



VILLAGE OF NORRIDGE

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Zoning Board of Appeals

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Zoning Board of Appeals Meeting Minutes

Village of Norridge

The Zoning Board of Appeals of the Village of Norridge, Cook County, Illinois
Convened on the 14th day of November, 2016, 7:30 P.M. at its regular meeting place,
4000 N. Olcott Avenue, Norridge, IL 60706

The meeting was called to order by Chairperson Magnuson and upon roll call the following named members answered present:

Roll Call: Present: Janice Magnuson, Chairperson
Allan Budnik, Secretary
Wayne Jarosz, Member
Richard Thompson, Member
Andy Ronstadt, Member

Absent: Christopher Miroslaw, Member
Andrew Cichon, Member

Also attending: Joan Cherry, Village Attorney
Brian Gaseor, Village Engineer
Dianne M. Sofiak, Court Reporter

Approval of Minutes - Motion

To approve the Committee Minutes of 3 October, 2016 was made by Mr. Ronstadt, seconded by Mr. Thompson. A voice vote was taken with no objections. **MOTION CARRIED**

Update on Future Cases

Mr. Gaseor advised the Board that there may be a case in December regarding a bank.

Discussion: CMAP Recommendations

The board tabled this item for the continuance meeting.

Hearings

The Chairperson opened the hearings by reading the rules and having all attendees sworn in.

The cases were held not in sequential order.

CASE # 614 – 4208 N. Harlem Ave.

To consider a petition requesting a special use under the requirements of Article X-B-3 General Business District Section 5, Special Uses of the Zoning Ordinance of the Village of Norridge 1962, for





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the purpose of adding permanent (tattoo) cosmetic (make-up) to the list of services provided by the business on the following described property:

UNIT 88 (APPROXIMATELY 1702 SQ FT) LOCATED IN THE NORTHEAST END OF THE HARLEM IRVING PLAZA WHICH IS LEGALLY DESCRIBED AS TRACT A
THE SOUTH ½ OF THE EAST ½ OF THE SOUTH ½ OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 13, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY ILLINOIS.

The property is commonly known as 4208 N. Harlem Avenue in Norridge, Illinois.

Pilar Coellar presented the case on her own behalf. She stated that the procedures are micro-blading unlike a regular tattoo. It lasts about 2 years. There are no machines, only manual operation of the blade. She stated that the procedures are only to the face.

Comments from attendees: None

Findings: No items to note.

Motion: A motion was made by Mr. Ronstadt, seconded by Mr. Thompson to recommend to the Village Board to grant the special use for the purpose of adding a permanent tattoo cosmetic make-up business to the above listed property..

A roll call was taken: (5) Yea, (0) No, **MOTION CARRIED**

Case Closed

CASE # 612 – Harlem Irving Companies – 4510 to 4520 Harlem Avenue

To consider a text amendment to Article X-A-1 “B-5” Retail Business District pursuant to Article XV entitled “Administration” of the Village of Norridge Zoning Ordinance, so as to maintain its relevance to current land use and development patterns and trends, to encourage harmonious and integrated development in the Village, protect property values and ensure that “B-5” Retail Business District uses are those which derive at least 75% of their gross income from retail sales tax generating uses, excepting certain theater, government, and amusement establishment uses.

The topics to be addressed at the public hearing on the proposed text amendments to Article X-A-1 include, but may not be limited to the following:

(1) Article X-A-1 - Section 2 - Permitted Uses - to include the following proposed additional retail uses as permitted uses in the “B-5” Retail Business District: variety store; stationery store; art and school supply stores; retail bakery; specialty food stores; appliance and electronic equipment stores;



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drug stores and pharmacies (including ancillary general merchandise); specialty home improvement retail stores (including for example plumbing supplies, tile, and other similar uses); specialty retail store (including hardware, china, hobby and other similar uses; specialty clothing stores; auto accessory store (not including automobile repair or fueling); pet supply stores (not including animal hospitals and kennels).

