

# Village of La Grange



## VILLAGE BOARD MEETING

MONDAY, JULY 10, 2006

7:30 p.m.

Book 1 of 2

Village Hall Auditorium

53 South La Grange Road

La Grange, IL 60525

Elizabeth M. Asperger  
Village President

Robert N. Milne  
Village Clerk

VILLAGE OF LA GRANGE  
BOARD OF TRUSTEES REGULAR MEETING

Village Hall Auditorium  
53 South La Grange Road  
La Grange, IL 60525

AGENDA

Monday, July 10, 2006 – 7:30 p.m.

1. CALL TO ORDER AND ROLL CALL  
*President Elizabeth Asperger  
Trustee Richard Cremieux  
Trustee Mike Horvath  
Trustee Mark Langan  
Trustee Tom Livingston  
Trustee Nicholas Pann  
Trustee Barb Wolf*
2. PRESIDENT'S REPORT  
*This is an opportunity for the Village President to report on matters of interest or concern to the Village.*
  - A. Appointment of Village Officials
3. PUBLIC COMMENTS REGARDING AGENDA ITEMS  
*This is the opportunity for members of the audience to speak about matters that are included on this Agenda.*
4. OMNIBUS AGENDA AND VOTE  
*Matters on the Omnibus Agenda will be considered by a single motion and vote because they already have been considered fully by the Board at a previous meeting or have been determined to be of a routine nature. Any member of the Board of Trustees may request that an item be moved from the Omnibus Agenda to Current Business for separate consideration.*
  - A. Ordinance – Consolidation of Lots / Carolyn M. Blum, 221 S. Stone Avenue
  - B. Ordinance – Resubdivision of Lots, 32 N. Brainard Avenue
  - C. Ordinance – Abatement of Tax Levies / 1998 Residential Street Light Bonds
  - D. Professional Services Agreement – Parking Structure Sealant (Kelmar)
  - E. Quotes – Brick Pavers

- F. Quotes – Brick Paver Installation
- G. Consolidated Voucher 060626
- H. Consolidated Voucher 060710
- I. Minutes of the Village of La Grange Board of Trustees Regular Meeting, Monday, June 12, 2006

5. CURRENT BUSINESS

*This agenda item includes consideration of matters being presented to the Board of Trustees for action.*

- A. Ordinance – Variation – Maximum Building Coverage / Edward and Karen King, 349 S. Kensington Avenue: *Referred to Trustee Langan*
- B. Ordinance – Variation – Maximum Building Coverage / Jacquie and Jim Gove, 437 S. Catherine Avenue: *Referred to Trustee Langan*
- C. Ordinance – Vacation of Right-of-Way to Develop a Strip Shopping Center in the C-4 Convenience Commercial District, 9601 Ogden Avenue, Robert Allen: *Referred to Trustee Pann*
- D. Ordinance – Design Review Permit (DRP) #68 – 9601 Ogden Avenue, Robert P. Allen: *Referred to Trustee Pann*

6. MANAGER’S REPORT

*This is an opportunity for the Village Manager to report on behalf of the Village Staff about matters of interest to the Village.*

7. PUBLIC COMMENTS REGARDING MATTERS NOT ON AGENDA

*This is an opportunity for members of the audience to speak about Village related matters that are not listed on this Agenda.*

8. EXECUTIVE SESSION

*The Board of Trustees may decide, by a roll call vote, to convene in executive session if there are matters to discuss confidentially, in accordance with the Open Meetings Act.*

- A. Closed Session – Probable or Imminent Litigation

9. TRUSTEE COMMENTS

*The Board of Trustees may wish to comment on any matters.*

10. ADJOURNMENT

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The Village of La Grange is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations so that they can observe and/or participate in this meeting, or who have questions, regarding the accessibility of the meeting or the Village's facilities, should contact the Village's ADA Coordinator at (708) 579-2315 promptly to allow the Village to make reasonable accommodations for those persons.

**PRESIDENT'S REPORT**

VILLAGE OF LA GRANGE  
Administrative Offices

**BOARD REPORT**

TO: Village Clerk, Board of Trustees and Village Attorney  
FROM: Elizabeth M. Asperger, Village President  
DATE: July 10, 2006  
RE: **APPOINTMENT OF VILLAGE OFFICIALS**

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In accordance with various sections of the Municipal Code, it is necessary to appoint individuals for the positions of Village Prosecutor, Village Treasurer, Village Collector and Village Comptroller. These are appointed positions with fixed terms of one year, with such terms to be filled after May 1 of each calendar year.

I am herewith submitting for your advice and consent, the following appointments for the specified posts:

Village Prosecutor	John M. Kenney, Jr.
Village Treasurer	Louis Cipparrone
Village Collector	Louis Cipparrone
Village Comptroller	Lawrence Kinports

I recommend that the above appointments be approved.

**OMNIBUS VOTE**

VILLAGE OF LA GRANGE  
Community Development Department

**BOARD REPORT**

TO: Village President, Board of Trustees,  
Village Clerk and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager  
Patrick Benjamin, Community Development Director

DATE: July 10, 2006

RE: **ORDINANCE - CONSOLIDATION OF LOTS/CAROLYN M.  
BLUM, 221 SOUTH STONE**

---

Carolyn M. Blum, owner of the property located at 221 South Stone, has applied for a consolidation of her property, which consists of one 100 foot lot and one 40 foot lot. The applicant wishes to create a lot with a 140 foot frontage, in order to construct a new detached garage in conformance with Village Codes. It is our policy to require the application for consolidation as part of the building permit application process.

In accordance with the Village Ordinance, the Plat of Consolidation has been reviewed and approved by both the Community Development Director and the Chairman of the Plan Commission as being in conformance with our subdivision regulations.

It is our recommendation that the consolidation be approved. Staff has drafted the appropriate ordinance approving the consolidation.

4-A

ORDINANCE NO. O-06-  
AN ORDINANCE APPROVING CONSOLIDATION  
of  
BLUM'S CONSOLIDATION

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE BOARD OF TRUSTEES OF THE VILLAGE OF LA GRANGE, COUNTY OF COOK, STATE OF ILLINOIS THIS DAY OF \_\_\_\_\_, 2006.

WHEREAS, Carolyn M. Blum, owner of the property commonly known as 221 South Stone and legally described as follows:

Lots 17 and 18 and the South 40 feet of lot 19 in block 6 in Lay and Lyman's Subdivision of the West Half of the Southwest quarter of Section 4, Township 38 North, Range 12 east of the Third Principal Meridian, in Cook County, Illinois.

has applied for and presented a plat of consolidation of the above referenced, consolidating the property thereby; and

WHEREAS, the Chairman of the Plan Commission and Community Development Director have recommended to the Village Board of Trustees that said consolidation be allowed; and

WHEREAS, the Village Board of Trustees have determined that said consolidation may be granted without substantially impairing the general purposes and intent of the Comprehensive Plan of the Village of La Grange;

NOW THEREFORE, BE IT ORDAINED THAT THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LA GRANGE, COUNTY OF COOK, STATE OF ILLINOIS:

SECTION 1: The consolidation is hereby approved, pursuant to the specifications set forth on the plat of consolidation attached hereto and made a part hereof.

SECTION 2: This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form for review at the La Grange Offices and the La Grange Public Library.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Elizabeth M. Asperger, Village President

ATTEST:

\_\_\_\_\_  
Robert N. Milne, Village Clerk

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

4-A.1

VILLAGE OF LA GRANGE  
53 S. La Grange Road, La Grange, IL 60525  
Phone (708) 579-2320 Fax (708) 579-0980

**APPLICATION for ~~XXXXXXXXXXXX~~ CONSOLIDATION of LOTS**

Application No.: 151  
Date Filed: 6/6/06

TO THE PLAN COMMISSION  
VILLAGE OF LA GRANGE, ILLINOIS

1. APPLICATION IS HEREBY MADE BY Carolyn M. Blum Trustee of the Carolyn M. Blum Tru.  
dated December 24, 1997
2. Address 221 S. STONE AVE Phone Work: \_\_\_\_\_  
City LA GRANGE Home: 352-4646
3. For Property Located at: 221 S. STONE AVE., La Grange, IL
4. Permanent Real Estate Index Number(s):  
18-04-308-018 18- \_\_\_\_\_  
18-04-308-002 18- \_\_\_\_\_
5. ~~Resubdividing~~ Lot Numbers and Dimensions:  
Consolidation  
A 100 x 135.75 B 40 x 135.75  
C \_\_\_\_\_ D \_\_\_\_\_
6. To Lot Numbers and Dimensions:  
A 140 x 135.75 B \_\_\_\_\_  
C \_\_\_\_\_ D \_\_\_\_\_
7. Reason for ~~XXXXXXXXXX~~ Consolidation: BUILDING OF A NEW GARAGE

**THE FOLLOWING MUST BE SUBMITTED WITH THE APPLICATION IN ORDER TO BEGIN THE PROCESS:**

- A. Plat of Survey.
- B. Lined Plat of Consolidation ~~XXXXXXXXXX~~ (including consent of mortgagee, if applicable).
- C. If Property is in Trust, letter of direction from Trustee to Trust Company approving ~~XXXXXXXXXX~~ consolidation.
- D. Applicable fee - \$50.00 pd. # 80953

4-A.2

I 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.

*Carolyn M. Blum, Trustee of the Carolyn M. Blum Trust*  
SIGNATURE dated December 24, 1997

**FOR VILLAGE USE ONLY:**

Filed with the Community Development Department: \_\_\_\_\_.

Transmitted to Plan Commission at Meeting Held: \_\_\_\_\_.

Findings and Recommendations of Plan Commission referred to Village Board at meeting of

\_\_\_\_\_.

\_\_\_\_\_ **APPROVED**

\_\_\_\_\_ **DENIED**

Original Returned to Owner to be Filed with Cook County Recorder of Deeds:

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

Copies to Community Development Director, Village Engineer and Village Clerk's Office

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

4-A.3

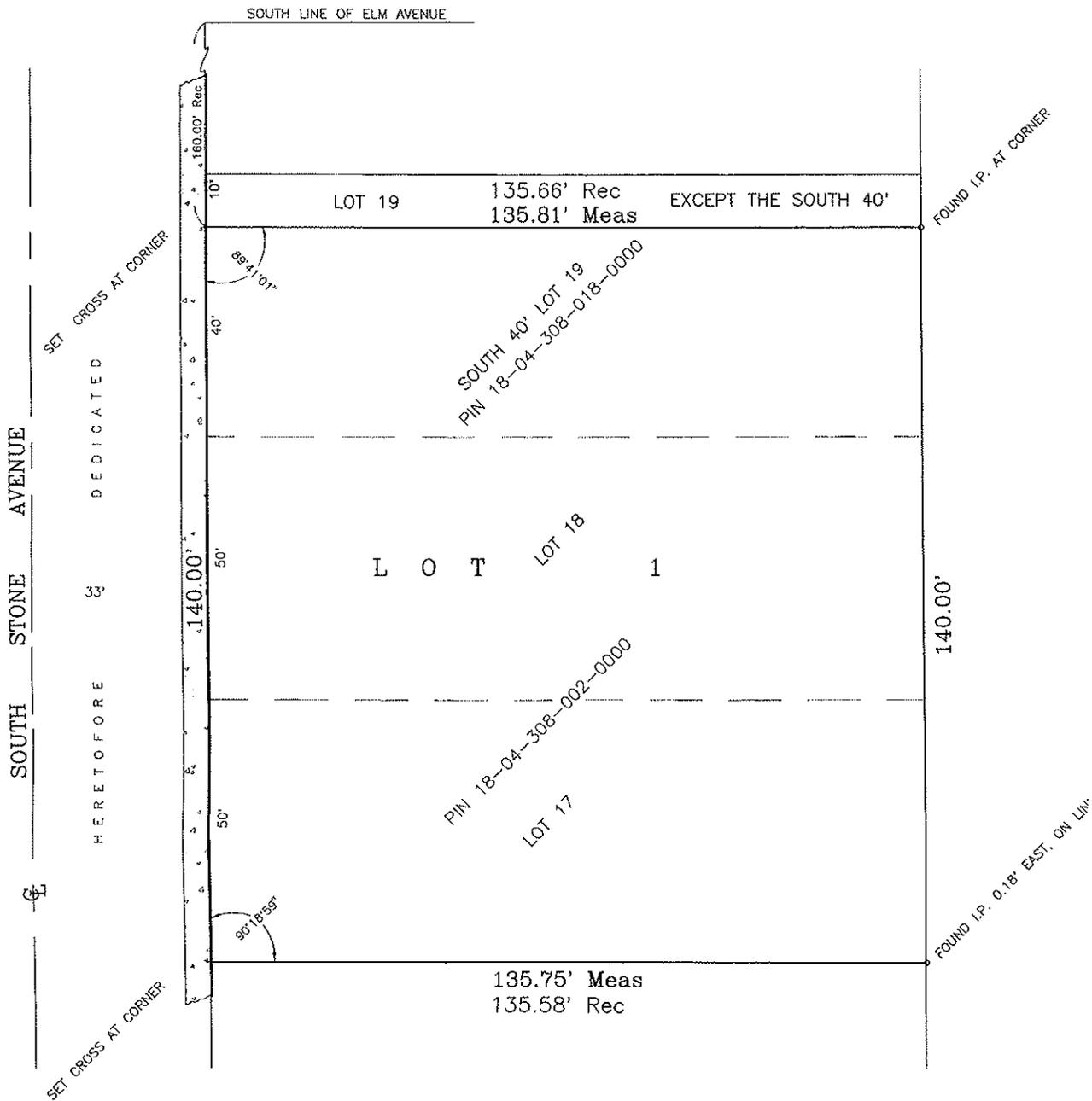
SCHOMIG LAND SURVEYORS, LTD.

# PLAT OF BLUM'S CONSOLIDATION

- O F -

LOTS 17 AND 18 AND THE SOUTH 40 FEET OF LOT 19 IN BLOCK 6 IN LAY AND LYMAN'S SUBDIVISION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

COMMON ADDRESS: 221 SOUTH STONE AVENUE

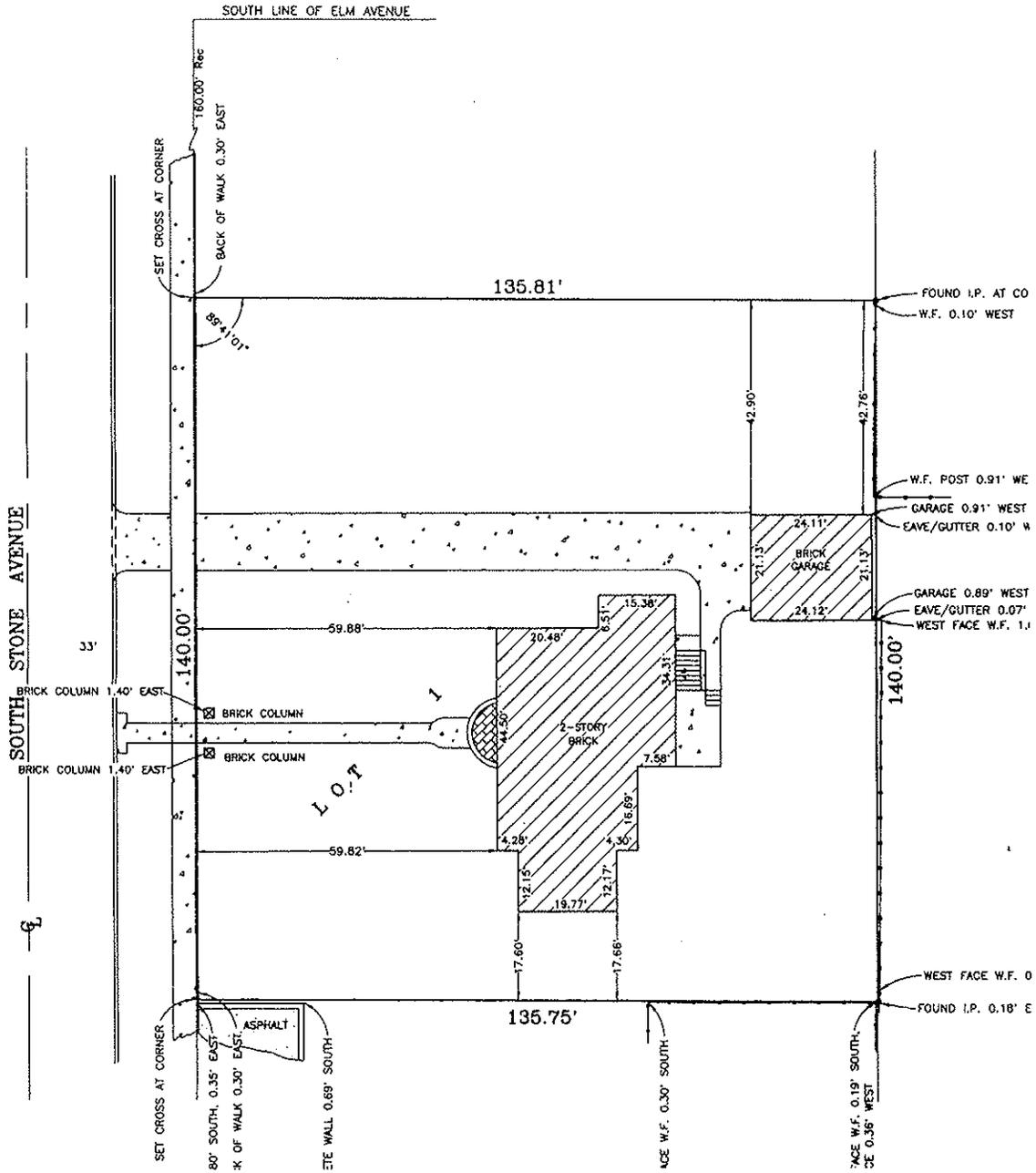


4-A-4

# SCHOMIG LAND SURVEYORS, LTD. PLAT OF SURVEY

LOT 1 IN BLUM'S CONSOLIDATION OF LOTS 17 AND 18 AND THE SOUTH 40 FEET OF LOT 19  
IN BLOCK 6 IN LAY AND LYMAN'S SUBDIVISION OF THE WEST HALF OF THE SOUTHWEST QUARTER  
OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN IN  
COOK COUNTY, ILLINOIS.

COMMON ADDRESS: 221 SOUTH STONE AVENUE



4-A-5



SON'S RESUB. of lots 1, 2, 3, & 4 and the  
Blk. 2 in Chas. C. Lay & David B.  
(see "A"). Rec. Oct 1, 1941 Doc.

"F"

WAY'S CONSOLIDATION, a Resub. of N.  
d S. 15 ft. Lot 18 in Blk. 1 in Lay &  
Rec. Nov 8, 1961 Doc. 18324525.

"G"

ION of Lot 11 and the E. 6 ft. of Lot 16 in  
C. Lay & David B. Lymans Sub. (see  
b 18, 1969 Doc. 20760795.

"H"

SUB. of Lots 16 to 18, & the S.1/2 of Lot  
Chas. C. Lay & David B. Lyman's Sub.  
c. Oct 3, 1980 Doc. 25610039.

"J"

f Lot 17 & the S.1/2 of Lot 18 in Blk. 16 in  
David B. Lyman's Sub. (see "A").  
88 Doc. 88538801.

"K"

SOLIDATION of Lot 5, the S. 32 ft. of  
18 ft. of Lot 6 in Blk. 5 in Charles C. Lay  
an's Sub. (see "A"). Rec. Jan 11, 1990

"L"

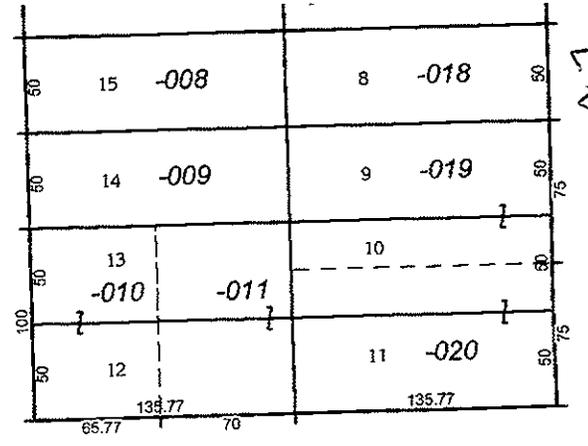
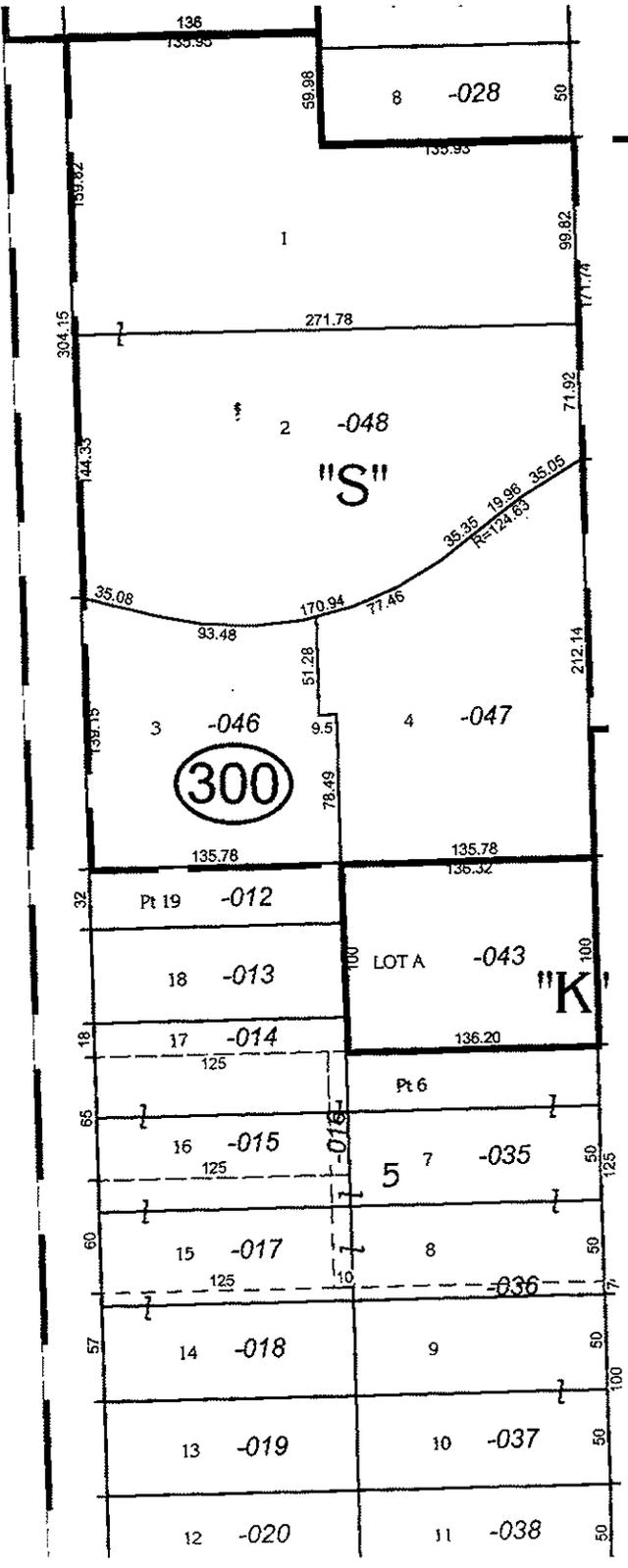
SOLIDATION of Lot 11 & the S. 24 ft. of  
in Charles C. Lay & David B. Lyman's  
Rec. Jan 26, 1990 Doc. 90043900.

"M"

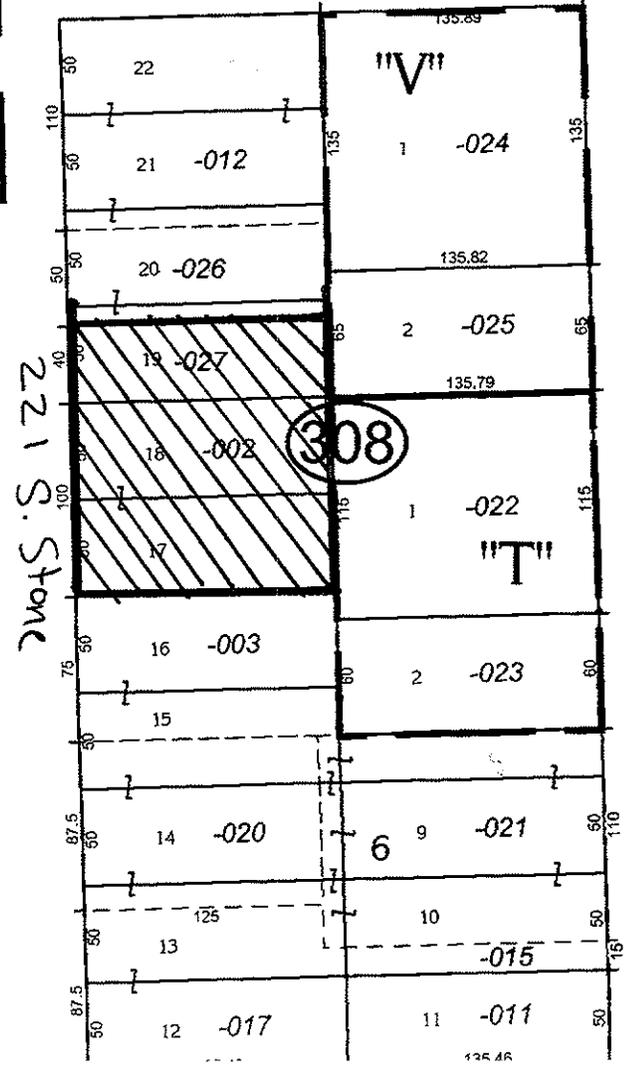
SOLIDATION of Lot 8 & the N.1/2 of  
Charles C. Lay & David B. Lyman's  
Rec. Jan 11, 1990 Doc. 90018069.

"N"

SOLIDATION of Lot 7, the S. 19 ft. of  
ft. of Lot 8 in Blk. 16 in Charles C. Lay  
on's Sub. (see "A"). Rec. Jan 11, 1990



U-A-1



VILLAGE OF LA GRANGE  
Community Development Department

**B O A R D R E P O R T**

TO: Village President, Board of Trustees  
Village Clerk and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager  
Patrick D. Benjamin, Community Development Director

DATE: July 10, 2006

RE: **ORDINANCE – RESUBDIVISION OF LOTS, 32 NORTH BRAINARD**

---

Ralph M. Gutekunst, owner of 32 North Brainard, has applied for a resubdivision of his property. The property is within the R-4 Single Family Residential Zoning District and currently exists as one lot of record equaling 109.3 feet wide.

The owner of 32 North Brainard wishes to resubdivide the lot of record into two conforming lots. The resulting lots will be 59.30 feet by 133.79 feet and 50 feet by 133.79 feet.

On June 27, 2006, the Plan Commission held a public meeting regarding this application. Having found that the proposed resubdivision meets the requirements of all applicable codes, the Plan Commission unanimously recommended that the Village Board approve the resubdivision of 32 North Brainard as presented. It is further recommended that prior to releasing the signed plat for recording that all accessory structures be removed from the southern parcel (Lot 2).

Staff concurs with the recommendation of the Plan Commission and has prepared the necessary ordinance for your consideration.

4-B

ORDINANCE NO. 0-06-

AN ORDINANCE APPROVING THE RESUBDIVISION  
OF  
GUTEKUNST SUBDIVISION

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE BOARD OF TRUSTEES OF THE  
VILLAGE OF LA GRANGE, COUNTY OF COOK, STATE OF ILLINOIS, THIS  
\_\_\_\_\_ DAY OF \_\_\_\_\_, 2006.

WHEREAS, Ralph M. Gutekunst, owner of the property at 32 North Brainard, legally described  
as follows:

Lot 165 and 166 in west end addition to La Grange, being a subdivision of that part of the east  
half of the northeast quarter of Section 5, township 38 North, Range 12 East of the Third  
Principal Meridian, lying between the center line of Ogden Avenue and Northerly line of right of  
way of Chicago, Burlington and Quincy Railroad, in Cook County, Illinois.

has applied for, and presented a plat of resubdivision of the above referenced property; and

WHEREAS, the Plan Commission has recommended to the Village Board of Trustees that said  
resubdivision be allowed; and

WHEREAS, the Village Board of Trustees has determined that said resubdivision may be granted  
without substantially impairing the general purposes and intent of the Comprehensive Plan of the Village  
of La Grange;

NOW THEREFORE BE IT ORDAINED THAT THE PRESIDENT AND BOARD OF  
TRUSTEES OF THE VILLAGE OF LA GRANGE, COUNTY OF COOK, STATE OF ILLINOIS:

SECTION 1: The resubdivision is hereby approved, pursuant to the specifications set forth on  
the plat of resubdivision attached hereto and made a part hereof. The Village President, Clerk and  
other Village Officers are hereby authorized to execute said plat of resubdivision and release for  
recording only upon the removal of all accessory structures from the southern parcel (Lot 2).

SECTION 2: This ordinance shall be in full force and effect from and after its passage, approval  
and publication in pamphlet form for review at the La Grange Offices and the La Grange Public Library.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

**AYES:** \_\_\_\_\_

**NAYS:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

\_\_\_\_\_  
Elizabeth M. Asperger, Village President

ATTEST:

\_\_\_\_\_  
Robert N. Milne, Village Clerk

4-B.1

**APPLICATION for RESUBDIVISION/CONSOLIDATION of LOTS**

Application No.: 150

Date Filed: 5/15/04

TO THE PLAN COMMISSION  
VILLAGE OF LA GRANGE, ILLINOIS

1. APPLICATION IS HEREBY MADE BY RALPH M. GUTENKUNST
2. Address 32 N. BRAINARD Phone Work: 354.4296  
City LA GRANGE Home: 354.4296
3. For Property Located at: 32 N. BRAINARD La Grange, IL
4. Permanent Real Estate Index Number(s):  
18-05-219-012-0000 18-  
18- 18-
5. Resubdividing Lot Numbers and Dimensions:  
A 109.3 x 135.0 B  
C D
6. To Lot Numbers and Dimensions:  
A 59.30 x 13 B 50 x 133.79  
C D
7. Reason for Resubdivision/Consolidation: Sale of property

**THE FOLLOWING MUST BE SUBMITTED WITH THE APPLICATION IN ORDER TO BEGIN THE PROCESS:**

- A. Plat of Survey.
- B. Plat of Consolidation/Resubdivision (including consent of mortgagee, if applicable).
- C. If Property is in Trust, letter of direction from Trustee to Trust Company approving resubdivision/consolidation.
- D. Applicable fee - \$50.00

4-B.2

I 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.

Ralph M. Gutzkunst  
SIGNATURE

**FOR VILLAGE USE ONLY:**

Filed with the Community Development Department: \_\_\_\_\_, \_\_\_\_\_.

Transmitted to Plan Commission at Meeting Held: \_\_\_\_\_, \_\_\_\_\_.

Findings and Recommendations of Plan Commission referred to Village Board at meeting of

\_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_ **APPROVED**

\_\_\_\_\_ **DENIED**

Original Returned to Owner to be Filed with Cook County Recorder of Deeds:

Date: \_\_\_\_\_, \_\_\_\_\_.

Copies to Community Development Director, Village Engineer and Village Clerk's Office

Date: \_\_\_\_\_, \_\_\_\_\_.

4-13-3

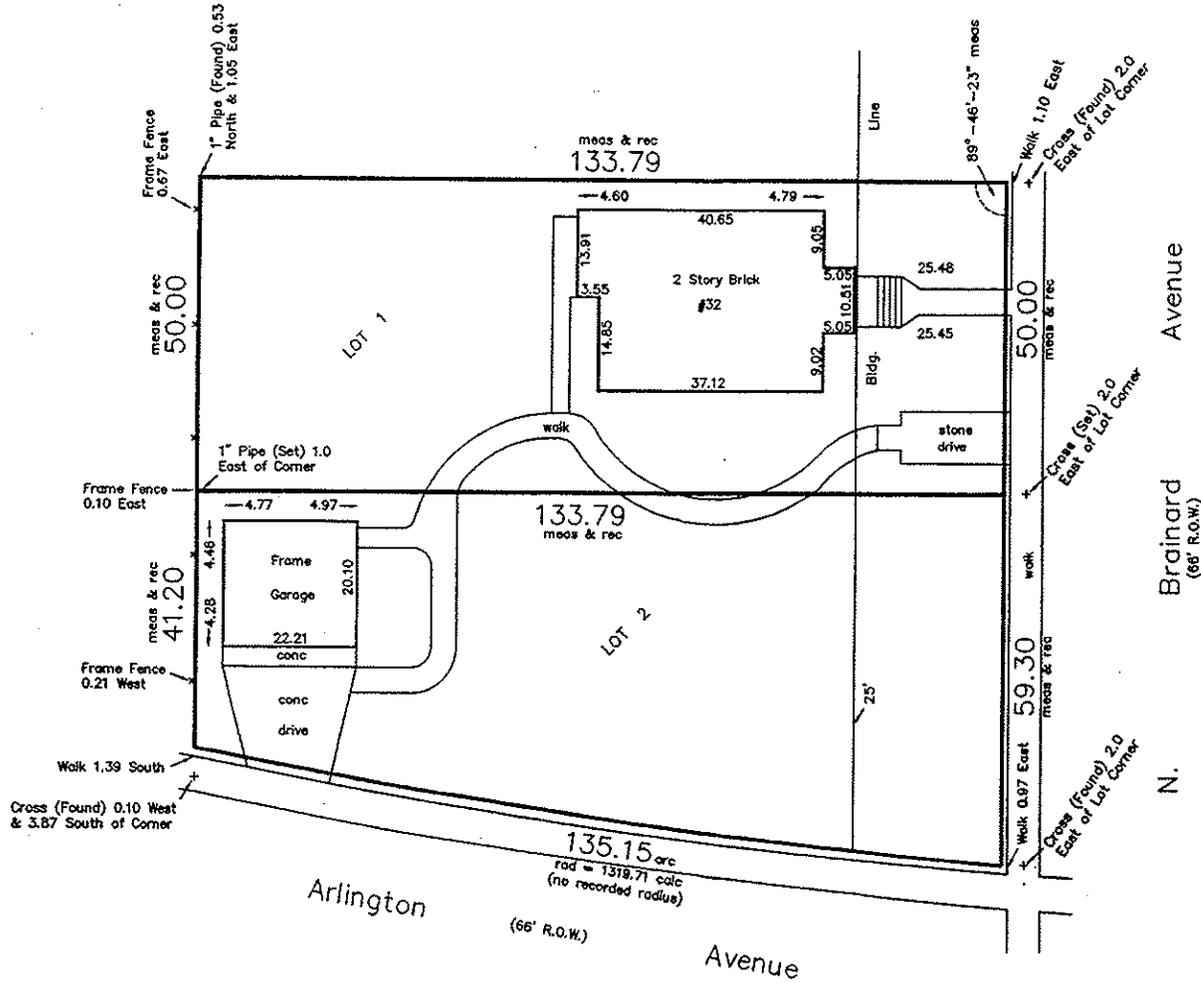


(assumed)

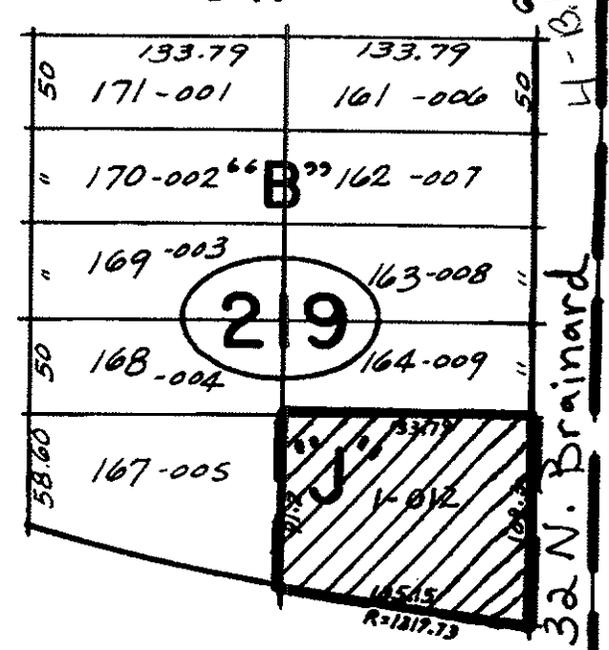
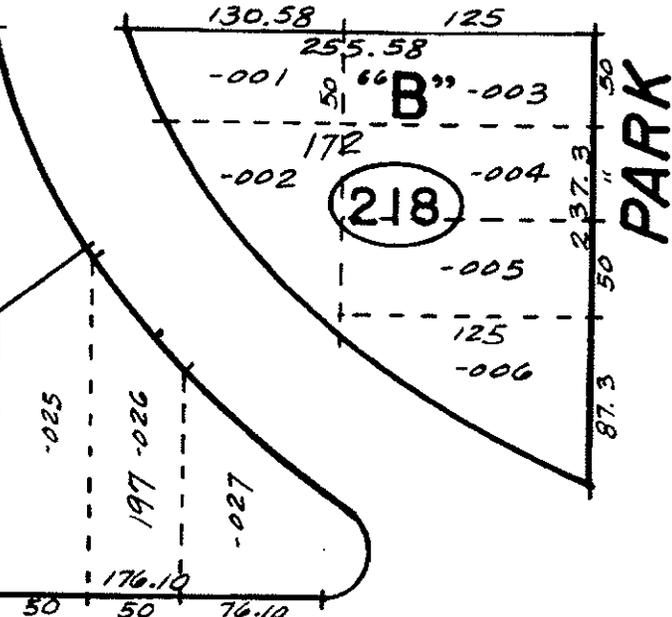
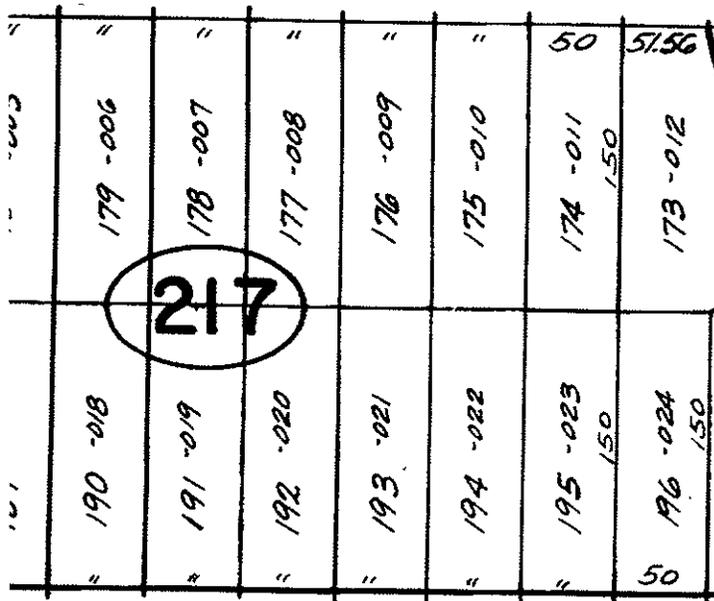
# PLAT OF SUBDIVISION Gutekunst Resubdivision

1-B-1

of Lot 1 of the Plat of Consolidation of Lots 165 and 166 in West End Addition to LaGrange, being a subdivision of that part of the East half of the Northeast quarter of Section 5, Township 38 North, Range 12, East of the Third principal Meridian, lying between the center line of Ogden Avenue and Northerly line of right of way of Chicago, Burlington and Quincy Railroad, in Cook County, Illinois.







