

# UNOFFICIAL COPY

Prepared by:  
Klein Thorpe and Jenkins, Ltd.  
20 North Wacker Drive  
Suite 1660  
Chicago, Illinois 60606  
Attorney Michael T. Jurusik

Prepared on behalf of:  
Village of Western Springs

PINS:  
18-05-302-001-0000  
18-05-302-018-0000  
18-05-302-002-0000



Doc# 1829616072 Fee \$56.00

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 10/23/2018 02:53 PM PG: 1 OF 10

COOK COUNTY, ILLINOIS

RECORDING COVER SHEET  
FOR VILLAGE OF WESTERN SPRINGS

ORDINANCE NO. 18-2934

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT  
FOR THE INSTALLATION AND OPERATION OF  
AN EARLY CHILDHOOD EDUCATION CENTER  
AT THE 4300 HOWARD AVENUE PROPERTY

After recording return to:  
RECORDER'S BOX 324 [MTJ]

RECORDING FEE 56

DATE 10-23-18 COPIES 60

OK BY RJMSD

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STATE OF ILLINOIS     )  
  )ss  
COUNTY OF COOK     )

CLERK'S CERTIFICATE

I, Elaine T. Haeske, Deputy Clerk Of The Village Of Western Springs, In The County Of Cook And State Of Illinois, Do Hereby Certify That Attached Hereto Is A True And Correct Copy Of Board of Trustees Ordinance No. 18-2934 Approving A Conditional Use Permit For The Installation And Operation Of An Early Childhood Education Center At The 4300 Howard Avenue Property Dated September 24, 2018.

IN WITNESS WHEREOF, I Have Hereunto Set My Hand And Affixed The Seal Of The Said Village Of Western Springs This 22nd day of October, 2018.



*Elaine T. Haeske*  
\_\_\_\_\_  
Elaine T. Haeske, Deputy Village Clerk  
Village Of Western Springs

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**ORDINANCE NO. 18-2934****VOTE: Passed by an omnibus vote.****Voting aye: Trustees Hanson, Allen,****Rudolph, Tyrrell and President****Gallagher.****Voting nay: None.****Absent: Trustees Siffermann and Tymick.****DATE: September 24, 2018****OTHER:****AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR THE INSTALLATION AND OPERATION OF AN EARLY CHILDHOOD EDUCATION CENTER AT THE 4300 HOWARD AVENUE PROPERTY.**

**WHEREAS**, the LaGrange Area Department of Special Education (Executive Director: Ellie Ambuehl) (the "Applicant") has filed an application (the "Application") pursuant to Section 10-3-14, et seq. of the Western Springs Development Control Ordinance ("DCO") seeking a Conditional Use Permit for the installation and operation of an early childhood education center ("early childhood education center") (the "Zoning Relief"), at the 4300 Howard Avenue property (the "Property"), which currently is improved and used as a church owned by the First United Methodist Church of Western Springs (the "Property Owner"). The Applicant is an anticipated tenant of the Property and has filed the Application with the consent of the Property Owner. The legal description of the Property is set forth on **EXHIBIT "A"** attached hereto and made a part hereof; and

**WHEREAS**, if approved, the early childhood education center will be installed within and operated out of the church located on the Property. The Applicant will be the operator of the early childhood education center, which is a school use listed as a conditional use under Section 10-6-3(B) (R2 – Single Family Residence District; Conditional Uses) of Chapter 6 (Residential District Regulations) of Title 10 of the DCO. The Village's Comprehensive Land Use Plan designates the Property as "educational and institutional"; and

**WHEREAS**, the Applicant initially submitted an Application dated November 22, 2015, and then submitted an updated Application in 2018 with supporting documents, to petition for approval of the Zoning Relief, which included a cover letter signed by the Applicant's Executive Director, dated January 30, 2018, with further revisions dated May 1, 2018; a Traffic Plan for LADSE Communication Development and Phonological Classrooms at First United Methodist Church of Western Springs (undated) (the "Traffic Plan"); a First Floor Education Wing Floor Plan for the Property (undated); a Basement Level Education Wing Floor Plan for the Property (undated); a Location Plan with Zoning of the Property (undated); Photographs/Architectural Elevations for the Property (undated); the Applicant's List of Participating School Districts (undated); and LADSE / Drop Off and Pick Up Plan (undated); (collectively referred to as the "Site Plan and Development Plans"). The Site Plan and Development Plans are on file with the Village and are incorporated herein by reference as **GROUP EXHIBIT "B"** and made a part hereof; and