(2) Article X-A-1 - Section 3 - Special Uses - to include the following proposed additional uses as special uses in the "B-5" Retail Business District: all restaurants; pet supply stores (with animal hospitals and kennels as ancillary uses only); first run movie theater; live performance theater; and, an enhanced definition of amusement establishment.

(3) Article X-A-1 - Section 4- Prohibited Uses - to include the following proposed prohibited uses in addition to those uses already prohibited in the "B-5" Retail Business District: general office; banks; manufacturing; warehousing; uses emitting outdoors obnoxious odors or noises; mobile home park; junkyard; garbage; sale of or exhibiting X rated or pornographic or "obscene" material or partially clothed dancers or wait staff; sales of drug-related paraphernalia; flea market; gambling facility (unless government licensed); house of worship; sales, leasing or display of used automobiles, truck, trailers, or recreational vehicles; body shop repair operations; bowling alley or skating rink; living quarters, hotel rooms or other residential uses; health spa, fitness center or workout facility; gasoline stations and car washes; pool, billiard halls; non-first run movie theaters; veterinary hospital, animal raising or boarding facility (not ancillary to pet supply stores); cemetery, mortuary or funeral home; businesses with reasonably projected annual gross revenues from the sale of alcoholic beverages for on-premises or off-premises consumption exceeding forty percent (40%) of gross revenues; second hand store, consignment shop, surplus store, head shop, or pawn shop; fire sale, bankruptcy sale or auction house operation; laundry, dry cleaning plant or laundromat; training or educational facility, including beauty schools barber colleges, reading rooms, places of instruction; any other use which is inconsistent with the operation of a first-class retail shopping operation or prohibited by any act, statutes or ordinance.

(4) Article X-A-1 - Section 5 - Required Conditions; Proposed Section 8 - Landscaping, Buffering and Lighting - to include additional conditions for buffering and landscaping; and, a proposal to amend the current text to include a new section 8 regarding buffering, landscaping and lighting requirements.

(5) Such other zoning amendments as may be determined to be appropriate as identified in the course of the public hearing.

Brian Gaseor presented the case.

Comments from attendees: None



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Findings:

(a) Existing uses of property within the general area of the property in question and their relationship to one another.

[The existing uses of the properties are harmonious and the properties are being redeveloped in a harmonious manner. The text revisions are designed to encourage vibrant, more and more diverse retail uses.]

(b) The zoning classification of property within the general area of the property in question and their relationship to one another.

[The uses of the properties should be harmonious and the revisions are designed to encourage more, vibrant, and more diverse retail uses.]

(c) The suitability of the property in question for the uses permitted under the existing zoning classification.

[Properties are suitable for the uses permitted and are being redeveloped within the existing and revised B-5 classification.]

(d) The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was placed in its present zoning classification and that the trend is consistent with the proposed amendment.

[Trend is for retail and text amendments are designed to encourage more retail and more diverse retail.]

(e) Where applicable, the length of time the property in question has been vacant or unutilized as currently zoned.

[The area has been vacant or underutilized starting in 2007 and the vacancies became more numerous over time.]

Taking into consideration all of the above in reviewing the proposed text amendments to the B-5 District, the ZBA finds that the proposed amendments are reasonably necessary to the promotion of the public health, safety or general welfare of the Village and recommends these amendments to the B-5 District to the Board of Trustees.

Motion: A motion was made by Mr. Jarosz, seconded by Mr. Thompson to recommend to the Village Board to grant the text amendment change.

A roll call was taken: (5) Yea, (0) No, **MOTION CARRIED**

Case Closed



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CASE # 615 –

To consider a petition by the Village of Norridge, 4000 North Olcott Avenue, Norridge, Illinois, 60706, for a zoning text amendment pursuant to Article XV entitled “Administration”, Article XI, Section 5 Special Uses, and Article XI-A “Planned Unit Developments” of the Village of Norridge Zoning Ordinance.

The topics to be addressed at the public hearing on the proposed text amendments to Article XI-A includes, but may not be limited to the following:

To amend Article XI-A Planned Unit Developments including, but not limited to, Article XI-A, Section 3 - Location, Section 4 - Minimum Area, Section 5 - Permitted Uses to remove planned unit developments from the B-5 Retail Business District.