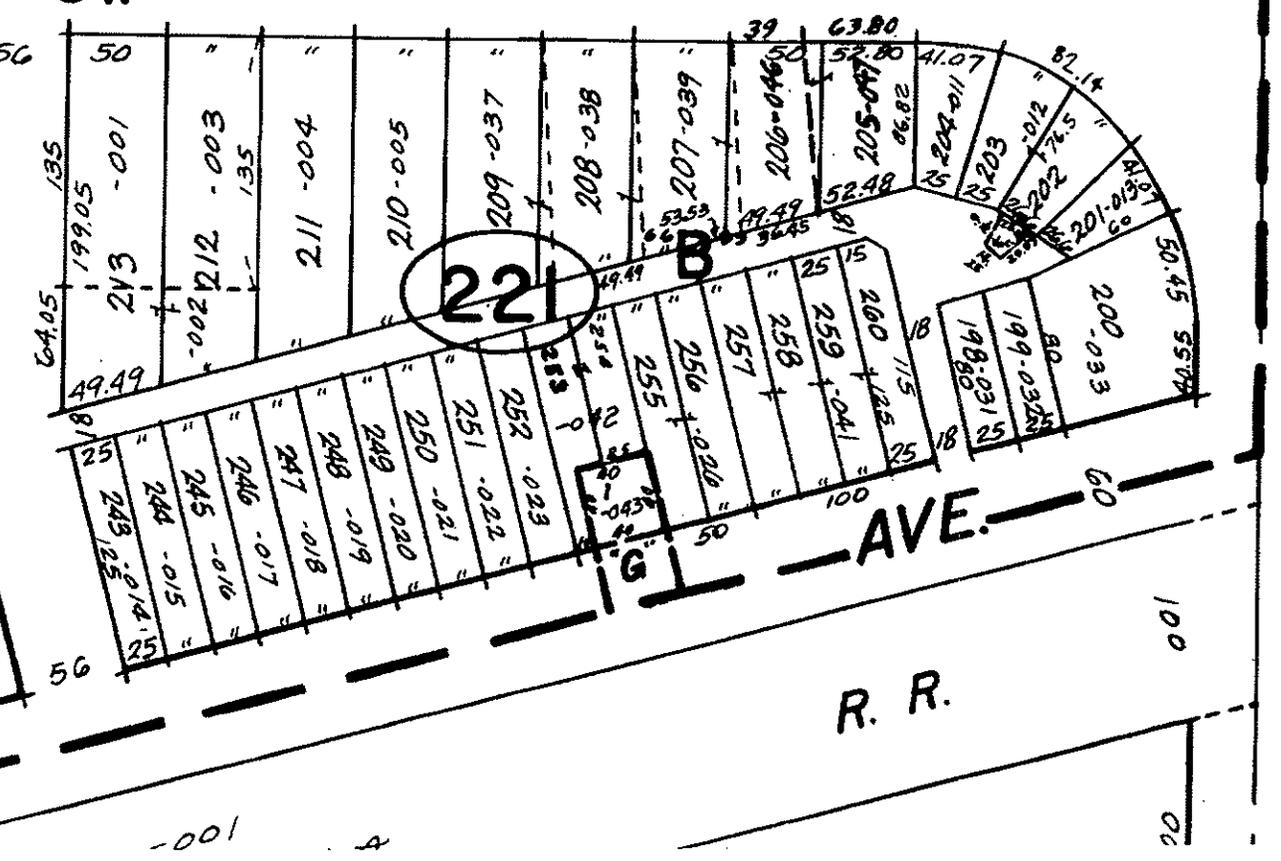
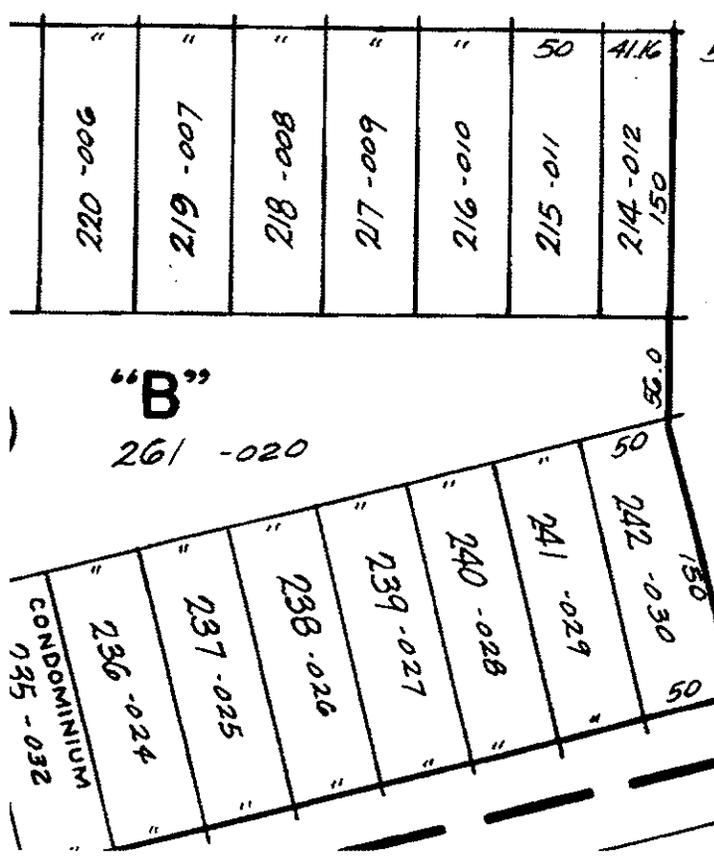
VIGTON

ST.

PARK

St.

32 N. Brainerd



AVE.

R. R.

CONDOMINIUM

66

100

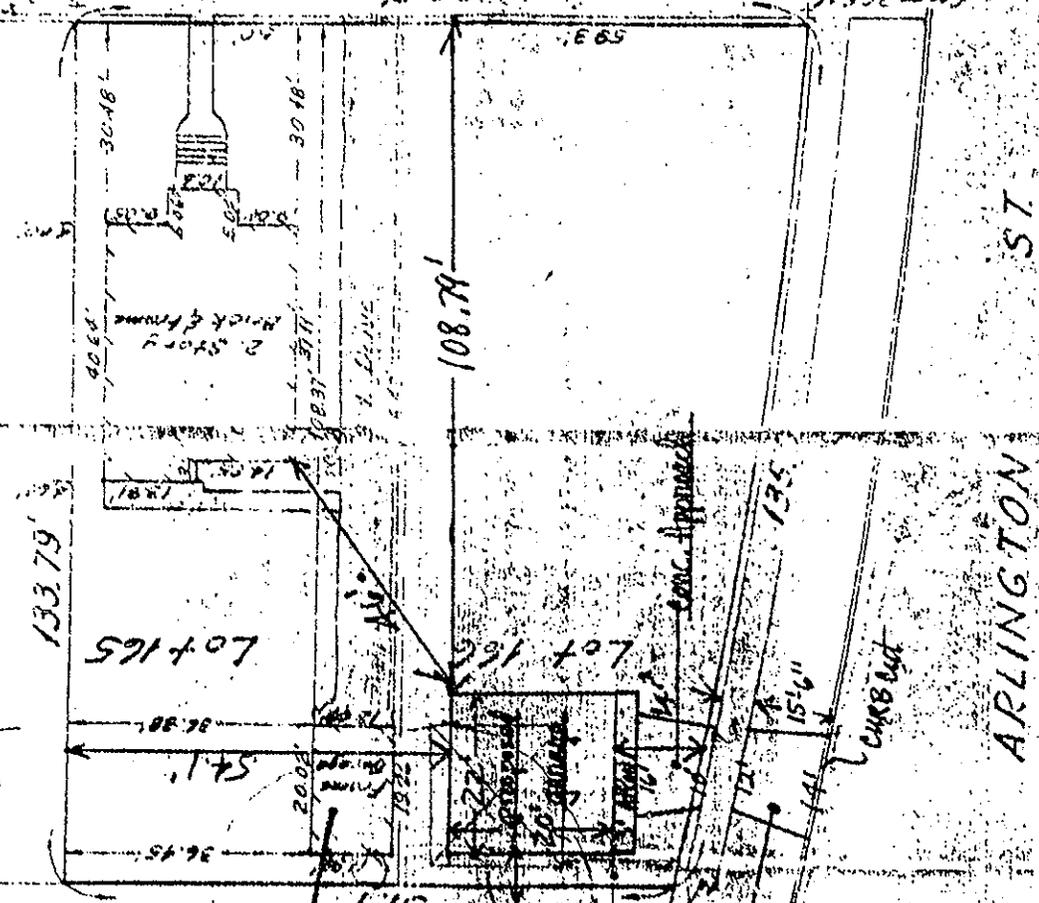
02

STATE OF ILLINOIS ) S.S.  
 COUNTY OF COOK )  
 I, RICHARD C. FIELD, A REGISTERED LAND SURVEYOR, DO  
 HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED

4-B-7

BRAINARD AVE

CROSS ST. CONC. WALKS



455.00  
 13407.114  
 1217.883  
 12184.62  
 2  
 2434.778  
 18.2  
 133.79  
 18.2  
 91.1  
 109.3

12' x 20'  
 frame det.  
 garage

RICHARD C. FIELD  
 REGISTERED LAND SURVEYOR  
 15M 729 LEXINGTON STREET  
 ELMHURST, ILLINOIS 60120  
 PHONE 219-2245

LOTS 165 AND 166 IN WEST END ADDITION TO LA GRANGE, BEING A  
 SUBDIVISION OF THAT PART OF THE EAST HALF OF THE NORTHWEST  
 QUARTER OF SECTION 5, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE  
 THIRD PRINCIPAL MERIDIAN, LYING BETWEEN THE CENTER LINES OF  
 COOK AVENUE AND NORTHERN LINDEN AVENUE OF WALK OF CHICAGO,  
 BURNHAMTON AND COOK COUNTY, ILLINOIS.

PLAT OF SURVEY

#165-18-05-219-010  
 #166-18-05-219-011

**VILLAGE OF LA GRANGE**  
**Finance Department**

**BOARD REPORT**

**TO:** Village President and Board of Trustees, Village Clerk

**FROM:** Robert J. Pilipiszyn, Village Manager  
Mark Burkland, Village Attorney  
Lou Cipparrone, Finance Director

**DATE:** July 5, 2006

**RE:** **ORDINANCE – ABATEMENT OF TAX LEVIES / 1998**  
**RESIDENTIAL STREET LIGHT BONDS**

---

The Village Board adopted an ordinance in December, 2005 authorizing the refunding of the 1998 Residential Streetlight bonds. By refunding the outstanding bonds, the Village incurs a net interest savings in excess of \$100,000 over the remaining life of the issue.

The Series 1998 Streetlight bond issue was a general obligation, alternate revenue source issue, backed by the full faith and credit of the Village. This type of bond issue is payable from pledged alternate revenues with the full faith and credit of the Village acting as back-up security. The full faith and credit pledge by the Village authorizes Cook County to annually levy taxes for the bonds unless an abatement for a tax levy year is received.

Although the 1998 Streetlight bonds have been refunded, Cook County will continue to carry the bonds as part of their tax levy records, until such time the bonds mature. The final tax levy year for the 1998 Streetlight bonds is 2016 for bonds maturing on December 1, 2017. (Please note, Cook County levies taxes one year in arrears and therefore tax levies relating to bond payments must be made one levy year in advance.) As such, Cook County has requested the Village provide an ordinance which formally abates those bonds maturing over the remaining life of the bond issue. Holland & Knight who served as bond counsel on the 2005 Refunding issue has drafted the attached abatement ordinance for your review.

It is our recommendation that the Village Board adopt the attached ordinance abating taxes to be levied for the 1998 Residential Streetlight Bond issue for tax levy years 2005 through 2016.

4-6

VILLAGE OF LA GRANGE

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ABATING CERTAIN INSTALLMENTS  
OF REAL ESTATE TAXES LEVIED TO PAY  
DEBT SERVICE ON CERTAIN GENERAL OBLIGATION BONDS  
ISSUED IN 1998 BY THE VILLAGE OF LA GRANGE

WHEREAS, the President and Board of Trustees of the Village of La Grange adopted La Grange Ordinance No. O-98-13 on May 11, 1998, titled "An Ordinance Providing For The Issue Of \$3,900,000 General Obligation Bonds (Alternate Revenue Source), Series 1998, Of The Village of La Grange, Cook County, Illinois (the "1998 Bond Ordinance"); and

WHEREAS, the 1998 Bond Ordinance provided for the levy of 20 installments of real estate taxes for the years 1998 through 2016 to pay principal and interest (the "Debt Service") due on General Obligation Bonds (Alternate Revenue Source), Series 1998 authorized in the 1998 Bond Ordinance (the "1998 Bonds"); and

WHEREAS, pursuant to the 1998 Bond Ordinance there are 12 installments of real estate taxes for tax levy years 2005 through 2016 remaining to be levied for Debt Service on the 1998 Bonds, as set forth in Section 2 of this Ordinance; and

WHEREAS, the President and Board of Trustees adopted La Grange Ordinance No. O-05-41 on December 12, 2005, titled "Ordinance Authorizing The Issuance Of \$2,785,000 General Obligation Refunding Bonds (Alternate Revenue Source), Series 2005, Of The Village Of La Grange, Illinois (the "2005 Refunding Bond Ordinance"); and

WHEREAS, the purpose of the 2005 Refunding Bond Ordinance was to authorize the issuance by the Village of its General Obligation Refunding Bonds (Alternate Revenue

4-C.1

Source), Series 2005 (the "2005 Bonds"), in order to advance refund the Village's outstanding 1998 Bonds and to pay costs of issuance of the 2005 Bonds; and

WHEREAS, through the 2005 Refunding Bond Ordinance, the Village shall have sufficient funds to pay all of the remaining installments of real estate taxes to be levied pursuant for Debt Service on the 1998 Bonds;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of La Grange, Cook County and State of Illinois, as follows:

Section 1. Recitals. The foregoing recitals are hereby incorporated into this Ordinance as findings of the President and Board of Trustees.

Section 2. Authorization of Abatement. The President and Board of Trustees hereby authorize and direct abatement of the following installments, in the following amounts, of taxes to be levied for the years 2005 through 2016 for payment of the Debt Service on the 1998 Bonds authorized in the 1998 Bond Ordinance:

Year of Levy	Tax levied in Bond Ordinance	Amount of Tax to be Abated Extended	Remainder of Tax Levy to be
2005	\$297,393.73	\$297,373.73	\$0.00
2006	\$299,531.26	\$299,531.26	\$0.00
2007	\$296,206.06	\$296,206.06	\$0.00
2008	\$297,650.00	\$297,650.00	\$0.00
2009	\$298,631.26	\$298,631.26	\$0.00
2010	\$304,150.00	\$304,150.00	\$0.00
2011	\$303,975.00	\$303,975.00	\$0.00
2012	\$303,165.00	\$303,165.00	\$0.00
2013	\$306,885.00	\$306,885.00	\$0.00
2014	\$304,900.00	\$304,900.00	\$0.00
2015	\$307,312.50	\$307,312.50	\$0.00
2016	\$309,012.50	\$309,012.50	\$0.00

4-C.2

Section 3. Filing with Cook County Clerk. The Village Clerk is hereby authorized and directed to file a certified copy of this Ordinance with the County Clerk of Cook County so that said real estate taxes may be abated.

Section 4. Publication. The Village Clerk is hereby authorized and directed to publish said Ordinance in pamphlet form as provided by law.

Section 5. Effective Date. The Ordinance shall be in full force and effect from and after passage, approval, and publication as provided by law.

PASSED this \_\_\_\_ day of \_\_\_\_\_ 2006.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_ day of \_\_\_\_\_ 2006.

\_\_\_\_\_  
Village President

ATTEST:

\_\_\_\_\_  
Village Clerk

4-0.3

VILLAGE OF LA GRANGE  
Administrative Offices

**BOARD REPORT**

TO: Village President, Village Clerk,  
Village Board of Trustees and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager

DATE: July 10, 2006

RE: **PROFESSIONAL SERVICES AGREEMENT –  
PARKING STRUCTURE SEALANT (KELMAR)**

---

The FY 2006-07 Village budget provides for the application of Kelmar - a protective coating used to seal exposed concrete - for the parking structure. Unlike a sealant, Kelmar is a thick membrane which prevents moisture from entering cracks in the concrete and the resultant problems of thermal expansion, oxidation of steel, etc. It has a useful life of approximately 15-20 years. It would be applied to the second and third floors of the parking structure.

The cost of Kelmar as compared to regular maintenance with the specified sealant for the parking structure generally offset one another over time. However, the compelling reason to use Kelmar is that it is a more complete and reliable coating of exposed concrete. Conventional sealant is more apt to wear or fail, the outcome of which is spalling, more frequent concrete repairs, and the associated disruption caused by parking spaces being removed from service. The parking structure was a significant capital expenditure and Kelmar, in our opinion, is a better material to preserve that investment over the long term. Matocha Associates also advises that secondarily, based on their experience, Kelmar facilitates maintenance activities and presents a neater / cleaner appearance.

Attached for your consideration is a proposal from Matocha Associates to provide professional services related to the design, specifications, contract negotiation and installation of Kelmar in an amount not to exceed \$35,500. Matocha Associates capably served the Village as Project Manager for the parking structure. We would like to note three items as it relates to their proposal. First, Kelmar is a propriety product and thus when the Village Board considers the award of contract for installation, it will be a sole source purchase. Second, we have directed Matocha Associates to structure their proposal and the subsequent scope of installation to provide for a phased approach so that at least two floors of the parking structure will always remain in operation. Third, we feel that the Village is best served by scheduling this work at this time, rather than waiting until next year. Much of this sentiment is predicated on our ability to continue to use the IHOP property as a temporary public parking lot while this work is performed. We will not have this flexibility next year. Consequently, the increased occupancy of the parking structure anticipated with the closure of this temporary lot would make the phased

Professional Services Agreement – Parking Structure Sealant (Kelmar)  
Board Report – July 10, 2006 – Page 2

application of Kelmar that much more challenging. Conversely, it was only until recently that the contractor for the parking structure completed the punch list and other work in addition to two special events in downtown La Grange, all of which precluded us from performing this work any sooner.

The Village has budgeted a total of \$300,000 in TIF funds for this work. The cost of this professional service would be charged against this project budget.

Mr. George Matocha of Matocha Associates will be in attendance at the meeting to answer any questions you may have regarding his firm's proposal.

It is our recommendation that the agreement be approved.

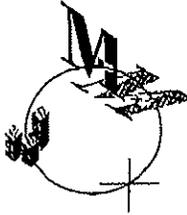
# MAT<sup>̄</sup>OCHA ASSOCIATES

Architecture, Development, and  
Program Management

MAIN OFFICE  
17 W. 220 2ND STREET, SUITE 500  
DARBROOK TERRACE, ILLINOIS 60181-4481  
VOICE 630 530-2300  
FAX 630 530-2335  
EMAIL MATOCHA@MATOCHA.COM  
WEB PAGE WWW.MATOCHA.COM

CHICAGO OFFICE  
5532 N. MILWAUKEE AVENUE, SUITE E  
CHICAGO, ILLINOIS 60630  
VOICE 877-MATOCHA  
877 (628-6242)

July 5, 2006



Mr. Robert J. Pilipiszyn  
Village Manager  
Village of LaGrange  
53 South LaGrange Road  
P.O. Box 668  
LaGrange, Illinois 60525

**RE: CONSTRUCTION MANAGEMENT SERVICES FEE PROPOSAL for  
Kelmar Coating Installation  
Village of LaGrange Parking Structure  
LaGrange, Illinois 60525**

Dear Mr. Pilipiszyn:

I have prepared the following proposal to provide project management services for the application of a Kelmar coating to be applied to all the elevated levels of the recently completed Village of LaGrange Parking Structure. The proposal has been structured in a "time-and-material not to exceed" format.

Please let us know if this meets with your approval. Both George and I are available at anytime to answer questions you may have. I can be reached at 630.530.2300 ext. 240 or via cell phone at 630.742.3772. Thank you again for considering Matocha Associates.

Sincerely,

MATOCHA ASSOCIATES

Michael T. Cottick, P.E.  
Associate

Cc: George Matocha                      Matocha Associates  
      Bob Hrouda                         Matocha Associates

4-D.2

Mr. Robert J. Pilipiszyn  
July 7, 2006  
Page 2 of 5

## **Project Management Services Scope of Services – Matocha Associates**

The scope of services includes the project management for the application of a Kelmar FWC III protective coating to the top level and top exposed ramp of the Village of LaGrange Parking Structure located directly east of the Village Hall. Kelmar TE will be applied to the remaining elevated concrete parking levels. It is anticipated that this work would take place in three consecutive phases during the summer of 2006. Phase I would consist of the upper level and upper ramp and would necessitate the complete shut down of the upper level. Phase II and Phase III would be the application of Kelmar to the remaining elevated parking levels and would necessitate partial shutdowns of the structure to allow the parking deck to remain in operation (with partial parking capacity) during the Kelmar installation process. **Please note: due to weather related restrictions on the application of Kelmar, it is not recommended that this project start any later than September 1, 2006.**

### **Part I Pre-Construction Services:**

- 1.1 Conduct a site coordination meeting with Spectrum Contracting Corporation to review existing conditions, verify square footages of material to be installed, and verify coating termination details.
- 1.2 Based upon the site coordination meeting, mark up a set of the existing garage floor plans with notes that correspond to the agreed upon details and square footages. This document will then become the basis for verifying the final bid.

### **Part II Subcontractor Bid/Permitting Services**

- 2.1.1 Solicit the final bid from Spectrum Contracting Corporation based upon the marked up floor plan developed following the site coordination meeting.
- 2.1.2 Upon receipt of the final bid from Spectrum Contracting Corporation, clarify the content of the bid to ensure that the costs reflect a complete scope of work.
- 2.1.3 Following a complete bid clarification, make recommendations to the Village staff to award the contract.
- 2.1.4 If necessary, attend a Village board meeting to answer any questions from the Village board.

### **Part III Construction Services**

- 3.1 General Management and General Conditions
  - a. Coordination and management of the work to be performed by the project contractor through to completion. Assure and verify materials furnished and that work performed are in accordance with the drawings, specifications, and contract documents. This coordination and inspection will in no way supersede or dilute the contractor's obligation to perform the work in conformance with all contract requirements; nor will it relieve the contractor of the obligation for providing fully qualified foremen to direct their work forces and to employ adequate and safe means and methods for accomplishing the work. The construction manager will have the authority to require the prompt execution of the work, and to give instructions to require corrective work, whenever such action may be necessary in

4-D.3

Mr. Robert J. Pilipiszyn  
July 7, 2006  
Page 3 of 5

his opinion to insure the proper execution of the contract and/or to protect the interests of the owner. Except as otherwise provided herein, he will determine the amount, qualify, acceptability, fitness, and progress of the work covered by the contracts, with the approval of the owner.

- b. The construction manager will provide and manage general conditions items. General Conditions items will be clearly stated and itemized by the construction manager. All items purchased specifically to satisfy general conditions for this project will be turned over to the owner in good condition, or be properly disposed of, at the conclusion of the project.

### 3.2 Site Coordination

- a. Assign a project manager for the project for the coordination and management of the work. The contractor will be responsible for providing laborers as required for construction clean up, phasing of materials, finish protection, etc. Coordinate the work of the contractor and any subcontractors until final completion and acceptance of the Project by the Project Team, including a comprehensive final inspection to insure the materials furnished and work performed are in accordance with the contract documents.
- b. Oversee the submission; receive and review for compliance with the contract documents; all shop drawings, material samples, brochures and items required to be submitted by the subcontractors. Monitor and implement the flow of all documents and materials to insure the proper sequence of approvals by the Project Team so as not to delay the progress of the work.

### 3.3 Payment Requests and Change Order Procedures

- a. Assist contractor in the preparation of progress payments and final payments, including partial and final waiver of lien forms. Review and make recommendations for approval and payment thereof, in accordance with Project procedures. All applications for payments will be submitted through the Project Manager in accordance with established procedures.
- c. Monitor and review all change order requests from the contractors and/or required by field conditions. Review unit prices, time and material charges and similar items. No changes will be made to the requirements of the contract documents without the owner's approval.
- d. Review all changes proposed by the owner and make recommendations regarding their practicality, costs and effect on the schedule.
- e. Insure that all change orders are satisfactorily carried out in the construction process.

## Part IV Post Construction Services

- 4.1 At the proper time, coordinate the preparation of punch lists by the owner, indicating the items of work remaining to be accomplished, and insure that these items are completed in an expeditious manner.
- 4.2 After completion of the Project, the project manager will be responsible for expeditious follow-up and correction of all punch list items. The project manager will manage the contractors work for expediting certain punch list items or unforeseen conditions arising after substantial completion.

4-0.4

Mr. Robert J. Filipiszyn  
 July 7, 2006  
 Page 4 of 5

## Project Management Fees

Our fees are based upon an estimate of the hours required to complete the work at the rate stated below and will be billed at a time-and-material basis not to exceed the dollar amount indicated below. It is our anticipation that this work will require two weeks of construction and will be completed during the summer of 2006.

Matocha Associates will provide the scope of services outlined above for the following fee:

**\$35,500.00**

Additional services will be billed on a time-and-material basis at the hourly rates listed below:

### 1. Hourly Rates

Senior Principal	\$185.00
Principal	\$170.00
Associate	\$140.00
Senior Project Mgr	\$135.00
Sr. Construction Mgr	\$135.00
Construction Mgr	\$120.00
Intern Construction Mgr	\$ 95.00
Project Accountant	\$ 70.00
Support Staff	\$ 65.00

\*Our hourly rates are subject to a change effective on January 1<sup>st</sup> of each year.

### 2. Reimbursable Expenses

The following are considered to be reimbursable expenses and are included in the General Conditions budget for the work described above and are invoiced at 1.1 times the schedule below:

- a. Office copying @ \$0.10 each
- b. Blue printing @ \$2.50/sheet.
- c. Plotting (b & w) @ \$.68/sf.
- d. Plotting (color) @ \$.75/sf.
- e. Fax transmissions @ \$0.50 per page.
- f. Mileage of \$0.40 or at the federal rate when adjusted or rental rate
- g. Mailings, express services, long distance & mobile telephone.
- h. Project photography.
- i. Special consultants if required and approved in advance by the owner.

4-D.5

Mr. Robert J. Pilipiszyn  
July 7, 2006  
Page 5 of 5

- 3. General Conditions Budget (to be determined at the time of bidding): To be determined
- 4. Insurance: N/A
- 5. Contingency Budget (to be determined at the time of bidding): To be determined
- 6. Project Management Fee: Indicated above
- 7. Dumpsters (if required, to be determined at the time of bidding): To be determined
- 8. Construction & final clean up (to be determined at the time of bidding)

**Miscellaneous**

- Invoices are submitted monthly and are payable in thirty (30) days. Invoices not paid in thirty days from the invoice date are subject to one percent finance charge, compounded monthly.
- Matocha Associates carries a standard \$1,000,000/\$2,000,000 professional liability insurance policy.
- This proposal shall be effective for a period of not more than one month from the date above. Should this period expire prior to acceptance, Matocha Associates reserves the right to submit a revised proposal.
- ~~We have a standard Project Management Agreement which will be made available to you. Contract form to be mutually negotiated for project management services. The terms and conditions of this contract form shall be the basis of this interim agreement, along with the proposal until such time as a formal contract is signed.~~ RP  
7.6.06
- Upon direction to proceed by the client, whether verbally or in writing, this proposal is a binding agreement between the parties, such to the terms and conditions set forth herein. Although this proposal may be superseded by a formal, written contract – in the event of which this proposal shall be deemed null and void – if no such written contract is executed to bind the parties through completion of the project.

**Acceptance**

If the Scope of Services and Professional Fees as noted are satisfactory, please indicate your acceptance by signing below. Two copies will be fully executed so that you will have a copy.

Accepted By \_\_\_\_\_ Date \_\_\_\_\_  
 Robert Pilipiszyn  
 Village Manager  
 Village of LaGrange, Illinois

Accepted By \_\_\_\_\_ Date \_\_\_\_\_  
 George R. Matocha  
 Matocha Associates

4-D.6

VILLAGE OF LA GRANGE  
Public Works Department

**BOARD REPORT**

TO: Village President, Village Clerk  
Board of Trustees, and Village Attorney

FROM: Robert Pilipiszyn, Village Manager  
Ken Watkins, Director of Public Works

DATE: July 10, 2006

RE: **QUOTES – BRICK PAVERS**

---

The 2006-07 Village Budget provides for the replacement of the brick pavers in the Central Business District. An inspection of the pavers last fall revealed that approximately 62 panels had broken or uneven pavers, which created a trip hazard to pedestrians. Taking into account that a portion of the old brick can be used, we need to order 5,022 square feet of new brick pavers to correct the defects in the paver panels.

Because our CBD granite green Holland stone pavers are special order items, they are available from only one supplier, Unilock Paver. At our request, Unilock Pavers has submitted a quote in the amount of \$2.00/square foot, plus a delivery charge \$1,360. This brings the total cost for purchase and delivery of the 5,022 square foot of pavers to be \$11,404.

As the only supplier of the granite green Holland stone pavers, we recommend purchasing 5,022 square feet of pavers from Unilock Pavers at a cost of \$10,044 plus \$1,360 for delivery for a total cost of \$11,404.

4-E

VILLAGE OF LA GRANGE  
Public Works Department

**BOARD REPORT**

TO: Village President, Village Clerk  
Board of Trustees, and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager  
Ken Watkins, Director of Public Works

DATE: July 10, 2006

RE: **QUOTES – BRICK PAVER INSTALLATION**

---

The FY 2006-07 Village budget provides for the replacement of the decorative brick pavers in the Central Business District. The bricks were initially installed over a bed of sand. Over the years the bricks have settled in an uneven pattern, creating trip hazards for pedestrians. The project will entail removing the existing bricks, and placing new bricks into a poured concrete base. The concrete base will prevent shifting and settling of the bricks.

At our request six local contractors, known to be capable of completing this project, were asked to submitted quotes on a per square foot basis. It should be noted that the quotes do not include the cost of the bricks. The bricks will be purchased and supplied by the Village. The following reflects the two quotes received:

VENDOR/LOCATON	QUOTE
Prairie Path Pavers/La Grange	\$10.45/square foot
Yuritzzy #2/Riverside	\$14.25/square foot
FY 2006-07 Budget	\$80,000

The low quote was submitted by Prairie Path Pavers. We are very familiar with this firm as we have worked with them previously on projects such as the Streetscape III and La Grange Road brick replacement. All work was completed in a timely and satisfactory manner.

We have a budget of \$80,000 for the total project. The cost of the bricks is \$11,404 leaving us a balance of \$68,596 for the installation. Because the panels are not all uniform in size, we expect to complete between 57 and 62 paver panels this fiscal year. Any paver panels not completed this year will be budgeted for next fiscal.

We recommend accepting the low quote submitted by Prairie Path Pavers of La Grange in the amount of \$10.45 per square foot for an amount not to exceed \$68,596.

4-15

**VILLAGE OF LA GRANGE**

Disbursement Approval by Fund

June 26, 2006

Consolidated Voucher 060626

<u>Fund No.</u>	<u>Fund Name</u>	<u>06/26/06 Voucher</u>	<u>06/16/06 Payroll</u>	<u>Total</u>
01	General	157,325.10	218,842.39	376,167.49
21	Motor Fuel Tax			0.00
22	Foreign Fire Insurance Tax			0.00
23	TIF			0.00
24	ETSB	7,152.10		7,152.10
40	Capital Projects	28,407.33		28,407.33
50	Water	9,178.93	32,212.25	41,391.18
51	Parking	2,515.52	18,438.33	20,953.85
60	Equipment Replacement			0.00
70	Police Pension			0.00
75	Firefighters' Pension			0.00
80	Sewer	2,252.40	6,282.21	8,534.61
90	Debt Service			0.00
91	SSA 4A Debt Service			0.00
93	SAA 269			0.00
94	SAA 270			0.00
		<u>206,831.38</u>	<u>275,775.18</u>	<u>482,606.56</u>

We the undersigned Manager and Clerk of the Village of La Grange hereby certify that, to the best of our knowledge and belief, the foregoing items are true and proper charges against the Village and hereby approve their payment.

\_\_\_\_\_  
Village Manager

\_\_\_\_\_  
Village Clerk

\_\_\_\_\_  
President

\_\_\_\_\_  
Trustee

\_\_\_\_\_  
Trustee

\_\_\_\_\_  
Trustee

\_\_\_\_\_  
Trustee

\_\_\_\_\_  
Trustee

\_\_\_\_\_  
Trustee

4-6

**VILLAGE OF LA GRANGE**

Disbursement Approval by Fund

July 10, 2006

Consolidated Voucher 060710

<u>Fund No.</u>	<u>Fund Name</u>	<u>07/10/06 Voucher</u>	<u>06/30/06 Payroll</u>	<u>Total</u>
01	General	45,229.70	216,829.16	262,058.86
21	Motor Fuel Tax			0.00
22	Foreign Fire Insurance Tax	96.24		96.24
23	TIF			0.00
24	ETSB	6,445.87		6,445.87
40	Capital Projects	44,099.94		44,099.94
50	Water	4,377.01	33,505.24	37,882.25
51	Parking	681.83	18,435.71	19,117.54
60	Equipment Replacement			0.00
70	Police Pension			0.00
75	Firefighters' Pension			0.00
80	Sewer	6,110.51	6,591.40	12,701.91
90	Debt Service			0.00
91	SSA 4A Debt Service			0.00
93	SAA 269			0.00
94	SAA 270			0.00
		<u>107,041.10</u>	<u>275,361.51</u>	<u>382,402.61</u>

We the undersigned Manager and Clerk of the Village of La Grange hereby certify that, to the best of our knowledge and belief, the foregoing items are true and proper charges against the Village and hereby approve their payment.

\_\_\_\_\_  
Village Manager

\_\_\_\_\_  
Village Clerk

\_\_\_\_\_  
President

\_\_\_\_\_  
Trustee

\_\_\_\_\_  
Trustee

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Trustee

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Trustee

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Trustee

\_\_\_\_\_  
Trustee

41-11

MINUTES

VILLAGE OF LA GRANGE  
BOARD OF TRUSTEES REGULAR MEETING  
Village Hall Auditorium  
53 South La Grange Road  
La Grange, IL 60525

Monday, June 12 2006 - 7:30 p.m.

1. CALL TO ORDER AND ROLL CALL

The Board of Trustees of the Village of La Grange regular meeting was called to order at 7:34 p.m. by President Asperger. On roll call, as read by Village Clerk Robert Milne, the following were:

PRESENT: Trustees Cremieux, Horvath, Langan, Pann, and Wolf with President Asperger presiding.

