



**Planning & Zoning Commission**  
July 16, 2019  
La Grange Park Village Hall  
447 N. Catherine Avenue  
La Grange Park, IL  
7:00 p.m.

**Agenda**

1. Chairman to Convene Meeting
2. Pledge of Allegiance
3. Public Comment
4. Approval of Minutes – May 21, 2019
5. Public Hearing #2019-02 to Consider an Application for a Map Amendment to Rezone the Property Located at 630 Beach Avenue, La Grange Park, IL 60526
6. Adjournment

The Village of La Grange Park 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 in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are requested to contact Emily Rodman, Assistant Village Manager, at 708-354-0225 x108 promptly to allow the Village of La Grange Park to make reasonable accommodations for those persons.

Website <http://www.lagrangepark.org/>



## **RULES FOR PUBLIC COMMENT**

### **Village Meetings**

1. Please step up to the microphone before speaking, and announce your name before beginning your comments.
2. After announcing your name for the record, you will be allowed to speak for three (3) minutes.
3. You may not use profane or obscene language and you may not threaten any person with bodily harm, or engage in conduct which amounts to a threat of physical harm.
4. (a) Agenda-related comments: The Village Chairperson reserves the right to disallow comments that are repetitive of comments previously made during the meeting, or comments that do not relate to agenda items.  
  
(b) Non-agenda-related comments: The Village Chairperson reserves the right to disallow comments that are repetitive of comments previously made during the meeting, or comments that do not relate to Village business, Village services or Village governance.
5. The Village of La Grange Park complies with the Americans with Disabilities Act of 1990. If you require accommodations in order to observe or participate in the meeting, please contact Ms. Emily Rodman at (708) 354-0225 between 9:00 and 5:00 before the meeting so that the Village can make reasonable accommodations for you.

# Planning & Zoning Commission Agenda Memo

Date: July 16, 2019

To: Eric Boyd, Chairman

Members of the Planning & Zoning Commission

From: Emily Rodman, Assistant Village Manager *ER*.

RE: Zoning Application No. 2019-02, Rezoning 630 Beach Avenue– Map Amendment Request

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## GENERAL BACKGROUND

The property located at 630 Beach Avenue is approximately 12,000 square feet. It includes single-story multi-tenant (four unit) structure constructed in the early 1960's. At the time the property was constructed it was zoned for multi-family uses. It remained zoned multi-family until the 2011 Zoning Code and corresponding map amendments were adopted. As a result of the 2011 amendments, the property was rezoned R-1 Single-Family Residence in alignment with the 2006 Comprehensive Plan designation.

In September 2018, the Village Board, upon positive recommendation from the Planning & Zoning Commission, approved the rezoning of 48 properties along La Grange Road from single-family residence district (R-1) to two-family residence district (R-2). The owners of several of these properties approached the Village and requested the rezoning due to the impact of the downzoning on their property and potential for future sale. The property owner of 630 Beach Avenue approached the Village last fall requesting the rezoning of the property due to similar concerns.

## STAFF ANALYSIS

The Zoning Code sets forth eleven standards for the Planning & Zoning Commission and the Village Board to consider when making a recommendation and decision with regard to the rezoning of property within the Village. These standards, along with the complete staff analysis, are outlined in the attached Application for a Map Amendment. The standards include:

- a. Compatibility with the existing use and zoning of nearby property.
- b. The extent to which the property values of the Subject Properties are diminished by the existing zoning.
- c. The relative gain to the public, as compared with the hardship imposed upon the Applicant.
- d. The suitability of the Subject Property for the purposes for which it is presently zoned, i.e. the feasibility of development of the Subject Property for one (1) or more of the uses permitted under the existing zoning classification.
- e. The length of time the Subject Property has been vacant, as presently zoned, considered in the context of development in the area where the Subject Property is located.
- f. The evidence, or lack of evidence, of community need for the use proposed by the Applicant.