To amend Article XI “M” Light Manufacturing District including but not limited to Article XI, Section 5, Special uses to include planned unit developments for any use on a lot four tenths (0.4) acres in area or larger.

Such other zoning amendments as may be determined to be appropriate as identified in the course of the public hearing.

The case was presented by Brian Gaseor.

Items explained – “M” will only be in P.U.D., B-5 comes out of P.U.D., P.U.D. items regarding appearance and the like will remain in B-5.

Comments from attendees: None

Findings:

(a) Existing uses of property within the general area of the property in question and their relationship to one another.

[The existing uses of the properties are harmonious and the properties are being redeveloped in a harmonious manner. The text revisions are designed to encourage vibrant, more and more diverse retail uses.]

(b) The zoning classification of property within the general area of the property in question and their relationship to one another.

[The uses of the properties should be harmonious and the revisions are designed to encourage more, vibrant, and more diverse retail uses.]

(c) The suitability of the property in question for the uses permitted under the existing zoning classification.



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[Properties are suitable for the uses permitted and are being redeveloped within the existing and revised B-5 classification.]

(d)The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was placed in its present zoning classification and that the trend is consistent with the proposed amendment.

[Trend is for retail and text amendments are designed to encourage more retail and more diverse retail.]

(e)Where applicable, the length of time the property in question has been vacant or unutilized as currently zoned.

[The area has been vacant or underutilized starting in 2007 and the vacancies became more numerous over time.]

Taking into consideration all of the above in reviewing the proposed text amendments to the B-5 District, the ZBA finds that the proposed amendments are reasonably necessary to the promotion of the public health, safety or general welfare of the Village and recommends these amendments to the B-5 District to the Board of Trustees.

Motion: A motion was made by Mr. Ronstadt, seconded by Mr. Jarosz to recommend to the Village Board to grant the text amendments

A roll call was taken: (5) Yea, (0) No, **MOTION CARRIED**

Case Closed

CASE # 616 – 4510 to 4520 North Harlem Avenue

To consider a petition by the Village of Norridge, 4000 North Olcott Avenue, Norridge, Illinois, 60706, for a zoning map amendment pursuant to Article XV entitled "Administration" of the Village of Norridge Zoning Ordinance:

To repeal the PUD Overlay zone from all properties currently classified as "B-5" Retail Business District which includes properties with the following PIN numbers PIN: 12-13-222-003-0000; and PIN: 12-13-222-004-0000, bearing the address of 4510 to 4520 North Harlem Avenue, in the Village of Norridge, Cook County, Illinois and legally described as follows:

NORTH PROPERTY:

PARCEL 1:

THAT PART OF THE SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE WEST 33 FEET THEREOF TAKEN FOR OKETO AVENUE, AND



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EXCEPT THAT PART CONDEMNED IN PROCEEDINGS IN THE CIRCUIT COURT OF COOK COUNTY, IN CASE NUMBER 99L50494), LYING EAST AND SOUTH OF A LINE DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF SAID SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, 503 FEET WEST OF THE NORTHEAST CORNER OF SAID SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, 162.00 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, 47.0 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, 168.44 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 THAT IS 550.0 FEET WEST OF THE SOUTHEAST CORNER OF SAID SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THE SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE WEST 33 FEET THEREOF TAKEN FOR OKETO AVENUE, AND EXCEPT THAT PART CONDEMNED IN PROCEEDINGS IN THE CIRCUIT COURT OF COOK COUNTY, IN CASE NUMBER 99L50494), EXCEPT THE FOLLOWING:

THAT PART LYING EAST AND SOUTH OF A LINE DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF SAID SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, 503 FEET WEST OF THE NORTHEAST CORNER OF SAID SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, 162.00 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, 47.0 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, 168.44 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 THAT IS 550.0 FEET WEST OF THE SOUTHEAST CORNER OF SAID SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, ALL IN COOK COUNTY, ILLINOIS;

TOGETHER WITH THE BENEFITS AND EASEMENTS AS SET FORTH IN THAT CERTAIN DECLARATION OF EASEMENTS BY NORRIDGE REALTY CORPORATION RECORDED OCTOBER 23, 1986 AS DOCUMENT NUMBER 86495642.