ABSENT: Trustee Livingston

OTHERS: Village Manager Robert Pilipiszyn  
Village Attorney Mark Burkland  
Community Development Director Patrick Benjamin  
Finance Director Lou Cipparrone  
Public Works Director Ken Watkins  
Police Lieutenant Vic Arnold  
Fire Chief David Fleege  
Doings Reporter Ken Knutson

2. PRESIDENT'S REPORT

President Asperger indicated that Memorial Day ceremonies honoring and remembering those who have served our Country were conducted by the American Legion, Robert E. Coulter Post 1941 on Monday, May 29. President Asperger encouraged residents to attend these ceremonies in the future.

June 2 marked the 60<sup>th</sup> Anniversary for the Pets and Pals Charities Pet Parade. The "*Ahhh! La Grange Weekend*" also included a carnival sponsored by the La Grange Business Association. President Asperger applauded the Pet Parade Committee on an outstanding parade. She also thanked those residents and businesses who were inconvenienced by the parade for their patience and cooperation.

4-11

President Asperger noted that the public plaza and fountain are completed for all to enjoy and invited Village residents to visit. However, she expressed her disappointment with acts of vandalism to the plaza and Pets on Parade displays. President Asperger noted that Police Aides will patrol the area to deter any further destruction and encouraged the public to report any misbehavior.

Requests for Proposals to develop Parking Lot #2 located on the northeast corner of Harris Avenue and Sixth Avenue have been issued with a June 30 deadline. President Asperger assured the public that the potential for development is subject to supplying alternative parking to decal holders who currently utilize the parking lot.

The Plan Commission will meet on Tuesday, June 13 to continue discussion regarding Victorian Manor and a public hearing will be held on Tuesday, June 27 regarding the amendments to the zoning code.

Lastly, President Asperger reminded businesses that the non-home rule sales tax approved by referendum in 2004 and which imposes a  $\frac{1}{4}$  of 1% increase (7.75% to 8%) on sales tax for general merchandise becomes effective July 1, 2006. These taxes will be used for maintenance of the Central Business District including the new parking structure.

A. Trustee Assignments

President Asperger explained that in addition to their regular duties, Village Trustees are also assigned to certain areas of responsibility and serve as liaisons between the Village Board and its various advisory boards and commissions. Areas of responsibility as assigned by President Asperger are:

Community Relations	-	Trustee Livingston
Economic Development	-	Trustee Pann
Finance	-	Trustee Horvath
Intergovernmental Relations	-	Village President
Planning and Zoning	-	Trustee Langan
Public Safety	-	Trustee Wolf
Public Works	-	Trustee Cremieux

President Asperger indicated she would assign two Trustees to serve as liaisons on those commissions which are extremely busy in order to stagger some of the responsibilities. Liaison assignments as assigned by President Asperger are Plan Commission, Trustees Langan and Horvath; Zoning Board of Appeals, Trustees Cremieux and Livingston; Design Review Commission, Trustees Pann and Wolf.

4-1.1

3. PUBLIC COMMENTS REGARDING AGENDA ITEMS

Jim Palermo, 216 S. Ashland requested further discussion of the Police Department's request to replace the investigations vehicle and the parking enforcement pick-up truck. President Asperger explained that items on the Omnibus Agenda are not discussed individually unless a Trustee requests it be removed for further discussion, however President Asperger will permit Village Manager Pilipiszyn to elaborate on the Village's position in obtaining the most cost effective means by which items are purchased.

Mr. Palermo inquired why the Pledge of Allegiance to the Flag is not recited prior to Village Board meetings and President Asperger indicated she is following meeting procedures as handed down from previous Village Presidents, however would take Mr. Palermo's comments under consideration.

Mike La Pidus, Vice President of the La Grange Business Association thanked the Village Board and staff for their help in making "*Ahhh! La Grange Weekend*" a huge success. Mr. La Pidus also thanked the Village for their quick response to curb vandalism within the Central Business District.

Keith Hollenbeck on behalf of the La Grange Bible Church expressed his thanks to the Plan Commission and noted the La Grange Bible Church would be celebrating its 100<sup>th</sup> Anniversary in the Village.

Reverend Debra Williams – Pastor of Davis Memorial Church inquired as to the origin of the Pet Parade and her belief that it originated from a female member of the Davis Memorial congregation. President Asperger referred Pastor Williams to Susan and Bob Breen originators of the Pets and Pals Charities.

Trustee Cremieux requested items 4.A, 4.C, and 4.D to be removed from the Omnibus Agenda and placed under Current Business for further discussion.

Trustee Wolf requested item 4.B to be removed from the Omnibus Agenda and placer under Current Business for further discussion.

Trustee Horvath inquired if the request to purchase software license agreements (item 4.I) included twenty-four hour maintenance service seven days a week and Fire Chief Fleege responded affirmatively.

4. OMNIBUS AGENDA AND VOTE

- A. (Moved to Current Business for further discussion.)
- B. (Moved to Current Business for further discussion.)
- C. (Moved to Current Business for further discussion.)

4-I.2

- D. (Moved to Current Business for further discussion.)
- E. Ordinance (#O-0616) Change In Parking Restrictions / 500 Block of W. Burlington Avenue
- F. Ordinance (#O-06-17) Creation of a Four-Way Stop Intersection / Sawyer Avenue and Lincoln Avenue
- G. Purchase – Police Department / Replacement of Investigations Vehicle (Thomas Dodge of Orland Park, Illinois \$19,713)
- H. Purchase – Police Department / Replacement of Parking Enforcement Pick-Up Truck (Anderson Ford of Berwyn, Illinois \$18,610)
- I. Purchase – Software License Agreements (Zoll Data Systems of Broomfield, Colorado \$6,000)
- J. Purchase – Display Monitors for Police Department Surveillance Cameras (Thomas Alarm Systems of Yorkville, Illinois \$5,800) (Budget Amendment Resolution #R-06-14)
- K. Ordinance (#O-06-18) – Prevailing Wages
- L. Consolidated Voucher 060522 - \$643,684.95
- M. Consolidated Voucher 060612 - \$563,217.24
- N. Review of Minutes of Closed Sessions
- O. Minutes of the Village of La Grange Board of Trustees Regular Meeting, Monday, May 8, 2006

It was moved by Trustee Langan to approve items E, F, G, H, I, J, K, L, M, N, and O of the Omnibus, seconded by Trustee Cremieux. Approved by roll call vote.

Ayes: Trustees Cremieux, Horvath, Langan, Pann, Wolf and President Asperger

Nays: None

Absent: Trustee Livingston

5. CURRENT BUSINESS

- 4.A Assignment of Redevelopment Agreement – La Grange Crossing (Removed from Omnibus for further discussion.)

4-I.3

Trustee Cremieux explained that the Village was recently notified by Triangle Partners, LLC of its intent to sell the property known as the La Grange Triangle to UBS Realty Investors, LLC. The Village was advised that Mid-America Asset Management, Inc., will be retained by UBS as its management and leasing agent. Trustee Cremieux noted several concerns with the language on the Transferee Assumption Agreement and Estoppel Certificate related to the transfer of the Triangle property. Village Attorney Burkland attempted to clarify the concerns expressed by Trustee Cremieux.

Trustee Cremieux indicated he had no objections to the actual transfer just concerns with the language on the documents. After much discussion, President Asperger suggested either tabling the item or approving it subject to review and revisions by the Village President and Village Manager.

It was moved by Trustee Cremieux to approve the Transferee Assumption Agreement and Estoppel Certificate subject to language review and revisions by the Village President and Village Manager, seconded by Trustee Langan. Approved by unanimous voice vote.

- 4.B Ordinance (#O-06-14) – Amendment to an existing Special Use Permit / Site Plan Approval to construct an addition to the existing Religious Organization (SIC #866), 850 S. Seventh Avenue, La Grange Bible Church (Removed from Omnibus for further discussion.)

Trustee Wolf inquired if the stone and brick materials had been supplied for review and Community Development Director Patrick Benjamin responded affirmatively and produced the samples indicating they satisfied code requirements

Trustee Horvath expressed his gratitude to the Plan Commission for their dedication to this project. Trustee Cremieux wished the petitioner well with this improvement.

It was moved by Trustee Langan to approve the ordinance granting an amendment to a Special Use Permit and approve a new site plan to construct an addition to the existing religious organization at 850 S. Seventh Avenue, seconded by Trustee Cremieux. Approved by roll call vote.

Ayes: Trustees Cremieux, Horvath, Langan, Pann, and Wolf  
Nays: None  
Absent: Trustee Livingston

4-I.4

4.C Ordinance (#O-06-15) Resubdivision of Lots, 201 S. Stone Avenue  
(Removed from Omnibus for further discussion.)

The owner's request to subdivide in the Historic District and create a 50 foot lot, has caused Trustee Cremieux to have concerns. Community Development Director Patrick Benjamin provided additional background information and supplied colored maps to the Board to more effectively explain the request. Village Attorney Burkland noted that the request meets the subdivision code of Illinois and has been recommended for approval by the Plan Commission. Trustee Cremieux expressed his disappointment in not being able to better control this subdivision. It was moved by Trustee Langan to approve the ordinance granting the resubdivision of lots at 201 S. Stone Avenue, seconded by Trustee Horvath. Approved by roll call vote.

Ayes: Trustees Cremieux, Horvath, Langan, Pann, and Wolf  
Nays: None  
Absent: Trustee Livingston

4.D Ordinance (Denied) – Change In Parking Restrictions / 100 Block of S. Park Road (Removed from Omnibus for further discussion.)

Trustee Cremieux explained that although the Parking Commission has unanimously recommended to further restrict parking on the west side of the 100 block of S. Park Road to "No Parking 8:00 a.m. to 8:00 p.m., Monday through Saturday," he believes this will just create a precedence and will push the problem to the next block.

President Asperger noted currently the location has restrictions and this request is an extension of those restrictions.

Trustee Langan was in agreement with Trustee Cremieux.

Police Lieutenant Arnold noted that that on-street parking is a convenience to faculty and staff from the Lyons Township High School North Campus even though they have their own parking lot.

It was moved by Trustee Langan to approve the ordinance amending the appropriate chapter of the Village Code, seconded by Trustee Horvath. Motion failed by a 3 to 2 roll call vote.

Ayes: Trustees Horvath and Pann  
Nays: Trustees Cremieux, Langan, and Wolf  
Absent: Trustee Livingston

4-I.5

A. Special Event – La Grange Art & Craft Fair: Referred to Trustee Pann

Trustee Pann noted that the Village has received a request from Ms. Renae Schueneman of Midwest Art & Craft Fairs, Inc., on behalf of the La Grange Business Association to hold the annual art and craft fair on Saturday and Sunday, July 8 and 9, 2006. The location utilized last year was found to be favorable and is being requested again this year, however it will again be necessary for the Board to approve various road closures.

It was moved by Trustee Pann to approve the closure of Harris Avenue west of La Grange Road to Ashland Avenue and Madison Avenue from Harris Avenue south to just north of the entrance to the parking lot located at Harris Avenue and Madison Avenue and the closure of Village parking Lots 3 and 4 on July 8 and 9, 2006 for the annual art and craft fair, seconded by Trustee Langan. Approved by unanimous voice vote.

Trustee Horvath inquired if the Village is reimbursed for costs related to clean-up and was informed yes.

6. MANAGER'S REPORT

Village Manager Pilipiszyn announced that the Village will be replacing the curb and gutter on Kensington Avenue between Cossitt Avenue and Calendar Avenue. Weather permitting the work is scheduled to begin on Monday, June 19 at 7:00 a.m. Manager Pilipiszyn indicated that affected residents have been notified of this project and if they have further questions should contact the Department of Public Works at (708) 579-2328.

In response to Mr. Palermo's previous inquiry regarding the purchase of vehicles for the Police Department, Mr. Pilipiszyn assured Mr. Palermo that Department Heads only purchase necessary items. In addition, the West Central Municipal Conference Suburban Purchasing Cooperative Agreement or the State of Illinois Central Management State Purchasing Agreement provides the Village with the best possible purchase price.

7. PUBLIC COMMENTS REGARDING MATTERS NOT ON AGENDA

Rosemary Naseef, 911 S. Stone referenced the subdivision of lots by suggesting to Trustee Cremieux that the Village be less permissive in its building code. Ms. Naseef does not feel enough time is being given to digest the Zoning Code amendments when they will not be available until June 23 and the Public Hearing is June 27. Community Development Director Patrick Benjamin explained that the June 27 meeting is the first step in a lengthy process. It will be a review of what the committee has discussed and assured Ms. Naseef that residents would be given ample time to comment.

4-I.6

President Asperger explained the process to amend the Zoning Code has been on going and at this first meeting Plan Commission members will be updated. As the process continues there will be ample time for everyone to express opinions. Trustee Langan agreed that there is no benefit to lose momentum or slow the process.

Trustee Horvath suggested the information be posted on-line under Village News and an e-mail notice go out to those registered.

Jim Palermo, 216 S. Ashland requested the Village televise and tape meetings and provide DVD's for residents not able to attend in person. President Asperger noted that residents are hesitant to be video taped or viewed live on camera and it is difficult to convey effective coverage. Trustee Langan encourages participation in person.

Reverend Debra Williams – Pastor of Davis Memorial Church noted that any information placed on the internet would be helpful for residents to prepare good dialogue and thus impact on the decision making process. Pastor Williams noted it is not just to be informed but to understand the information. President Asperger indicated this would require a tremendous amount of transactions.

8. EXECUTIVE SESSION

A. Closed Session – Personnel Matters

It was moved by Trustee Langan and seconded by Trustee Cremieux to convene in Executive Session to discuss personnel matters. Approved by roll call vote.

Ayes: Trustees Cremieux, Horvath, Langan, Pann and Wolf  
Nays: None  
Absent: Trustee Livingston

9. TRUSTEE COMMENTS

Trustee Horvath feels that Plan Commission meetings should be televised.

Trustee Cremieux feels that televising meetings should be used judiciously.

Trustee Wolf is in agreement with Trustee Horvath to televise and tape meetings.

10. ADJOURNMENT

At 9:15 p.m. the meeting was adjourned to the lower level conference room for closed session.

4-E.7

\_\_\_\_\_  
Elizabeth M. Asperger, Village President

ATTEST:

\_\_\_\_\_  
Robert N. Milne, Village Clerk

\_\_\_\_\_  
Approved Date

4-1,8

# Village of La Grange



## VILLAGE BOARD MEETING

MONDAY, JULY 10, 2006

7:30 p.m.

Book 2 of 2

Village Hall Auditorium

53 South La Grange Road

La Grange, IL 60525

Elizabeth M. Asperger  
Village President

Robert N. Milne  
Village Clerk

**CURRENT BUSINESS**

VILLAGE OF LA GRANGE  
Community Development Department

**BOARD REPORT**

TO: Village President, Village Clerk  
Board of Trustees and Village Attorney

FROM: Robert Pilipiszyn, Village Manager  
Patrick D. Benjamin, Community Development Director  
Angela Mesaros, Assistant Community Development Director

DATE: July 10, 2006

RE: **ORDINANCE - VARIATION - MAXIMUM BUILDING COVERAGE/  
EDWARD AND KAREN KING, 349 S. KENSINGTON AVENUE**

---

Edward and Karen King, owners of the property at 349 S. Kensington Avenue, have applied for a variation from Maximum Building Coverage requirements in order to construct a one-story kitchen addition. The subject property is located in the R-4 Single Family Residential District.

Maximum building coverage for this lot is 35% or 2,159.68 square feet. Currently, this property including the house and detached garage covers 2,100.93 square feet (34%) of the lot. The petitioners wish to construct a 192.64 square ft. addition, which would increase building coverage to 2,304 square feet (37%), an excess of 144 square feet (7%).

The proposed addition would meet the required setbacks of the Zoning Code, but would exceed the maximum building coverage set forth in Paragraph 3-110E1 by 7%. The Village Zoning Code allows an increase in the maximum allowable building coverage by no more than 20%. The requested variation falls within the authorized limits of the Zoning Code.

According to the petitioners, construction of the addition would allow them the opportunity to construct a larger kitchen. They stated that their existing kitchen is not large enough to eat comfortably at a table. The applicant's house has a front porch that occupies a percentage of the allotted building coverage.

On May 18, 2006, the Zoning Board of Appeals held a public hearing on this matter (see Findings of Fact). At the public hearing, the petitioners presented the application. The motion to recommend that the variation be granted as requested failed: two (2) ayes and three (3) nays. Pursuant to Subsection 13-202D of the Zoning Code, at least four aye votes are required to decide in favor of any application.

Those Zoning Board members recommending denial cited the following facts: the variation for building coverage is not necessary for a reasonable use of the subject property. Because this property

5-A

is located on a corner lot, the allowable maximum building coverage is 35%, whereas on most lots in the Village, building coverage is only 30%. Protection of green space is a major concern of the Village, and one goal of building coverage regulations is to keep green space from being built over. The Zoning Board members felt that they must uphold the intent of the Zoning Code.

The members voting in favor cited the fact that according to the petitioners the proposed addition would allow a more functional kitchen, which would not be unreasonable, and the configuration of the addition would square off the back of the house.

If you concur with the recommendation of the Zoning Board of Appeals to deny the request, then a motion to deny the variation is in order. No resolution or ordinance memorializing such action is necessary. Conversely, should you choose to grant the variation, a motion to approve the attached ordinance authorizing the variation would be appropriate.

5-A.1

ORDINANCE NO. O-06-

AN ORDINANCE ALLOWING ZONING VARIATION  
OF THE VILLAGE OF LA GRANGE

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006.

Published in pamphlet form by authority of the Board of Trustees of the Village of La Grange, County of Cook, State of Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

WHEREAS, Edward and Karen King, owners of the property commonly known as 349 S. Kensington, La Grange, Illinois, and legally described as follows:

Lot 14 in Block 8 in La Grange, a Subdivision of the East 1/2 of the Southwest 1/4 and part of the Northwest 1/4 of Section 4, Township 38 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois.

have applied for variation from Paragraph 3-110E1 (Maximum Building Coverage) of Chapter 154 of the La Grange Code of Ordinances in order to construct an addition on the above referenced property. The Zoning Board of Appeals, as required by law, has conducted a duly noticed public hearing on this matter on May 18, 2006.

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LA GRANGE, COUNTY OF COOK, STATE OF ILLINOIS:

SECTION 1: A variation of 7% from Paragraph 3-110E1 (Maximum Building Coverage) of Chapter 154 of the La Grange Code of Ordinances, to construct an addition, be hereby granted to the owner of the above-referenced property in conformance with the plans submitted to the Zoning Board of Appeals.

SECTION 2: This Ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form for review at the La Grange Village Offices and the La Grange Public Library.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2006, pursuant to a roll call vote as follows:

**AYES:** \_\_\_\_\_

**NAYS:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

5-A.2

**APPROVED** by me this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Elizabeth M. Asperger, VILLAGE PRESIDENT

ATTEST:

\_\_\_\_\_  
Robert N. Milne, VILLAGE CLERK

5-A.3

**FINDINGS OF FACT**

ZONING BOARD OF APPEALS  
OF THE  
VILLAGE OF LA GRANGE

May 18, 2006

President Asperger and  
Board of Trustees

RE: **ZONING CASE #549 – MAXIMUM BUILDING COVERAGE – EDWARD J. AND  
KAREN LUSSON KING, 349 S. KENSINGTON**

The Zoning Board of Appeals transmits for your consideration, its recommendations for a request of zoning variation necessary to construct an addition on the property at 349 South Kensington Avenue.

**I. THE SUBJECT PROPERTY:**

The property in question is a single family residential corner side lot with a 50 foot width and a depth of approximately 123.41 feet.

**II. CHARACTERISTICS OF THE SURROUNDING AREA:**

The subject property is located in the R-4 Single Family Residential District.

**III. VARIATIONS SOUGHT:**

The applicant desires a variation from Paragraph 3-110E1 (Maximum Building Coverage) of the La Grange Zoning Code. The applicant wishes to exceed the allowable building coverage by 7%. At the public hearing, the applicant requested a variation to allow for the construction of an addition at the subject property. Subparagraph 14-303E1(c) (Authorized Variations) allows the increase of the maximum allowable building coverage by no more than 20%. The requested variation falls within the authorized limits of the Zoning Code.

**IV. THE PUBLIC HEARING:**

After due notice, as is required by law (including legal publication, posting at the subject property and courtesy notices to owners within 250 feet of the subject property) the Zoning Board of Appeals held a public hearing on the proposed variation in the La Grange Village Hall Auditorium on May 18, 2006. Present were Commissioners Bill Holder, Nancy Pierson, Charles Benson, Jr., Ian Brenson and Chairman Protem Nathaniel Pappalardo. Motion carried by voice vote. Also present was Staff Liaison, Angela Mesaros. Testimony was given under oath by the applicants. No objectors appeared at the hearing and no written objections have been filed to the proposed variation.

5-A.4

Chairman Protem Pappalardo swore in Edward and Karen King, owners of the subject property, 349 South Kensington, who presented the application and answered questions from the Commissioners:

- . Mr. King stated that they purchased the property in 1998 from his wife's parents who had lived there since 1973. The house was constructed in 1927.
- . The Petitioners wish to expand their existing single story kitchen with a 192.6 square feet addition. The kitchen is currently 12' x 13'. They have limited counter space and when you open the door to the oven there is not enough space for the table.
- . They believe there is not enough space in their existing kitchen for both food preparation and serving.
- . They believe they seek the minimum variation to allow a standard size eat-in kitchen that would fit a table, cabinets and storage.
- . The addition would be the same color brick as the existing house and would be seen only by the neighbors to the north who have no objection to the petition.

Chairman Protem Pappalardo solicited questions from the Commissioners:

- . Commissioner Holder asked if both proximal neighbors have signed the petition. Answer: Yes.
- . Commissioner Holder asked if the kitchen design was the minimal amount necessary. Mr. King answered that the addition is 13 feet from front to back.
- . Commissioner Holder further asked if this size was chosen because it squares off the house. Answer: Yes.
- . Commissioner Brenson asked when they purchased the property. Answer: 1998. Mr. Brenson further asked when the parents purchased the property. Answer: 1973.
- . Commissioner Brenson asked how many people lived in the house between 1973 and 1998. Karen King answered that 8 people lived in the house during that time. Commissioner Brenson further questioned what size the house was at that time. Answer: Same size.
- . Commissioner Brenson asked how the Petitioners would characterize the lot and how it is different from other lots in La Grange. Mr. King answered that the lot is similar to all lots on their side of the street, but to the east of them lots are larger.

5-A.5

. Commissioner Holder asked if their lot was allowed more coverage due to the fact that it is located on a corner. Ms. Mesaros answered yes. Corner lots are permitted 35% maximum building coverage and interior lots are permitted 30%.

. Chairman Pro tem Pappalardo asked for clarification if the deck counts towards building coverage. Answer: No. Then he asked if the porch would. Answer: Yes.

Chairman Protem Pappalardo solicited questions and comments from the audience:

. Amy Atchue, 345 South Kensington, stated that the addition faces her backyard. She feels the addition would not affect the privacy or sunlight of her property and she does not have any problem with it.

. Mike Coldwell, 348 South Catherine, stated that he signed a Petition and that he likes the idea of squaring off the back of the Petitioners' house.

*Under the provisions of the Zoning Ordinance, no variation shall be granted unless the applicant establishes that carrying out the strict letter of the provisions of this code would create a particular hardship or practical difficulty. Such a showing shall require proof that the variation sought satisfies certain conditions. The following facts were found to be evident:*

1. Unique Physical Condition:

This zoning lot is typical for the R-4 Single Family Residential Zoning District. The lot measures 50 feet wide by 123.41 feet deep. It is typical of single lots between Kensington Avenue and Madison Avenue, and Maple Avenue to 51<sup>st</sup> Street.

2. Not Self-Created:

The house was constructed in 1927 and the existing kitchen has not been modified. The previous owners of the property constructed a family room addition in 1988. The petitioners have made no modifications to the property.

3. Denied Substantial Rights:

The petitioners believe that the inability to construct the addition would deny them the right to have a functional kitchen and eating area.

4. Not Merely Special Privilege:

According to the petitioners, they seek the ability to prepare and eat meals in a larger area and space for coat storage.

5-A.6

5. Code and Plan Purposes:

Allowing for this variance would maintain the setbacks required in the Zoning Code. The petitioners believe that a variance for the subject property is in accordance with the intent of the Village's Code and Plan.

6. Essential Character of the Area:

Granting a variance would seemingly not adversely affect the character of the neighborhood. Rather, according to the petitioners, it would allow them to make significant improvements to the property while maintaining the architectural features of their house.

7. No Other Remedy:

The petitioners have only an additional 49 square feet allowable under the Zoning Code building coverage requirements. According to the petitioners, without the requested variation from maximum building coverage, they would not be able to extend the size of their kitchen to create an eating area.

**V. FINDINGS AND RECOMMENDATION:**

- . Commissioner Benson stated that there doesn't seem to be a functional kitchen. This variation would allow them a more functional kitchen. That is not unreasonable.
- . Commissioner Holder stated that their kitchen is not practical by today's standards and squaring away the house makes the most sense as far as the size of the addition.
- . Commissioner Brenson stated that in his experience as a member of the Plan Commission their major concerns were about keeping the green area from being paved over.
- . Commissioner Brenson stated that if everyone asks for another 7% building coverage, we would find the Zoning Code doesn't mean anything.

There being no further questions or comments from the audience or the Commissioners, a motion was made by Commissioner Holder and seconded by Commissioner Benson that the Zoning Board of Appeals recommend to the Village Board of Trustees approval of the application submitted with ZBA Case #549.

5-A.7

FF --ZBA Case #549  
RE: 349 S. Kensington  
Variation – Maximum Building Coverage  
May 18, 2006 -- Page 5

BE IT THEREFORE RESOLVED that the Zoning Board of Appeals failed to recommend approval to the Village Board of Trustees by a 2/3/2 vote that a variation from Paragraph 3-110E1 (Maximum Building Coverage) be approved to allow the construction of an addition at 349 South Kensington.

Motion Carried by a roll call vote (2/3/2).

AYE: Holder, and Benson.  
NAY: Pierson, Pappalardo and Brenson.  
ABSENT: Kralovec and Chairperson Brewin.

Respectfully submitted:

Zoning Board of Appeals of the  
Village of La Grange

BY: Nathaniel F. Pappalardo  
Nathaniel Pappalardo, Chairman Protem

5-A.8

## STAFF REPORT

**CASE: ZBA #549 - Edward J. and Karen Lusson King, 349 S. Kensington Avenue - Maximum Building Coverage**

### BACKGROUND

(Note: This Staff Report is solely based on information presented in the application and on a physical inspection of subject property and environs, and is not influenced by any other circumstance.)

The petitioners, Edward and Karen King, wish to construct a one-story 192.64 square ft. eating area addition. According to the petitioners, construction of the addition would allow them to expand the size of their existing kitchen and provide a more useable space. Sixteen of their neighbors have signed a petition supporting the kitchen addition. The applicants' house has a front porch, which occupies a percentage of the allotted building coverage. Maximum Building Coverage for this lot is 35% or 2,159.68 square feet. Currently this property, including the house and detached garage, covers 2,110.93 square feet (34 %) of the lot. The proposed addition would increase building coverage to 2,304 square feet, an excess of 144 square feet (7%). A building permit could not be issued for this project, because the addition would bring the house in excess of the allowable building coverage in the Zoning Code. The petitioners are seeking a variation to construct the addition.

The proposed addition would meet the required setbacks of the Zoning Code but would exceed the Maximum Building Coverage of 35% set forth in Paragraph 3-110E1 by 7%. Subparagraph 14-303E1(c) (Authorized Variations) allows the increase of the maximum allowable building coverage by no more than 20%. The requested variation falls within the authorized limits of the Zoning Code.

### VARIATION STANDARDS

In considering a variation, be guided by the General Standard as outlined in our Zoning Code that "No variation shall be granted pursuant to this Section unless the applicant shall establish that carrying out the strict letter of the provisions of this Code would create a particular hardship or a practical difficulty. Such a showing shall require proof that the variation being sought satisfies each of the standards set forth in this Subsection."

**Unique Physical Condition** - *"The subject property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot."*

5-A.9

**Staff Evaluation Criteria**  
**ZBA #549 - 349 S. Kensington Avenue**  
**Variation - Maximum Building Coverage**  
**Page 2**

This zoning lot is typical for the R-4 Single Family Residential Zoning District. The lot measures 50 feet wide by 123.41 feet deep. It is typical of single lots between Kensington Avenue and Madison Avenue, and Maple Avenue to 51<sup>st</sup> Street.

**Not Self-Created** - *"The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this Code, for which no compensation was paid."*

The house was constructed in 1927 and the existing kitchen has not been modified. The previous owners of the property constructed a family room addition in 1988. The petitioners have made no modifications to the property.

**Denied Substantial Rights** - *"The carrying out of the strict letter of the provision from which a variation is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by owners of other lots subject to the same provision."*

The petitioners believe that the inability to construct the addition would deny them the right to have a functional kitchen and eating area.

**Not Merely Special Privilege** - *"The alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the use of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship shall not be a prerequisite to the grant of an authorized variation."*

According to the petitioners, they seek the ability to prepare and eat meals in a larger area and space for coat storage.

**Code and Plan Purposes** - *"The variation would not result in a use or development of the subject property that would be not in harmony with the general and specific purposes for which this Code and the provision from which a variation is sought were enacted or the general purpose and intent of the Official Comprehensive Plan."*

Allowing for this variance would maintain the setbacks required in the Zoning Code. The petitioners believe that a variance for the subject property is in accordance with the intent of the Village's Code and Plan.

5-A.10

**Essential Character of the Area** - *"The variation would not result in a use or development on the subject property that:*

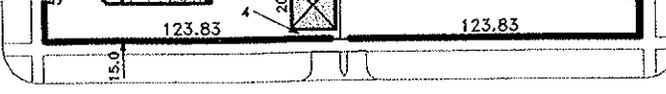
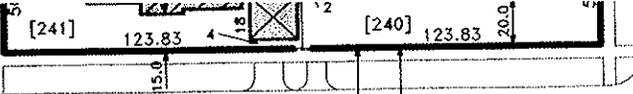
- a. Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements permitted in the vicinity; or*
- b. Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or*
- c. Would substantially increase congestion in the public streets due to traffic or parking; or*
- d. Would unduly increase the danger of flood or fire; or*
- e. Would unduly tax public utilities and facilitates in the area; or*
- f. Would endanger the public health or safety."*

Granting a variance would seemingly not adversely affect the character of the neighborhood. Rather, according to the petitioners, it would allow them to make significant improvements to the property while maintaining the architectural features of their house.

**No Other Remedy** - *"There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property."*

The petitioners have only an additional 49 square feet allowable under the Zoning Code building coverage requirements. According to the petitioners, without the requested variation from maximum building coverage, they would not be able to extend the size of their kitchen to create an eating area.

5-A.11



MAPLE

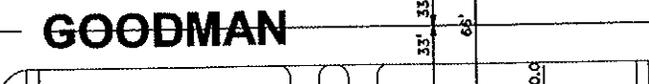
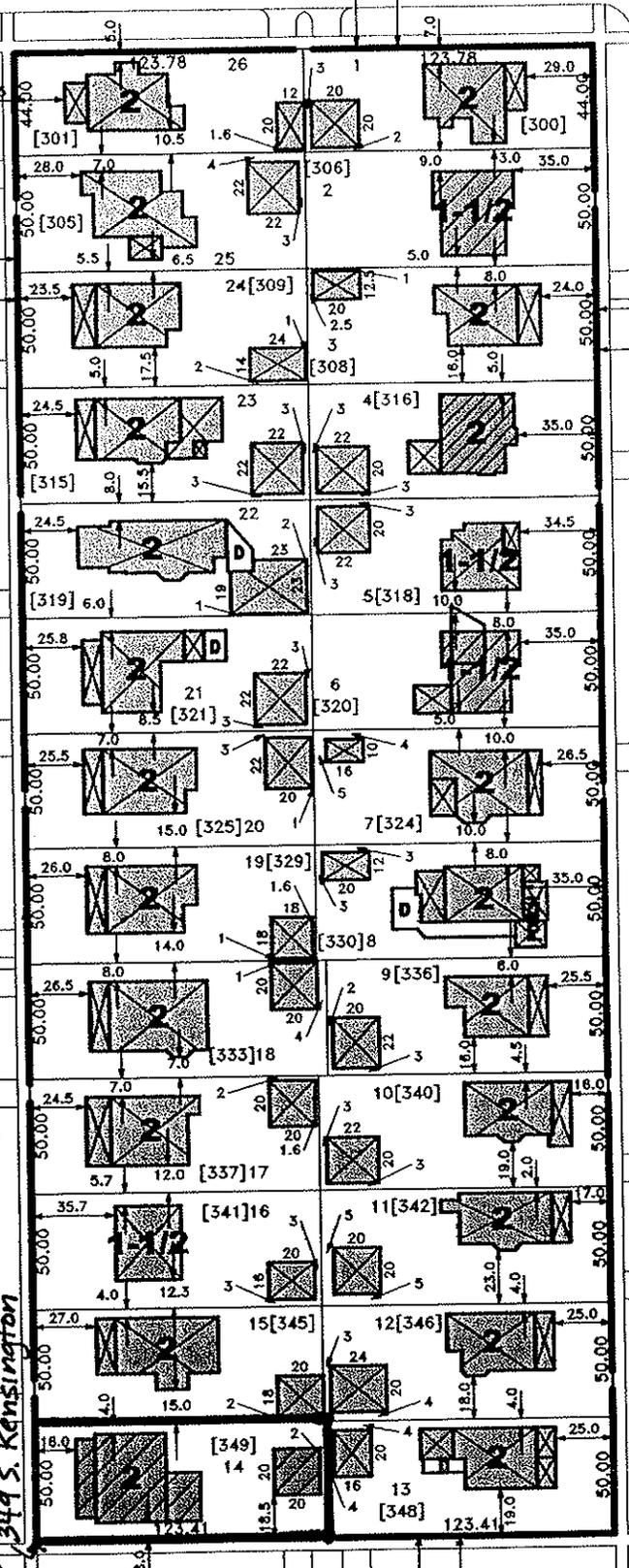
KENSINGTON

AVENUE

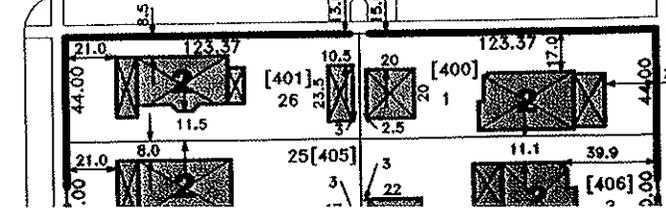
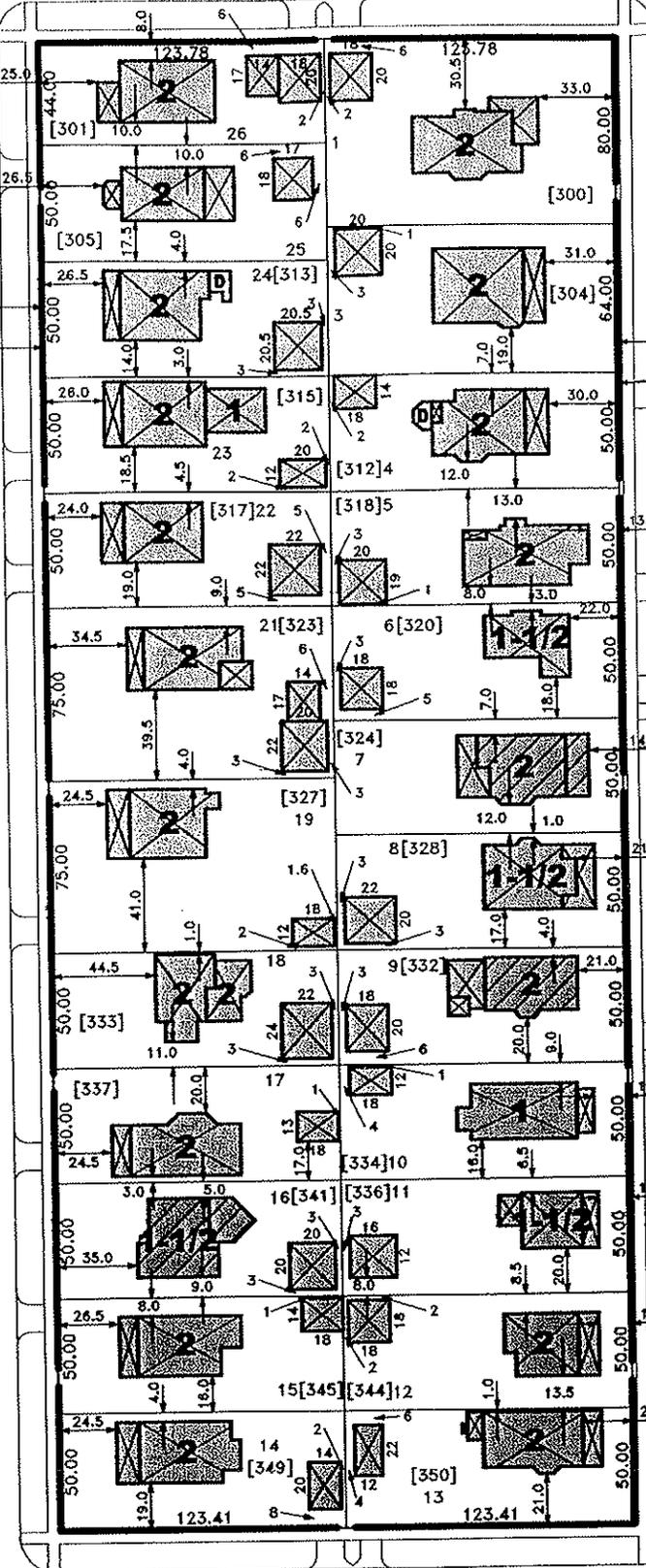
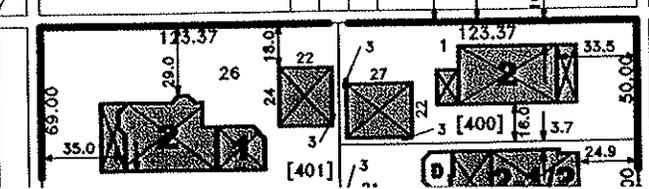
CATHERINE

AVENUE

ASHLAND



GOODMAN



5-A.12

KENSINGTON

349 S. Kensington

44	123.78 26-001	123.78 1-014	44
50	25-002	2-015	50
"	24-003	3-016	"
"	23-004	4-017	"
"	22-005	5-018	"
"	21-006	6-019	"
"	20-007	7-020	"
"	19-008	8-021	"
"	18-028	9-027	"
"	17-010	10-023	"
"	16-011	11-024	"
"	15-012	12-025	"
50	14-013 123.41	13-026 123.41	50

319

CATHERINE

44	123.78 26-001	123.78 1-013	44
50	25-002	2-014	50
"	24-003	3-014	"
"	23-004	4-015	"
"	22-005	5-016	"
"	21-006	6-017	"
"	20-007	7-018	"
"	19-008	8-019	"
"	18-008	9-020	"
"	17-009	10-021	"
"	16-010	11-022	"
"	15-011	12-023	"
50	14-012 123.41	13-024 123.41	50

320

ASHLAND

44	123.78 26-001	123.78 1-001	44
50	25-002	2-002	50
"	24-003	3-003	"
"	23-004	4-004	"
"	22-005	5-005	"
"	21-006	6-006	"
"	20-007	7-007	"
"	19-008	8-008	"
"	18-009	9-009	"
"	17-010	10-010	"
"	16-011	11-011	"
"	15-012	12-012	"
50	14-013 123.41	13-013 123.41	50

GOODMAN

STON

69	123.37 26-001	123.37 1-013	44
50	25-002	2-014	50
"	24-002	3-015	"
"	23-003	4-016	"
"	22-004	5-017	"
"	21-005	6-018	"
"	20-006	7-020	"

327

NE

44	123.37 26-001	123.37 1-014	44
50	25-002	2-015	50
"	24-003	3-016	"
"	23-004	4-017	"
"	22-005	5-018	"
"	21-006	6-019	"
"	20-007	7-020	"

328

5-A, B

44	123.37 26-001	123.37 1-014	44
50	25-002	2-015	50
"	24-003	3-016	"
"	23-004	4-017	"
"	22-005	5-018	"
"	21-006	6-019	"
"	20-007	7-020	"

329

APPLICATION FOR ZONING VARIATION

Application # 549  
Date Filed: 9/19/04  
UARCO # 80362

TO THE PRESIDENT AND BOARD OF TRUSTEES  
VILLAGE OF LA GRANGE, ILLINOIS

Owner of property:

Edward J. and Karen Lusson King  
349 S. Kensington Avenue  
LaGrange, Illinois 60525  
708-579-1529

Permanent Real Estate Tax No. 18-04-319-013-6000  
Present Zoning Classification: R-4      Present Use: Single Family Residential

**Ordinance Provision for Variation from Article 3-110, E.2.**

(Maximum Building Coverage on a Corner Lot – 35%)

Lot Size: 50' X 123.4' = 6,170 sq. feet. Pursuant to Section 14-303 of the LaGrange Zoning Code, applicants seek a variation to Article 3-110, E.2 to increase by not more than 20 percent the maximum allowable building coverage or lot coverage. (14-303 E.1(c).)

