduction (direct cost);
- (i) Document Recordation (direct cost); and
- (j) Postage Costs (direct cost).

(Remainder of this page intentionally left blank)

I, the undersigned, do hereby certify that I am the owner or contract purchaser (evidence of title or other interest you have in the subject property, date of acquisition of such interest and the specific nature of such interest must be submitted with application) and do hereby certify that the above statements are true and correct to the best of my knowledge. I also acknowledge that Village staff will prepare a report with a recommendation to the Plan Commission prior to my hearing. I understand that this report will be available for my viewing the Friday prior to my hearing and it is my responsibility to contact the Village to view this report or obtain a copy.

David M. Cummings  
(Name)

1900 E. Golf Rd., Suite 300  
(Address)

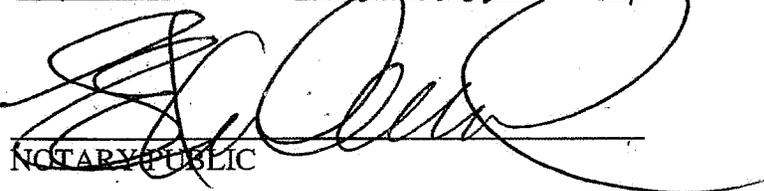
Schaumburg  
(City)

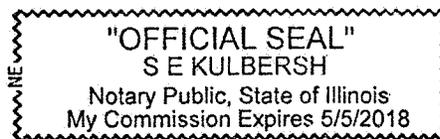
IL  
(State)

60173  
(Zip Code)

SUBSCRIBED AND SWORN TO BEFORE ME THIS

27<sup>th</sup> DAY OF November, 2017.

  
\_\_\_\_\_  
NOTARY PUBLIC



Place Seal Here

**Exhibit 1**

**Exhibit 1**

**Legal Description**

LOTS 1 TO 26, BOTH INCLUSIVE, IN BLOCK 24 AND LOTS 1 TO 13, BOTH INCLUSIVE, IN BLOCK 25, ALL IN LEITER'S 3<sup>RD</sup> ADDITION TO LAGRANGE, IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, WEST OF BLUFF AVENUE (EXCEPT THAT PART NORTH OF SOUTH 710 FEET OF THE WEST 1095 FEET THEREOF)

ALSO

VACATED 10<sup>TH</sup> AVENUE NORTH OF 47<sup>TH</sup> STREET AND SOUTH OF GOODMAN AVENUE, NOW CLOSED BY ORDINANCE RECORDED IN DOCUMENT NO. 7411694.

PIN(s): 18-04-423-002-0000; 18-04-423-003-0000; 18-04-423-004-0000

**Exhibit 2**

**Exhibit 2**

## PART V: PLANNED DEVELOPMENTS

### 14-501 AUTHORITY

The Board of Trustees may grant special use permits under this Part V authorizing the development of planned developments in the districts where planned developments are listed as a special.

### 14-502 PURPOSE

Planned developments a distinct category of special use. They are authorized in the **single family**<sup>1</sup>, multiple family, commercial, office, industrial and institutional buildings districts.

Within a planned development, the traditional use, bulk, space, and yard regulations may be relaxed if they impose inappropriate limitations on the proposed development or redevelopment of a parcel of land that lends itself to an individual, planned approach. Through the flexibility of a planned development, the Village seeks to achieve the following specific objectives:

- A. Encouragement of flexibility in the development or redevelopment of land.
- B. Creation of an appreciably more desirable environment than would be possible through strict application of Village land use regulations, whether through maximization of open space, or excellent in building and site design, or provision of amenities not possible under the otherwise applicable requirements
- C. Promotion of a creative architectural and site designs and resulting development.
- D. Promotion of quality, useful open space and recreational opportunities.

## ARTICLE III SINGLE FAMILY RESIDENTIAL DISTRICTS

### 3-106 SPECIAL USES

Except as specifically limited in the following paragraphs, the following **use uses** may be permitted in any Single Family Residential District subject to the issuance of a special use permit as provided in Section 14-401 of this Code and subject to the additional standards hereinafter set forth:

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<sup>1</sup> The proposed changes are identified as follows: (1) new language is underlined and appears in bold print (2) deletions are stricken and appear in bold print.