To also repeal the PUD Overlay zone from the property located at 4474 North Harlem Avenue, in Norridge, Illinois, currently classified as "M" Restricted Light Manufacturing



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District (with PUD overlay), bearing PIN Number PIN: 12-13-222-018-0000, which is currently the subject of a pending petition (Zoning Board of Appeals Case Number 611 heard by the Zoning Board of Appeals on October 3, 2016) to rezone the property located at 4474 North Harlem Avenue, in the Village of Norridge, Cook County Illinois, from the current zoning “M” Restricted Light Manufacturing District (with PUD overlay) to “B-5” Retail Business District, and legally described as:

THAT PART OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, BEGINNING AT A POINT ON THE EAST LINE, 470.40 FEET NORTH OF THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION; THENCE WEST AND PARALLEL TO THE SOUTH LINE 465.35 FEET; THENCE NORTH 190.44 FEET TO A POINT ON THE NORTH LINE; THENCE EAST 473.22 FEET TO THE NORTHEAST CORNER OF PROPERTY; THENCE SOUTH ALONG THE EAST LINE 190.60 FEET TO THE POINT OF BEGINNING (EXCEPT THAT PART IN HARLEM AVENUE ALSO EXCEPTING THEREFROM THAT PART TAKEN BY THE DEPARTMENT OF TRANSPORTATION IN CASE 99L50586), IN COOK COUNTY, ILLINOIS.

The case was presented by Brian Gaseor.

Comments from attendees: None

Findings:

- (a) That the existing uses of property within the general area of the property in question and their relationship to one another are compatible with the proposed map amendment to this district.
- (b) That the zoning classification of existing properties within the general area of this district and their relationship to one another are fully accommodated by the proposed map amendment to this district.
- (c) That existing properties are well suited in this district for the uses permitted under the planned unit development overlay in the existing zoning classification and for the uses in the zoning district set forth in the proposed map amendment.
- (d) That the trend of development in this district, including changes, if any, which may have taken place since the day the existing properties in the district were placed in their present zoning classification is consistent with the change in zoning districts in the proposed map amendment.
- (e) The proposed map amendment is designed to encourage redevelopment of property that has been vacant, underutilized, or unutilized.



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(f) That the proposed map amendment is reasonably necessary to the promotion of the public health, safety or general welfare of the Village.

Motion: A motion was made by Mr. Thompson, seconded by Mr. Ronstadt to recommend to the Village Board to grant the zoning map amendment.

A roll call was taken: (5) Yea, (0) No, **MOTION CARRIED**

Case Closed

CASE # 617 - 4474 North Harlem Avenue

To consider a petition by the Village of Norridge and Agatite Partners LLC managed by affiliates owned by The Harlem Irving Companies and Hamilton Partners, for the purpose of repealing Ordinance 1849-16 previously granting a planned unit development and attendant special uses and variations and now repealing and/or saving and reenacting certain special uses and saving and reenacting previously approved variations affecting the development of the subject property (legally described herein below) for restaurant use and amusement establishment use and other relief as may be necessary from the following sections of the Village of Norridge Zoning Ordinance to allow the development of the subject property (legally described herein below) for restaurant and amusement use,

The topics to be addressed at the public hearing include, but may not be limited to the following:

The following is sought for the property legally described herein below:

Repeal the Preliminary Plat of Planned Unit Development (“PUD”) for the property (Ordinance 1849-16).

Repeal Section Two of Ordinance 1849-16 granting approval of a plat of PUD.

Repeal Section Three A, Subsections 1, 2 and 4 of Ordinance 1849-16 granting the following special uses:

- a. Subsection 1, to wit: a PUD Special Use for a use which is greater than .40 acres in size and located in the Village’s “M” Restricted Light Manufacturing District (“M District”)(Article XI-A, Section 3 and 5 of the Zoning Ordinance) and restating as a permitted use in a B-5 Retail Business District (“B-5 District”) (said permitted use to be separately and concurrently adopted for the B-5 District in Case #612 currently pending before the Zoning Board of Appeals (“ZBA”).