- A. Minimum Variation of Zoning requirement necessary to permit the proposed use, construction or development:** Applicants seek a 7% increase in the permissible lot coverage ratio to allow for the single-story extension of the existing kitchen at the above-mentioned property.
  
- B. The purpose:** Applicants seek to expand the size of their existing kitchen by adding a 13.35' X 14.43' = 192.64 square foot, brick room extension to the existing building.
  
- C. The specific features of the proposed use, construction or development that require a variation:** The existing house and garage cover 2,110.93 square feet. The lot is 6,170 square feet. Thirty-five percent of the total lot area is 2,159.68 square feet. The difference is 49 square feet. Applicants seek permission to construct a rectangular kitchen addition, which will square off the rear of the existing structure. The addition will require an additional 143.64 square feet resulting in a total lot coverage of 2,304 square feet. That is a 7% increase in the maximum allowable building coverage ( $2,304/2,159=1.067$ ) which falls within the allowable lot coverage amount permitted by variance under Section 14-303 E.1(c).

5-A.14

## 1. General Standard. Facts and Reasons

- a. **Practical difficulty or particular hardship:** Applicants' lot is one of the smaller-sized R-4 lots, at 50' X 123.4'. Applicants' house was built in 1927 and has a large screened-in front porch that is not useable as living space. It also has a detached garage. Applicants have four children, for a total of six family members, and would like a larger space in the proposed kitchen to accommodate a table and an area near the proposed rear entrance for storage of children's coats, boots, shoes and backpacks. This proposed addition would allow the existing small kitchen to be dedicated to food preparation, implement storage and appliances.
- b. **Reasonable use:** Applicants' family has grown in number since moving into the subject property in 1998. Given this fact, applicants are merely attempting to add appropriate kitchen, eating and storage space to the existing structure in order to stay in the house and neighborhood that we love. The house is Applicant Karen Lusson King's childhood home, having been purchased by her parents, Francis and Jeanne Lusson, in 1973. Applicants purchased the home from the Lussons in 1998. The requested addition is a one-story, 13.35 X 14.43 room, with no extravagant or unusual features or design. The proposed addition would merely "square off" the rear of the existing structure. The requested additional (net) 143.64 square feet ( $192.64 - 49 = 143.64$ ) is the minimum area needed for the proposed addition. Any smaller area would not allow a practical and useable kitchen eating area. As designed, the space will merely accommodate an eating area and some storage space. Applicants intend to construct a room that blends into the existing red-brick structure, to be viewed as if it was part of the original construction.
- c. **Unique situation:** Applicants property is a corner lot, with a noticeable downward slope to the property to the south, in the direction of Goodman Avenue. Neither Applicants nor our neighbors have ever experienced flooding problems. Given the minimal size of the requested addition, applicants believe that proper drainage flow will continue after construction of the

5-A.15

requested addition.

2. **Unique Physical Condition:** The subject house is set on the lot in a north-south configuration because, as a corner house, there was no need for a side driveway.
3. **Not Self Created:** The size and structure of the existing kitchen has not been modified since the construction of the house in 1927. A family room addition (not attached to the existing kitchen) was constructed in 1988 by the previous owners, applicant Karen Lusson King's parents. At the time, the Lussons chose not to expand the kitchen because all five of their children had grown up and left the family home. No other additions or construction design modifications have been made to the structure. The existing kitchen is equipped with a 3' X 5' table just large enough to seat all six members of the family. The table must be pushed across the floor to open the oven door and to open a food storage cabinet.
4. **Denied Substantial Rights:** The denial of the requested increase in lot coverage would reduce applicants' ability to function on a day-to-day basis. We hope to increase the size of the existing kitchen eating area just large enough to accommodate our family of two adults and four growing children.
5. **Not Merely Special Privilege:** Applicants believe this request to extend the kitchen/eating area by adding a 13.35' X 14.43' addition is a reasonable, relatively modest variance request. A grant of the requested variance will improve the ability of applicants and their children to prepare and eat meals in a larger space, and store coats backpacks and shoes at the rear entryway, thereby improving everyday living within the home.
6. **Code and Plan Purposes:** The variance requested for the proposed addition would be in harmony with the general and specific purposes of the residential building code.
7. **Essential Character of the Area**
  - (a) The requested variation would not result in a use or development on the subject property that would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development or value of property or improvements permitted in the vicinity;

5-A.16

(b) The requested variation would not result in the construction of property that would materially impair an adequate supply of light and air to the properties and improvements in the vicinity, given that the requested addition is a one-story structure.

1. The requested variation would not result in the construction of property that would, in any way, increase congestion in the public streets due to traffic or parking.
2. The requested variation would not result in the construction of property that would, in any way, increase the danger of flood or fire.
3. The requested variation would not result in the construction of property that would unduly tax public utilities and facilities in the area, given that the requested addition is a 13.35' X 14.43' room extension.
4. The requested variation would not result in the construction of property that would endanger the public health or safety.

**8. No Other Remedy.** Without the requested variance, we will be unable to extend the size of our kitchen and create a more livable eat-in kitchen. The 35% maximum lot coverage allowance permits an additional 49 square feet of lot coverage. Applicants are requesting the permission to cover an additional 143.64 square feet for a total of 192.64 square feet. This amounts to a 7% increase in the maximum allowable coverage ( $2304/2159.68 = 1.066$ ). The current authorized variation for maximum allowable building coverage is 20 percent under Section 14-303 E.1.(c).

Included for your use and consideration are:

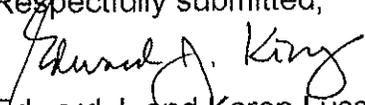
1. Plat of Survey 3/31/98
2. Existing Site Plan
3. Site Plan with Addition
4. Existing First Floor Plan, Sheet Number A2
5. Floor Plan with Addition, Sheet Number A3
6. Proposed Rear Elevation
7. The signatures of neighbors residing next to, behind and across the

5-A.17

Street from applicants' property stating that they have no objection to the granting of a variance for the proposed addition.

We, the undersigned, do hereby certify that we are the owners of 349 S. Kensington Avenue, LaGrange, Illinois, and do hereby certify that the above statements are true and correct to the best of our knowledge.

Respectfully submitted,

   
Edward J. and Karen Lusson King  
349 S. Kensington Avenue  
LaGrange, Illinois 60525

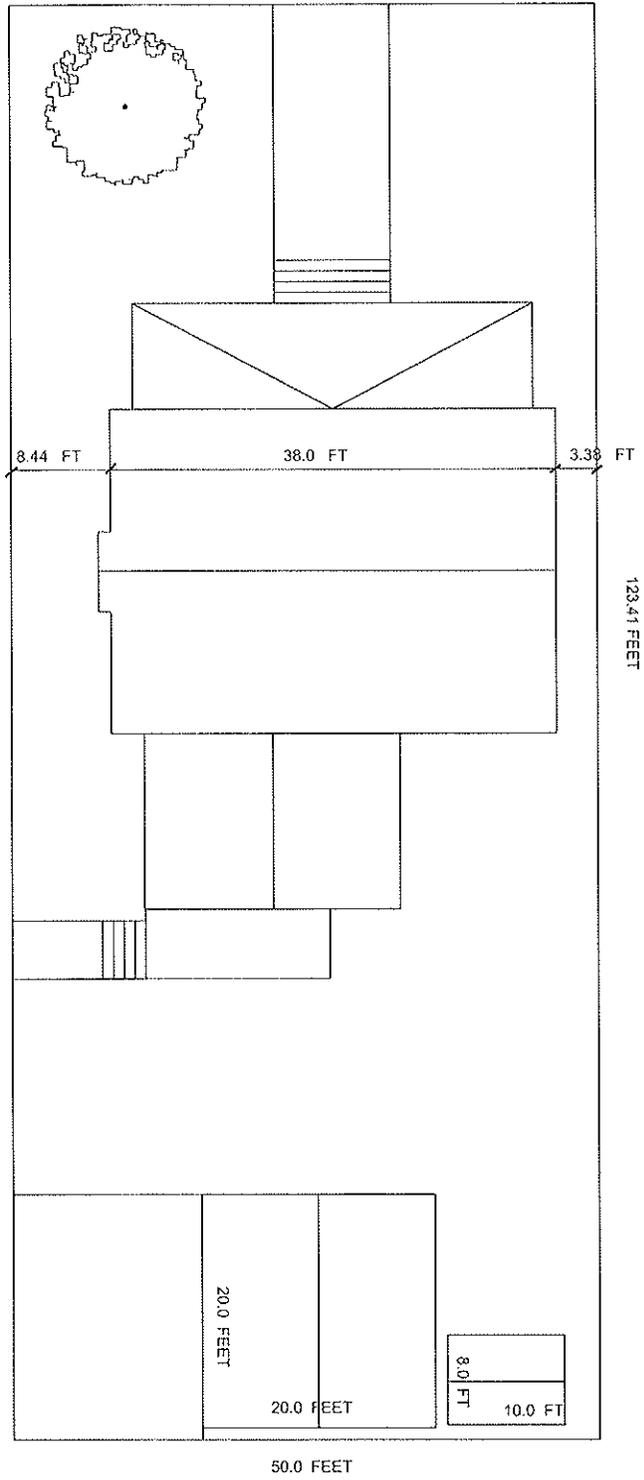
Attachments (7)

5-A.18



KENSINGTON AVENUE

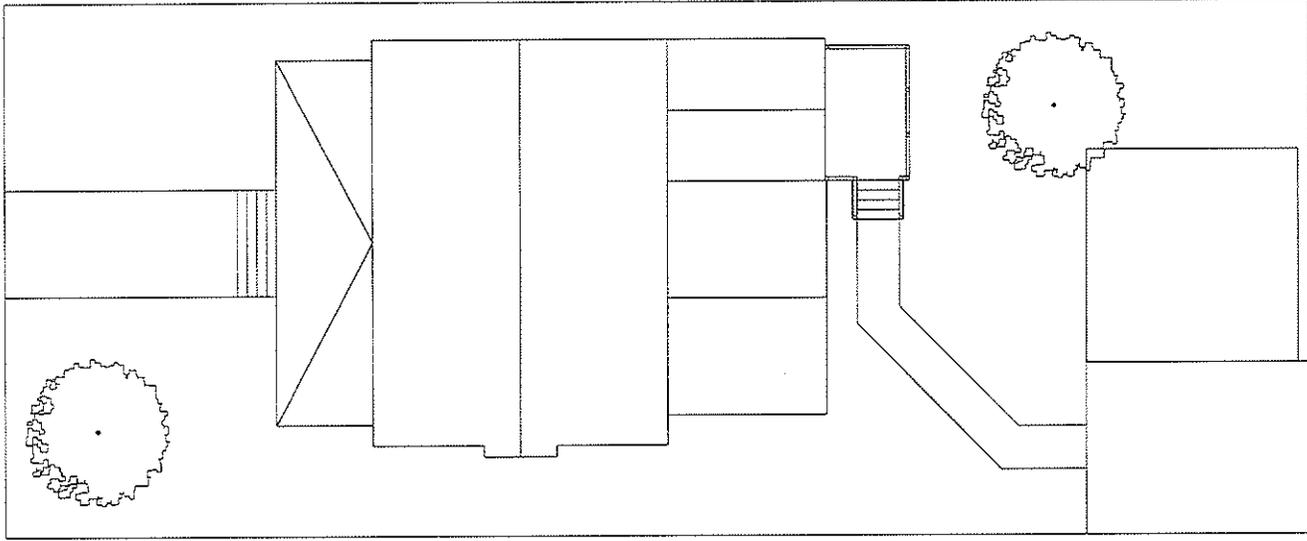
EXISTING SITE PLAN  
NO SCALE



5-19, 20

5-19-21

KENSINGTON AVENUE



SITE PLAN WITH ADDITION



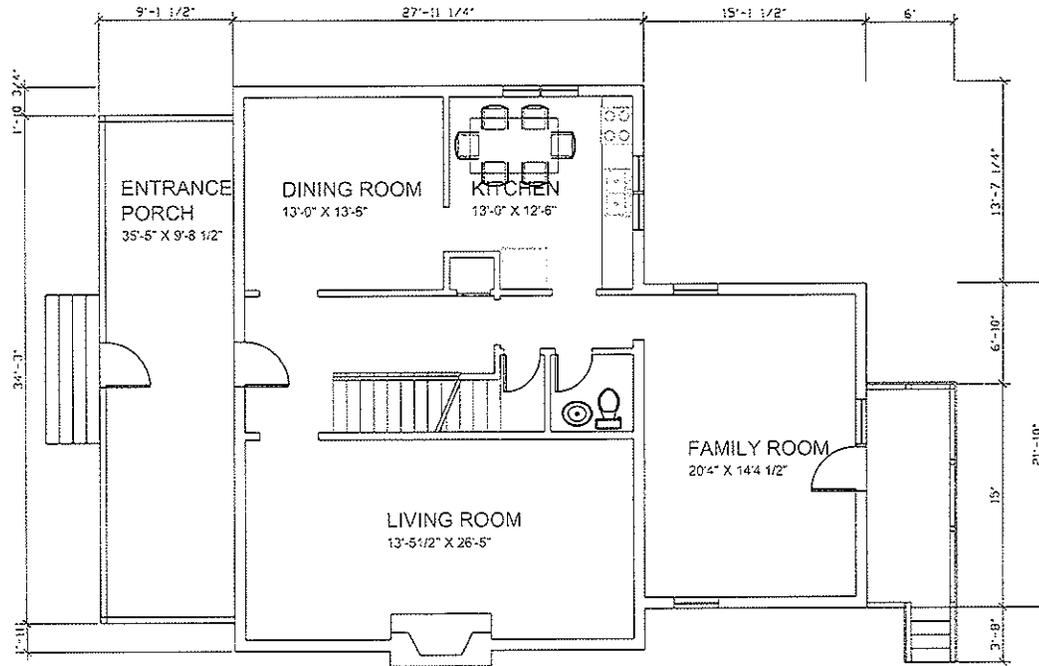
G. McCabe-Miele  
2439 N. Burling St.  
Chicago, IL 60614

5-A-1-22

KING RESIDENCE ADDITION  
349 KENSINGTON STREET  
LAGRANGE, ILLINOIS

EXISTING  
FIRST FLOOR  
PLAN

A 2  
SHEET NUMBER



### EXISTING FLOOR PLAN

SCALE: 1/8" = 1'0"

CEILING

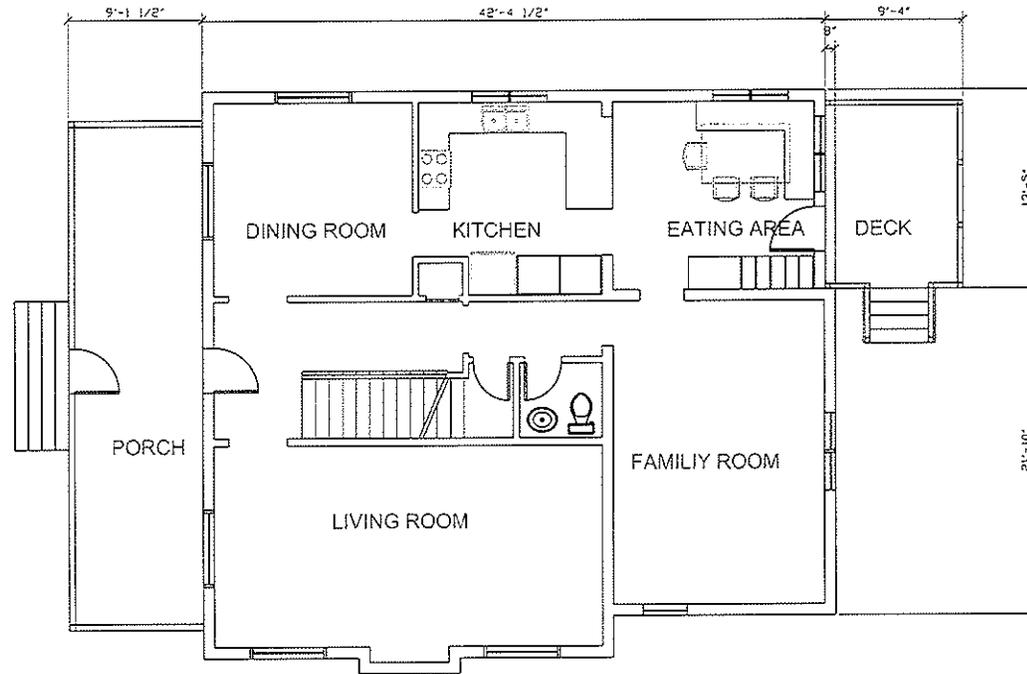
G. McCabe-Miele  
2439 N. Burling St.  
Chicago, IL 60614

KING RESIDENCE ADDITION  
349 KENSINGTON STREET  
LAGRANGE, ILLINOIS

FLOOR PLAN WITH  
ADDITION

A 3

SHEET NUMBER



FLOOR PLAN WITH ADDITION

SCALE:  $\frac{1}{8}'' = 1'-0''$

5-A.24



PROPOSED REAR ELEVATION

April 13, 2006

**KING APPLICATION FOR ZONING VARIANCE**

**SUBJECT: 349 S. Kensington Ave. Proposed Kitchen Addition**

My signature below confirms the following:

- a) I have reviewed the existing site plan, the new site plan, the existing floor plan, the new first floor plan and the proposed rear elevation for the proposed kitchen addition for 349 S. Kensington Ave. in La Grange, Illinois.
- b) I understand that the proposed plan for the kitchen addition requires the granting of a variance from the provisions of Article 3-110, E.2 which states that building coverage for a corner lot in a Single Family Residential District shall not exceed 35%.
- c) I do not object to the granting of a variance at the above-referenced location which would allow the applicants to exceed the maximum building coverage for a corner lot.

NAME	SIGNATURE	ADDRESS
<u>Dan Coleman</u>	<u>Dan Coleman</u>	<u>341 S. Kensington</u>
<u>Keith Lussan</u>	<u>Keith Lussan</u>	<u>334 S. Kensington</u>
<u>Lori Donohoe</u>	<u>Lori Donohoe</u>	<u>346 S. Kensington Ave</u>
<u>Mike Colwell</u>	<u>Mike Colwell</u>	<u>348 S. Catherine Ave.</u>
<u>Bridget Coleman</u>	<u>Bridget Coleman</u>	<u>336 S. Kensington Ave</u>
<u>Denise Adams</u>	<u>Denise Adams</u>	<u>337 S. Kensington</u>
<u>Jim Warmus</u>	<u>Jim Warmus</u>	<u>350 S. Kensington Ave</u>
<u>Mary deJonge</u>	<u>Mary deJonge</u>	<u>401 S. Kensington Ave.</u>
<u>Bill deJonge</u>	<u>Bill deJonge</u>	<u>401 S. Kensington Ave.</u>
<u>Tim Coyne</u>	<u>Tim Coyne</u>	<u>338 S. Kensington</u>
<u>Sue Coyne</u>	<u>Sue Coyne</u>	<u>338 S. Kensington</u>
<u>Jon Archue</u>	<u>Jon Archue</u>	<u>345 S. Kensington</u>
<u>Amanda Bird</u>	<u>Amanda A Bird</u>	<u>345 S. Kensington</u>
<u>Eleanor Augustine</u>	<u>Eleanor A. Augustine</u>	<u>400 S. Kensington</u>

5-A.25

April 17, 2006

**KING APPLICATION FOR ZONING VARIANCE**

**SUBJECT:** 349 S. Kensington Ave. Proposed Kitchen Addition

My signature below confirms the following:

- a) I have reviewed the existing site plan, the new site plan, the existing floor plan, the new first floor plan and the proposed rear elevation for the proposed kitchen addition for 349 S. Kensington Ave. in La Grange, Illinois.
- b) I understand that the proposed plan for the kitchen addition requires the granting of a variance from the provisions of Article 3-110, E.2, which states that building coverage for a corner lot in a Single Family Residential District shall not exceed 35%.
- c) I do not object to the granting of a variance at the above-referenced location, which would allow the applicants to exceed the maximum building coverage for a corner lot.

NAME	SIGNATURE	ADDRESS
Donna Skonning		342 S. Catherine Ave.
Paul Gossett		346 S. Catherine Ave.

5-A.26

VILLAGE OF LA GRANGE  
Community Development Department

**BOARD REPORT**

TO: Village President, Village Clerk  
Board of Trustees and Village Attorney

FROM: Robert Pilipiszyn, Village Manager  
Patrick D. Benjamin, Community Development Director  
Angela Mesaros, Assistant Community Development Director

DATE: July 10, 2006

RE: **ORDINANCE - VARIATION - MAXIMUM BUILDING COVERAGE/  
JACQUIE AND JIM GOVE, 437 S. CATHERINE AVENUE**

---

Jacque and Jim Gove, owners of the property at 437 S. Catherine Avenue, have applied for a variation from Maximum Building Coverage requirements in order to construct a two-story kitchen, family room and second floor master bedroom expansion and second floor laundry facilities. The subject property is located in the R-4 Single Family Residential District.

The maximum building coverage for this lot is 30% or 1,846.35 square feet. Currently, this property including the house, front porch and detached garage covers 1,692.6 square feet of the lot. The petitioners wish to construct a 292.30 square ft. addition, which would increase building coverage to 1,984.9 square feet (32%), an excess of 138.55 square feet (7.5%).

The proposed addition would meet the required setbacks of the Zoning Code, but would exceed the maximum building coverage set forth in Paragraph 3-110E1 by 7.5%. The Village Zoning Code allows an increase in the maximum allowable building coverage by no more than 20%. The requested variation falls within the authorized limits of the Zoning Code.

According to the petitioners, construction of the addition would allow them the opportunity to construct a larger kitchen. They stated that their existing kitchen is not large enough to eat comfortably at a table. The addition would also include a family room and a second story renovation and expansion of master bedroom, laundry room and walk-in closet.

On May 18, 2006, the Zoning Board of Appeals held a public hearing on this matter (see Findings of Fact). At the public hearing, the petitioners presented the application. The motion to *deny* that the variation be granted as requested passed: four (4) ayes and zero (0) nays. Commissioner Brenson abstained from the vote due to a conflict of interest, because the petitioner's architect currently represents Commissioner Brenson in a contractor dispute.

5-13

The Zoning Board members recommending denial cited the following facts: the request is for a very large two story addition and the Commissioners felt that the application does not meet the minimum requirements necessary for a reasonable request. The petitioners did not demonstrate a practical difficulty in carrying out the Zoning Code inherent in the subject property.

If you concur with the recommendation of the Zoning Board of Appeals to deny the request, then a motion to deny the variation is in order. No resolution or ordinance memorializing such action is necessary. Conversely, should you choose to grant the variation, a motion to approve the attached ordinance authorizing the variation would be appropriate.

5-B.1

ORDINANCE NO. O-06-

AN ORDINANCE ALLOWING ZONING VARIATION  
OF THE VILLAGE OF LA GRANGE

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006.

Published in pamphlet form by authority of the Board of Trustees of the Village of La Grange, County of Cook, State of Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

WHEREAS, Jacqueline and James Gove, owners of the property commonly known as 437 S. Catherine, La Grange, Illinois, and legally described as follows:

Lot 17 in Block 2 in La Grange, being a subdivision in the east 1/2 of the southwest 1/4 and that part of the northwest 1/4 lying south of the Chicago, Burlington and Quincy Railroad of Section 4, Township 38 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois.

have applied for variation from Paragraph 3-110E1 (Maximum Building Coverage) of Chapter 154 of the La Grange Code of Ordinances in order to construct an addition on the above referenced property. The Zoning Board of Appeals, as required by law, has conducted a duly noticed public hearing on this matter on May 18, 2006.

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LA GRANGE, COUNTY OF COOK, STATE OF ILLINOIS:

SECTION 1: A variation of 7.5% from Paragraph 3-110E1 (Maximum Building Coverage) of Chapter 154 of the La Grange Code of Ordinances, to construct an addition, be hereby granted to the owner of the above-referenced property in conformance with the plans submitted to the Zoning Board of Appeals.

SECTION 2: This Ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form for review at the La Grange Village Offices and the La Grange Public Library.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2006, pursuant to a roll call vote as follows:

**AYES:** \_\_\_\_\_

**NAYS:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

5-18-2

**APPROVED** by me this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Elizabeth M. Asperger, VILLAGE PRESIDENT

ATTEST:

\_\_\_\_\_  
Robert N. Milne, VILLAGE CLERK

5-13-3

**FINDINGS OF FACT**

ZONING BOARD OF APPEALS  
OF THE  
VILLAGE OF LA GRANGE

May 18, 2006

President Asperger and  
Board of Trustees

RE: **ZONING CASE #550 – MAXIMUM BUILDING COVERAGE – JACQUIE AND JIM GOVE, 437 SOUTH CATHERINE AVENUE**

The Zoning Board of Appeals transmits for your consideration, its recommendations for a request of zoning variation necessary to construct an addition on the property at 437 South Catherine Avenue

**I. THE SUBJECT PROPERTY:**

The property in question is a single family residential lot with a 50 foot width and a depth of 123 feet.

**II. CHARACTERISTICS OF THE SURROUNDING AREA:**

The subject property is located in the R-4 Single Family Residential District.

**III. VARIATIONS SOUGHT:**

The applicant desires a variation from Paragraph 3-110E1 (Maximum Building Coverage) of the La Grange Zoning Code. The applicant wishes to exceed the allowable building coverage by 7.5%. At the public hearing, the applicant requested a variation to allow for the construction of an addition at the subject property. Subparagraph 14-303E1(c) (Authorized Variations) allows the increase of the maximum allowable building coverage by no more than 20%. The requested variation falls within the authorized limits of the Zoning Code.

**IV. THE PUBLIC HEARING:**

After due notice, as is required by law (including legal publication, posting at the subject property and courtesy notices to owners within 250 feet of the subject property) the Zoning Board of Appeals held a public hearing on the proposed variation in the La Grange Village Hall Auditorium on May 18, 2006. Present were Commissioners Bill Holder, Nancy Pierson, Nathaniel Pappalardo, Charles Benson, Jr., and Ian Brenson. Motion carried by voice vote. Also present was Staff Liaison, Angela Mesaros. Testimony was given under oath by the applicants. No objectors appeared at the hearing and no written objections have been filed to the proposed variation.

5-B.4

Chairman Protem Pappalardo swore in Jacquie and Jim Gove, owners of the subject property, 437 South Catherine, and Darlene Stirn, Architect, 412 South Park, who presented the application and answered questions from the Commissioners:

- . Ms. Stirn stated that the Petitioners seek an addition of 292.30 square feet.
- . The house was constructed in 1910 and is a stucco prairie square house with its original layout. The petitioners moved to this house in 1998.
- . They moved to the historic district and would like to try to preserve the look and feel of the existing house.
- . The main reason for the addition is to construct an eat-in kitchen. The current kitchen is not large enough to put a table in and to eat.

Chairman Protem Pappalardo solicited questions from the Commissioners:

- . Commissioner Pierson asked for clarification on the proposed foyer steps. Ms. Stirn stated that they will be the same as the previous layout.
- . Commissioner Holder asked about the additional area in front of the living room and foyer and whether or not it was a covered porch. Answer: Yes. It is a one-story porch.
- . Commissioner Brenson asked for an explanation of the issue with the eaves. Ms. Stirn stated that by definition of building coverage the eaves count only if they are located within the required yards, which means, in this case, that two feet of the eaves would count towards building coverage.
- . Commissioner Benson asked if the petitioners believe that not having a family room limits the retail value of their property. Mr. Gove stated that typically these types of additions improve the value of homes, and he considers his existing house a second tier house right now, because there is no central air and limited kitchen and family room areas compared to others throughout the community.
- . Commissioner Holder asked if the uncovered deck was included in the square footage. Answer: No. Mr. Gove stated that the patio covers where the proposed addition would be located.
- . Chairman Protem Pappalardo asked if this was the minimum amount that they could request. Ms. Stirn stated that they have spent since November working on the design of the house, and the goal is to have a space large enough to suit the family.

5-B.5

Chairman Protem Pappalardo solicited questions and comments from the audience:

- Bill Franco, 433 South Catherine, stated that he does not believe that this will impair the light and air of his property.

*Under the provisions of the Zoning Ordinance, no variation shall be granted unless the applicant establishes that carrying out the strict letter of the provisions of this code would create a particular hardship or practical difficulty. Such a showing shall require proof that the variation sought satisfies certain conditions. The following facts were found to be evident:*

1. Unique Physical Condition:

This zoning lot is typical for the R-4 Single Family Residential Zoning District. The lot measures 50 feet wide by 123 feet deep. It is typical of single lots between Goodman Avenue and 51<sup>st</sup> Street, and Kensington Avenue to Madison Avenue.

2. Not Self-Created:

According to the petitioners, the house is almost 100 years old and they are the fourth or fifth owners of the property. They have not made modifications to the property that have increased building coverage.

3. Denied Substantial Rights:

The petitioners believe that the inability to construct the addition and would limit the resale value of the property.

4. Not Merely Special Privilege:

According to the petitioners, the addition of a family room would allow them to create additional livable space.

5. Code and Plan Purposes:

Allowing for this variance would maintain the setbacks required in the Zoning Code. The petitioners believe that a variance for the subject property is in accordance with the intent of the Village's Code and Plan. The addition would cover the space currently covered by a brick paver patio, which does not count towards building coverage.

5-B.6

6. Essential Character of the Area:

According to the petitioners, granting a variance would not adversely affect the character of the neighborhood.

7. No Other Remedy:

Other remedies for an expansion would be to remodel the interior of the house. The petitioners believe that the above remedy would not improve the functionality of their property.

**V. FINDINGS AND RECOMMENDATION:**

- . Commissioner Brenson stated that this is a very large two-story family room and kitchen addition and questioned whether it necessarily needed to be this large and would meet the minimum amount required for an additional.
- . Chairman Protem Pappalardo stated that the existing garage is of average size and therefore does not contribute to the difficulty by adding square footage to the maximum building coverage.
- . Chairman Protem Pappalardo stated that the second floor master bedroom walk-in closet dictates the width of the bedroom. He questioned what the minimum acceptable amount would be to make the addition work.
- . Chairman Protem Pappalardo stated that he does not feel that this meets the minimum requirements to make a reasonable request for a variation.

There being no further questions or comments from the audience or the Commissioners, a motion was made by Commissioner Holder and seconded by Commissioner Benson that the Zoning Board of Appeals recommend to the Village Board of Trustees denial of the application submitted with ZBA Case #550.

Motion Carried by a roll call vote (4/0/2).

AYE: Holder, Pierson, Pappalardo and Benson.  
NAY: None  
ABSENT: Kralovec and Chairperson Brewin.  
ABSTAIN: Brenson\*

\*Commissioner Brenson abstained from the vote due to a conflict of interest, because Darlene Stirn is his architect and currently represents him in a contractor dispute.

5-B.7

BE IT THEREFORE RESOLVED that the Zoning Board of Appeals recommend to the Village Board of Trustees denial of the variation from Paragraph 3-110E1 (Maximum Building Coverage) to allow the construction of an addition at 437 South Catherine by a 4/0/2 vote.

Respectfully submitted:

Zoning Board of Appeals of the  
Village of La Grange

BY: Nathaniel J. Pappalardo  
Nathaniel Pappalardo, Chairman Protem

5-B.8

## STAFF REPORT

**CASE: ZBA #550 - Jacquie and Jim Gove, 437 South Catherine Avenue - Maximum Building Coverage**

### BACKGROUND

(Note: This Staff Report is solely based on information presented in the application and on a physical inspection of subject property and environs, and is not influenced by any other circumstance.)

The petitioners, Jacquie and Jim Gove, wish to construct a two story family room addition and second floor renovation/expansion on the subject property at 437 S. Catherine Avenue. According to the petitioners, construction of the addition would allow them to add living space to their house, while maintaining the character of their neighborhood. Twenty-two of their neighbors have signed a petition supporting the kitchen addition. The applicants' house has a front porch, which occupies 3.4% of the allotted 30% maximum building coverage. Maximum Building Coverage for this lot is 1,846.35 square feet. Currently this property, including the house, front porch and detached garage, covers 1,692.6 square feet. The proposed addition would increase building coverage to 1,984.9 square feet, an excess of 138.55 square feet (7.5%). A building permit could not be issued for this project, because the addition would bring the house in excess of the Maximum Building Coverage allowed in the Zoning Code. The petitioners seek a variation.

The proposed addition would meet the required setbacks of the Zoning Code but would exceed the Maximum Building Coverage of 30% set forth in Paragraph 3-110E1 by 7.5%. Subparagraph 14-303E1(c) (Authorized Variations) allows the increase of the maximum allowable building coverage by no more than 20%. The requested variation falls within the authorized limits of the Zoning Code.

### VARIATION STANDARDS

In considering a variation, be guided by the General Standard as outlined in our Zoning Code that "No variation shall be granted pursuant to this Section unless the applicant shall establish that carrying out the strict letter of the provisions of this Code would create a particular hardship or a practical difficulty. Such a showing shall require proof that the variation being sought satisfies each of the standards set forth in this Subsection."