A. Public Utility Stations, subject to the following additional standards:

1. Structure Appearance and Screening. All structures either shall have exteriors that give appearance of a structure permitted in the district where located or shall comply with the buffer and landscape requirements applicable to non-dwelling uses abutting a residential district pursuant to Subsection 9-014H of this Code.

2. Safety Fencing. All such uses shall be fenced when any hazard to the safety of human or animal life is present.

3. Service and Storage Prohibited. No service or storage yard or structure shall be permitted except as permitted for other uses in the district.

**B. Planned developments, pursuant to the regulations and standards set forth in Part V of Article XIV of this Code.**

**STAFF MEMORANDUM**

TO: Plan Commission

FROM: Heather Valone, Village Planner

THROUGH: Charity Jones, AICP, Community Development Director

SUBJECT: Text Amendments relating to Articles III, IV, V, VI IX, XII, and XVI of the La Grange Zoning Code proposed by Village staff

DATE: December 12, 2017

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**PROPOSAL**

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**Summary**

As part of a yearly review of the La Grange Zoning Code, staff has identified several sections of code for amendments. The majority of the proposed amendments are intended to aid consistent enforcement of current zoning regulations by clarifying sections of the Zoning Code. Additional amendments reflect changes to current zoning requirements. Attached is a table detailing the proposed amendments to the Zoning Code to address the provisions related to permitted special uses in single family (R-1 to R-5) Districts, design standards for two-family dwelling units, permitted and special uses in the Commercial (C-1 to C-4) Districts and Office (O-1) Districts, aesthetics related to fences, height restrictions for non-conforming buildings, and additions of definitions for architectural features. Words that are underlined in the table are proposed additions to the text of the Zoning Code and words ~~stricken~~ are proposed deletions. The amendments are organized by topic, rather than by chapter, to facilitate discussion.



Topic: Accessory and Special Uses in Residential Districts R- 1 to R-5	Reason for Change																
<p><b>3-106 Special Uses</b>  <u>B. Planned Developments, subject to the requirements in Part V of Article XIV of this Code in R-4 and R-5 Districts only.</u></p>	<p>This amendment is in conjunction with the text amendment for PC #239 to allow for Planned Developments in single family districts. Planned Developments are currently not listed as an authorized special use; however, it is listed as an authorized special use the Multiple Family, Commercial, and Industrial Districts. The amendment looks to allow Planned Developments in the R-4 and R-5 Single Family Residential Districts. The existing text Section 14-509-D-4 specifically references standards for Planned Developments related to the R-1 Single Family District. The amendment would make both sections consistent with one another.</p>																
Topic: Permitted and Special Uses in Commercial Districts	Reason for Change																
<p><b>5-102-A Construction , Special Trade Contractors</b>  <u>9. General Contractors offices without Outdoor Storage</u></p> <table border="0" data-bbox="203 1066 511 1134"> <tr> <td>C-1</td> <td>C-2</td> <td>C-3</td> <td>C-4</td> </tr> <tr> <td>-</td> <td>-</td> <td><u>P**</u></td> <td>-</td> </tr> </table> <p>32. <u>Optical Goods Stores (5995). Optical Goods Store may include Offices of Optometrists (8042), but only accessory to Optical Goods Stores and subject to the following conditions: (a) in the C-1 and C-2 District the full width of the storefront must be devoted exclusively to retail sales and (b) the retail sales area must be not less than 60% of the gross floor area of the storefront unit.</u></p> <table border="0" data-bbox="203 1507 511 1575"> <tr> <td>C-1</td> <td>C-2</td> <td>C-3</td> <td>C-4</td> </tr> <tr> <td>P</td> <td>P</td> <td>P</td> <td>P</td> </tr> </table>	C-1	C-2	C-3	C-4	-	-	<u>P**</u>	-	C-1	C-2	C-3	C-4	P	P	P	P	<p>A number of other contractors’ offices (plumbers, HVAC, electricians, carpenters, roofing, and etc.) are permitted in the C-3 district except for General Contractors. This appears to be the result of omission rather than an intent to exclude these offices, as their operations would not differ significantly from the other types of contractors allowed.</p> <p>Currently the code allows the sale of optical goods per SIC code 5995. Per the current code requirements, regardless of the area for retail sales of optical goods, the presence of an optometrist would designate the use as a Medical Office. Medical Offices are restricted to second story locations in the C-1CR and C-3L districts. However, based on current industry practice there are a very limited number of optical good stores that do not have a least one optometrist on site to generate the prescription that in turn creates the sale of the optical goods. The proposed text would provide the flexibility to allow these uses that are primarily retail, but have a secondary service use that provides assistance in generating retail sales. However, although this use is primarily retail, it may not generate sales tax. The State only requires 1% sales tax on items such as contacts or glasses. Additionally, if less than 35% of the revenue for the entire business is generated from</p>
C-1	C-2	C-3	C-4														
-	-	<u>P**</u>	-														
C-1	C-2	C-3	C-4														
P	P	P	P														