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**WHEREAS**, pursuant to notice published in a newspaper and posted as required by State law and the Village Code, a public hearing was conducted on August 13, 2018 (the "Public Hearing"), by the Western Springs Plan Commission, to consider the requested relief sought in the Applicant's Application; and

**WHEREAS**, after closing the Public Hearing on August 13, 2018, the Plan Commission approved Recommendation No. 18-01 relative to the Applicant's Application, and the Plan Commission favorably recommended approval of the Zoning Relief and the Site Plan and Development Plans, subject to certain recommendations and conditions. A copy of Recommendation No. 18-01 is incorporated herein by reference as **EXHIBIT "C"** and made a part hereof; and

**WHEREAS**, the Village Board, at the September 10, 2018 Workshop Meeting and the September 24, 2018 Village Board Meeting, considered the findings and recommendations made by the Plan Commission in Recommendation No. 18-01 and approved and adopted the findings and recommendations of the Plan Commission set forth in Recommendation No. 18-01 (attached hereto as **EXHIBIT "C"**), and incorporate such findings and recommendations by reference into this Ordinance as if they were fully set forth herein; and

**WHEREAS**, in accordance with the authority granted by Sections 11-13-1 and 11-13-1.1 of the Illinois Municipal Code (65 ILCS 5/11-13-1 and 11-13-1.1) and Title 10 (Development Control Ordinance), Chapter 3 (Administrative Bodies and Procedures), Subsection 10-3-14 (Conditional Use) of the Western Springs Municipal Code of 1997, as amended, the President and Board of Trustees of the Village of Western Springs find that it is in the best interests of the Village to approve the Application, the Requested Zoning Relief, and the Site Plan and Development Plans, subject to the attached Exhibits and the conditions set forth in Section 3 below of this Ordinance.

**BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF WESTERN SPRINGS, COOK COUNTY, ILLINOIS, AS FOLLOWS:**

**SECTION 1:** The Whereas paragraphs set forth above are material provisions of this Ordinance and are incorporated into this Section 1 by reference and made a part hereof.

**SECTION 2:** The President and Board of Trustees of the Village of Western Springs grant the following approvals relative to the Application, **SUBJECT TO THE CONDITIONS SET FORTH IN SECTION 3 BELOW:**

A. Approval of a Conditional Use Permit for the Applicant for the purpose of installing and operating an early childhood education center on the Property in accordance with the final version of the Village Board-approved Site Plan and the Development Plans.

**SECTION 3:** The approval of the Application and the Site Plan and Development Plans granted in Section 2 above are subject to the following:

A. Approval by the President and Board of Trustees of the final versions of the Site Plan and Development Plans, after amendments are made to address the plan reviews performed by the Village staff, the Village Engineer and the conditions required by the Village Board.

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B. The installation of the early childhood education center and all on-site improvements shall be constructed in substantial conformance with the final version of the Site Plan and Development Plans, as approved by the Village Board, and shall conform to all applicable Village Codes and those of other applicable units of government, except as otherwise modified by this Ordinance and the Ordinance that approves the final version of the Site Plan and Development Plans.

C. The President of First United Methodist Church of Western Springs (Property Owner) and the Executive Director of the LaGrange Area Department of Special Education (Applicant), and their successors in interest, agree to execute the Acknowledgment Page attached to this Ordinance and to abide by the conditions, terms and provisions set forth in this Ordinance.

**SECTION 4:** The sections, terms, provisions and conditions of this Ordinance shall be severable, and if any section, term, provision or condition is found to be invalid or unenforceable for any reason by a court of competent, final jurisdiction, the remaining sections, terms, provisions and conditions shall remain in full force and effect.