**Unique Physical Condition** - *"The subject property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot."*

5-8.9

**Staff Evaluation Criteria**  
**ZBA #550 - 437 S. Catherine Avenue**  
**Variation - Maximum Building Coverage**  
**Page 2**

This zoning lot is typical for the R-4 Single Family Residential Zoning District. The lot measures 50 feet wide by 123 feet deep. It is typical of single lots between Goodman Avenue and 51<sup>st</sup> Street, and Kensington Avenue to Madison Avenue.

**Not Self-Created** - *"The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this Code, for which no compensation was paid."*

According to the petitioners, the house is almost 100 years old and they are the fourth or fifth owners of the property. They have not made modifications to the property that have increased building coverage.

**Denied Substantial Rights** - *"The carrying out of the strict letter of the provision from which a variation is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by owners of other lots subject to the same provision."*

The petitioners believe that the inability to construct the addition would limit the resale value of the property.

**Not Merely Special Privilege** - *"The alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the use of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship shall not be a prerequisite to the grant of an authorized variation."*

According to the petitioners, the addition of a family room would allow them to create additional livable space.

**Code and Plan Purposes** - *"The variation would not result in a use or development of the subject property that would be not in harmony with the general and specific purposes for which this Code and the provision from which a variation is sought were enacted or the general purpose and intent of the Official Comprehensive Plan."*

Allowing for this variance would maintain the setbacks required in the Zoning Code. The petitioners believe that a variance for the subject property is in accordance with the intent of the Village's Code and Plan. The addition would cover the space currently covered by a brick paver patio, which does not count towards building coverage.

5-B.10

**Essential Character of the Area** - *"The variation would not result in a use or development on the subject property that:*

- a. Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements permitted in the vicinity; or*
- b. Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or*
- c. Would substantially increase congestion in the public streets due to traffic or parking; or*
- d. Would unduly increase the danger of flood or fire; or*
- e. Would unduly tax public utilities and facilities in the area; or*
- f. Would endanger the public health or safety."*

According to the petitioners, granting a variance would not adversely affect the character of the neighborhood.

**No Other Remedy** - *"There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property."*

Other remedies for an expansion would be to remodel the interior of the house. The petitioners believe that the above remedy would not improve the functionality of their property.

5-B, 11



41	(319)	
"	20-007	7-020
"	19-008	8-021
"	18-028	9-027
"	17-010	10-023
"	16-011	11-024
"	15-012	12-025
50	14-013 123.41	13-026 123.41

75	(320)	
"	20-007	7-018
"	19-007	8-019
"	18-008	9-020
"	17-009	10-021
"	16-010	11-022
"	15-011	12-023
50	14-012 123.41	13-024 123.41

	(321)	
"	20-007	7-0
"	19-008	8-0
"	18-009	9-0
"	17-010	10-0
"	16-011	11-0
"	15-012	12-0
50	14-013 123.41	13-0 123.4

**GOODMAN**

44	123.37	123.37	44
"	26-001	1-013	44
50	25-001	2-014	50
"	24-002	3-015	"
"	23-003	4-016	"
"	22-004	5-017	"
"	21-005	6-018	"
"	(327)	7-019	"
"	20-006	8-020	"
"	19-007	9-021	"
"	18-008	10-022	"
"	17-009	11-023	"
"	16-010	12-024	"
50	14-012 123	13-025 123	50

**CATHERINE**  
2437 S. Catherine

44	123.37	123.37	44
"	26-001	1-014	44
50	25-002	2-015	50
"	24-003	3-016	"
"	23-004	4-017	"
"	22-005	5-018	"
"	21-006	6-019	"
"	(328)	7-020	"
"	20-007	8-021	"
"	19-008	9-022	"
"	18-009	10-023	"
"	17-010	11-024	"
"	16-011	12-025	"
"	15-012	13-026	"
50	14-013 123	13-026 123	50

**ASHLAND**

44	123.37	123.37	44
"	26-001	1-0	44
50	25-002	2-0	50
"	24-003	3-0	"
"	23-004	4-0	"
"	22-005	5-0	"
"	21-006	6-0	"
"	(329)	7-0	"
"	20-007	8-0	"
"	19-008	9-0	"
"	18-009	10-0	"
"	17-010	11-0	"
"	16-011	12-0	"
"	15-012	13-0	"
50	14-013 123	13-0 123	50

Darlene Melton Stirn

412 S. Park Rd  
LaGrange, Illinois 60525  
T 708.352.6103  
F 708.354.6960

April 10, 2006

LOT COVERAGE AREA SUMMARY

Jacque and Jim Gove  
437 S. Catherine Ave.  
La Grange, IL 60525

Lot Coverage: 30% max ground area.  
From the Survey:

Lot Area: 50'x123' = 6,154.5 sf

Max. Coverage: 30% of 6154 = 1,846.35 sf

Existing and Proposed Coverages

Existing	Area A	House	844.8
	Area B	Porch	211.6
	Area C	Living Room Bay Window	11.2
	Area D	Dining Room Bay	16.4
	Area E	Existing Eave	76.6
	Area F	Garage	532.0
Total Existing Area			1692.6
Proposed			
	Area G	Proposed Addition	291.0
	Area H	Eave at Proposed Addition	17.7
Total Proposed			308.7
Demolition area	Area D	Dining Room Bay	16.4
Total coverage		Total existing + Total Proposed – Demolition area	1984.9

Actual area / maximum allowed = 1984.9/1846.4 = 7.5 % variation

5-B.14

**APPLICATION FOR ZONING VARIATION**

Application # 550  
Date Filed: 4-20  
UARCO #  
80364

TO THE PRESIDENT AND BOARD OF TRUSTEES  
VILLAGE OF LA GRANGE, ILLINOIS

(please type or print)

Application is hereby made by *James and Jacquie Gove*

Address: 437 South Catherine Avenue  
LaGrange, Illinois 60525

Phone: \_\_\_\_\_ 579-3552

Owner of property located at:  
437 South Catherine Avenue  
LaGrange, Illinois 60525

Permanent Real Estate Index No:  
18-04-328-010-0000

Present Zoning Classification: R-4 Present Use: Single Family

Ordinance Provision for Variation from Article # 3-110E1 of Zoning Ordinance, to wit:

*Maximum Building Coverage*

**A. Minimum Variation** of Zoning requirement necessary to permit the proposed use, construction, or development:  
**138.5 square feet or 7.5%**

**B. The purpose** therefor,  
A single family home addition

**C. The specific feature(s)** of the proposed use, construction, or development that require a variation:  
An addition of a Family Room in order to bring our children together informally to do homework, set up a computer under proper adult supervision and enjoy family time together.

*5-B.15*

PLAT OF SURVEY must be submitted with application. The plat should show any existing buildings on the petitioned property as well as any existing buildings on property immediately adjacent. It should also show any proposed new construction in connection with the variation, including landscaping, fencing, etc.

1. General Standard. The Petitioner must list below **FACTS AND REASONS** substantially supporting each of the following conclusions or the petition for variation cannot be granted. (if necessary, use additional page)

a. State practical difficulty or particular hardship created for you in carrying out the strict letter of the zoning regulations, to wit:

-Create a new basement entrance with proper clearance. Current basement stairs do not meet 80" clearance code. Poses safety issues.

-No Family Room which limits resale value of our home in the historic district of LaGrange. Our home is not comparable to similar properties in the area.

b. A reasonable return or use of your property is not possible under the existing regulations, because:

-We cannot offer the space or the open floor plan required for the modern family which would be the typical profile of potential future buyer for our home.

c. Your situation is unique (not applicable to other properties within that zoning district or area) in the following respect(s):

-Our home is almost 100 years old and our family is the 4<sup>th</sup> or 5<sup>th</sup> owner. Due to current building setback codes which did not apply when our property was built we are forced to add nearly 80 square feet to our lot coverage comprised of eaves on the north side of our home which are not six feet from the property line. This makes our variance request unique as this total square footage of eaves is 3/4 of the total variance we are requesting. In addition, our lot is smaller than average (123 square feet long) to begin with putting us at a disadvantage with total lot coverage in comparison to many other lots in the near area.

5-10-16

2. Unique Physical Condition. The subject property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.

-Basement stairs are not in compliance with current building codes. There is not a 80" clearance, therefore, posing safety issues. Our architectural plans will move the main entrance to the basement to the back of the house with proper overhead clearance on the stairs.

3. Not Self-Created. The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this Code, for which no compensation was paid

-This condition was not self created.

4. Denied Substantial Rights. The carrying out of the strict letter of the provision from which a variation is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by owners of other lots subject to the same provision.

-Yes. We can provide addresses of such like corrections to like properties.

5-8-17

5. Not Merely Special Privilege. The alleged hardship or difficulty is not merely inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the use of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship shall not be a prerequisite to the grant of an authorized variation.

-An addition of a family room of adequate size to accommodate furniture and family computer access for children is not a special privilege and should be available to all homeowners in the village of LaGrange. The addition of this requested space of 138.5 square feet will be built over what is now a paver brick patio and is a reasonable request of only 7.5% over our current lot coverage. If the non-liveable areas of the garage (532 square feet) were credited towards our current lot coverage we could double the additional space we are asking for currently.

-Please see enclosed petition signed by 22 neighbors within 200 square feet of proposed construction who support our request for this variance.

6. Code and Plan Purposes. The variation would not result in a use or development of the subject property that would be not in harmony with the general and specific purposes for which this Code and the provision from which a variation is sought were enacted or the general purpose and intent of the Official Comprehensive Plan.

-As is stated above the additional space required is minimal and will only cover what is currently covered by a paver brick patio.

7. Essential Character of the Area. The variation would not result in a use or development on the subject property that:

(a) Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements permitted in the vicinity; or

(b) Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or

(c) Would substantially increase congestion in the public streets due to traffic or parking; or

(d) Would unduly increase the danger of flood or fire; or

(e) Would unduly tax public utilities and facilities in the area; or

(f) Would endanger the public health or safety.

5-B.18

-This variation would not negatively affect any of the aforementioned issues.

8. No Other Remedy. There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.

-This requested variation to the zoning is the minimal solution to the current hardship.

\* \* \*

**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 of Five Hundred Dollars (\$500.00).

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 cost);
- (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); and
- (i) Document Recordation (direct cost); and

5-B.19

(j) Postage Costs (direct cost).

Such additional costs shall be paid by the applicant prior to the Board of Trustees making a decision regarding the request.

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.

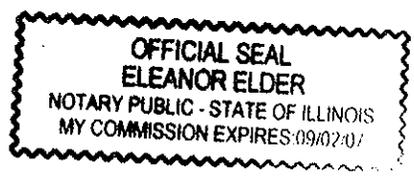
*James H. Gove* *437 S. Catherine Avenue*  
(Signature of Owner or Contract Purchaser) (Address)

*LaGrange* *IL* *60525*  
(City) (State) (Zip Code)

Subscribed and sworn to before me this 20 day of APRIL, 2006.

*Eleanor Elder*

(Notary Public) (Seal)



Enclosures:

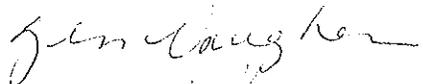
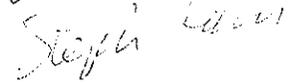
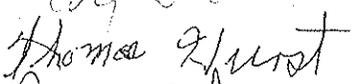
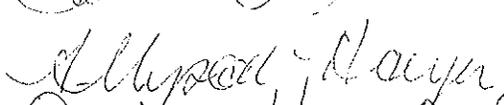
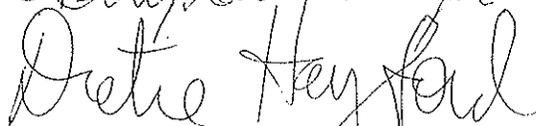
**(FOR VILLAGE USE ONLY)**

1. Filed with Office of the Community Development Director: April 20, 2006.
2. Transmitted to Zoning Board of Appeals at their meeting held:

*5-13-20*

**NEIGHBORHOOD PETITION FOR  
GOVE FAMILY 437 SOUTH CATHERINE AVENUE  
ZONING VARIANCE APPLICATION FOR HOME ADDITION**

By signing this petition which James and Jacque Gove will present to the LaGrange Village Zoning Board you agree that you have seen our architectural plans for a home addition and understand and support our application for a variance of approximately 300 square feet.

<u>NAME</u>	<u>ADDRESS</u>
 WILLIAM J. FRANKO	433 S. CATHERINE
 Jim Laughlin	
 Steph	441 S. Catherine
 Tom	445 S. Catherine
 Thomas Hurst	443 S. Catherine
 Robyn Vines	427 S. Catherine
 Tom	413 S. Catherine
 Carrie Bassier	413 S. Catherine
 Allison May	401 S. Catherine LG
 Dede Heyford	440 S. Catherine St.
Nancy Sheehan } Nancy Sheehan } Brian M. Sheehan }	436 S. Catherine
 Greg } Greg } Greg }	417 S. CATHERINE AVE.
 Freya O. Smith }	
 R.H.C. }	412 S. CATHERINE AVE

5-B.21

*[Handwritten signature]*

410. S CATHERINE LG

KRISTIN STUBA  
Gordon & Sulu

415 S. Catherine Ave. LG

Karū Butikofu

430 S. Catherine Ave LG

Doug Butikofu

436 S. Catherine Ave. LG

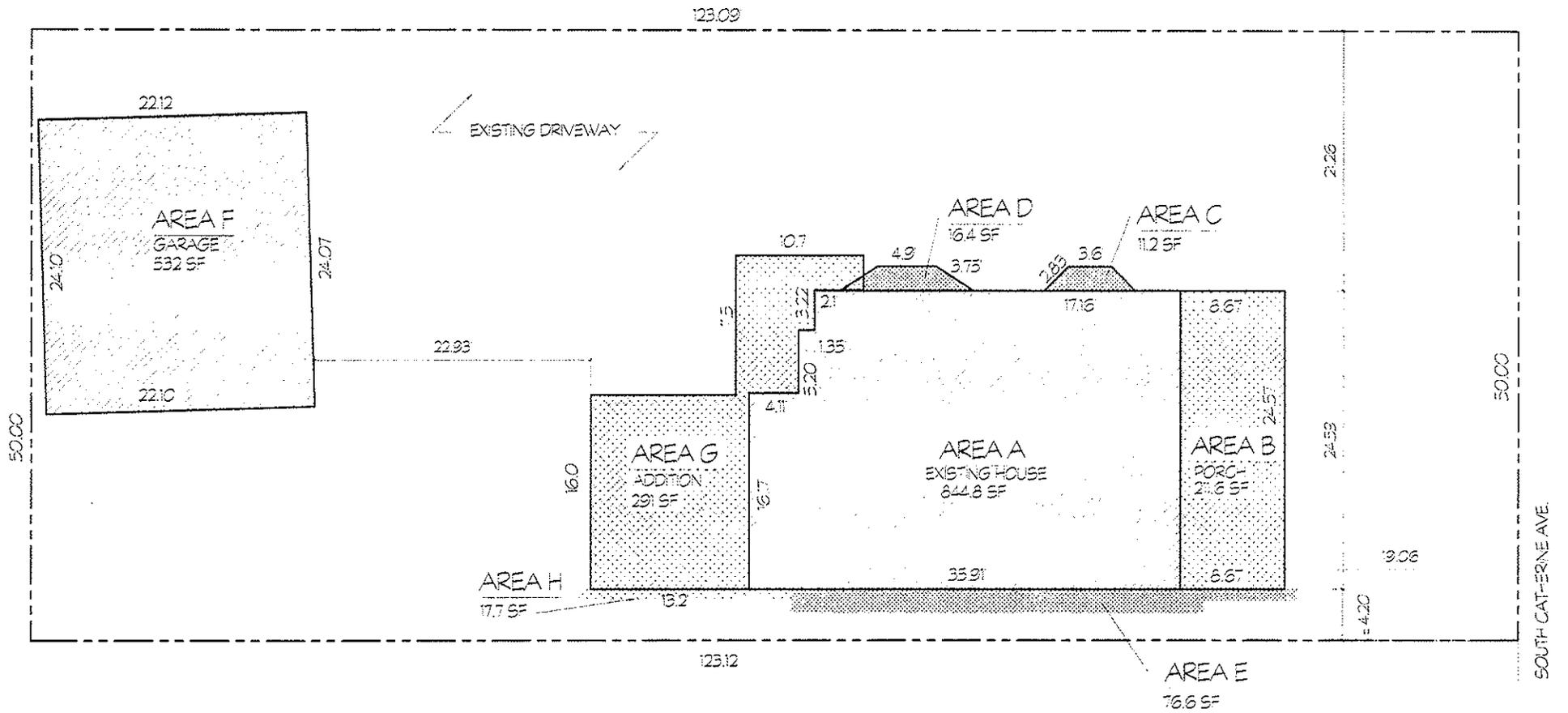
Corinne Rose

434 S. Catherine LG

James Rose

434. S. CATHERINE AVE.





Darlene Melton Stirn  
412 S. Park Rd.  
LaGrange, Illinois 60525  
708.352.6103

GOVE RESIDENCE  
437 S. CATHERINE  
LA GRANGE, IL

4/15/06 ZONING REVIEW

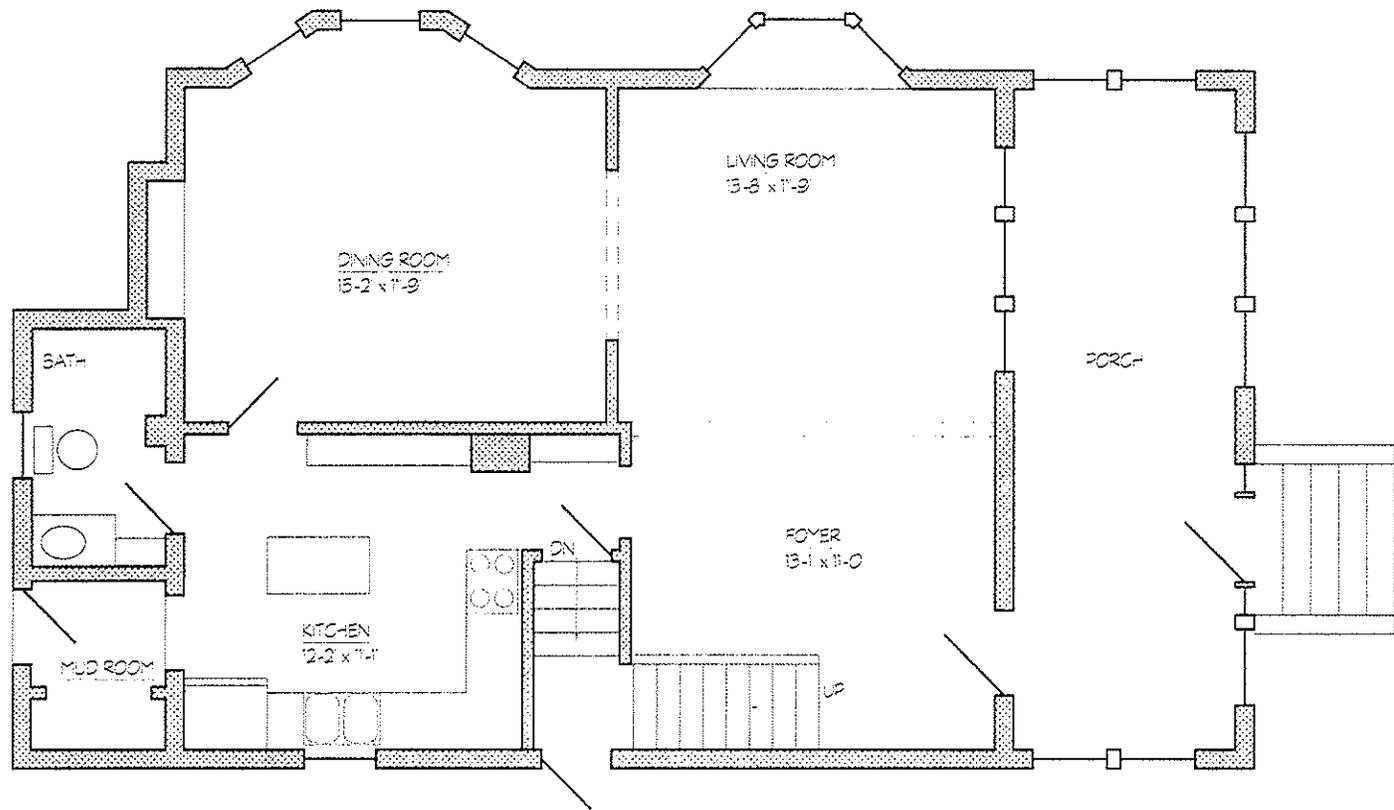


1" = 1'-0"

PROPOSED  
SITE PLAN

S1

5-B.24



Darlene Melton Stirn  
 412 S. Park Rd.  
 LaGrange, Illinois 60525  
 708.352.6103  
 . . . . .

GOVE RESIDENCE  
 437 S. CATHARINE  
 LA GRANGE, IL

4/15/06 ZONING REVIEW

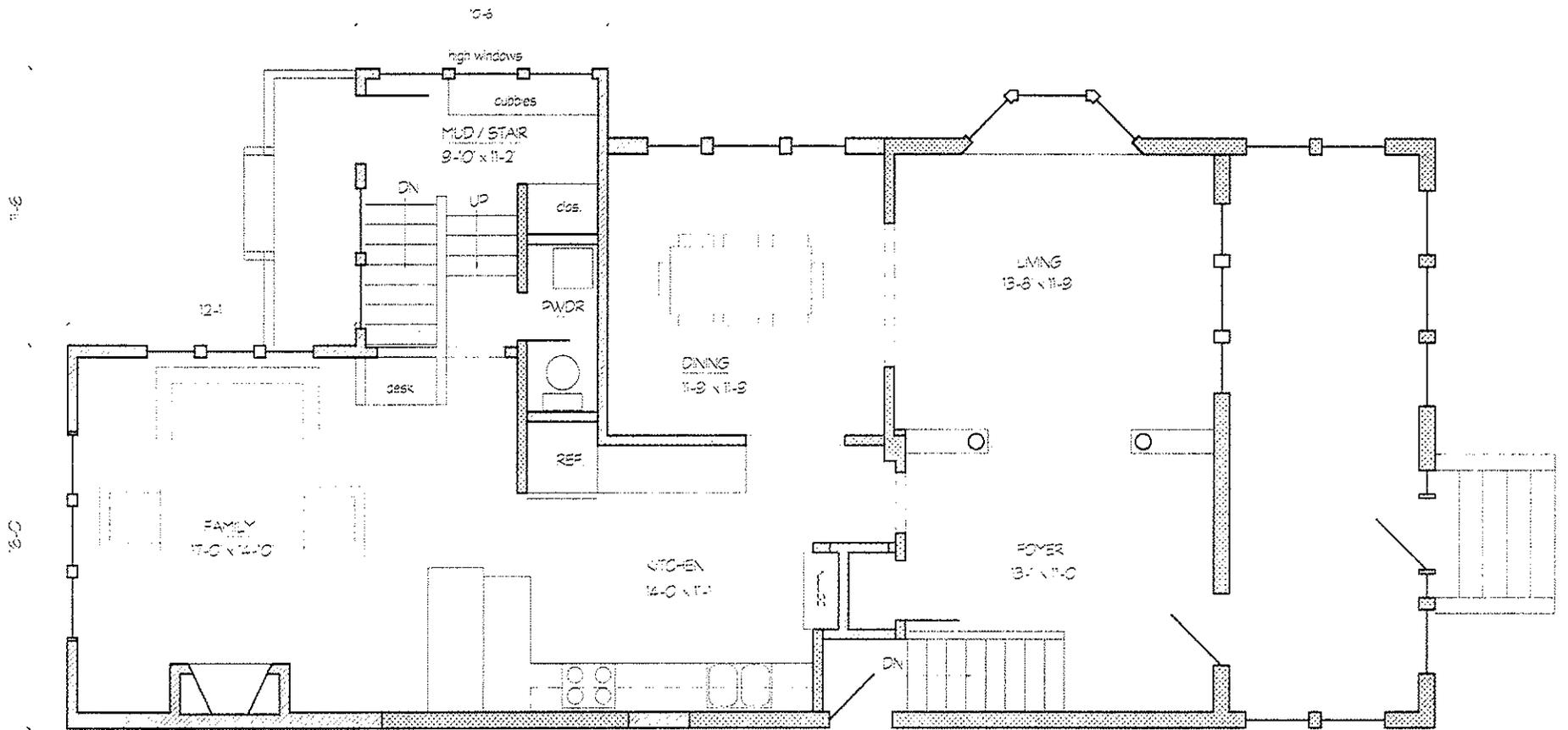


3/16" = 1'-0"

EXISTING  
 1ST FLOOR PLAN

A1

5-18-25



Darlene Melton Stirn  
 412 S. Park Rd.  
 LaGrange, Illinois 60525  
 708.352.6103  
 . . . . .

GOVE RESIDENCE  
 437 S. CATHERINE  
 LA GRANGE, IL

NOT FOR  
 CONSTRUCTION



4/15/06 ZONING REVIEW

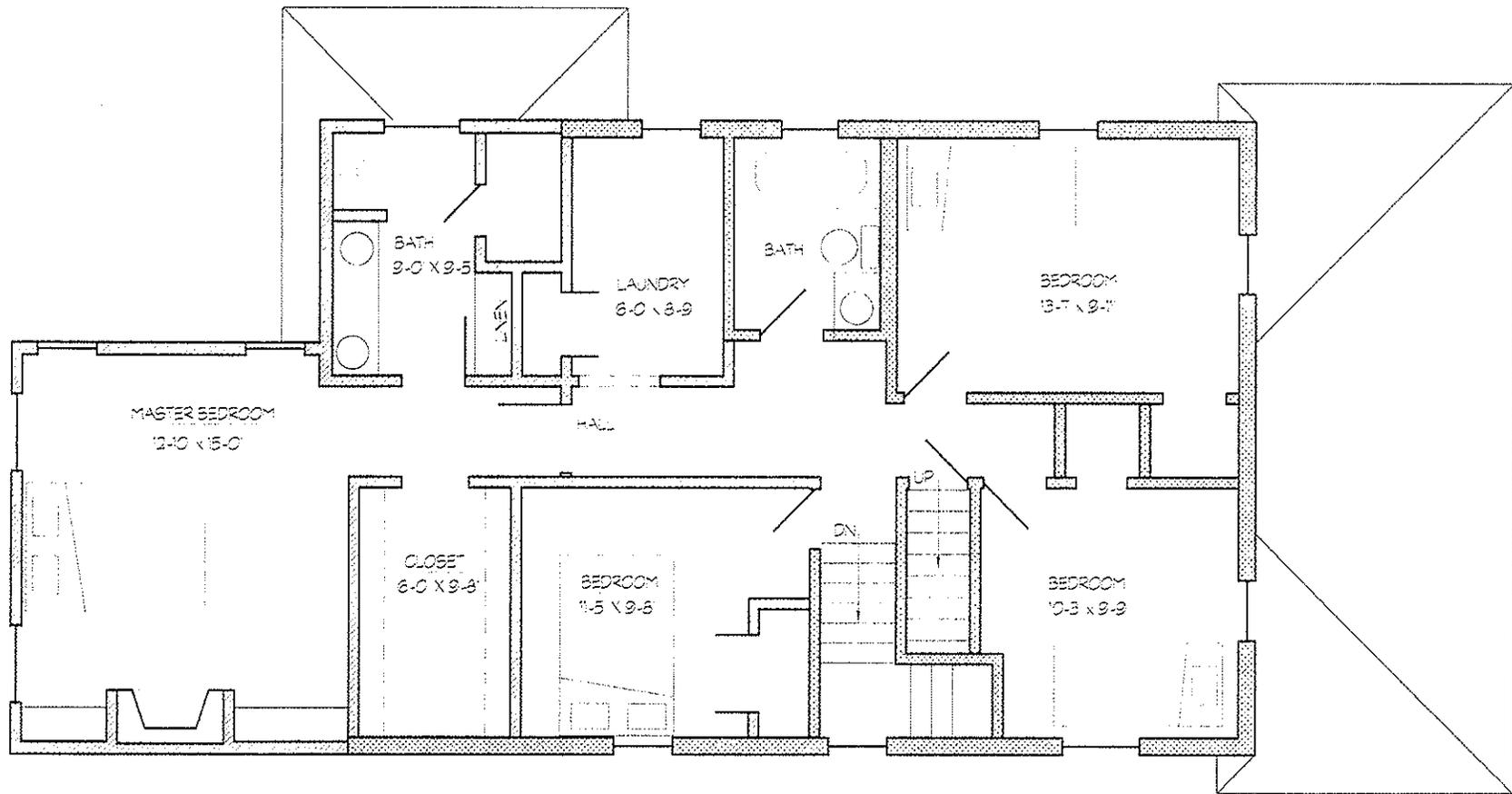
3/16" = 1'-0"

PROPOSED  
 1ST FLOOR  
 PLAN

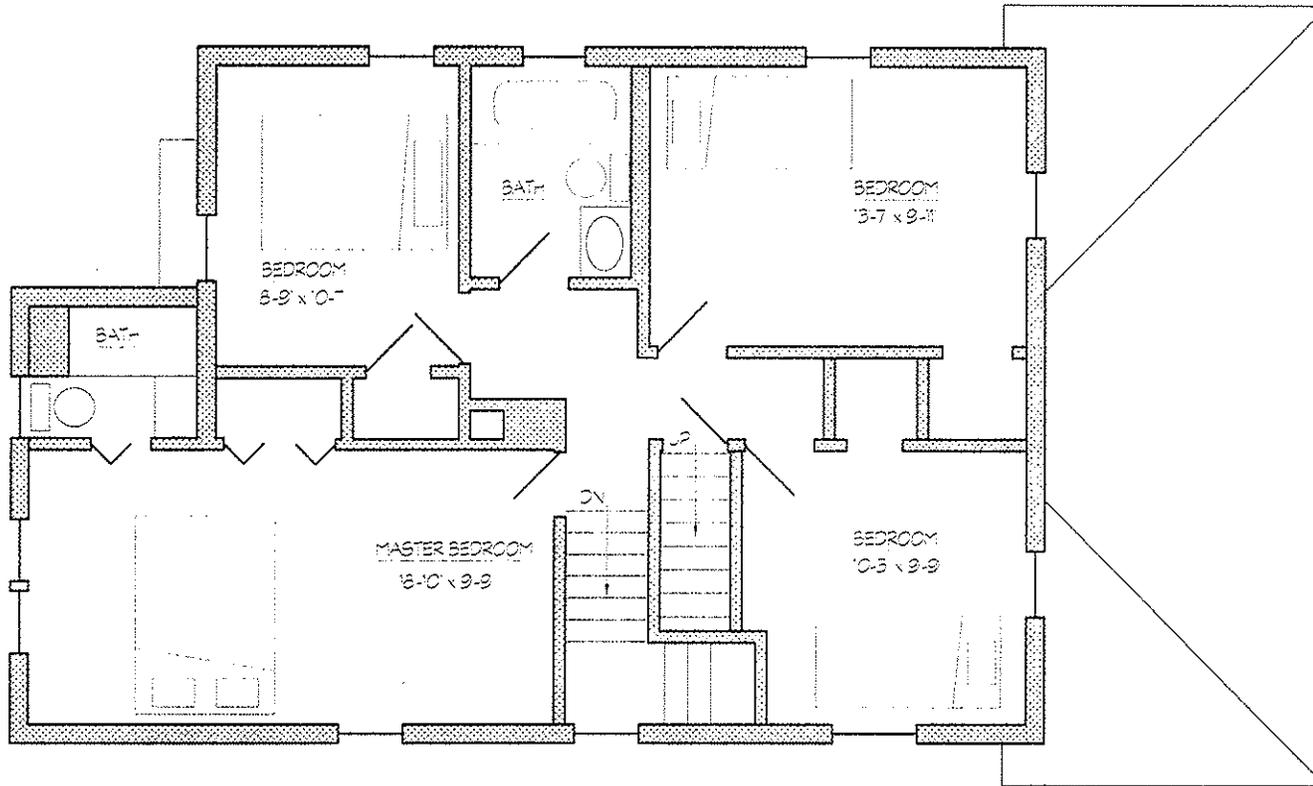
A3

5-2-26

5-B, 27



<p>Darlene Melton Stirn 412 S. Park Rd. LaGrange, Illinois 60525 708.352.6103 .....</p>	<p>GOVE RESIDENCE 437 S. CATHERINE LA GRANGE, IL</p>	<p>NOT FOR CONSTRUCTION</p>	<p>4/15/08 ZONING REVIEW </p>	<p>PROPOSED 2ND FLOOR PLAN</p>	<p>A4</p>
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5-13-28

<p>Darlene Melton Stirn          412 S. Park Rd.          LaGrange, Illinois 60525          708.352.6103          . . . . .</p>	<p>GOVE RESIDENCE          437 S. CATHERINE          LA GRANGE, IL</p>	<p>4/5/06 ZONING REVIEW</p>  <p>3/16"=1'-0"</p>	<p>EXISTING          2ND FLOOR PLAN</p>	<p>A2</p>
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VILLAGE OF LA GRANGE  
Community Development Department

**BOARD REPORT**

TO: Village President, Board of Trustees,  
Village Clerk and Village Attorney

FROM: Robert Pilipiszyn, Village Manager,  
Patrick D. Benjamin, Community Development Director,  
Angela M. Mesaros, AICP, Assistant Community Development Director

DATE: July 10, 2006

RE: **ORDINANCE – VACATION OF RIGHT-OF-WAY TO DEVELOP A STRIP  
SHOPPING CENTER IN THE C-4 CONVENIENCE COMMERCIAL  
DISTRICT, 9601 Ogden Avenue, Robert Allen.**

---

Robert Allen, owner of the property at 9601 Ogden Avenue, has formally requested the vacation of a 30 ft. wide by 134 ft. dedicated alley adjoining the southeast corner of the property. The adjacent property is the former site of the Martin Oil Company Gas Station. In 1990, a former owner vacated the north-south portion of the alley that ran from the existing alley to Ogden Avenue with plans to construct and operate a Spot Not car wash. Due to delays in remediation, the proposed car wash was never constructed.

In June 2003, the Village reviewed an application from former owner, Steve Annoreno, to vacate the dedicated alley in order to construct a small parking lot and access road for a proposed drive-through restaurant. The Plan Commission voted to deny the request for vacation of public right-of-way, and Mr. Annoreno withdrew his application before the recommendation was forwarded to the Village Board.

Robert Allen, Allen Realty and Builders, the petitioner, recently purchased the property at 9601 Ogden Avenue from Mr. Annoreno. Mr. Allen proposes to develop a strip shopping center at the subject property. According to Mr. Allen, this project would not be viable without the proposed vacation of the dedicated right-of-way adjoining the southeast corner of the subject property.

On September 26, 2005, the Village Board passed a resolution remanding the requested vacation to the Plan Commission for further consideration and to hold the requisite public hearing. A public hearing on the application was held before the Plan Commission beginning on November 8, 2005. At the public hearing, the Commissioners requested that staff commission a site traffic analysis. The Plan Commission continued the public hearing for one additional evening, to January 10, 2006.

5-0

At the Plan Commission hearing on January 10, 2006, Mr. Allen presented a revised site plan based on the following recommendations of the Traffic Study conducted by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA), dated December 9, 2005:

- That the west access driveway to the site was relocated from Washington to Ogden Avenue. (This access will require approval from the Illinois Department of Transportation (IDOT). In conversations with the traffic consultant, IDOT expressed concurrence with the new driveway, but only if the driveway is centered on the property and restricted to right-turn only ingress/egress.)
- "No Left Turn" sign be posted on the Ogden Avenue driveway.
- Stop signs be posted at the Ogden Avenue and East Avenue driveways.

At the hearing, Commissioners determined that the vacation of the dedicated public right-of-way is necessary for construction of the strip shopping center; the alley is not currently utilized and there are no plans to reopen it. The Plan Commission recommended to the Village Board approval of the application to vacate a portion of the public right-of-way delineated on the Plat of Vacation. A synopsis of the conditions is as follows:

- The petitioner shall pay the Village the fair market value (\$14,000) of the vacated right-of-way as determined in the updated appraisal prepared by C.A. Benson & Associates, dated November 30, 2005.
- If requested by the Village Board, the applicant shall provide an easement at the Northeast corner for traffic signal location or Village Gateway signage.
- That, no earlier than six months after the shopping center goes into operation, the Village will consider a "No Turn on Red" restriction on eastbound Ogden Avenue at East Avenue to increase traffic safety. If safety at the East Avenue exit and entrance to the center is found to be an issue, the Village should consider pursuing a formal request to IDOT.
- A revised site plan in substantial conformance with the recommendations of the Site Traffic Analysis prepared by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA), dated December 9, 2005, be reviewed by Village staff and Village Engineer prior to approval by Village Board.

5-C.1

The resulting roll call vote was:

AYE: Commissioners Reich, McCarty, Delisi and Chairman Randolph.  
NAY: Commissioner Adducci.  
ABSENT: Commissioner Tyrrell and Kardatzke.

While the majority publicly praised the project and the cooperation of the petitioner, Commissioner Adducci, recommending denial, cited his concern that access issues on East Avenue had not been adequately addressed.