	<p>the sale of glasses or contacts then the tax is paid as part of the price from the vendor. The vendor in turn reports the sales tax.</p>
<p><b>Topic: Financial Uses in the Commercial Districts</b></p>	<p><b>Reason for Change</b></p>
<p><b>5-102-D Finance, Insurance, and Real Estate</b></p> <p>2. Depository and Nondepository Credit Institutions (60-61), but not including drive-in establishments or automatic teller machines, except automatic teller machines attached to the principal structure on the lot (see spacing requirements below) ‡</p> <p>C-1    C-2    C-3    C-4 P*‡    P       P***_    P</p> <p><del>3. Depository and Nondepository Credit Institutions (SIC #60-61) but not including drive-in establishments or automatic teller machines, except automatic teller machines attached to the principal structure on the lot ‡; and Security and Commodity Brokers, Dealers Exchanges, and Services (62), subject to the following conditions: (a) the use may not exceed 3,100 square feet of gross floor area on the first floor, (b) the use may be located only in a storefront with no frontage on La Grange Road or Ogden Avenue in the C-3 General Service Commercial District (Limited), and (c) the user licensee must pay the Village a fee in lieu of sales taxes based on the amount of retail sales tax per square foot. ‡</del></p> <p><del>C-1    C-2    C-3    C-4 _____ P _____</del></p> <p>34. Security and Commodity Broker, Dealers Exchanges, and Services (62) (see spacing requirements below) ‡</p> <p>C-1    C-2    C-3    C-4 P*‡    P       P***_    P</p>	<p>The proposed text utilizes a new footnote symbol (***) . This new footnote provides conditions for users seeking to locate in the C-3L portion of the C-3 District (which are currently found in item #3, proposed to be stricken). Please see the proposed footnote text below for further explanation.</p> <p>This text is incorporated into the proposed footnote text below.</p> <p>The following three categories are not altered only the list number updated.</p>