- g. The consistency of the proposed amendment with the Comprehensive Plan.
- h. Whether the proposed amendment will benefit residents of the Village as a whole, and not just the applicant, property owners, neighbors of any property under consideration or other special interest groups, and the extent to which the proposed use would be in the public interest and would not serve solely the interest of the applicant.
- i. The extent to which the proposed amendment creates non-conformities.
- j. The trend of development, if any, in the general area of the property in question.
- k. Whether adequate public facilities are available.

The subject property was a permitted four family dwelling prior to 2011 and it became legal non-conforming upon rezoning to the single-family residence district. The legal non-conforming status limits the ability of the property owner to rebuild the structure should it sustain damage exceeding 50% of its market value. Consequently, the property owners and potential buyers of the property cannot obtain (or will have difficulties in obtaining) financing for the purchase or refinancing of the subject property, which limits the pool of potential buyers – potentially reducing the fair market value of the property.

The existing zoning also discourages reinvestment by the property owner. There is little incentive to reinvest in the property if that investment cannot be recouped with the sale of the property. The proposed rezoning would bring the subject property into compliance and would allow for rebuilding as a four family dwelling if severely damaged. As a result, the property value of the subject property will be preserved and reinvestment in these structures will no longer be discouraged.

#### **RECOMMENDATION**

Staff recommends the Planning and Zoning Commission recommend to the Village Board of Trustees approval of the Application for a Map Amendment to rezone 630 Beach Avenue from R-1 Single-Family Residence District to R-4 Multi-Family Residence District.

#### **DOCUMENTATION**

- Zoning Application
- Letter to Adjacent Property Owners



**APPLICATION ZONING MAP AMENDMENT**

**ADDRESS OF SUBJECT PROPERTY:** 630 Beach Avenue, La Grange Park, IL 60526

**NAME OF APPLICANT(S):** Village of La Grange Park

**INTEREST IN PROPERTY:** N/A

**ADDRESS:** 447 N. Catherine Avenue

**CITY, STATE, ZIP:** La Grange Park, IL 60526

**EMAIL:** [erodman@lagrangepark.org](mailto:erodman@lagrangepark.org) **PHONE:** 708.354.0225 **FAX:** 708.354.0241

**NAME OF ATTORNEY (IF APPLICABLE):** Cathleen Keating (Martin, Craig, Chester & Sonnenschein, LLP)

**ADDRESS:** 2215 York Road, Suite 550

**CITY, STATE, ZIP:** Oak Brook, IL 60523

**EMAIL:** [cmk@mcclaw.com](mailto:cmk@mcclaw.com) **PHONE:** 630.472.3407

**NAME OF ENGINEER (IF APPLICABLE):** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

**CITY, STATE, ZIP:** \_\_\_\_\_

**EMAIL:** \_\_\_\_\_ **PHONE:** \_\_\_\_\_ **FAX:** \_\_\_\_\_

**NAME OF ARCHITECT (IF APPLICABLE):** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

**CITY, STATE, ZIP:** \_\_\_\_\_

**EMAIL:** \_\_\_\_\_ **PHONE:** \_\_\_\_\_ **FAX:** \_\_\_\_\_

**VILLAGE PERSONNEL:** Provide the following information for any officer or employee of the Village with an interest in the Owner, Applicant, Consultant or the Subject Property and the nature and extent of that interest.

**NAME:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

**CITY, STATE, ZIP:** \_\_\_\_\_

**EMAIL:** \_\_\_\_\_ **PHONE:** \_\_\_\_\_ **FAX:** \_\_\_\_\_

**NATURE/EXTENT OF INTEREST:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**PERMANENT INDEX NUMBER OF SUBJECT PROPERTY (TAX ID NO.):** \_\_\_\_\_

**CURRENT ZONING CLASSIFICATION:** R-1 Single- Family Residence District

**PROPOSED ZONING CLASSIFICATION:** R-4 Multiple Family Residence District



**ADJACENT ZONING CLASSIFICATION:**

**NORTH: R-1 Single- Family Residence District    SOUTH: R-1 Single- Family Residence District**  
**EAST: R-1 Single- Family Residence District    WEST: IHB Railroad**