On February 8, 2006, the Design Review Commission held a public meeting on February 8, 2006, regarding a design review permit for the proposed shopping center and thereafter forwarded its recommendation to the Village Board.

In addition, as required for site plan approval, Department Head staff and Village Engineer reviewed the site plan. They requested that the petitioner revise the plan so that the northeast corner of the property at Ogden and East Avenue could better accommodate pedestrian activity at the corner. Several options were reviewed and the final site plan attached was approved by staff with the exception of the revision of the northeast corner. Staff will continue to work with the applicant and the Village engineer to revise the design of the corner to accommodate pedestrian activity. Also, we will consult with IDOT about the need to relocate the right-in/right-out driveway at Ogden Avenue further to the west to address concerns with the stacking of traffic on eastbound Ogden Avenue, and how a centered driveway would impede flow of traffic in and around the site.

Staff generally concurs with the recommendations of the Plan Commission. We do not recommend that a "No Turn on Red" restriction on eastbound Ogden Avenue at East Avenue be installed for several reasons. First, a careful re-design of the northeast corner will address pedestrian/traffic safety concerns at this location. Second, a turning restriction at this location would create additional traffic congestion at an already busy intersection. Finally, a turning restriction at this location would be inconsistent with our desire for gravel and other trucks to use East Avenue as their primary travel route through the Village, rather than La Grange Road or 47<sup>th</sup> Street. We are also recommending that the petitioner be responsible for the cost of relocating the traffic signal at the southeast corner of the intersection of Ogden Avenue and East Avenue should that become necessary as a result of the re-design of the corner or as a future public improvement.

Attached for your consideration is an ordinance for Vacation of Right-of-Way of 30 ft. by 134 ft dedicated alley adjoining the southeast corner of the property. Please note that in accordance with State Statute, the approval of the Vacation of Public Right-of-Way will require a three-fourths (3/4) majority vote by roll call of the Trustees currently holding office (five out of six Trustees). Mr.

5-C.2

Allen, as well as the Village's traffic consultant for this project, will be in attendance should you have any questions regarding this project.

It is our recommendation that the ordinance be approved subject to final design approval by the Village Manager of the northeast corner of the subject property.

5-C.3

VILLAGE OF LA GRANGE

ORDINANCE NO. O-06-

AN ORDINANCE VACATING PUBLIC RIGHT-OF-WAY  
LOCATED SOUTH OF  
9601 OGDEN AVENUE

WHEREAS, Robert Allen (the "Applicant") is the owner of the property commonly known as 9601 Ogden Avenue, La Grange, Illinois (the "Subject Property"), and legally described as follows:

Lot A in Plat of Consolidation of Lots 1, 2 and 3 (Except the South 5 feet of Lot 3) and Lots 27 to 30 in Block 3, together with vacated alley lying within Block 3, in Ira Brown's Addition to La Grange, being a subdivision of part of the northeast 1/4 of Section 4, Township 38 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois.

WHEREAS, the Applicant has filed an application for a vacation of public right-of-way of dedicated alleyway adjoining the southeast corner of the subject property and legally described as follows:

The south 5.0 feet of Lot 3, all of Lot 4, and that part of the 14.0 Foot Alley Lying West of and adjacent to the aforementioned Lots in Block 3 of Ira Brown's Addition to La Grange, in the Northeast 1/4 of Section 4, Township 38 North, Range 12, East of the Third Principal Meridian, In Cook County, Illinois;

WHEREAS, the Vacation Property has never been improved as a public road;  
and

WHEREAS, the Village President and Board of Trustees hereby determined that the public interest will be served by the vacation or the Vacation Property, in accordance with this ordinance, which will relieve the public from the possible future burden and responsibility of maintaining said right-of-way;

WHEREAS, the La Grange Plan Commission, after proper public notice, held a public hearing on November 8, 2005, and January 10, 2006, on the Application and thereafter forwarded its recommendation to the Board of Trustees of the Village of La Grange;

WHEREAS, the La Grange Design Review Commission held a public meeting on February 8, 2006, regarding the proposed shopping center and thereafter forwarded its recommendation to the Board of Trustees of the Village of La Grange; and

5-0.4

WHEREAS, the applicant has submitted and La Grange Department Head staff and Village Engineer have reviewed a revised site plan in substantial conformance with the recommendations of the Site Traffic Analysis prepared by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA), dated December 9, 2005, with the exception of the northeast corner. Staff will continue to work with the applicant and the Village engineer to revise the design of the corner to accommodate pedestrian activity.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LA GRANGE, COUNTY OF COOK AND STATE OF ILLINOIS:

Section 1. Recitals. The foregoing recitals are hereby incorporated into this Ordinance as findings of the Board of Trustees.

Section 2. Vacation. That the Vacation Property is hereby vacated and closed with title in the Vacation Property transferring to the owner of the property commonly known as 9601 Ogden Avenue (the "Owner"). The Plat of Vacation ("Plat") attached hereto and made part hereof and identified as "Exhibit I - Allen Vacation" is hereby approved, subject to the following conditions:

1. The applicant shall pay, by cashier's check, the Village the fair market value of the vacated right-of-way in the amount of \$14,000 as determined in the appraisal dated November 30, 2005, on file with the Village Clerk prepared by C.A. Benson & Associates.
2. If requested by the Village Board, the applicant shall provide at no cost an easement at the Northeast corner for traffic signal location or Village Gateway signage. The applicant shall be responsible for the cost of relocation of the traffic signal at the southeast corner of the intersection of Ogden Avenue and East Avenue should it become necessary as a result of the re-design of the northeast corner of the subject property or as a future public improvement.
3. Final design of Northeast corner to be approved by the Village Manager, prior to Village President signing the Plat of Vacation.

Section 3. Effective Date. This Ordinance shall become effective and be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law, and from and after payment by the Owner of \$14,000 to the Village.

5-C.5

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_ 2006, pursuant to a roll call vote as follows:

**AYES:**

**NAYS:**

**ABSENT:**

**APPROVED** by me this \_\_\_\_ day of \_\_\_\_\_ 2006.

---

Elizabeth M. Asperger  
Village President

**ATTEST:**

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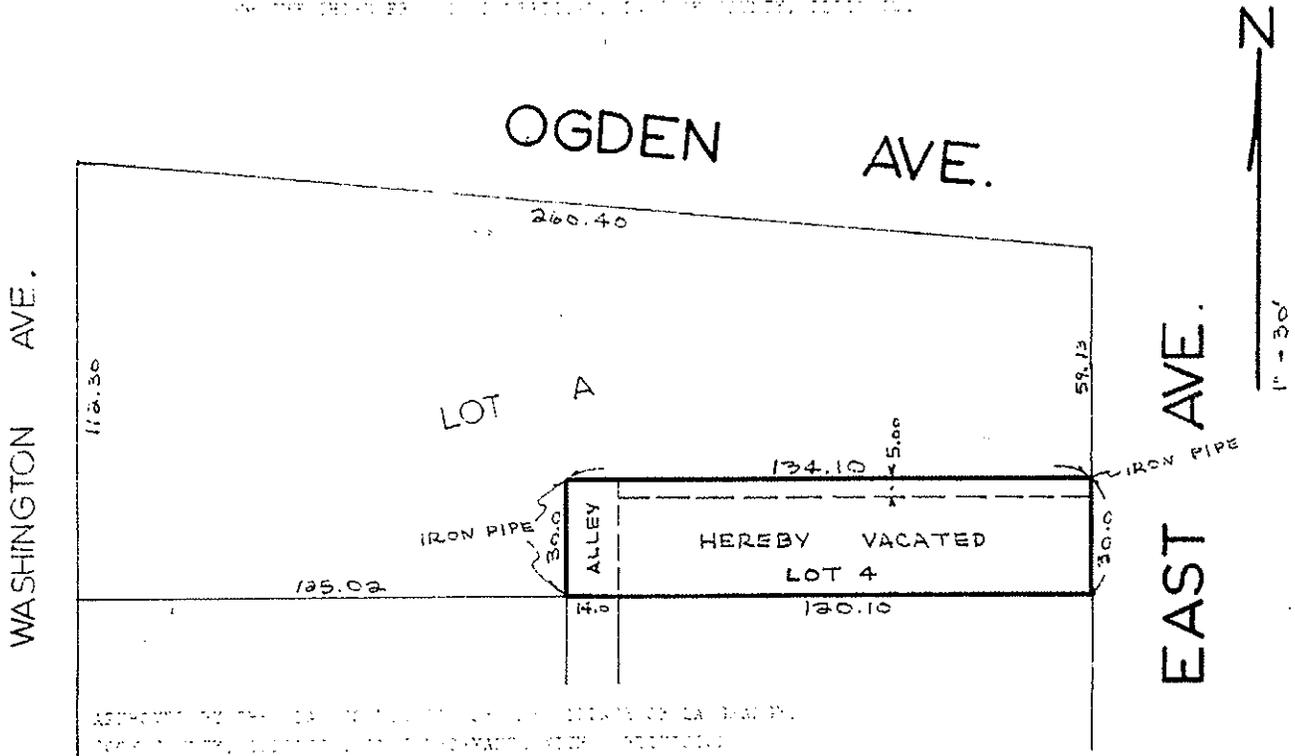
Robert N. Milne  
Village Clerk

Published in pamphlet form by the authority of the Board of Trustees of the Village of La Grange, County of Cook, Illinois and legally, this \_\_\_\_ day of \_\_\_\_\_ 2006.

5-C.6

# PLAT OF VACATION OF

THE PUBLIC ALLEY AND IRON PIPE LINE, ALL TO BE OPEN AND THE PART OF THE  
 PUBLIC ALLEY AND IRON PIPE LINE, ALL TO BE OPEN AND THE PART OF THE  
 PUBLIC ALLEY AND IRON PIPE LINE, ALL TO BE OPEN AND THE PART OF THE  
 PUBLIC ALLEY AND IRON PIPE LINE, ALL TO BE OPEN AND THE PART OF THE



APPROVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF LA SALLE,  
 ILLINOIS, THIS 11th DAY OF NOVEMBER, 1904.

DATED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 1904.

BY \_\_\_\_\_  
 CLERK

ATTEST: \_\_\_\_\_  
 SECRETARY

STATE OF ILLINOIS,  
 COUNTY OF ILLI

THIS IS TO CERTIFY THAT THE VILLAGE PRESIDENT AND BOARD OF  
 TRUSTEES OF THE VILLAGE OF LA SALLE, ILLINOIS, COUNTY, ILLINOIS,  
 DID ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 1904, DO PASS  
 AND APPROVE AND ADOPT THE RESOLUTIONS PLAT ABOVE DESCRIBED THE PART  
 OF THE PUBLIC ALLEY TO BE VACATED.

APPROVED: \_\_\_\_\_  
 VILLAGE PRESIDENT

APPROVED: \_\_\_\_\_  
 CLERK

STATE OF ILLINOIS,  
 COUNTY OF ILLI

I, RONALD W. HUNT, AN ATTORNEY AT LAW, DO HEREBY CERTIFY THAT THE PLAT HEREBY DRAWN IS A TRUE AND  
 CORRECT REPRESENTATION OF THE FACILITIES DESCRIBED IN THE  
 CERTIFICATE TO THIS PLAT OF VACATION.

DATED AND SIGNED AT \_\_\_\_\_  
 R. W. Hunt, Atty.

exp. 11/04



5-C.7

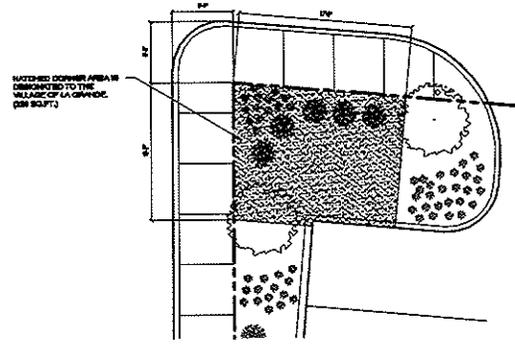


9.17.15

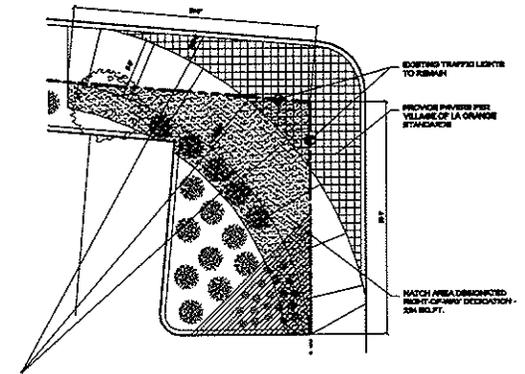
# 9601 Ogden Ave.

la grange

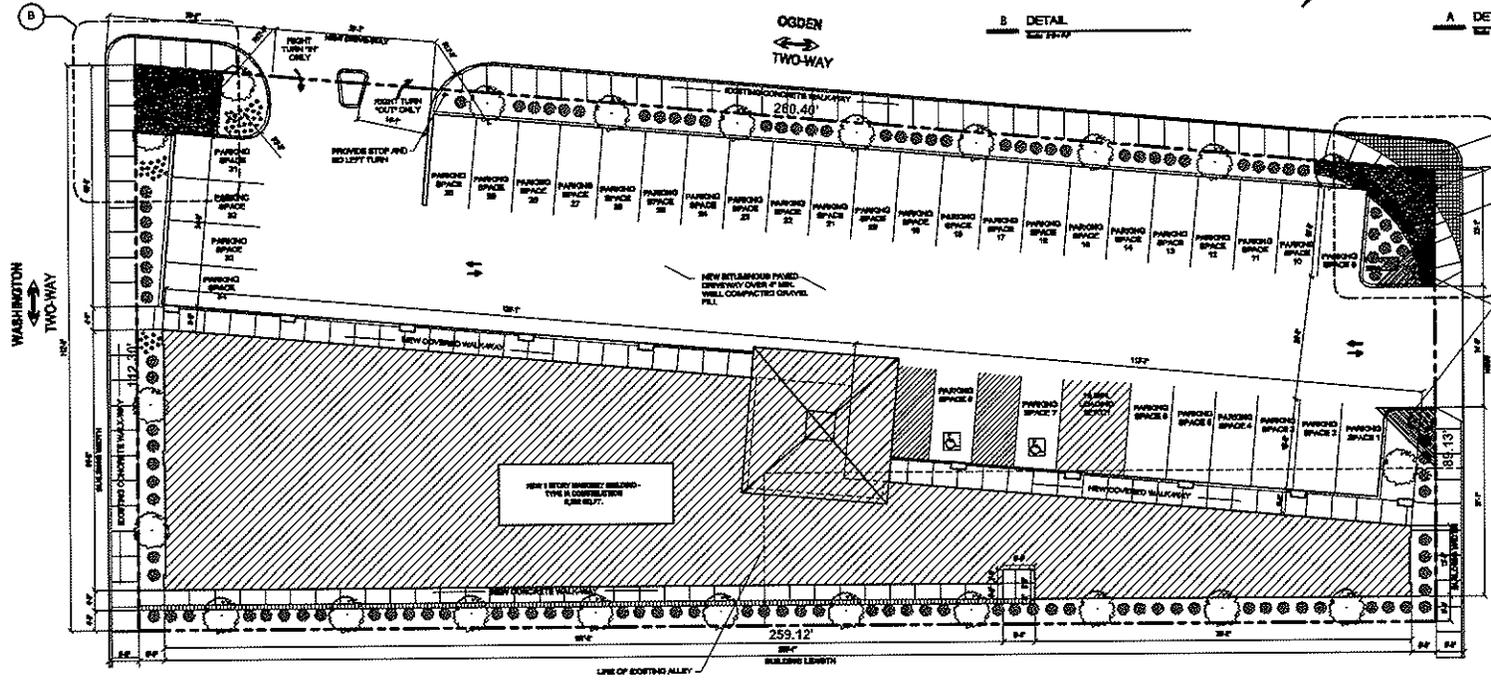
illinois



B DETAIL  
SCALE 1/8" = 1'-0"



A DETAIL  
SCALE 1/8" = 1'-0"



LANDSCAPE PLAN  
SCALE 1/8" = 1'-0"

PLANTING SCHEDULE (FROM ABOVE)			
SYMBOL	QUANTITY	TREESIZE / SPECIES	RECOMMENDATION
(Symbol)	71	6\"/>	
(Symbol)	15	6\"/>	
(Symbol)	11	6\"/>	

PLANTING SCHEDULE (FROM BELOW)			
SYMBOL	QUANTITY	TREESIZE / SPECIES	RECOMMENDATION
(Symbol)	11	6\"/>	
(Symbol)	11	6\"/>	



X I O S CONSULTANTS AND DESIGN

188 N. WELLS  
SUITE 209  
CHICAGO, ILLINOIS 60609  
PH 312.750.1337  
FAX 312.750.1335

## FINDINGS OF FACT

### PLAN COMMISSION OF THE VILLAGE OF LA GRANGE

President Asperger and  
Board of Trustees

November 8, 2005

**RE: PLAN COMMISSION CASE #180 - VACATION OF PUBLIC RIGHT-OF-WAY TO  
CONSTRUCT AND OPERATE A SHOPPING CENTER – 9601 OGDEN AVENUE,  
ROBERT ALLEN.**

We transmit for your consideration a recommendation adopted by the Plan Commission of the Village of La Grange on the proposed Vacation of Public Right of Way to construct and operate a strip shopping center.

#### **I. THE APPLICATION:**

Robert Allen seeks a Vacation of Right of Way to construct and operate a shopping center at 9601 Ogden Avenue.

#### **II. THE PUBLIC HEARING:**

After due notice, in accordance with law, the Plan Commission held a public hearing on November 8, 2005, in the La Grange Village Hall. Present were Commissioners Reich, Tyrrell, Adducci, Kardatzke, and Delisi, with Chairman Randolph presiding. Also present were Community Development Director, Patrick D. Benjamin; and Village Planner, Angela M. Mesaros.

Chairman Randolph swore in Bill Kokalias, architect, Axios Consultants and Design, 188 N. Wells, Chicago, IL, and Robert Allen, Allen Realty, 187 N. Marion, Oak Park, IL, owner of the property, who presented the applications:

- Mr. Allen stated that the application is to vacate a 30 ft. by 134 ft. dedicated alleyway that is key to making the project viable. This parcel of land would allow him to meet the parking requirements for a restaurant.
- Mr. Kokalias stated that he proposes to construct an 8,095 square foot masonry building on the 26,000 square foot lot. The building would serve as a gateway to the Village, with a cupola in the center of the facade. The proposed height is 32 feet at the highest point (the peak of the roof of the decorative cupola) and approximately 21 feet for the rest of the building. Proposed materials are brick and limestone with fabric canopies as accents. The site would include 37 parking spaces and a loading berth. The Village would have input for landscaping and gateway signage on the northeast corner of the property.

5-C.110

- The shopping center would be consistent with the purpose of the C-4 district to provide opportunities for day-to-day shopping.

Chairman Randolph solicited questions from the Commissioners:

- Commissioner Kardatzke asked about potential tenants. Answer: Subway sandwich shop and a cellular phone company are interested in the shopping center; Mr. Allen has not started marketing the property.
- Commissioner Tyrrell asked if the property has a final letter on environmental. Answer: Yes, they have a “No Further Remediation” (NFR) letter.
- Commissioner Adducci asked about the dumpster enclosure. Answer: the building would have a four-foot wide path around the back to take trash to an enclosure inside the building. Refuse trucks would stop in front of the building.
- Chairman Randolph asked about damage by gravel trucks at the northeast corner. Mr. Kokalias stated that they plan to add five feet of landscaping. In addition, the previous owner moved the light pole back, which has reduced the number of conflicts at the corner.
- Commissioner Delisi asked if Mr. Allen has developed similar retail projects. Answer: he owns several commercial sites, but none is new construction. He has constructed million dollar single family homes.
- Commissioner Delisi stated that she is concerned about the shape of the building, going from larger to smaller. Mr. Allen stated that the project is similar to a strip center at Roosevelt and First Avenue. Subway is interested in the narrowest space.
- Commissioner Delisi asked about parking. Answer: required parking is 34 spaces (with one restaurant tenant); the proposed site plan indicates 37 spaces to accommodate potential for more than one restaurant.
- Commissioners asked several questions about site traffic access and circulation.
- Commissioner Delisi asked if the applicant has considered purchasing the properties directly behind the subject property. Mr. Allen stated that it would not be economically feasible.

5-C.11

Chairman Randolph solicited comments from the Commissioners:

- Commissioner Reich stated that the site has many constraints; however, the architect has done a good job with the site. He further stated that traffic is an issue, and he feels that additional landscaping in the front of the building would not be necessary. With north exposure, flower pots might become a maintenance issue.
- Commissioner Adducci stated that he likes the idea and the design of the building, but they need a solution for access on East Avenue.
- Commissioner Kardatzke stated that the project looks good; it is the best that the Commission has seen for the subject property. However, he would like to know how people would get onto Ogden Avenue going westbound.
- Chairman Randolph suggested that staff engage a traffic consultant to review the site plan and make recommendations for site access and circulation.

There being no further questions or comments from the audience or the Commissioners, Chairman Randolph suggested that the meeting recess for further discussion. A motion to recess until Tuesday, December 13, 2005, at 7:30 p.m. was made by Commissioner Tyrrell and seconded by Commissioner Kardatzke. The Plan Commission recessed at 8:30 p.m.

As requested, staff commissioned a site traffic analysis, and the applicant agreed to reimburse the Village. The study was conducted by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA). In order to allow the Plan Commission adequate time to review the site traffic analysis, the hearing was continued until January 10, 2006.

On January 10, 2006, the Plan Commission reconvened the hearing in the La Grange Village Hall. Present were Commissioners Reich, McCarty, Adducci, and Delisi with Chairman Randolph presiding. Also present were Community Development Director, Patrick D. Benjamin and Village Planner, Angela M. Mesaros.

Chairman Randolph initiated the discussion by introducing Robert Allen, owner of the property at 9601 Ogden who presented options for site plan revisions and addressed the Plan Commission's concerns from the previous public hearing:

- Mr. Allen stated that he is comfortable with the recommendation of KLOA to move the driveway from Washington Avenue to Ogden Avenue. However, he

5-C.12

does not agree with IDOT's recommendation to move the entrance further east on Ogden, because he could not regain the parking spaces.

- Mr. Allen stated that the entrance proposed by KLOA (Option A) would not be feasible, because it would eliminate too much of the building. With Option B, he would lose three parking spaces. The project would have seven storefronts with 1,000 square feet each. If they had two restaurant tenants, they would be required to provide the extra parking spaces.
- Mr. Allen asked the Commissioners to consider Option C, which maintains the exit onto East Avenue as originally proposed. Mr. Allen stated that when the signal turns green, northbound traffic on East Avenue clears the intersection and allows sufficient time to exit onto East Avenue.

Commissioner Randolph swore in Eric Russell, traffic consultant, Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA) who discussed the site traffic analysis:

- Mr. Russell stated that the proposed development would not generate much traffic during peak times; the concerns with the site are not traffic issues but access issues.
- Mr. Russell stated that Mr. Allen was right: when the light turns green all cars clear the intersection. However, locating the entrance further south allows more stacking space.
- Mr. Russell stated that another concern is that at the same time the light at East Avenue turns green, many cars are turning right on red from Ogden to East Avenue. This creates a safety issue with many cars coming from both directions.
- KLOA has concerns about IDOT's suggestion that the access on Ogden Avenue be shifted to the east, because there would not be enough space to turn around within the parking lot. Mr. Russell stated that if the Village worked with IDOT, they might be receptive to the proposed entrance location.
- KLOA proposes to shift the drive as far south as possible (See Option A - approximately 30 feet further from the original.) With Option C, concerns are still in place, even with "No Turn on Red." Option B is a compromise of both.

5-C.13

Chairman Randolph solicited questions from the Commissioners:

- Commissioner Delisi expressed concern about cars moving faster down the hill as they drive east on Ogden, then braking suddenly for traffic entering the proposed shopping center. Mr. Russell stated that currently, drivers are permitted to turn right onto Washington.
- Commissioner McCarty asked what would happen if a restaurant came in and the site didn't have sufficient parking for it. Answer: the restaurant could not get a business license.
- Commissioner McCarty asked about signage. Answer: no marquee sign is proposed at this point. Signs would be located at individual storefronts.
- Commissioner Adducci asked if it would be possible to move the entrance on East Avenue to the south, but tweak the site plan without losing square footage. Mr. Allen stated that they have tried, but it does not work.
- Commissioner Adducci asked about the potential for a second story. Mr. Allen stated that second floor space is not as easily rented, and the ADA requirements make construction more difficult.

Chairman Randolph solicited comments from the Commissioners:

- Chairman Randolph stated that he had a series of conversations with police Chief Mike Holub who believes that the entrance onto Ogden Avenue is more appropriate closer to Washington, as proposed. Chief Holub was most concerned that the entrance to Washington be closed. Chairman Randolph further stated that Chief Holub believes that since the lot is so shallow, there would be little, if any, benefit to moving the East Avenue entrance much further south.
- Chairman Randolph stated that he prefers Option B, but he would not have a problem with Option C.
- Commissioner Adducci stated that he couldn't imagine how Option C would work.
- Commissioner Reich stated that the "No Right Turn on Red" from Ogden onto East Avenue would eliminate the concern of traffic coming to the south.

5-c.14

- Patrick Benjamin proposed that they soften the language drafted in the traffic analysis to consider or *study* the issue of a “No Right Turn on Red” at the Ogden and East Avenue intersection. Chairman Randolph proposed that the Village could change the language to indicate that they have the option to study the “no right turn on red” after construction and operation of the shopping center.
- Commissioner Adducci stated that the difference between Options B & C is that the East Avenue entrance is shifted about fifteen feet to the south [in Option B].
- Commissioner McCarty stated that this is a small project; the traffic generated will be very little. He thinks that it will be self-regulating - businesses like Starbucks would not last long, because of the circulation issues.
- Commissioner McCarty stated that Option B makes more sense, because it allows a little more room to queue. He further stated that he doesn't think you could ever get a good site plan on this property. The developer has presented a strip shopping center that is better than average.
- Commissioner Reich stated that he thinks Option C is the most valuable all around, and it makes the most sense based on the information the Commissioners have seen.
- Chairman Randolph stated that he is ambivalent between Options B & C. Either one could work. He further stated that this is the nicest, most attractive proposal for this site that he has seen in the past eighteen years.

There being no further questions or comments from the Audience and Commissioners, a motion was made by Commissioner Reich, seconded by Commissioner Delisi, to recommend the Vacation of Public Right-of-Way of a 30 ft. wide by 134 ft. dedicated alley adjoining the southeast corner of the property at 9601 Ogden Avenue in order to construct and operate a shopping center, subject to the following conditions:

- 1 The petitioner shall pay the Village the fair market value (\$14,000) of the vacated right-of-way as determined in the updated appraisal prepared by C.A. Benson & Associates, dated November 30, 2005.
- 2 Applicant shall submit a revised site plan in substantial conformance to the recommendations in the Site Traffic Analysis from Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA), dated December 9, 2005, for review and approval by Village staff prior to approval by the Village Board of Trustees.

5-C.15

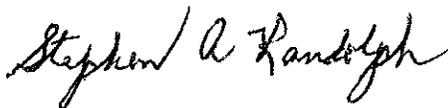
- 3 Applicant shall file an application for a design review permit and receive a recommendation from the Design Review Commission, prior to approval by the Village Board of Trustees.
- 4 If requested by the Village Board, the applicant shall provide an easement at the Northeast corner for traffic signal location or Village Gateway signage.
- 5 That, no earlier than six months after the shopping center goes into operation, the Village consider a "No Turn on Red" restriction on eastbound Ogden Avenue at East Avenue to increase traffic safety. If the Village finds that this is an issue, the Village should pursue a formal request to IDOT.
- 6 That, prior to approval by the Village Board of Trustees, Department Head staff shall review and approve a site plan that closely resembles "Option C", as submitted by the applicant at the January 10, 2006, meeting.

Motion carried by roll-call vote:

AYE: Commissioners Reich, McCarty, Delisi and Chairman Randolph  
NAY: Commissioner Adducci.  
ABSENT: Commissioners Tyrrell and Kardatzke.

Respectfully Submitted

PLAN COMMISSION OF THE  
VILLAGE OF LA GRANGE



Stephen Randolph, Chairman

5-C, 16

## STAFF REPORT

PC Case #180

TO: Plan Commission

FROM: Patrick D. Benjamin, Community Development Director  
Angela M. Mesaros, Planner

DATE: November 8, 2005

**RE: VACATION OF PUBLIC RIGHT-OF-WAY TO DEVELOP A STRIP SHOPPING CENTER IN THE C-4 CONVENIENCE COMMERCIAL DISTRICT, 9601 Ogden Avenue, Robert Allen, representative of Steve Annoreno.**

---

### **I. BACKGROUND:**

Robert Allen, representative of Steve Annoreno, beneficiary in Suburban Bank and Trust for 9601 Ogden Avenue, has formally requested the vacation of a 30 ft. wide by 134 ft. dedicated alley adjoining the southeast corner of the property. The adjacent property is the former site of the Martin Oil Company Gas Station. In 1990, a former owner of the property vacated the north-south portion of the alley that ran from the existing alley to Ogden Avenue with plans to construct and operate a Spot Not car wash. Due to the lengthy delays in remediation and obtaining the No Further Remediation (NFR) Letter, the proposed car wash was never constructed.

In June 2003, Mr. Annoreno submitted an application to vacate the east-west portion of the dedicated alley in order to construct a small parking lot and access road for a proposed drive-through restaurant. The Village Board of Trustees remanded the petition to the Plan Commission for public hearing. During the hearing process, Mr. Annoreno revised his application from a drive-through restaurant to a small eat-in restaurant. At the hearing, Commissioners expressed concerns about congestion at Ogden and East Avenue; the design of the proposed building; and that the project did not meet the Village standards for development. The Plan Commission voted four to one to deny the request for vacation of public right-of-way. Mr. Annoreno withdrew his application, before the recommendation was forwarded to the Village Board of Trustees.

Based on the Commissioners' comments, Mr. Annoreno further revised the site plan without the proposed vacated alley and submitted an application for Design Review and Site Plan Approval. The Design Review Commission, after requested revisions, in September and October of 2003 recommended approval. In November 2003, Department Head staff identified several minor issues related to the site plan and recommended revisions to the plan. Mr. Annoreno did not submit further revisions.

5-C.17

Currently, Mr. Annoreno is working with Mr. Robert Allen, Allen Realty and Builders, to develop a strip shopping center at the subject property. According to Mr. Allen, this project would not be viable without the proposed vacation of the dedicated right-of-way, adjoining the southeast corner of the subject property.

## II. APPLICATION:

### 1. VACATION OF PUBLIC RIGHT-OF-WAY

Robert Allen, representative of Steve Annoreno, beneficiary in Suburban Bank and Trust for 9601 Ogden Avenue, has filed a petition with the Community Development Department for a Vacation of Public Right-of-Way of a 30 ft. wide by 134 ft. dedicated alley adjoining the southeast corner of the property at 9601 Ogden Avenue. The additional land would be used to improve the access to the property and allow for a two lane traffic aisle and adequate parking.

### VACATION OF RIGHT-OF-WAY POLICY

It is the Village's stated policy that vacations of public rights-of-way should be considered when:

1. There is no public benefit to maintaining the dedicated right-of-way;
2. Such a vacation will eliminate an existing burden on the Village of La Grange; and
3. A public hearing has been conducted and recommendations received by the La Grange Plan Commission.

As is required in the procedures for a vacation, the petition of Robert Allen has gone before the Village Board of Trustees. On September 26, 2005, the Village Board approved a resolution indicating its desire to study such a request for vacation. Therefore, the petition was remanded to the Plan Commission for a public hearing.

As part of the review process, the petitioner has submitted a plat of vacation for your use. The Plan Commission must prepare a recommendation to the Village Board consisting of its support or opposition to the petition.

Upon review of the application, staff has found that the requested vacation meets the criteria in the vacation policy based upon the following:

5-C.18

- The petitioner would use the vacated property to develop the site with a commercial development that will generate increased property tax as well as sales tax.
- Opportunities related to development identified in the Comprehensive Plan (May 2005) included establishing “well-designed” gateways into the village. The subject property was identified as one that could serve as a gateway into the village
- The north-south portion of the alley has been vacated and the dedicated alley does not currently, nor has it ever, functionally served as a public right-of-way.
- The requested vacation of right-of-way would eliminate the existing burden and responsibility of the Village of La Grange for maintaining an underutilized commercial property. This irregularly shaped site has proven difficult to develop. Staff has made several attempts to have the property improved in a meaningful manner to no avail.
- Mr. Annoreno submitted an appraisal of the property with the previous application for vacation of public right-of-way submitted in June 2003. Staff will proceed with updating the appraisal and would recommend full payment of the appraised value to the Village as compensation for the vacation of the public right-of-way.

#### RECOMMENDATION

Should the Plan Commission find that the criteria for a Vacation has been satisfied, staff suggests that the Plan Commission recommend to the Village Board of Trustees approval of the application to vacate a portion of the public right-of-way delineated on the Plat of Vacation submitted with Plan Commission Case #180, subject to the following condition:

- 1 The petitioner shall pay the Village the fair market value of the vacated right-of-way as determined in the updated appraisal prepared by C.A. Benson & Associates. (Staff will proceed with updating our appraisal of the alleyway.)
- 2 Petitioner shall file an application for a design review permit and receive a recommendation from the Design Review Commission prior to Village Board of Trustees approval.
- 3 The petitioner shall file for site plans review and receive approval by Department Head committee prior to issuance of a building permit.

5-C.19





VILLAGE OF LA GRANGE  
Community Development Department

**MEMORANDUM**

TO: Plan Commissioners

FROM: Patrick D. Benjamin, Community Development Director  
Angela M. Mesaros, Planner

DATE: December 13, 2005

**RE: CONTINUATION OF PLAN COMMISSION CASE #180- Vacation of Public Right-of-Way to develop a strip shopping center in the C-4 Convenience Commercial District, 9601 Ogden Avenue. Robert Allen.**

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At the public hearing on November 8, 2005, the Plan Commissioners requested that staff commission a site traffic analysis, and the applicant has agreed to reimburse the Village. The study was conducted by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA) (see attached). The following are highlights of the recommendations and conclusions from the traffic analysis:

- The proposed west access driveway to the site should be relocated from Washington to Ogden Avenue.
- This access driveway would require approval from the Illinois Department of Transportation (IDOT). In conversations with the traffic consultant, IDOT expressed concurrence with the new driveway only if the driveway is centered on the property and restricted to right-turn only ingress/egress. KLOA had concerns about shifting the curb cut further east and recommended further consultation with IDOT.
- The access driveway on East Avenue should be relocated approximately 33 feet further away (south) from the Ogden Avenue intersection, which will require reconfiguration of the east end of the building and parking lot.
- Loading/service area could provide off the relocated access driveway, and the walkway at the rear (south side) of the building could be extended to connect with the East Avenue sidewalk.
- Stop signs should be posted on the Ogden Avenue and East Avenue driveways.
- A "No Left Turn" sign should be posted on the East Avenue driveway. The Village should submit a formal request to IDOT to implement a "No Turn on Red" restriction on eastbound Ogden Avenue at East Avenue to increase traffic safety.

5-C.22

Staff recommends, and the applicant has agreed to revise the site plans as recommended by KLOA. The applicant will present the revisions at the meeting.

Should the Plan Commission find that the criteria for a Vacation has been satisfied, staff suggests that the Plan Commission recommend to the Village Board of Trustees approval of the application to vacate a portion of the public right-of-way delineated on the Plat of Vacation submitted with Plan Commission Case #180, subject to the following condition:

- 1 The applicant shall pay the Village the fair market value of the vacated right-of-way as determined in the updated appraisal prepared by C.A. Benson & Associates, dated November 30, 2005. (See attached appraisal.)
- 2 Applicant shall file an application for a design review permit and receive a recommendation from the Design Review Commission, prior to approval by the Village Board of Trustees.
- 3 The applicant shall file for site plan review and receive approval by Department Head committee prior to issuance of a building permit.

5-6.23

VILLAGE OF LA GRANGE  
Community Development Department

**MEMORANDUM**

TO: Plan Commissioners

FROM: Patrick D. Benjamin, Community Development Director  
Angela M. Mesaros, Planner

DATE: January 10, 2006

**RE: CONTINUATION OF PLAN COMMISSION CASE #180- Vacation of Public Right-of-Way to develop a strip shopping center in the C-4 Convenience Commercial District, 9601 Ogden Avenue, Robert Allen.**

---

At the public hearing on November 8, 2005, the Plan Commissioners requested that staff commission a site traffic analysis, and the petitioner has agreed to reimburse the Village. As requested by staff, Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA) conducted the study (see attached). The following are highlights of the recommendations and conclusions from the traffic analysis:

- The proposed west access driveway to the site should be relocated from Washington to Ogden Avenue.
- The Village should submit a formal request to IDOT to implement a "No Turn on Red" restriction on eastbound Ogden Avenue at East Avenue to increase traffic safety.
- The access driveway on Ogden Avenue would require approval from the Illinois Department of Transportation (IDOT). In conversations with the traffic consultant, IDOT expressed concurrence with the new driveway, but only if the driveway is centered on the property and restricted to right-turn only ingress/egress.
- KLOA had concerns about shifting the curb cut on Ogden Avenue further east and recommended further consultation with IDOT.
- A "No Left Turn" sign should be posted on the Ogden Avenue driveway.
- The access driveway on East Avenue should be relocated approximately 33 feet further away (south) from the Ogden Avenue intersection, which will require reconfiguration of the east end of the building and parking lot.