<p><u>45. Insurance Carriers, Agents, Brokers, and Services (63-64)</u></p> <p>C-1    C-2    C-3    C-4 P*    P       P**    P</p> <p><u>56. Real Estate Offices (65)</u></p> <p>C-1    C-2    C-3    C-4 P*    P       P**    P</p> <p><u>67. Holding and Other Investment Offices (67)</u></p> <p>C-1    C-2    C-3    C-4 P*    P       P**    -</p> <p><u>*** If this use is located within in the C-3 (Limited) District, bounded by Ogden Avenue, Beacon Place, Hillgrove Avenue, and Madison Avenue, then the use is subject to the following conditions: (1) the use is not permitted to be located in a storefront unit with frontage on La Grange Road or Ogden Avenue; (2) the use is not permitted to exceed 3,100 square feet of gross floor area on the first floor; (3) the user must pay the Village a fee in lieu of sales tax based on the amount of retail sales tax per square foot that would otherwise be generated by a sales tax generating retail use.</u></p>	<p>Although the footnote is placed in this report for discussion purposes, within the text of the code it can be found on page 209 or after section 5-102. The proposed footnote would incorporate additional conditions for Depository and Nondepository Credit Institutions and Security and Commodity Brokers, Dealers Exchanges, and Services looking to locate within the C-3L portion of the C-3 district. These conditions are generally the same as the existing use category (item #3 above) that was stricken. This is similar to the two other existing foot notes (* and **) that already regulate locations and conditions for certain uses within the C-1CR and C-3L Districts.</p>
<p><b>Topic: Storefront Requirements</b></p>	<p><b>Reason for Change</b></p>
<p><b>5-101-C Retail Trade</b> 3. Personal Physical Fitness Training and supervised exercise facilities in conjunction with retail sales (NAICS 713940), subject to the following conditions: (a) the use may not exceed 3,500 square feet of gross floor area on the first floor, (b) the use is permitted only in a storefront <del>space</del> that does not exceed 30 feet in width at the front lot line, (c) in the C-1 District and the C-2 District the full width of the <del>use at the</del> storefront must be devoted exclusively to retail sales <u>to a depth within the store of not less than an average of 25 feet, as measured from the storefront windows, and the retail sales area must have an average depth of not less than 25 feet measured from the storefront.</u></p>	<p>Throughout the existing text storefront is used to mean more than one feature. Additionally, there is currently no definition to assist in interpreting the code. Included below if the “Definitions” section of the table a definition of storefront is being proposed. Thus the various uses that utilized the term “storefront” are being updated not to change requirements, but to clarify them. Additionally staff is proposing this language to make all the references to storefront in the code consistent. This text amendment looks to provide clarity to the conditions it does not look to alter or remove any conditions or change the districts which the use is permitted.</p>



C-1	C-2	C-3	C-4
P	P	P	P
<p>15. Mobile Phone Maintenance and Repair in conjunction with retail sales of mobile phone and computer accessories and peripherals, subject to the following conditions: (a) the use may not exceed 1,000 square feet of gross floor area on the first floor, (b) the use <u>is permitted</u> <del>may be located</del> only in a storefront that does not exceed 30 feet in width at the front lot line, and (c) the full width of the storefront must be devoted exclusively to retail sales to a depth within the store of not less than an average of 25 feet, <u>as measured from the storefront windows.</u> (7629)</p> <p><b>5-102-E Services</b> 38. Waxing Salons (NAICS 611692), subject to the following conditions; if located on the first floor within the portion of the C-1 District bounded by Burlington Avenue, 6th Street, Cossitt Avenue, and Ashland Avenue: (a) the full width of the storefront must be devoted exclusively to retail sales <u>to a depth within the store of</u> <del>and the retail sales area must have an average depth of</del> not less than <u>an average of 15 feet, as measured from the storefront windows</u> and (b) the use must not be located within 600 feet of any other waxing salon fronting on the same street.</p> <p><b>5-109-G Commercial Food Preparation Facilities</b></p> <p>5. Retail <u>or restaurant area</u> <del>storefront</del> required. A facility is permitted only if it is located behind an established, operating retail store or restaurant operating on the premises</p> <p>6. Food preparation not permitted in <del>storefront</del> <u>retail sales or restaurant</u> area. The full width of the storefront of the premises in which a facility is located in the C-1, C-2, and C-3 (Limited) Districts must be devoted exclusively to retail sales or restaurant. This <del>storefront</del> <u>retail sales or</u></p>			
<p>As indicated in the proposed amendment above the following four amendments are proposed to use the term storefront more consistently.</p>			