**ZONING STANDARDS/STATEMENT OF COMPLIANCE:**

REQUIREMENT	CODE SECTION	CODE REGULATION	PROPOSED
MIN. LOT AREA	N/A	N/A	N/A
MIN. LOT WIDTH	N/A	N/A	N/A
MIN. LOT DEPTH	N/A	N/A	N/A
MIN. FRONT SETBACK	N/A	N/A	N/A
MIN. INTERIOR SIDE SETBACK	N/A	N/A	N/A
MIN. CORNER SIDE SETBACK	N/A	N/A	N/A
MIN. REAR YARD SETBACK	N/A	N/A	N/A
BUILDING COVERAGE	N/A	N/A	N/A
IMPERVIOUS SURFACE COVERAGE	N/A	N/A	N/A
BUILDING HEIGHT	N/A	N/A	N/A
BUILDING HEIGHT SETBACK PLANE	N/A	N/A	N/A
LOADING*	N/A	N/A	N/A
PARKING*	N/A	N/A	N/A

*\*If there are parking or loading requirements for the Subject Property, please provide detailed calculation of both the required and proposed number of spaces.*

**REQUIRED DOCUMENTATION:** All required documents must be submitted in hard copy and in digital form.

- ~~STATEMENT OF AGREEMENT TO REIMBURSE COSTS (separate document)~~
- ~~PROOF OF OWNERSHIP (current title policy report or deed and current title search)~~
- ~~LEGAL DESCRIPTION~~
- ~~PLAT OF SURVEY (certified by registered land surveyor)~~
- ~~NEIGHBORING OWNERS/AFFIDAVIT OF MAILING\* (see page 3)~~

\* The Applicant must notify the occupants/tax assesses (as shown on the records of the Proviso Township Assessor) of all properties located within 250 feet of the boundary lines of the Subject Property, excluding public rights-of-way (see §3.3 of Zoning Code) of the date, time, place and purpose of the hearing on the Map Amendment. The Village will prepare a legal Notice of Hearing. Applicant must mail the Notice not less than 15 nor more than 30 days prior to the scheduled hearing date to all occupants/tax assesses. The applicant/agent must then fill out, sign, and notarize the Affidavit of Mailing form, returning that form and the list of all persons, addresses and PIN numbers to which Notice was sent, to the Village.



**SUMMARY OF PROPOSED MAP AMENDMENT:** (Attach additional pages if necessary)

The Village is proposing to rezone the property at 630 Beach Avenue from single-family residential (R-1) to multi-family residential (R-4). This property was zoned multi-family residential prior to the 2011 adoption of a new zoning code and zoning map; at which time the property was rezoned to single-family residential. As the property is currently a four unit single-story structure, the Village is seeking to rezone it back to R-4 multi-family residential.

**STANDARDS FOR A ZONING MAP AMENDMENT:** The Planning and Zoning Commission recommendation and the Village Board of Trustees' decision on any zoning map amendment is a matter of legislative description that is not controlled by any specific standard. However, in making their recommendation and decision, the Planning and Zoning Commission and the Village Board of Trustees shall consider the standards noted below (you may attach additional pages if necessary).

***a. Compatibility with the existing use and zoning of nearby property.***

The uses to the north, south and east of the subject property are primarily single-family, with some multi-family properties sprinkled in. The subject property has been a four-unit structure since it was constructed and has not had a detrimental impact on neighboring properties. As a single story structure, aesthetically, it blends with the other homes in the neighborhood.

The existing four-family structure was built at a time with it was zoned for multi-family up to four units. The properties to the north and south shared the same zoning but were not developed as multi-family structures.