5-C.24

**COMPLETE APPRAISAL PROCESS  
SUMMARY REPORT FORMAT**

A 30' BY 134.1' UNIMPROVED ALLEY  
SITUATED ON THE EAST SIDE OF  
EAST AVENUE, 59.13' SOUTH OF  
OGDEN AVENUE, LA GRANGE, ILLINOIS

Prepared For

Mr. Patrick Benjamin  
Village of La Grange  
53 South La Grange Road  
La Grange, Illinois 60525

Prepared By

C.A. Benson & Associates, Inc.  
419 North La Grange Road  
La Grange Park, Illinois 60526

5-C.25

**C.A. BENSON & ASSOCIATES, INC.**  
**419 North La Grange Road - La Grange Park, IL 60526**  
**P.O. Box 157 - La Grange, IL 60525**  
**(708) 352-6056 Fax (708) 352-6070**

November 30, 2005

Mr. Patrick Benjamin  
Village of La Grange  
53 South La Grange Road  
La Grange, IL 60525

Re: Summary Appraisal Report of a 30'  
x 134.1' Unimproved Alley Situated on the East Side  
of East Avenue, 59.13' South of Ogden Avenue, La  
Grange, Illinois

Dear Mr. Benjamin:

In accordance with your request, we have inspected the above captioned property and analyzed all pertinent factors relative to it in order to estimate its market value of the fee simple interest.

Based on this analysis, it is our opinion that the Market Value of the subject property as of November 28, 2005 was

**FOURTEEN THOUSAND DOLLARS**  
**(\$14,000)**

This is a Summary Appraisal Report, which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice for a Summary Appraisal Report. As such, it presents only summary discussions of the data, reasoning and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning and analyses is retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated below. The appraiser is not responsible for unauthorized use of this report.

**PURPOSE OF THE APPRAISAL:**

The purpose of this appraisal is to provide an estimate of the market value of the subject real property as of the effective date. *Market Value* is defined by the federal financial institutions regulatory agencies as follows: (See following page)

# C.A. Benson & Associates, Inc.

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*Market Value* means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised, and acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

(Source: Office of the Comptroller of the Currency under 12 CFR, Part 34, Subpart C-Appraisals, 34.42 Definitions (f))

**INTENDED USE OF REPORT:** The function of this appraisal is to assist the client with a possible sale of the subject property.

**INTEREST VALUED:** Fee simple.

**DATE OF INSPECTION:** November 28, 2005

**EFFECTIVE DATE OF VALUE:** November 28, 2005

**DATE OF REPORT:** November 30, 2005

**APPRAISAL DEVELOPMENT AND REPORTING PROCESS:** In preparing this appraisal, we

- Inspected the subject property;
- Gathered and confirmed information on comparable sales;
- Applied the Sales Comparison Approach to Value to arrive at an indicated value.

# C.A. Benson & Associates, Inc.

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## PERMANENT INDEX NUMBERS:

The subject is an alley, which has no permanent index number.

**LEGAL DESCRIPTION:** Not available at the time of appraisal.

**TOTAL 2004 ASSESSED VALUE:** Not assessed

## THREE YEAR PROPERTY HISTORY:

According to FIRREA and the Uniform Standards of Professional Practice of the Appraisal Foundation, we are required to report and analyze any sale transactions involving the subject property during the past three years or any listing or pending sale transaction involving the subject property.

The subject is an alley under ownership by the Village of La Grange. This appraisal will be used as an estimate of market value for a possible sale of the property.

## HIGHEST AND BEST USE ANALYSIS:

The subject consists of a 4,023 square foot section of unimproved alley. According to the Village of La Grange Building Department, there will be no restrictions on its use as combined with the adjoining property. However, due to its size, it has value only to the adjoining property owners. It is our opinion that the highest and best use of the subject parcel is in conjunction with the adjoining commercial property.

## SUMMARY OF ANALYSIS AND VALUATION:

As indicated, the Sales Comparison Approach to Value will only be used.

## SALES COMPARISON APPROACH TO VALUE

Definition: Sales Comparison Approach or Market Data Approach: A set of procedures in which an appraiser derives a value indication by comparing the property being appraised to similar properties that have been sold recently, applying appropriate units of comparison and making adjustments based on the elements of comparison to the sales price of the comparables.\*

\*Source: Page 268, *The Dictionary of Real Estate Appraisal*, American Institute of Real Estate Appraisers, 1984.

# C.A. Benson & Associates, Inc.

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## SALES COMPARISON APPROACH TO VALUE - Continued

In order to estimate the market value of the subject property by the Sales Comparison Approach, we have analyzed sales of various land parcels. Several of these follow:

1. 33' of Unimproved Washington Avenue Extending South 582.1' from Elm Avenue, La Grange was reportedly sold in February 2003 for \$38,000. This is an approximately 19,209 square foot parcel zoned I-1, Light Industrial District with all utilities available. Sales price was equal to \$1.98 per square foot.

2. North 33' of the Unimproved Elm Avenue Extending West 323+/-' from Washington Avenue, La Grange was reportedly sold in February 2003 for \$24,000. This is a 10,659 square foot parcel zoned I-1, Light Industrial with all utilities available. Sales price is equal to \$2.25 per square foot.

### Commentary

The above are sales of unimproved streets in La Grange. Sale 1 was acquired from the Village of La Grange and Sale 2 was acquired from a private party. The sales occurred in 2003 under lesser market conditions and were adjusted upward. Additionally, these parcels required upward adjustments versus the subject's superior location on East Avenue and commercial zoning. Based on the above, it is our opinion that \$3.50 per square foot is indicated for the subject property.

The estimate of value follows:

4,023 square feet @ \$3.50 per square foot = \$14,080, rounded to \$14,000

**INDICATED VALUE BY THE SALES  
COMPARISON APPROACH:**

**\$14,000**

# C.A. Benson & Associates, Inc.

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## COMMENT AND FINAL VALUE CONCLUSION:

Based on the sales data analyzed in this report, it is our opinion that the market value of the subject property as of November 28, 2005 was

<b>FOURTEEN THOUSAND DOLLARS</b> <b>(\$14,000)</b>
---

This is a Summary Report and various reporting data was not included and remains part of the file memorandum.

Respectfully submitted,

C.A. BENSON & ASSOCIATES, INC.



Charles A. Benson, Jr., SRA  
Illinois State Certified General Real Estate Appraiser  
License #153.0000387 (Exp. 9/30/07)

CABJR/am

6  
5-C, 30

MEMORANDUM TO: Angela Mesaros, AICP  
Village of La Grange

FROM: Eric D. Russell

DATE: December 9, 2005

SUBJECT: Site Traffic Analysis  
9601 Ogden Avenue  
La Grange, Illinois

This memorandum presents the methodologies, findings, and recommendations of a Site Traffic Analysis conducted by Kenig, Lindgren, O'Hara, Aboona, Inc. (KLOA, Inc.) for the proposed commercial development to be located at 9601 Ogden Avenue in La Grange, Illinois. The site, which is currently vacant, is bounded by Ogden Avenue on the north, East Avenue on the east, Washington Avenue on the west, and private single-family residences on the south. Plans for the 0.6-acre site, which is located within a C-4 (Convenience Commercial) zoning district, include the development of an 8,095 square foot strip retail center, which is a permitted use in the C-4 district. The project would be supported by 37 surface parking spaces. Access is proposed from East Avenue and Washington Avenue. The developer, Allen Realty and Builders, Inc., has filed a petition for the vacation of a 30-foot by 134-foot public right-of-way (alley) at the southeast corner of the property so that this land area can be incorporated into the development plan. Figure 1 shows the site location and Figure 2 shows an aerial view of the site area.

The purpose of this study was to (1) examine existing traffic conditions adjacent to the site, (2) quantify the traffic generation from the proposed development and assess the impact that the facility would have on traffic conditions adjacent to the site, and (3) determine any street or access improvements necessary to accommodate site traffic in a safe and efficient manner.

The scope of this study included the following items:

1. *Data Collection.* A field reconnaissance of the site and adjacent roadways was conducted to inventory and observe existing traffic conditions. Peak period traffic counts were performed during the weekday afternoon peak period (4:00-6:00 P.M.) and Saturday midday peak period (11:00 A.M.-2:00 P.M.) at the following intersections:
  - Ogden Avenue / East Avenue
  - Ogden Avenue / Washington Avenue

Observations were also made as to the volume of pedestrian activity along the site frontage.

5-C.31





9601 Ogden Avenue  
La Grange, Illinois

Figure 2  
Aerial Photo of Site Area

3. *Traffic Assignment and Analysis.* The peak-hour traffic estimated to be generated by the proposed development was assigned to the roadway system based on the directional distribution developed in Item 2. The site-generated traffic was combined with the existing traffic volumes to estimate future traffic conditions adjacent to the site during the weekday afternoon and Saturday midday peak hours. Intersection capacity analyses were conducted for the two intersections noted above and the site access driveways to determine the impact of the proposed development and the ability of the existing roadways to accommodate future traffic levels. Based on these analyses and a review of the site plan, recommendations were developed with respect to site access, parking, circulation, and building servicing.

### Existing Conditions

Transportation conditions in the vicinity of the site were inventoried to obtain a database for projecting future conditions. Three general components of existing conditions were considered: (1) the geographical location of the site; (2) the characteristics of the area roadway system, including lane usage and traffic control devices; and (3) existing traffic and pedestrian volumes.

## **Site Location**

The approximately 0.6-acre site is located in the southwest quadrant of the Ogden Avenue/East Avenue intersection. The site is currently vacant and is located within a C-4 Convenience Commercial zoning district. It formerly housed a Martin Oil Company gas station. The other corners of this intersection contain a 7-Eleven store/Citgo gas station in the northwest quadrant, the Brookfield Express Car Wash in the southeast quadrant, and a vacant commercial building in the northeast quadrant. There is a church to the west of the site on Washington Avenue and single-family residences to the south of the site

## **Existing Roadway Characteristics**

A description of the principal roadways in the vicinity of the site follows.

*Ogden Avenue (US Route 34)* is a four-lane, undivided, east-west arterial roadway that extends across La Grange from the City of Chicago to Kendall County. Ogden Avenue is under the jurisdiction of the Illinois Department of Transportation (IDOT) and has a posted speed limit of 30 miles per hour (mph). Parking is not permitted on Ogden Avenue and there are sidewalks on both sides of the road.

*East Avenue* is a four-lane, undivided, north-south arterial roadway that extends from just north of Ogden Avenue to Joliet Road in Hodgkins. East Avenue is under the jurisdiction of the Village of La Grange and has a posted speed limit of 30 mph south of Ogden Avenue and 25 mph north of Ogden Avenue. Its intersection with Ogden Avenue is under traffic signal control. There are pedestrian signals on all approaches of this intersection and a crosswalk on the west approach of Ogden Avenue. Parking is not permitted on East Avenue in the vicinity of the Ogden Avenue intersection.

*Washington Avenue* is a two-lane, north-south local residential street that extends from Ogden Avenue south to Elm Avenue. It is under the jurisdiction of the Village of La Grange. Its intersection with Ogden Avenue is under stop sign control with left-turn movements onto Ogden prohibited at all times. Eastbound right-turn movements from Ogden Avenue to Washington Avenue are prohibited on weekdays (Monday-Friday) from 7:00-9:00 A.M. and from 4:00-6:00 P.M. The posted speed limit on Washington Avenue is 25 mph and parking is permitted on both sides of the street.

The existing lane configurations and traffic controls are shown in Figure 3.

## **Existing Traffic and Pedestrian Volumes**

Traffic counts were conducted at the following intersections during the weekday afternoon peak period (4:00-6:00 P.M.) and Saturday midday peak period (11:00 A.M.-2:00 P.M.) at the following intersections:

- Ogden Avenue / East Avenue
- Ogden Avenue / Washington Avenue

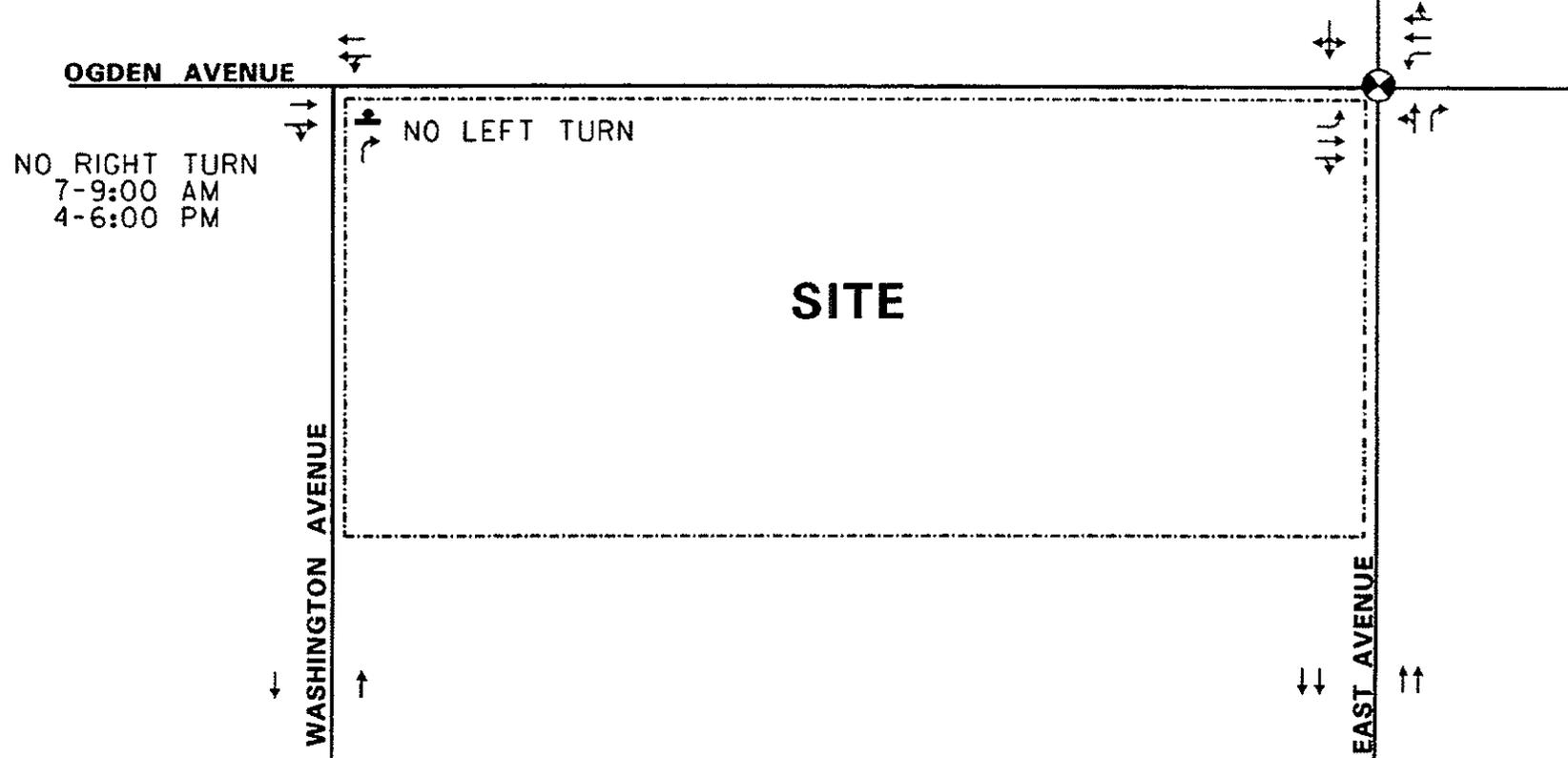
5-C.34



NOT TO SCALE

LEGEND

- TRAFFIC SIGNAL
- STOP SIGN
- ONE TRAVEL LANE



PROJECT:  
 9601 OGDEN AVENUE  
 LA GRANGE, ILLINOIS

TITLE:  
 EXISTING ROADWAY CHARACTERISTICS

PROJECT NO: 05-379  
 KLOA INC.  
 FIGURE NO: 3

5-0-35

Observations were also made as to the volume of pedestrian activity along the site frontage. The traffic count data indicates that the weekday afternoon peak hour occurs from 4:00-5:00 P.M. and the Saturday midday peak hour occurs from 11:00 A.M -12:00 P.M. The existing peak hour traffic volumes are shown in Figure 4.

It should be noted that a significant volume of truck traffic was observed traveling between East Avenue and Ogden Avenue (to and from the west). Pedestrian activity adjacent to the site was observed to be minimal. During the weekday afternoon peak hour there were fewer than 10 people observed walking by the site along East Avenue and fewer than 5 people observed walking past the site on Ogden Avenue and Washington Avenue.

## **9601 Ogden Avenue Development Plan and Site Traffic**

### **Site Development**

The subject property is proposed to be developed with an 8,095 square foot strip retail center, a permitted use in the C-4 district. The developer has filed a petition for the vacation of a 30-foot by 134-foot public alley at the southeast corner of the property so that this land area can be incorporated into the development plan. The proposed site plan is shown in Figure 5.

### **Site Accessibility, Parking, Circulation and Loading**

Site ingress and egress is proposed from a single driveway on East Avenue and a single driveway on Washington Avenue. The East Avenue driveway would provide full access and is proposed to be located approximately 29 feet south of Ogden Avenue. The Washington Avenue driveway would be located approximately 30 feet south of Ogden and would allow inbound movements from the north and south but outbound movements would be restricted to right-turn movements only to minimize traffic impacts on the neighborhood to the south. The project would be supported by 37 surface parking spaces located on the north side of the strip center between the building and Ogden Avenue. Site-related traffic would flow east-west through the site in a two-way operation. A loading berth is proposed at the front of the building, facing Ogden Avenue.

Ingress via the Washington Avenue driveway is limited during the weekday peak periods due to the right-turn restriction on eastbound Ogden Avenue. As a result, all site traffic approaching from the west on Ogden Avenue during the weekday morning and afternoon peak periods would be required to enter the site from East Avenue. Furthermore, the "No Left Turn" restriction proposed for the site driveway on Washington Avenue would have limited effectiveness at preventing site traffic from using Washington, unless strictly and continually enforced.

Access to the former Martin gas station on this site was provided from three driveways on Ogden Avenue and one driveway on East Avenue, but no driveway on Washington Avenue. In addition, previous development proposals for this site have given consideration to the residential nature of Washington Avenue and included access from Ogden Avenue and East Avenue only. IDOT had approved access from Ogden for one of the previous proposals for a new gas station.

5-c.36



NOT TO SCALE

LEGEND

00 - WEEKDAY PM PEAK HOUR (4:00-5:00 PM)  
(00) - SATURDAY PEAK HOUR (11:00 AM-12:00 PM)

**OGDEN AVENUE**

1215 (885) →  
10 (10) ↓

← 1265 (940)  
↙ 0 (0)

**WASHINGTON AVENUE**

↘ 0 (5)

**SITE**

10 (5) ↗  
915 (735) ↓  
290 (150) ↘

10 (5) ↘  
15 (10) ↓  
15 (15) ↙

**EAST AVENUE**

↗ 220 (205)  
↑ 5 (10)  
↖ 235 (160)

↖ 10 (5)  
← 1035 (730)  
↙ 160 (140)

PROJECT:

9601 OGDEN AVENUE  
LA GRANGE, ILLINOIS

TITLE:

EXISTING TRAFFIC VOLUMES

PROJECT NO: 05-379

KLOA INC.

FIGURE NO: 4

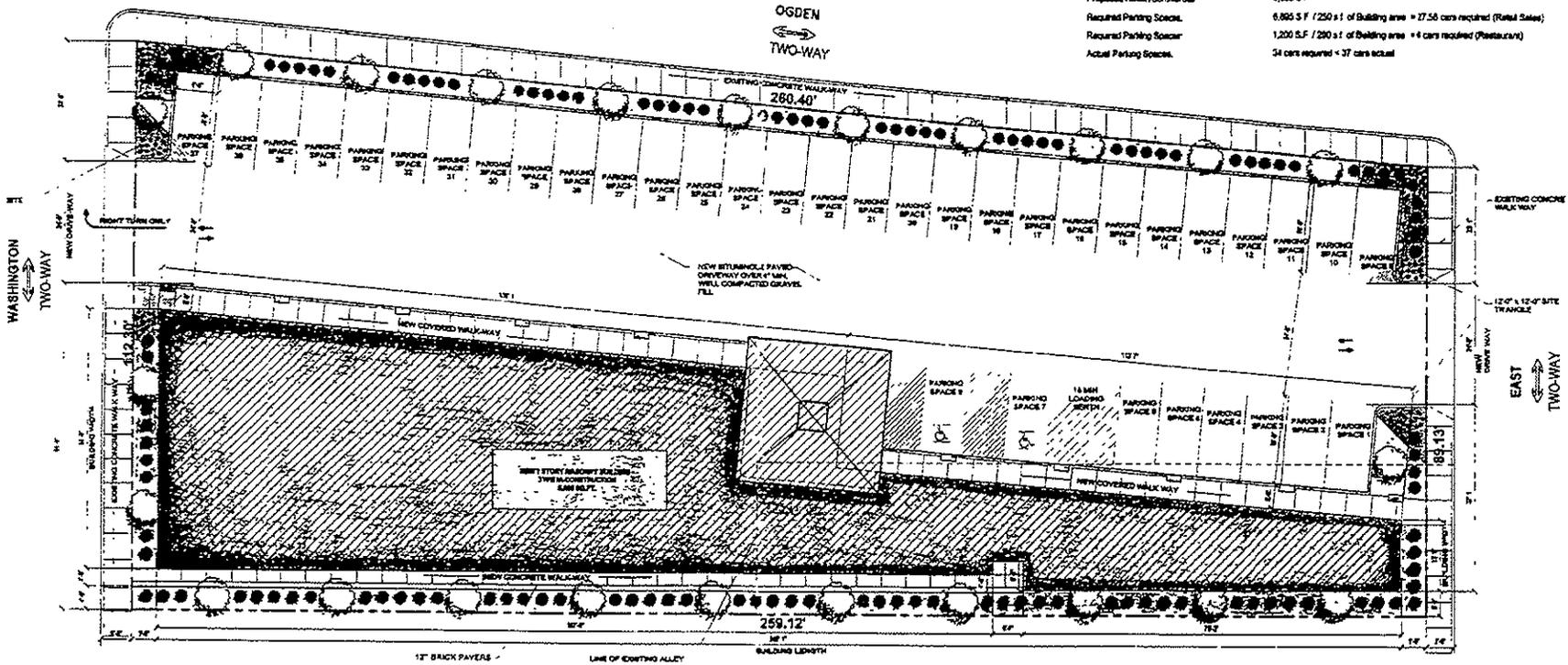
7

5-17-97

9-C-38

**ZONING DATA**

Address:	9601 Ogden Avenue
Lot dimensions:	264' 0" x 89'-2" x 159'-2" x 112' 30"
Lot area:	26,087 Sq. Ft.
Zoning district:	C-4
Proposed Retail/Commercial:	8,085 S.F.
Required Parking Spaces:	6,865 S.F. / 250 s.f. of Building area = 27.56 cars required (Retail Sales)
Required Parking Spaces:	1,200 S.F. / 200 s.f. of Building area = 4 cars required (Restaurant)
Actual Parking Spaces:	54 cars required < 37 cars actual



**X I O S CONSULTANTS AND DESIGN**  
 188 N. WELLS  
 SUITE 200  
 CHICAGO, ILLINOIS 60604  
 PH 312.750.1335  
 FAX 312.750.1334

**PROJECT:**  
 9601 OGDEN AVENUE  
 LA GRANGE, ILLINOIS

**TITLE:**  
 PROPOSED SITE PLAN

**PROJECT NO:** 05-379  
**KLOA INC.**  
**FIGURE NO:** 5

It is KLOA's opinion that access to this commercial property from the west can be best provided directly from Ogden Avenue rather than from Washington Avenue. In this manner, eastbound motorists would have direct access to the property during all hours of the day without having to travel past the site and enter from East Avenue. Furthermore, access on Ogden Avenue instead of Washington Avenue eliminates the potential for site-related traffic to exit the site to the south on Washington Avenue. This recommendation has been brought to the attention of the developer and it is our understanding that the developer is in agreement. This recommendation has also been discussed with IDOT, which has provided conceptual concurrence for a new driveway on Ogden Avenue, but only if the driveway is centered on the property (between East Avenue and Washington Avenue) and restricted to right-in/right-out movements only (see letter in Appendix). As such, the site traffic assignments included in our analysis assume that the west access driveway to the property will be on Ogden Avenue rather than Washington Avenue.

The right-in/right-out restriction is required due to the high volume of traffic on Ogden, lack of a westbound left-turn lane, and sight distance limitations on Ogden to and from the west. For these reasons, the previous development proposal for this site also proposed a right-in/right-out access driveway on Ogden Avenue. This access restriction is the same as that imposed on the 7-Eleven/Citgo station on the north side of Ogden. It should be noted that left-turn movements are currently prohibited from Washington Avenue to Ogden Avenue, and few vehicles were observed turning left from westbound Ogden onto Washington. Thus, a right-in/right-out driveway on Ogden Avenue is no more restrictive than having the access drive on Washington. We have concerns regarding shifting the Ogden Avenue driveway further east as vehicles could get trapped in the parking lot at the west end of the site without having adequate space to turn around. The driveway location will need to be determined after further consultation with IDOT.

**Directional Distribution of Site Traffic**

The directions from which traffic will approach and depart the site are a function of several variables, including the continuity and operation of the street system (i.e., railroad crossing locations, one-way streets, turn restrictions, etc.), volume of traffic on the adjoining roadways, market area, and the ease with which motorists can travel over various sections of the system without encountering congestion or delays. Based on these variables, and the existing traffic patterns shown in Figure 4, the estimated directional distribution of site-generated traffic is shown in Table 1.

Table 1  
**DIRECTIONAL DISTRIBUTION OF SITE-GENERATED TRAFFIC**

Street/Direction	Percent of Traffic
Ogden Avenue – To and From the West	45%
Ogden Avenue - To and From the East	40%
East Avenue – To and From the South	15%
Total	100%

5-C, 39

**Site Traffic Generation**

The volume of traffic estimated to be generated by the proposed 9601 Ogden Avenue development during the weekday afternoon and Saturday midday peak hours was calculated using trip generation rates contained in the Institute of Transportation Engineers (ITE) publication *Trip Generation*, 7<sup>th</sup> Edition, 2003. The ITE publication is a compilation of numerous traffic surveys conducted for various land uses nationwide. Table 2 shows the peak-hour vehicle trips projected to be generated by the site. It should be noted that most, if not all, tenants in small strip retail centers typically open for business after the weekday morning peak hour. Therefore, the weekday morning peak hour was not evaluated in this study.

Table 2  
SITE-GENERATED PEAK-HOUR TRAFFIC VOLUMES

Land Use	Density	Number of Vehicle Trips						Weekday 24-Hour
		Weekday P.M. Peak Hour			Saturday Midday Peak Hour			
		Enter	Exit	Total	Enter	Exit	Total	
Retail Center <sup>1</sup>	8,095 sf	15	25	40	30	25	55	385

<sup>1</sup> Trip generation based on equations contained in *Trip Generation*, 7<sup>th</sup> Edition, Institute of Transportation Engineers, 2003 for Land Use Code 814 (Specialty Retail Center)

It should also be noted that a significant portion of the traffic entering and exiting a retail center is from existing traffic that passes by the site on the adjacent roadways. This “pass-by” traffic will divert into the retail center to patronize the site’s tenants en route to other destinations. ITE survey data indicates that up to 35 percent of the traffic generated by a retail center is from pass-by traffic, depending upon the tenants of the retail center. However, to maintain a conservative analysis, the estimates of new site-generated traffic were not reduced to reflect “pass-by” trips.

**Site Traffic Assignment**

The peak-hour traffic volumes estimated to be generated by the 9601 Ogden Avenue development were assigned to the area roadway system based on the directional distribution shown in Table 1. Figure 6 shows the assignment of the site-generated peak hour traffic volumes.

**Total Projected Traffic Volumes**

The site-generated traffic volumes shown in Figure 6 were combined with the existing traffic volumes (shown in Figure 4) to obtain the total projected peak-hour traffic volumes, which are shown in Figure 7.

5-c.40



NOT TO SCALE

LEGEND

00 - WEEKDAY PM PEAK HOUR (4:00-5:00 PM)  
(00) - SATURDAY PEAK HOUR (11:00 AM-12:00 PM)

OGDEN AVENUE

← 8 (00)

7 (14) →

7 (14) →

8 (8) →

8 (8) →

← 6 (12)

11 (00)  
2 (12) →

SITE

← 6 (12)

13 (13)  
4 (4) →

2 (4) →

WASHINGTON AVENUE

EAST AVENUE

11

PROJECT:

9601 OGDEN AVENUE  
LA GRANGE, ILLINOIS

TITLE:

SITE GENERATED TRAFFIC VOLUMES

PROJECT NO:

05-379

KLOA INC.

FIGURE NO:

6

5-2-41



NOT TO SCALE

### LEGEND

00 - WEEKDAY PM PEAK HOUR (4:00-5:00 PM)  
(00) - SATURDAY PEAK HOUR (11:00 AM-12:00 PM)

**OGDEN AVENUE**

← 1276 (951)  
0 (0) ← 1276 (951)

1222 (899) →  
10 (10) ↓

1222 (904) →  
7 (14) ↓  
0 (5) ↓

8 (8) ↓

10 (5) ↓  
923 (743) ↓  
290 (150) ↓

10 (5) ↓  
15 (10) ↓  
15 (15) ↓

↑ 10 (15)  
↑ 1035 (730)  
↑ 166 (152)

↑ 231 (216)  
↑ 5 (10)  
↑ 237 (162)

**SITE**

← 6 (12)  
← 465 (300)

13 (13) ↓  
4 (4) ↓

↑ 2 (4)  
↑ 460 (375)

**WASHINGTON AVENUE**

**EAST AVENUE**

12

PROJECT:

9601 OGDEN AVENUE  
LA GRANGE, ILLINOIS

TITLE:

TOTAL PROJECTED TRAFFIC VOLUMES

PROJECT NO:

05-379

KLOA INC.

FIGURE NO:

7

5  
12.42

## Traffic Analysis

Intersection capacity analyses were performed for the intersections of Ogden Avenue with East Avenue and Washington Avenue, as well as the intersections of the site access driveways with Ogden Avenue and East Avenue. The analyses were performed to determine the operation of the existing roadway system, evaluate the incremental impact of the proposed 9601 Ogden Avenue development, and determine the ability of the existing roadway system to accommodate future traffic demands. Analyses were performed for the following weekday afternoon peak hour and Saturday midday peak hour traffic conditions:

1. Existing traffic volumes
2. Total projected traffic volumes (includes 9601 Ogden Avenue development)

The capacity analyses were performed using SIGNAL2000 and HCS2000 computer software, which is based on the methodologies outlined in the Transportation Research Board's *Highway Capacity Manual (HCM), 2000*. The ability of an intersection to accommodate traffic flow is expressed in terms of level of service, which is assigned a letter grade from A to F based on the average control delay experienced by vehicles passing through the intersection. Control delay is that portion of the total delay attributed to the traffic signal or stop sign control operation, and includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay.

Level of Service A is the highest grade (best traffic flow and least delay), Level of Service E represents saturated or at-capacity conditions, and Level of Service F is the lowest grade (oversaturated conditions, extensive delays). Typically, Level of Service D is the lowest acceptable grade for peak-hour conditions in a suburban environment such as La Grange.

For signal-controlled intersections, levels of service are calculated for lane groups, intersection approaches, and the intersection as a whole. For two-way stop controlled (TWSC) intersections, levels of service are only calculated for the approaches controlled by a stop sign (not for the intersection as a whole). Level of Service F at TWSC intersections occurs when there are not enough suitable gaps in the flow of traffic on the major (uncontrolled) street to allow minor-street traffic to safely enter the major street flow or cross the major street.

The *Highway Capacity Manual* definitions for levels of service and the corresponding control delay for signalized and unsignalized intersections are shown in Table 3. Summaries of the capacity analysis results are presented in Table 4. All output worksheets from these analyses are contained in the Appendix to this report.

5-4-43

Table 3  
LEVEL OF SERVICE CRITERIA

<i>Signalized Intersections</i>		
Level of Service	Interpretation	Average Control Delay (seconds per vehicle)
A	Very short delay, with extremely favorable progression. Most vehicles arrive during the green phase and do not stop at all.	≤10
B	Good progression, with more vehicles stopping than for Level of Service A, causing higher levels of average delay.	>10-20
C	Light congestion, with individual cycle failures beginning to appear. Number of vehicles stopping is significant at this level.	>20-35
D	Congestion is more noticeable, with longer delays resulting from combinations of unfavorable progression, long cycle lengths, or high V/C ratios. Many vehicles stop, and the proportion of vehicles not stopping declines.	>35-55
E	Limit of acceptable delay. High delays result from poor progression, high cycle lengths, and high V/C ratios.	>55-80
F	Unacceptable delays occurring, with oversaturation.	>80.0

*Unsignalized Intersections*

Level of Service	Average Control Delay (seconds per vehicle)
A	0-10
B	>10-15
C	>15-25
D	>25-35
E	>35-50
F	>50

Source: Highway Capacity Manual, 2000.

5-c.44

Table 4  
SUMMARY OF INTERSECTION CAPACITY ANALYSIS

Intersection	Existing Conditions				Total Projected Conditions			
	Weekday P.M. Peak Hour		Saturday Midday Peak Hour		Weekday P.M. Peak Hour		Saturday Midday Peak Hour	
	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
Ogden Ave/East Ave	C	31.5	C	23.6	C	32.0	C	23.8
Ogden Ave/Washington <sup>1</sup>	B	13.6	B	11.7	B	13.6	B	11.7
Ogden Ave/Site Drive <sup>2</sup>	n/a	n/a	n/a	n/a	B	13.8	B	11.8
East Ave/Site Drive <sup>2</sup>	n/a	n/a	n/a	n/a	B	14.2	B	11.9

Note: LOS = Level of Service, Delay is measured in seconds, n/a = not applicable

<sup>1</sup> Represents operation of northbound Washington Avenue approach under stop sign control

<sup>2</sup> Represents operation of site driveway under stop sign control

### Traffic Evaluation

The capacity analysis results in Table 4 indicate that the Ogden Avenue intersections with East Avenue and Washington Avenue presently operate at desirable levels of service during the weekday afternoon and Saturday midday peak hours and will continue to operate at the same service levels, with negligible changes in vehicle delays, with the development of 9601 Ogden Avenue development. The current traffic controls at these intersections will continue to be appropriate to accommodate projected traffic volumes.

The intersections of the site driveways with Ogden Avenue and East Avenue will also operate at satisfactory service levels under stop sign control. However, the proximity of these driveways to the Ogden Avenue/East Avenue intersection, and the nature of the traffic operations at this intersection, causes limitations for site ingress and egress.

The limitation on the Ogden Avenue access driveway is two-fold. Firstly, the driveway would be restricted to right-turn entering and exiting movements only due to the high volumes of traffic on Ogden, lack of a westbound left-turn lane, and sight distance limitations to and from the west on Ogden Avenue. Secondly, vehicle queues on eastbound Ogden Avenue periodically extend back from the East Avenue intersection beyond Washington Avenue, which will block site ingress and egress until the traffic signal at the Ogden/East intersection gives the green indication to Ogden Avenue. When the green indication is given, the eastbound vehicle queues on Ogden dissipate, which will provide the opportunity for motorists to enter and exit the site. This situation is most prevalent during the weekday peak hours.

5-c.45

The limitation on the East Avenue access driveway relates to left-turn exiting movements. Vehicle queues on northbound East Avenue frequently extend back from Ogden Avenue beyond south right-of-way line of the public alley (approximately 95 feet south of Ogden Avenue) As a result, it only takes three or four vehicles in the northbound left-turn lane on East Avenue to block left-turns into or out of the site. Field observations also revealed that traffic in the northbound left-turn lane of East Avenue tends to “stop short” of the stop bar at the Ogden Avenue intersection in anticipation of the wide turns that multi-unit trucks make traveling from eastbound Ogden Avenue to southbound East Avenue. By stopping short of the intersection, it only takes one or two vehicles to block left-turns into and out of the site.

All northbound vehicle queues on East Avenue were observed to clear the Ogden Avenue intersection during each signal cycle when the green indication is given to East Avenue. The clearance of these queues allows time for vehicles to make left-turn exits from the site and time for northbound vehicles on East Avenue to turn left to enter the site. However, if left-turn exits are made when East Avenue is stopped by the traffic signal, only one vehicle will be able to turn left from the site into the northbound left-turn lane on East Avenue if the driveway is located as proposed, approximately 29 feet south of Ogden Avenue.