**SECTION 5:** Any Ordinance, or portion thereof, in conflict with this Ordinance is repealed to the extent of such conflict. The terms, provisions and conditions set forth in this Ordinance, including those incorporated herein by reference, are covenants that run with the land and shall be released or amended only upon the written consent of the Village Board.

**SECTION 6:** This Ordinance shall be in full force and effect from and after its adoption and approval as provided by law.

**SECTION 7:** A certified copy of this Ordinance shall be recorded against title to the Subject Property with the Cook County Recorder of Deeds Office ("CCRD") by the Village, at the Applicant's cost. The Village shall provide the Applicant with stamped copies of this Ordinance after it is filed with the CCRD.

**PASSED** by the Board of Trustees of the Village of Western Springs, Cook County, Illinois, at a Regular Meeting thereof, held on the 24th day of September, 2018, and approved by the Village President on the same day.

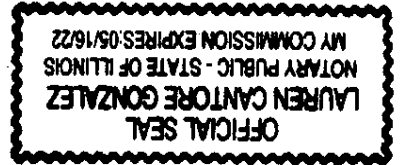
  
 \_\_\_\_\_  
 Alice F. Gallagher, Village President

ATTEST:

  
 \_\_\_\_\_  
 Bridget M. Fitzgerald, Village Clerk

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**ACKNOWLEDGMENT AND AGREEMENT  
TO COMPLY WITH THE CONDITIONS, TERMS AND PROVISIONS  
SET FORTH IN WESTERN SPRINGS ORDINANCE NO. 18-?????**



First United Methodist Church of Western Springs (Property Owner)

By: [Signature]  
Name: David Stone  
President

By: Lauren Cantore Gonzalez  
Name: Lauren Cantore  
Notary Public

Date: 10-4-18

Date: 10/9/2018  
Commission Expires: 5/16/22

LaGrange Area Department of Special Education (Applicant)

By: [Signature]  
Name: Ellie Ambuehl  
Executive Director

By: [Signature]  
Name: Therese M. McGann  
Notary Public

Date: 10/3/18

Date: 10-3-18  
Commission Expires: 12-4-18



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## JURAT/AFFIDAVIT CERTIFICATE

State of Illinois

County of DuPage

Signed and sworn (or affirmed) to before me on October 9th 2018 (date) by

DAVID STONE (name of person) as TRUSTEE CHAIR

(type of authority) of 1st UNITED METHODIST CHURCH (name of party on behalf of whom instrument was executed).

(seal)



signature of notary public

This certificate is attached to a document dealing with/entitled zoning for

1st united church

Property of Cook County Clerk's Office

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## EXHIBIT "A"

### **Legal Description:**

LOTS 1, 8, AND 9 IN BLOCK 26 IN "FIELD PARK", A SUBDIVISION OF THE WEST 5/8 OF THE WEST HALF OF SECTION 5, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

**PIN Numbers:** 18-05-302-001-0000  
18-05-302-018-0000  
18-05-302-002-0000

**Common Address:** 4300 Howard Avenue  
Western Springs, Illinois 60558



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## GROUP EXHIBIT "B"

Application dated November 22, 2016, and updated in 2018 with the following supporting documents:

- Cover letter signed by the Applicant's Executive Director, dated January 30, 2018;
- Traffic Plan for LADSE Communication Development and Phonological Classrooms at First United Methodist Church of Western Springs (undated);
- First Floor Education Wing Floor Plan for the Property (undated);
- Basement Level Education Wing Floor Plan for the Property (undated);
- Location Plan with Zoning for the Property (undated);
- Photographs/Architectural Elevations for the Property (undated);
- Applicant's List of Participating School Districts for the Property (undated); and
- LADSE / Drop Off and Pick Up Plan (undated).

(on file with the Village and incorporated by reference and made a part hereof)

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EXHIBIT "C"

Western Springs Plan Commission  
Recommendation No. 18-01

(to be filed with the Village and incorporated by reference and made a part hereof)

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