***b. The extent to which the property values of the Subject Realty are diminished by the existing zoning.***

The subject property is a four-family dwelling. It was previously zoned for multi-family residential (up to four units) prior to 2011. When the subject property was rezoned to the single-family residence district it became legal non-conforming. The legal non-conforming status limits the ability of the property owner to rebuild the structure should it sustain damage exceeding 50% of its market value. Consequently, the property owners and potential buyers of the property cannot obtain (or will have difficulties in obtaining) financing for the purchase or refinancing of the subject property, which limits the pool of potential buyers – potentially reducing the fair market value of the property.

The existing zoning also discourages reinvestment by the property owner. There is little incentive to reinvest in the property if that invest cannot be recouped with the sale of the property. The proposed rezoning would bring the subject property into compliance and would allow for rebuilding as a four family dwelling if severely damaged. As a result, the property value of the subject property will be preserved and reinvestment in these structures will no longer be discouraged.

***c. The relative gain to the public, as compared with the hardship imposed upon the Applicant.***

There is no hardship imposed on the Village (the Applicant) as a result of the current or proposed zoning. The hardship is borne by the owner of the subject property. The purpose of the rezoning is to align the



zoning with the existing lands use of the property. This will help retain the property value for the existing owner and encourage reinvestment in the property.

- d. The suitability of the Subject Property for the purposes for which it is presently zoned, i.e. the feasibility of development of the Subject Property for one (1) or more of the uses permitted under the existing zoning classification.***

The existing zoning classification is R-1 Single Family Residence District. The property was developed as a four-family dwelling unit, which was permitted under the zoning code at that time. Given the current structure, property value and location, it is unlikely that it would be sold and purchased by someone looking to demolish the existing structure and build a single-family home.

- e. The length of time the Subject Property has been vacant, as presently zoned, considered in the context of development in the area where the Subject Property is located.***

The subject property is currently being utilized as a four family dwelling.

- f. The evidence, or lack of evidence, of community need for the use proposed by Applicant.***

The proposed rezoning would allow a use (four family dwelling) that already exists on the subject property. The units continue to remain occupied, which is evidence there continues to be a need for these uses in this area.

- g. The consistency of the proposed amendment with the Comprehensive Plan.***

The 2006 Comprehensive Plan designates the subject property as single-family residential. The rezoning of the property that occurred in 2011 was done, in part, to be consistent with the Comprehensive Plan. The proposed rezoning to four family residence district is inconsistent with the Comprehensive Plan. However, the real estate market has changed substantially since the Comprehensive Plan was adopted and the detrimental financial impacts the owners of the subject property may experience as a result of the rezoning was not foreseen at the time the Comprehensive Plan was adopted or the parcel was rezoned. The Comprehensive Plan could be amended in the future to reflect the four-family use for the subject property.

- h. Whether the proposed amendment will benefit residents of the Village as a whole, and not just the applicant, property owners), neighbors of any property under consideration or other special interest groups, and the extent to which the proposed use would be in the public interest and would not serve solely the interest of the applicant.***

The Village is the applicant and has no direct financial impact in the property (other than potential property tax revenue). The subject property is located along the IHB railroad tracks and the existing (higher) intensity use is appropriate for the location. The rezoning of the subject property back to a four-family dwelling is appropriate given the current location and use of the property.





**i. The extent to which the proposed amendment creates nonconformities.**

The existing land use on the subject property is a four family dwelling. The proposed amendment will not create any non-conformity and will actually eliminate the existing non-conformity, as the four family dwelling is not permitted under the current R-1 single family zoning.

**j. The trend of development, if any, in the general area of the property in question.**

The subject property is currently developed, as are all of the surrounding properties. No new development or redevelopment is anticipated at this time.

**k. Whether adequate public facilities are available, including but not limited to: schools, parks, police and fire protection, roads, sanitary sewers, storm sewers and water lines; or are reasonably capable of being provided prior to development of the uses which would be permitted on the Subject Property if the amendment were adopted.**

There are no proposed changes to the existing public infrastructure serving the subject property. The existing infrastructure is adequate to serve the existing use which is not subject to expansion under the proposed zoning.