The vehicle delays created by the access limitations on the two site driveways are not excessive and should be manageable due to the moderate volume of traffic expected to be generated by the site and the fact that vehicle queues at the Ogden Avenue/East Avenue intersection dissipate with each traffic signal cycle. However, the location of the East Avenue access driveway is driven more out of concern for safety than the minimization of vehicle delays.

Traffic turns onto southbound East Avenue during all phases of the traffic signal cycle. Even when East Avenue receives the green indication, there is a sizeable volume of eastbound traffic on Ogden Avenue that turns right on red. This limits the number of gaps in the flow of traffic on East Avenue available to motorists exiting the site. Once turned onto East Avenue from Ogden Avenue, motorists have a very short distance (29 feet) to react (i.e., stop, brake, etc.) to a vehicle entering or exiting the 9601 Ogden Avenue property. The spacing between the site access driveway and Ogden Avenue should be maximized, to the extent possible, by relocating the East Avenue access driveway further south on the property. Relocating the driveway further south will also allow two or three vehicles (rather than one) to turn left out of the site into the northbound left-turn lane on East Avenue during the same traffic signal cycle.

In addition, the implementation of “No Turn on Red” restrictions on eastbound Ogden Avenue at East Avenue should be explored with IDOT to increase safety for traffic exiting the site and provide more gaps in the traffic flow on East Avenue for exiting motorists to use.

5-046

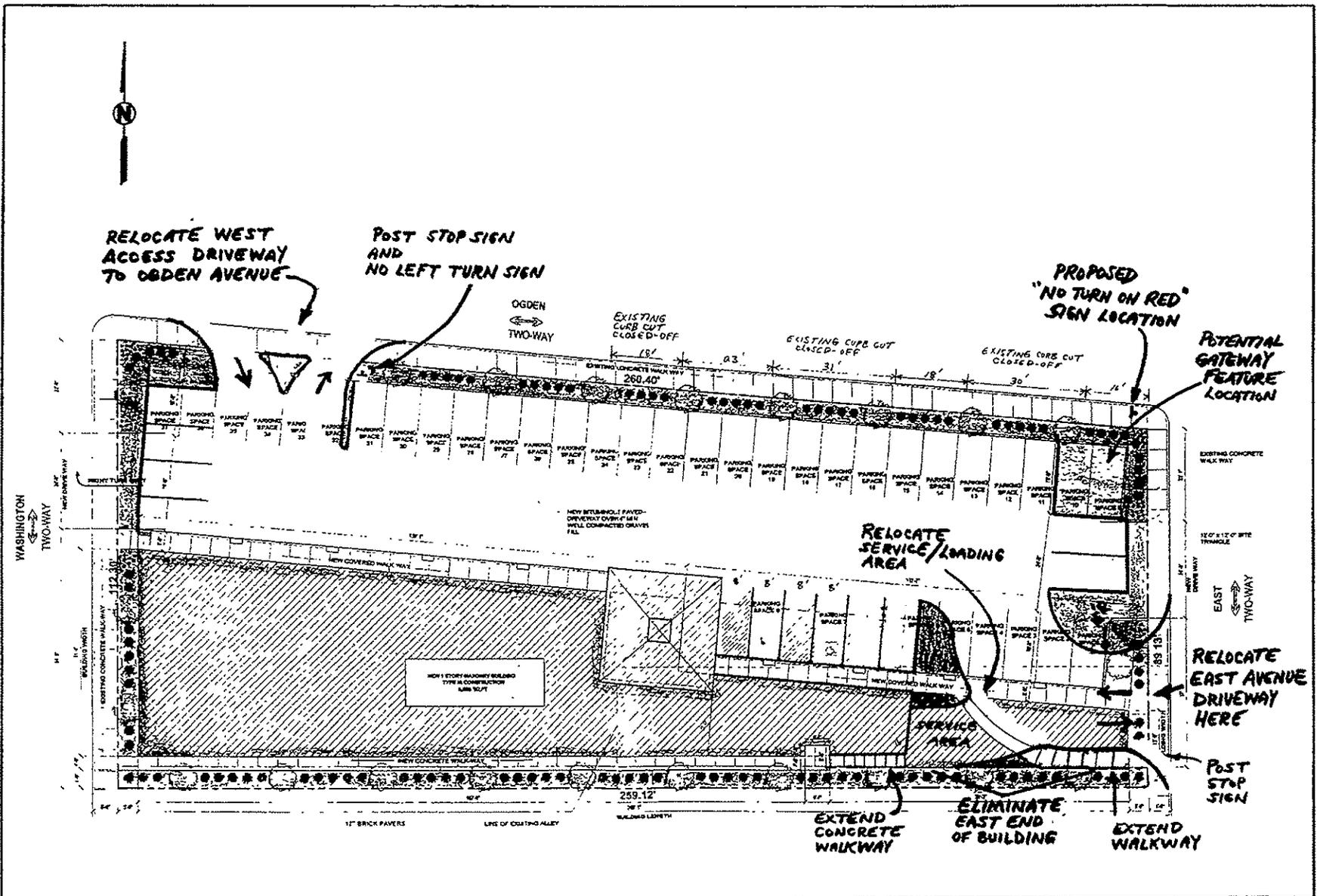
## Conclusions and Recommendations

Based on the proposed 9601 Ogden Avenue development plan and the preceding site traffic analysis, the following conclusions and recommendations are made. Recommended site plan modifications are illustrated in Figure 8.

- The proposed commercial development would be consistent in character with other commercial developments in the Ogden Avenue corridor and is a permitted use in the C-4 zoning district.
- The location of the site allows for direct and efficient access to Ogden Avenue and East Avenue, two arterial streets that serve the La Grange community, while minimizing the need for site traffic to travel south through the residential neighborhood along Washington Avenue.
- To insure that site traffic does not use Washington Avenue to exit the site to the south, the west access driveway to the site should be relocated from Washington to Ogden Avenue.
- A new access driveway on Ogden Avenue will require IDOT approval. Recent discussions with IDOT have resulted in conceptual concurrence for the new driveway, but only if the driveway is centered on the property (between East Avenue and Washington Avenue) and restricted to right-in/right-out movements only. Implied in IDOT's decision is the permanent closing of the three existing curb cuts on Ogden Avenue that served a former use (Martin gas station) on the property.
- The right-in/right-out access restriction is required due to the high volume of traffic on Ogden, lack of a westbound left-turn lane, and sight distance limitations on Ogden to and from the west. The same access restriction was imposed on the 7-Eleven/Citgo station on the north side of Ogden.
- KLOA has concerns regarding shifting the Ogden Avenue driveway further east as vehicles could get trapped in the parking lot at the west end of the site without having adequate space to turn around. The driveway location will need to be determined after further consultation with IDOT.
- The moderate volume of traffic generated by the proposed 9601 Ogden Avenue development can be adequately accommodated on the adjacent roadway system with minimal impact to traffic operations.
- A significant amount of traffic (up to 35 percent) that will enter and exit the site will be drawn from existing traffic on the adjacent roadways.
- The Ogden Avenue intersections with East Avenue and Washington Avenue presently operate at desirable levels of service during the weekday afternoon and Saturday midday peak hours. These service levels will not change with the proposed development and any increases in average vehicle delays at these intersections will be negligible.

847-5

18



PROJECT:  
 9601 OGDEN AVENUE  
 LA GRANGE, ILLINOIS

TITLE:  
 RECOMMENDED SITE PLAN MODIFICATIONS

PROJECT NO: 05-379  
 KLOA INC.  
 FIGURE NO: 8

- The intersections of the site driveways with Ogden Avenue and East Avenue will also operate at satisfactory service levels during the peak hours. However, because of the proximity of these driveways to the Ogden Avenue/East Avenue intersection, and the nature of the traffic operations at this intersection, site ingress and egress will be periodically blocked (on northbound East Avenue and eastbound Ogden Avenue) by vehicle queues extending back from the intersection beyond the site driveways. These vehicle queues, however, are dissipated during each traffic signal cycle, allowing vehicles to enter or exit the site.
- The east-west public right-of-way (dedicated alley) under consideration for vacation is of limited value to the Village. In 1990, a former owner of the subject property vacated the north-south portion of the alley that extended through the site from the east-west alley to Ogden Avenue. The depth of the site from Ogden Avenue ranges from only 59 feet (East Avenue frontage) to 112 feet (Washington Avenue frontage), which has contributed to the difficulty in developing this site.
- The additional space gained by the vacation of the east-west alley (30 feet of frontage on East Avenue) will provide the ability to relocate the access driveway on East Avenue approximately 33 feet further away (south) from the Ogden Avenue intersection, which will create a safer means of ingress and egress on East Avenue.
- Relocating the East Avenue access driveway will require the reconfiguration of the east end of the building and parking lot.
- The building service area/loading zone can be provided off of the relocated access driveway as opposed to blocking off prime parking space in front of the building. The concrete walkway at the rear (south side) of the building should be extended east to the recommended service area location so that building servicing can occur from the rear walkway instead of the front of the building. In addition, the walkway that runs along the front of the building can be extended (via a crosswalk) across the service area and along the south side of the relocated driveway to connect with the East Avenue sidewalk.
- The relocation of the East Avenue access driveway and building service area would result in the loss of 4 parking spaces at the east end of the site. The relocation of the Washington Avenue access driveway to Ogden Avenue would result in the loss of 2 parking spaces at the west end of the site. In total, the recommended site plan modifications would result in 31 parking spaces on the site and the elimination of approximately 965 square feet of leaseable space. This parking supply would exceed the Village Code requirements by 1 space, assuming the development would be comprised of 1,200 square feet of carry-out restaurant space (at 1 space/200 sf) and 5,930 square feet of retail space (at 1 space/250 sf).
- The developer may find other ways to adjust the site plan to minimize the density reduction while still accommodating the recommended access plan and satisfying the Village's parking code.
- The corner radii on the Ogden Avenue and East Avenue access driveways should be increased to 15 feet, at a minimum.

5-049

- The reconfiguration of the northeast corner of the site would allow for the ability to develop a gateway feature for La Grange as recommended in the village's 2005 Comprehensive Plan.
- The East Avenue access driveway should be 24 feet wide. The Ogden Avenue access driveway will need to be wider (approximately 32 feet) to accommodate a "pork chop" island for the right-in/right-out restriction. Both driveways should each be striped to indicate one entrance lane and one exit lane.
- A stop sign and a "No Left Turn" sign should be posted on the Ogden Avenue driveway.
- A stop sign should be posted on the East Avenue driveway.
- The Village should submit a formal request to IDOT to implement a "No Turn on Red" restriction on eastbound Ogden Avenue at East Avenue. This will increase safety for traffic exiting the site and provide more gaps in the traffic flow on East Avenue for exiting motorists to use.
- The parking stall dimensions shown on the site plan satisfy the Village's minimum design standards for standard parking stalls.
- The development plan conforms to the standards of the Americans with Disabilities Act (ADA) with regards to the number of handicap accessible parking spaces (2) for this size lot. The handicap parking stall dimensions, however, should be revised to depict an 8-foot wide parking stall with an adjacent 8-foot wide accessible aisle.

5-4-50

**Village of La Grange**

53 S. La Grange Road, La Grange, IL 60525

Phone (708) 579-2320 Fax (708) 579-0980

**APPLICATION FOR VACATION**

Application No.: 77859

TO THE BOARD OF TRUSTEES  
VILLAGE OF LA GRANGE, ILLINOIS

Date Filed: 7-25-05

1. Application is hereby made by (adjacent property owner(s)):

Robert Allen  
(Name)

187 N. Marion St  
(Address)

Allen Realty & Builders Inc

Oak Park IL 60301

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. For Vacation of Property Located at (Common Description):

Please attach drawing of property location.

The south 30 feet of lot 3 ect.

9601 W. Ogden Ave LaGrange IL 60525

Note: Legal description to be indicated on Plat of Vacation

3. Proposed Use of Vacated Property: \_\_\_\_\_

\_\_\_\_\_

4. Name(s), Address(es) of all adjacent property owners affected by proposed vacation (use additional page if necessary):

27 E Washington

Fonseca

30 East

Smith

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5-C-51

## VACATION OF PUBLIC RIGHTS-OF-WAY

### Policy:

It is the stated policy of the Village of La Grange that the Village will consider vacating publicly dedicated rights-of-way when:

1. There is no public benefit to maintaining the dedicated right-of-way; and
2. Such a vacation will eliminate an existing burden on the Village of La Grange; and/or
3. A public hearing has been conducted and recommendations received by the La Grange Plan Commission.

A petition to vacate dedicated rights-of-way shall be processed at no expense to the Village. Costs to be incurred by the Village, including but not limited to public notices, public hearings, preparation of vacation plats, filing of such plats, and property appraisals, shall be borne by the petitioner(s). Furthermore, the Village may choose to assess a reasonable fee for the vacation of a dedicated right-of-way.

### Procedure

#### Initiation of Vacation Requests

1. A written petition may be submitted to the Village Board from one or more adjacent property owners; or
2. A written recommendation from the La Grange Plan Commission may be submitted to the Village Board; or
3. A written recommendation from the Village Staff may be submitted to the Village Board.

#### Preliminary Review by Village Board

1. The Village Board will give an indication of its desire to study such a request by approving or denying a resolution to refer such a petition/recommendation to the La Grange Plan Commission for public hearing.
2. The Village Board will authorize the preparation of a "Plat of Vacation" for use by the Plan Commission during their review (to be paid by petitioner).

#### Plan Commission

1. The Plan Commission shall publish a legal notice calling for a public hearing for vacation of public right-of-way.
2. The Plan Commission shall provide written notification to all adjacent property owners potentially impacted by the proposed vacation.
3. The Plan Commission shall conduct a public hearing in accordance with its own rules.
4. The Plan Commission shall prepare a recommendation to the Village Board consisting of its support or opposition to the petition/recommendation to vacate right-of-way; and a recommendation on the appropriate payment to the Village as compensation for the dedication of public right-of-way.

### Final Review by Village Board

Upon receipt of a recommendation by the La Grange Plan Commission, the Village Board will consider an ordinance to vacate public right-of-way. Such an ordinance may include any limiting conditions, including a recommendation on consolidation of lots; designation of zoning; delineation and/or maintenance of easements; and payments to be received. In accordance with state law, a motion to vacate a public right-of-way requires the affirmative vote of at least three-fourths of the trustees then holding office (Village President's vote does not count).

If adopted, the Village Clerk will record ordinance and Plat of Vacation with Recorder of Deeds and County Clerk.

#### Requirements of Applicant(s):

1. Non-refundable deposit of \$200 to cover the cost of public hearing and the filing of associated documents shall be deposited with the Community Development Department before the matter will be remanded to the Plan Commission for the public hearing.

A statement of the actual expenses incurred by the Village, plus any fees for the vacation of the dedicated rights-of-way shall be presented to the applicant and shall be payable prior to the case being forwarded to the Village Board.

2. An accurate Plat of Vacation prepared by a certified Land Surveyor shall be presented prior to the scheduling of a public hearing. This plat shall be no larger than 30" x 36" and shall have provisions for the signatures of the Village President, Village Clerk, Plan Commission Chairman, and Surveyor having prepared the plat. The Plat of Vacation shall contain the legal description of the property proposed for vacation.
3. A listing of names and addresses of all adjacent property owners potentially impacted by the proposed vacation.

5-0.53



VILLAGE OF LA GRANGE  
Community Development Department

**BOARD REPORT**

TO: Village President, Village Clerk,  
Board of Trustees and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager  
Patrick D. Benjamin, Community Development Director  
Sylvia Gonzalez, Staff Liaison

DATE: July 10, 2006

RE: **ORDINANCE - DESIGN REVIEW PERMIT (DRP) # 68 – 9601  
OGDEN AVENUE, ROBERT P. ALLEN**

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As part of the review and approval for the development of the strip shopping center at 9601 Ogden Avenue, Mr. Allen is required to obtain a Design Review Permit. Assuming that the previous agenda item vacating a portion of alleyway adjacent to the property is approved, the Village Board will need to consider the recommendation from the Design Review Commission granting Design Review approval.

Mr. Allen, appeared before the Design Review Commission at their meeting of February 16, 2006 seeking a Design Review Permit. Mr. Allen made the presentation explaining that in an effort to improve this site it was his intention to develop a strip shopping center at the subject property. This development would allow space for seven retail tenants. (See Exhibit 1).

After several questions and comments by the Commissioners, the Design Review Commission agreed that the proposed building would be a considerable improvement to the vacant lot, which is one of the major entryways into the Village. The Commission voted unanimously to recommend approval of Design Review Permit #68 to the Village Board.

Staff concurs with this recommendation and has prepared the necessary ordinance approving Design Review Permit #68 for the property at 9601 Ogden Avenue.

5-D

ORDINANCE NO. O-06-

AN ORDINANCE GRANTING A DESIGN REVIEW PERMIT FOR  
9601 OGDEN AVENUE

PASSED BY THE BOARD OF TRUSTEES  
OF THE VILLAGE OF LA GRANGE

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006.

Published in pamphlet form by authority of the Board of Trustees of the Village of La Grange, County of Cook, State of Illinois this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

WHEREAS, Robert P. Allen has filed an application with the Village of La Grange seeking a Design Review Permit for the construction of a building at the vacant lot commonly known as 9601 Ogden Avenue, in the Village; and

WHEREAS, the La Grange Design Review Commission held a public meeting on February 16, 2006 to consider the applicant's request for a Design Review Permit; and

WHEREAS, the President and Board of Trustees have considered the applicants' proposal, and are fully advised in the premises; and

WHEREAS, the President and Board of Trustees of the Village of La Grange have authority to issue a Design Review Permit for the construction of a building in a Design Review Overlay District requested by the applicant, pursuant to the applicable provisions of the Illinois Municipal Code and Article 14-403 of the La Grange Zoning Code; and

WHEREAS, the President and Board of Trustees have determined that the applicants have satisfied the standards for a Design Review Permit and that a Design Review Permit should be granted;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of La Grange, County of Cook and State of Illinois, as follows:

**SECTION 1. RECITALS.** The foregoing recitals are incorporated herein as findings of the President and Board of Trustees.

**SECTION 2. GRANTING OF DESIGN REVIEW PERMIT.** The Village Board of Trustees acting under and by virtue of the authority conferred on it by the laws of the State of Illinois and by Section 14-403 of the La Grange Zoning Code, does hereby grant a Design Review Permit to the applicants to remodel the building on the subject property in strict compliance with plans and specifications for such remodeling attached to this Ordinance as Exhibit 1 and by this reference incorporated into this Ordinance.

5-D.1

**SECTION 3. FAILURE TO COMPLY WITH PLANS AND SPECIFICATIONS  
REVOCATION OF PERMIT.** Any failure or refusal of the Applicants to comply with any one of the plans and specifications or provisions of this Ordinance, shall be grounds for the immediate revocation by the Village Board of Trustees, of the Design Review Permit granted in Section 2 of this Ordinance. In the event of any such revocation, the Design Review Permit shall immediately become null and void and work authorized thereby shall cease and desist immediately.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form for review at the La Grange Village Offices and the La Grange Public Library.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2006, pursuant to a roll call vote as follows:

**AYES:** \_\_\_\_\_

**NAYS:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

**APPROVED** by me this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Elizabeth M. Asperger, Village President

ATTEST:

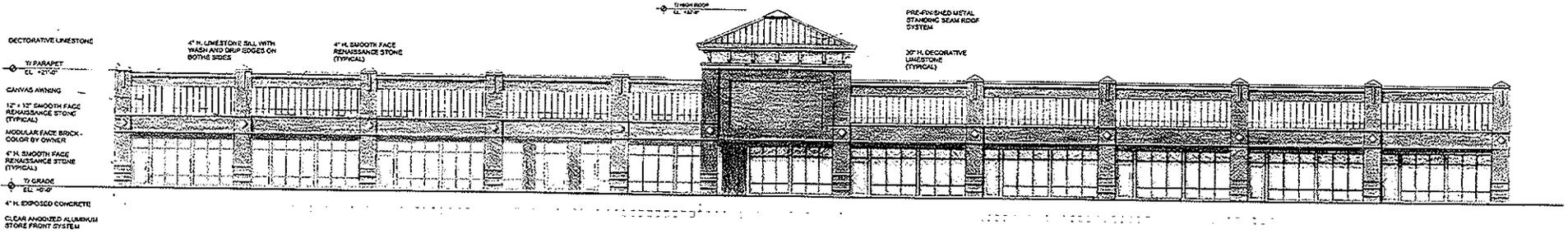
\_\_\_\_\_  
Robert N. Milne, Village Clerk

5-0.2

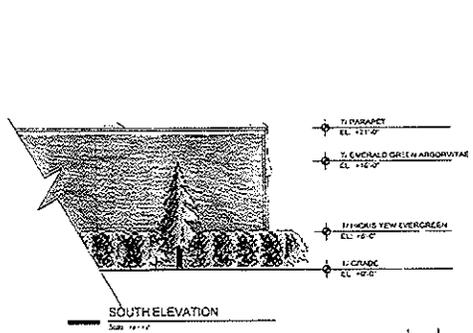
# 9601 Ogden Ave.

la grange

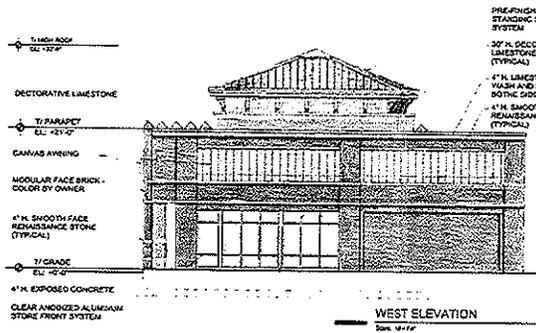
illinois



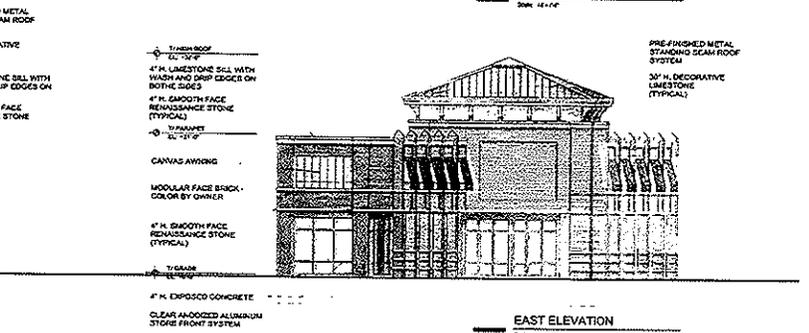
**NORTH ELEVATION**  
Scale: 1/4" = 1'-0"



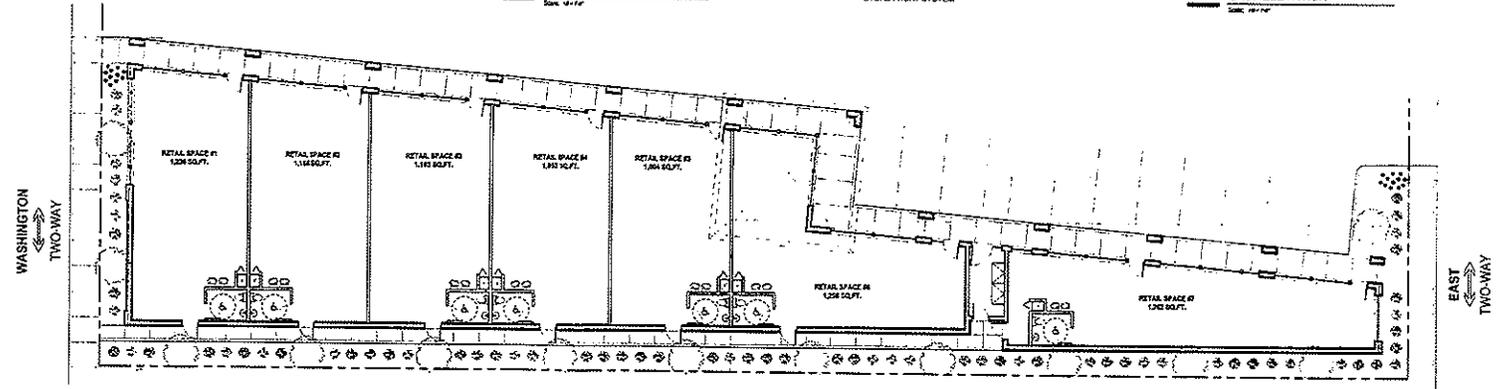
**SOUTH ELEVATION**  
Scale: 1/4" = 1'-0"



**WEST ELEVATION**  
Scale: 1/4" = 1'-0"



**EAST ELEVATION**  
Scale: 1/4" = 1'-0"



**FLOOR PLAN**  
Scale: 1/4" = 1'-0"

**A** X I O S CONSULTANTS AND DESIGN

288 N. WELLS  
SUITE 200  
CHICAGO, ILLINOIS 60606  
PH: 312.550.1333  
FAX: 312.550.1333

Exhibit 1  
15-0-3

**DESIGN REVIEW PERMIT APPLICATION**

Case No.: 68  
Date Submitted: 1/23/06  
UARCO No.: 77672

**TO THE PRESIDENT AND BOARD OF TRUSTEES  
VILLAGE OF LA GRANGE, ILLINOIS**

Application is hereby made by (Please Print): Robert P. Allen  
Address: 187 N. Marion St., Oak Park, IL 60301 Phone: 708-383-8080  
Owner of property located at: 9601 Ogden Avenue  
Permanent Real Estate Index No.: 18-04-223-035  
Present Use: Vacant Lot Present Zoning Class: Commercial, C-4

PLAT OF SURVEY must be submitted with application. The plat should show any existing buildings on the petitioned property as well as any existing buildings on property immediately adjacent.

The applicant must provide the following DATA AND INFORMATION:

1. Detailed plans depicting all work proposed to be done, including detailed renderings of any exterior alterations and of the exterior of any proposed new building. Such rendering shall show proposed exterior colors and textures.
2. Standards and Considerations. State how the proposed use or development achieves the purposes for which the Design Review District is designated.

Please see attached...

3. Visual Compatibility. New and existing buildings and structures, and appurtenances thereof, which are constructed, reconstructed, materially altered, repaired, or moved shall be visually compatible in terms of the following criteria:
  - a. Height. The height of the proposed buildings and structures shall be visually compatible with adjacent buildings.
  - b. Proportion of Front Facade. The relationship of the width to the height of the front elevation shall be visually compatible with buildings, public ways, and places to which it is visually related.
  - c. Proportion of Openings. The relationship of the width to height of windows shall be visually compatible with buildings, public ways, and place to which the building is visually related.
  - d. Rhythm of Solids to Voids in front Facades. The relationship of solids to voids in the front facade of a building shall be visually compatible with buildings, public ways, and places to which it is visually related.
  - e. Rhythm of Spacing and Buildings on Streets. The relationship of a building or structure to the open space between it and adjoining buildings or structures shall be visually compatible with the buildings, public ways, and places to which it is visually related.
  - f. Rhythm of Entrance Porch and Other Projections. The relationship of entrances to other projections to sidewalks shall be visually compatible with the buildings, public ways, and places to which it is visually related.
  - g. Relationship of Materials, Texture and Color. The relationship of the materials, texture, and color of the facade shall be visually compatible with the predominant materials used in the buildings and structure to which it is visually related.

5-P.4

- h. Roof Shapes. The roof shape of a building shall be visually compatible with the building to which it is visually related.
  - i. Walls of Continuity. Building facade and appurtenances such as walls, fences, and landscape masses shall, when it is a characteristic of the area, form cohesive walls of enclosure along a street to ensure visual compatibility with the buildings, public ways, and places to which such elements are visually related.
  - j. Scale of Building. The size and mass of buildings and structures in relation to open spaces, windows, door openings, porches, and balconies, shall be visually compatible with the buildings, public ways, and places to which they are visually related.
  - k. Directional Expression of Front Elevation. A building shall be visually compatible with the buildings, public ways, and places to which it is visually related in this directional character, whether this be vertical character, horizontal character, or non-directional character.
4. Quality of Design and Site Development. New and existing buildings and structures and appurtenances thereof which are constructed, reconstructed, materially altered, repaired, or moved shall be evaluated under the following quality of design and site development criteria:
- a. Open Spaces The quality of the open spaces between buildings and in setback spaces between street and facade.
  - b. Materials The quality of materials and their relationship to those in existing adjacent structures.
  - c. General Design The quality of the design in general and its relationship to the overall character of the neighborhood.
  - d. General Site Development The quality of the site development in terms of landscaping, recreation, pedestrian access, automobile access, parking, servicing of the property, and impact on vehicular traffic patterns and conditions on site and in the vicinity of the site, and the retention of trees and shrubs to the maximum extent possible.

**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 of Two Hundred Dollars (\$200), which is non-refundable.

The 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. Such additional costs shall be paid by the applicant prior to the Board of Trustees making a decision regarding the request.

5-D.5

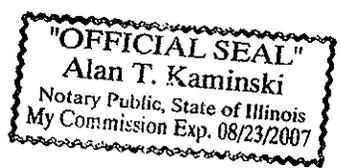
I, undersigned, do hereby certify that I am the owner, or contract purchaser (evidence of title or other interest you have in the subject property, date of acquisition of such interest, and the specific nature of such interest must be submitted with application) do hereby certify that the above statements are true and correct to the best of my knowledge.

[Signature] 187 N. Madison St. (Signature of Owner or Contract Purchaser) (Address)

Clark Park IL 60301 (State) (Zip Code) (City)

Subscribed and sworn to before me this 20th day of January, 2006

(Notary Public) [Signature] (Seal)



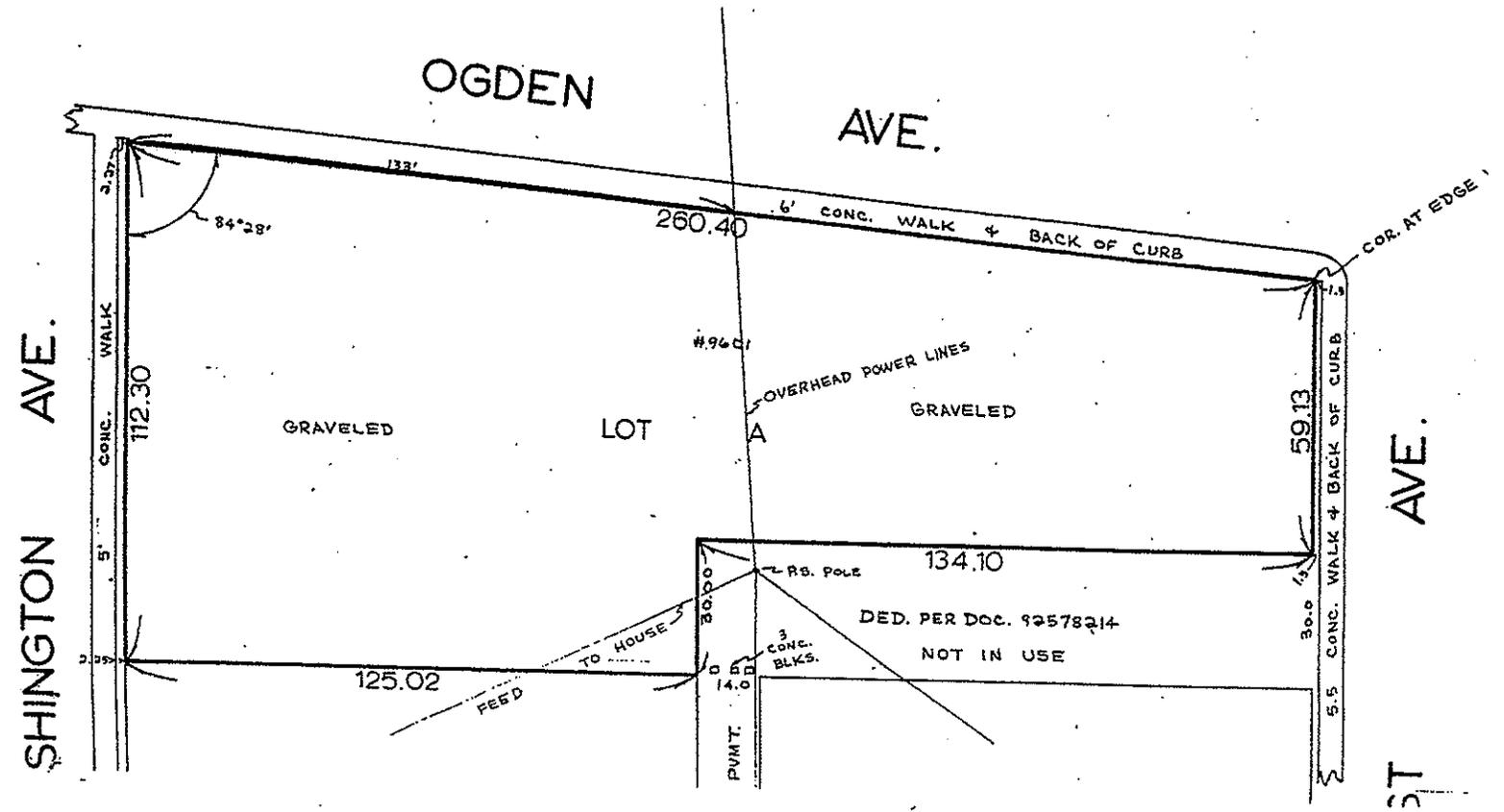
Enclosures:

5-0.6

# PLAT OF SURVEY OF

LOT A IN FLAT OF CONSOLIDATION OF LOTS 1, 2 AND 3 (EXCEPT THE SOUTH 5 FEET OF LOT 3) AND LOTS 27 TO 30 IN BLOCK 3, TOGETHER WITH VACATED ALLEY LYING WITHIN BLOCK 3, IN IRA BROWN'S ADDITION TO LA ORANGE, BEING A SUBDIVISION OF PART OF THE NORTHEAST  $\frac{1}{4}$  OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

P.L.N. 19-04-223-035



5-D-7

**AFFIDAVIT OF TITLE  
COVENANT AND WARRANTY**

STATE OF Illinois )  
 ) SS.  
COUNTY OF Cook )

The undersigned affiant, being first duly sworn, on oath says, and also covenants with and warrants to the grantee hereinafter named:

U.S. Bank, N.A..

That affiant has an interest in the premises described below or in the proceeds thereof or is the grantor in the deed dated October 17, 2005, to U.S. Bank, N.A.. grantee, conveying the following described premises:

Lot A In Plat Of Consolidation Of Lots 1, 2, 27 To 30 And Part Of Lot 3 Together With Vacated Alley Lying Within Block 3 In IRA Brown's Addition to LaGrange, Being A Subdivision Of Part Of The Northeast 1/4 of Section 4, Township 38 North, Range 12 East Of The Third Principal Meridian, In Cook County, Illinois.

That no labor or material has been furnished for premises within the last four months, that is not fully paid for.

That since the title date of 9/28/2005, in the report on title issued by Chicago Title Insurance Company, affiant has not done or suffered to be done anything that could in any way affect the title to premises, and no proceedings have been filed by or against affiant, nor has any judgment or decree been rendered against affiant, nor is there any judgment, note or other instrument that can result in a judgment or decree against affiant within five days from the date hereof.

That the parties, if any, in possession of premises are bona fide tenants only, and have paid promptly and in full their rent to date, and are renting from NONE to \_\_\_\_\_, and not for any longer term, and have no other or further interest whatsoever in premises.

That all water taxes, except the current bill, have been paid, and that all the insurance policies assigned have been paid for.

That this instrument is made to induce, and in consideration of, the said grantee's consummation of the purchase of premises.

Steve Annoreno (SEAL) \_\_\_\_\_ (SEAL)  
\_\_\_\_\_  
(SEAL) \_\_\_\_\_ (SEAL)

Subscribed and sworn to before me this 17th day of October, 2005.

Armandina Drogolewicz  
Notary Public

\*\*\*\*\*  
"OFFICIAL SEAL"  
\*\*\*\*\*  
ARMANDINA DROGOLEWICZ  
Notary Public - State of Illinois  
My Commission Expires 3/9/06  
\*\*\*\*\*



**Chicago Title Insurance Company**

5-D.8

# **ALLEN BUILDERS AND DEVELOPMENT**

187 N. MARION ~ OAK PARK, IL 60301

(708) 383-8080 FAX: (708) 383-8081

9601 Ogden Avenue  
Design Review Permit Application  
Standards and Consideration

As you will see in the enclosed drawings, we feel the proposed development achieves the purpose of which the Design Review District is dedicated to fulfill. The plan conforms to all the visual compatibility criteria while at the same time seamlessly blending into the surrounding residential properties. This plan also serves as a gateway into the downtown La Grange commercial and business district with structures of similar design and materials.

5-0.9

**EXECUTIVE SESSION**

VILLAGE OF LA GRANGE  
Administrative Offices

**BOARD REPORT**

TO: Village Clerk, Board of Trustees and  
Village Attorney

FROM: Elizabeth M. Asperger, Village President

DATE: July 10, 2006

RE: **CLOSED SESSION — PROBABLE OR IMMINENT LITIGATION**

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It is requested that the Village Board meet in Closed Session, in accordance with Section 5 ILCS 120/2 of the Illinois Compiled Statutes, for the purpose of discussing probable or imminent litigation.