<p><u>restaurant</u> area must be at least 25% of the gross floor area of the premises.</p>	
<p><b>Topic: Permitted and Special Uses in Office Districts</b></p>	<p><b>Reason for Change</b></p>
<p><b>6-102-C-2 Services</b></p> <p>2. Miscellaneous Personal Services (729), but not including tattoo parlors, <u>escort services, locker rentals, Turkish baths, massage parlors, car title and tag service, rest room operation, marriage bureau, or dating service.</u></p>	<p>The 729 Standard Industrial Classification (SIC) allows of board range of services. This amendment removes some types of services that do not fit within the purpose of the Office District. The Office District is designed to provide the full range of business and professional office uses, and related retail and service uses, appropriate in the Village's suburban setting.</p>
<p><b>Topic: Aesthetics of Fences</b></p>	<p><b>Reason for Change</b></p>
<p><b>9-105 Fences</b></p> <p><u>J. Construction. All fences in all zoning districts shall be erected or installed so that the finished side faces outward, that is, the construction supports face the interior of the lot on which the fence is installed.</u></p>	<p>The current fence section does not require the finished or “nice side” of the fence to face outward. The fence section currently allows the unfinished side to face the neighboring properties, public street, or public ally. As the unfinished side of the fence is not visually appealing staff is looking to update the fence section. Staff acknowledges that there are other issues with the fence section. However there are a number of other code sections and factors that would need to be updated first before correcting the more substantial fence issues. When more comprehensive update of the Zoning Code is brought before the Plan Commission staff will address the more substantive fence requirement issues.</p>
<p><b>Topic: Nonconforming Uses</b></p>	<p><b>Reason for Change</b></p>
<p><b>12-104-E Limited Horizontal and Vertical extensions of Single Family Detached Dwellings.</b></p> <p>2. Limited Vertical Extensions. Any portion of a single family detached dwelling that is nonconforming with respect to permitted height <u>or maximum height</u> and that is a nonconforming structure solely due to the nonconforming height <u>or maximum height</u> may be extended (a) horizontally at a height in excess of the <u>existing nonconformity permitted height</u> but not in excess of the roof line of the existing structure or (b) <del>horizontally and</del> vertically at a height in excess of the <del>permitted maximum height</del> <u>existing nonconformity but not in excess of the roof line of the existing structure.</u> <del>In either case, such</del></p>	<p>The proposed text amendment does not look to substantially change the intent behind the existing text, it only seeks to clarify the requirement. The current text allows for multiple interpretations that have led to inconsistent enforcement.</p>



<p>extension shall not extend more than 12 inches beyond the exterior face of the exterior walls of the existing dwelling.</p>	
<p><b>Topic: Definitions</b></p>	<p><b>Reason for Change</b></p>
<p><b>16-102-A</b>  <u>Accessory Building, Structure, or Use. See section 9-101 of this code.</u></p> <p><u>Accessory Structure. A structure that is subordinate to and serves a principal building, structure, or use, and contributes to the convenience, comfort, or necessity of occupants of the principal building or principal use served. An accessory structure includes but is not limited to patios, pergolas, service walks and decks.</u></p> <p><u>Accessory Building. A detached building that is subordinate to and serves a principal building, structure, or use, and contributes to the convenience, comfort, or necessity of occupants of the principal building or principal use served. An accessory building includes but is not limited to children’s playhouses, greenhouses, gazebos, garages, and sheds.</u></p> <p><b>16-102-P</b>  <u>Porch. A one-story roofed structure attached to the plane of the building with no more than one enclosed side.</u></p> <p><b>16-102-S</b>  <u>Storefront. A ground-level commercial or retail unit with display windows along the public street or other pedestrian way accessible from the public street.</u></p>	<p>The current definition of Accessory Building and Accessory Structure references another section of the zoning code that defines accessory, but does not distinguish between structure and building. The proposed definition would provide more clear delineation between accessory structure and accessory building.</p> <p>There is no definition of porch contained in Section 16. The lack of definition has caused inconsistent enforcement of provisions related to porches in other sections of the code, as there is no clear classification for porches. The proposed text would prevent confusion related to other sections of the zoning code.</p> <p>There is no definition of Storefront in Section 16. The proposed text would prevent confusion related to other sections of the zoning code that reference this term.</p>



In addition to the above proposed text amendments, changes to the two family dwellings are proposed. The need for the text update arose from a permit application for a two family dwelling unit in an R-6 District. This permit application was the first application since the change of the two family dwelling standards in 2009. The plan review process highlighted areas of the current code that would benefit from further refinement. The current code text is provided below:

**4-102-C Two Family Dwellings**, every building in the R-6 District constructed as a two family dwelling or renovated, converted, reconstructed, or otherwise changed from a single family dwelling into a two family dwelling are subject to the following standards:

1. **Primary Access.** The primary access to each dwelling unit must be into the front of the building, facing the front lot line directly or at an angle less than 45 degrees.
2. **Ground Floor Entrance.** The primary access to each dwelling unit must serve only that dwelling unit and must be located on the first story of the building.
3. **Vehicular Access.** If the zoning lot abuts a public alley, then vehicular access to the zoning lot must be from that public alley. If the zoning lot does not abut a public alley, then the zoning lot may be accessed by a single driveway. Not driveway is permitted through any required front or side yard except only if the zoning lot does not abut a public alley and does not have any other reasonable means of vehicular access.
4. **Architectural features.** The building must be designed with features common to single family detached dwellings in La Grange, including such things as gabled, hipped, or otherwise articulated rooflines; articulated front facades; building materials, textures, and colors buildings; and sizes and scale of windows, doors, porches, balconies, and similar features compatible with surrounding single family buildings. The building may not include design features typically found only on multiple family dwellings.
5. **Landscaping.** The building lot must be landscaped at least with planting along the foundation on each side facing the public street, in a manner typical of foundation plantings of surrounding single family buildings.
6. **Applicability.** These provisions regulating two family dwellings in the R-6 District are applicable to every construction of a new two family dwelling unit, and to every renovation, conversion, reconstruction, or other change from a single family dwelling into a two family dwelling, on and after November 1, 2009, except if a properly completed permit application for such construction, renovation, conversion, reconstruction, or other change has been filled with the Village.

The current text, Sections 4-102-C-2 and 4-102-C-4, allow for a range of design styles. In 2009, amendments to the R-6 Two Family Residential District were brought before the Plan Commission and Village Board. The 2009 amendments intended to carry out the recommendations of the Village's comprehensive plan, but also to specifically address the design of two family dwellings the neighborhood located east of the Indiana Harbor Belt Railroad, west of East Ave., south of Ogden, and norths of Cossitt Ave. The code was crafted to discourage two family dwellings from resembling multi-family developments. The existing code allows for a two family dwellings that appear as side by side units or a unit that appears as an oversized version of a single family home. However, based on the minutes and



discussion with Plan Commission members it appears that the intent of the ordinance was to require two family buildings that appear as single family detached building. Thus the following language is being proposed. If the Plan Commission prefers to allow a broader range of two family building types then then alternative text can be presented.

1. Primary Access. The primary access to each dwelling unit must be into the front of the building, facing the front lot line directly or at an angle less than 45 degrees.
2. Ground Floor Entrance. The primary access to each dwelling unit must serve only that dwelling unit, must be located on the first story of the building. The entrances must share a porch, portico, or other covered entry feature.
3. Vehicular Access. If the zoning lot abuts a public, alley, then vehicular access to the zoning lot must be from that public alley. If the zoning lot does not abut a public alley, then the zoning lot may be accessed by a single driveway. No driveway is permitted through any required front or side yard except only if the zoning lot does not abut a public alley and does not have any other reasonable means of vehicular access.
- ~~4. Architectural features. The building must be designed with features common to single family detached dwellings in La Grange, including such things as gabled, hipped, or otherwise articulated rooflines; articulated front facades; building materials, textures, and colors buildings; and sizes and scale of windows, doors, porches, balconies, and similar features compatible with surrounding single family buildings. The building may not include design features typically found only on multiple family dwellings.~~
4. Architectural features. A two-family building must be designed to closely resemble a single family detached building in architectural appearance and style. The building must be designed with features common to single family detached dwellings in La Grange. The building may not include design features typically found only on multiple family dwellings. The Following standards apply:
  - a. Rooflines. The building must have a gabled or hip roof style. Flat roofs are not permitted.
  - b. Façades. Building facades must incorporate architectural features such as, balconies, bay windows, oriel windows, columns, pillars, or other ornamental features. These features should not be used to differentiate the two units, but instead to create a cohesive façade comparable to single family detached building in La Grange.
  - c. Building Materials. The building must use building materials, textures, and colors that are compatible with surrounding residences.
  - d. Fenestration. The building's windows and doors must be compatible with the sizes and proportions common to single family detached buildings in La Grange.