**OWNER/APPLICANT REPRESENTATIONS:**

The Owner states that he and/or she consent to the filing of this application and that all information contained herein is true and correct to the best of his and/or her knowledge.

Name of Owner (print): \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Owner: \_\_\_\_\_ Date: \_\_\_\_\_

The applicant certifies that all of the information contained in this application is correct to the best of applicant's knowledge. The applicant understands that an incomplete or nonconforming application will not be considered. In addition, the applicant understands that the Village may require additional information prior to the consideration of this application.

Name of Applicant (print): Village of La Grange Park Date: 6/27/19

Signature of Applicant: [Signature] Date: 6/27/19



### **SIGN REQUIREMENTS FOR ALL PUBLIC HEARINGS**

Under Section 3.3C of the Zoning Code, a sign provided by the Village of La Grange Park must be posted in front of the property at least 15 days, but not more than 30 days prior to the scheduled hearing. The Applicant must maintain the sign during the required time period.

### **APPLICATION FEE**

An application fee of \$500.00, payable to the Village of La Grange Park, must accompany this Application.

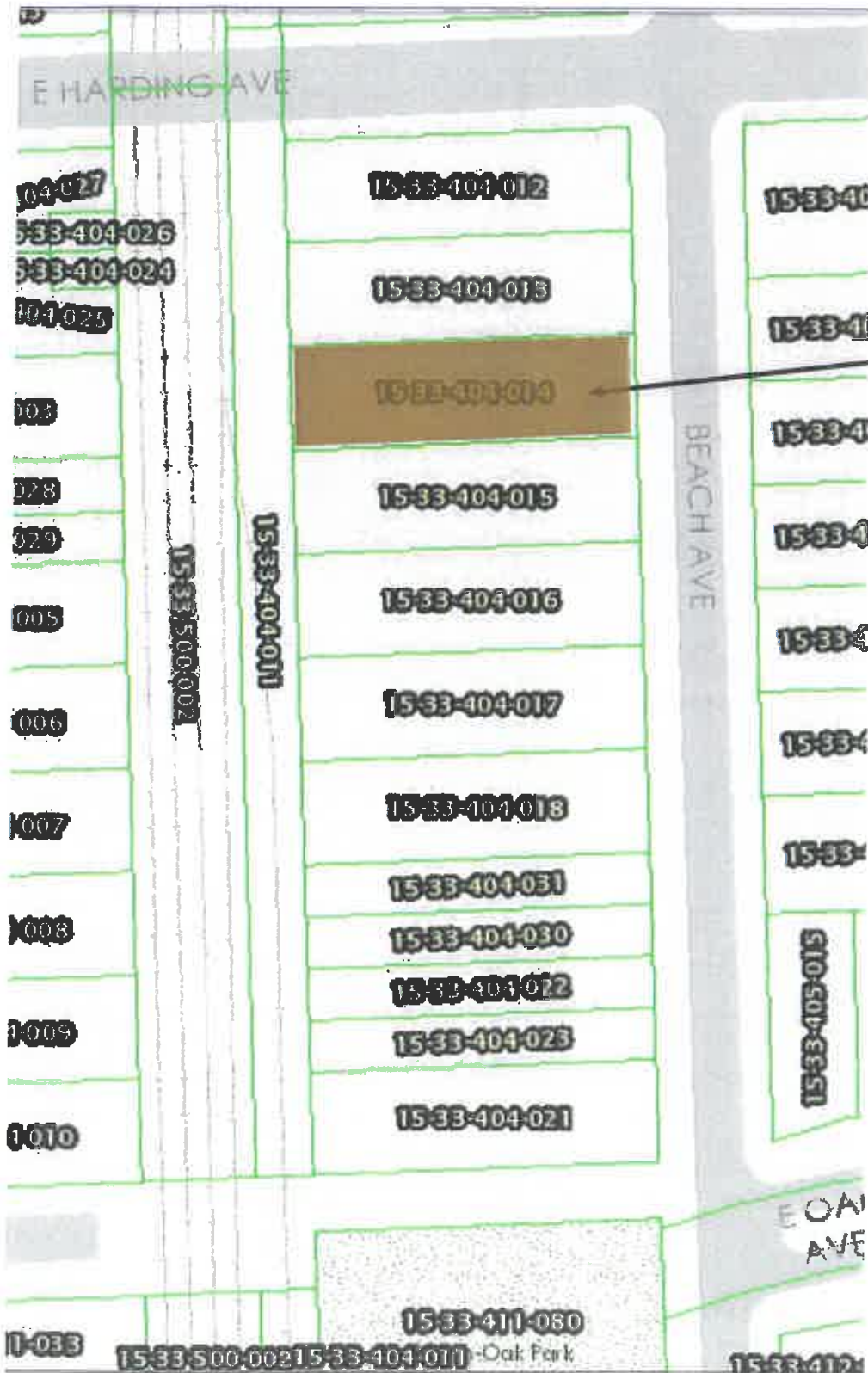
### **REIMBURSEMENT OF FEES REQUIRED DEPOSIT AMOUNT**

A deposit in the amount of \$1,000.00, payable to the Village of La Grange Park, must accompany this Application and the executed Reimbursement of Fees Agreement.

*Revised February 2018*

# Beach Avenue Parcel Map

## Proposed Rezoning



 R-4

630 Beach





630 Beach Avenue





June 28, 2019

Dear Property Owner:

Please find enclosed a copy of a legal notice of public hearing regarding an application by the Village of La Grange Park for a zoning map amendment for the property located at 630 Beach Avenue, La Grange Park, IL 60526. In 2011, the subject property was rezoned from a multi-family residential classification to a single-family residential (R-1) classification. The Village is now seeking to rezone the subject property back to a multi-family residential zoning classification (R-4) in order to reflect the current and historical use of the subject property. No physical modifications are proposed to the property at this time.

The Planning and Zoning Commission will convene a public hearing on Tuesday, July 16, 2019 at 7:00 p.m. in the Board Room of the Village Hall, 447 N. Catherine Avenue, La Grange Park, IL, to consider the application. The public is invited to attend this meeting and provide comments.

A copy of the application is available for review at the Village Hall during normal business hours; Monday through Friday, 8:30 a.m. – 5:00 p.m. The application will also be available on the Village website ([www.lagrangepark.org](http://www.lagrangepark.org)) one week prior to the meeting date, by following the link from the homepage. If your schedule does not permit your attendance at the hearing and you wish to present comments, you may do so by submitting them in writing to the undersigned.

If you have any questions concerning this matter, please contact me at (708) 354-0225 or [erodman@lagrangepark.org](mailto:erodman@lagrangepark.org).

Sincerely,

Emily Rodman, AICP  
Assistant Village Manager  
Village of La Grange Park

**NOTICE OF PUBLIC HEARING BY THE PLANNING & ZONING COMMISSION  
OF LA GRANGE PARK, ILLINOIS**

Notice is hereby given that on July 16, 2019, a public hearing will be held before the Planning & Zoning Commission of La Grange Park, Illinois, in the Village Hall at 447 North Catherine Avenue, at 7:00 p.m. or soon thereafter for the purpose of considering an application for a map amendment to rezone the property located at 630 Beach Avenue, La Grange Park, IL, 60526.

The applicant is the Village of La Grange Park. The applicant is requesting to rezone the subject property from the R-1 Single Family Residence District to the R-4 Multi-Family Residence District. The Application for a zoning map amendment is available for review at the Village Hall, 447 North Catherine Avenue, La Grange Park, Illinois, during normal business hours. All persons interested in providing testimony at the hearing are welcome to do so.

**PLANNING & ZONING COMMISSION  
VILLAGE OF LA GRANGE PARK  
Eric Boyd, Chairman**

# Properties to be Noticed for 630 Beach Avenue Rezoning