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b. Subsection 2, to wit: a special use for a Restaurant, Including Alcoholic Beverages (Article X-A-1 Section 3.3) and restating as a permitted use in a B-5 Retail Business District (said permitted use to be separately and concurrently adopted for the B-5 District in Case #612 currently pending before the ZBA).

c. Subsection 4, to wit: a special use for an accessory use to a restaurant use for the outdoor service of food and beverages (Article X-A-1 Section 3.9) and restating as a permitted use in a B-5 District (said permitted use to be separately and concurrently adopted for the B-5 District in Case #612 currently pending before the ZBA).

Save, reenact and restate Section Three A, Subsection 3 of Ordinance 1849-16 granting a special use for an Amusement Establishment in the B-5 Retail Business District (Article X-A-1 Section 3.2), this special use to be separately and concurrently restated for the B-5 District in Case #612 currently pending before the ZBA.

Variation 1. Save, reenact and restate the previously granted variation from Article XI-A,6.3(a) Parkway Trees in Section Three B, Subsection Variation 1 of Ordinance 1849-16 and restate as a variation to the design standards to be separately and concurrently adopted for the B-5 District (said regulations to be separately and concurrently restated and adopted for the B-5 District in Case #612 currently pending before the ZBA).

Variation 2. Save, reenact and restate the previously granted variation from Article XI-A,6.3(c)(1) Minimum Landscape Requirements - Landscape Buffer and Screening Requirements for Off-Street Parking Lots in Section Three B, Variation 2 of Ordinance 1849-16, and restate as variations to the design standards adopted for the B-5 District (said regulations to be separately and concurrently restated and adopted for the B-5 District in Case #612 currently pending before the ZBA).

Variation 3. Save, reenact and restate and the previously granted variation from Article XI-A,6.4 Lighting, in Section Three B, Subsection Variation 3 of Ordinance 1849-16, and restate as variations to the design standards for the B-5 District (said regulations to be separately and concurrently restated and adopted for the B-5 District in Case #612 currently pending before the ZBA).

Variation 4. Repeal the previously granted variations from Article XI-A,6.5 Driveway, Driveway Apron, and Parking Lot Construction in Section Three B, Subsection Variation 4 of Ordinance 1849-16 and restate and replace with the specifications therefore to be at the review and approval of the Village Engineer (said regulations to be separately and concurrently restated and adopted for the B-5 District in Case #612 currently pending before the ZBA).

Variation 5. Repeal the previously granted variations from Article XI-A, Public Improvements: Section 6.6(b) in Section Three B, Subsection Variation 5 of Ordinance 1849-16, and restate and replace with the specifications therefore to be at the review and approval of the Village Engineer (said regulations to be separately and concurrently restated and adopted for the B-5 District in Case #612 currently pending before the ZBA).



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Repeal, save, reenact and restate, in whole or in part, those other terms and conditions stated in Ordinance 1849-16 affecting the use and development of the property legally described herein.

Repeal and/or save, reenact and restate in whole or in part previously approved exhibits (including Group Exhibit E) to Ordinance 1849-16.

The relief requested from the specified regulations set forth in the Village of Norridge Zoning Ordinance is for the property at located at 4474 North Harlem Avenue, consisting of approximately 1.876 Acres), currently classified as “M” Restricted Light Manufacturing District (Article XI) (with PUD Overlay District (Article XI-A), bearing PIN Number: 12-13-222-018-0000, the reclassification of the property from M to B-5 is currently the subject of a pending petition (Zoning Board of Appeals Case Number #611 heard by the ZBA on October 3, 2016), to reclassify and rezone the property located at 4474 North Harlem Avenue, in the Village of Norridge, Cook County Illinois, from the current zoning “M” District (with PUD overlay) to “B-5” Retail Business District, and legally described as:

THAT PART OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, BEGINNING AT A POINT ON THE EAST LINE, 470.40 FEET NORTH OF THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION; THENCE WEST AND PARALLEL TO THE SOUTH LINE 465.35 FEET; THENCE NORTH 190.44 FEET TO A POINT ON THE NORTH LINE; THENCE EAST 473.22 FEET TO THE NORTHEAST CORNER OF PROPERTY; THENCE SOUTH ALONG THE EAST LINE 190.60 FEET TO THE POINT OF BEGINNING (EXCEPT THAT PART IN HARLEM AVENUE ALSO EXCEPTING THEREFROM THAT PART TAKEN BY THE DEPARTMENT OF TRANSPORTATION IN CASE 99L50586), IN COOK COUNTY, ILLINOIS.

The property is commonly known as 4474 North Harlem Avenue, in Norridge, Illinois.

In addition to the specific relief stated herein, the applicants seek such other zoning relief that may be necessary to permit the construction and operation of the proposed improvements on the property legally described herein.

Brian Gaseor presented the case.

Comments from attendees: None

Findings:

Pursuant to Article XV, Section 5.2 of the Zoning Ordinance the ZBA finds and recommends repeal of the Agatite Harlem PUD, amendments to Ordinance 1849-16, and repeal of portions of Ordinance 1849-16 related to the PUD and the .4 Acres PUD Special Use”, and Restaurant Special Use and restating of the Variations and the Amusement Establishment Special Use. The ZBA finds:



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A. That the existing uses of property within the general area of the property in question and their relationship to one another are compatible with the repeal of the Agatite Harlem PUD, the amendments to Ordinance 1849-16, the repeal of portions of Ordinance 1849-16, and the additional uses and amendments in the Revised B-5 district.

B. That the zoning classification of existing properties within the general area of this district and their relationship to one another are fully accommodated by the repeal of the proposed additional uses and amendments to the Revised B-5 district zoning.

C. That existing properties are well suited in this district for the uses permitted under the existing zoning classification and for the proposed additional uses and amendments in the Revised B-5 district and the proposed repeal of the Agatite Harlem PUD, the amendments to Ordinance 1849-16, and the repeal of portions of Ordinance 1849-16.

D. That the trend of development in this district, including changes, if any, which may have taken place since the day the existing properties in the district were placed in their present zoning classification is consistent with the proposed additional uses and amendments and the proposed repeal of the Agatite Harlem PUD, the amendments to Ordinance 1849-16, the repeal of portions of Ordinance 1849-16.

E. The proposed repeal of the Agatite Harlem PUD, the amendments to Ordinance 1849-16, the repeal of portions of Ordinance 1849-16 and the additional uses and amendments in the Revised B-5 district are designed to encourage redevelopment of property that has been vacant, underutilized, or unutilized.

F. That the proposed repeal of the Agatite Harlem PUD, the amendments to Ordinance 1849-16, the repeal of portions of Ordinance 1849-16 is reasonably necessary to the promotion of the public health, safety or general welfare of the Village.

Motion: A motion was made by Mr. Jarosz, seconded by Mr. Ronstadt to recommend to the Village Board to grant repealing Ordinance 1849-16 previously granting a planned unit development and attendant special uses and variations and now repealing and/or saving and reenacting certain special uses and saving and reenacting previously approved variations affecting the development of the subject property.

A roll call was taken: (5) Yea, (0) No, **MOTION CARRIED**

Case Closed

CASE # 618 – 4510 - 4520 North Harlem Avenue

To consider a petition by the Village of Norridge and HAMHIC LLC managed by affiliates owned by The Harlem Irving Companies and Hamilton Partners, for the purpose of repealing Ordinance 1848-



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16 previously granting a planned unit development and attendant special uses and variations and now repealing and/or saving and reenacting certain special uses and saving and reenacting previously approved variations affecting the development of the subject property (legally described herein below) for theater, restaurant, retail and amusement establishment use and other relief as may be necessary from the following sections of the Village of Norridge Zoning Ordinance to allow the development of the subject property (legally described herein below) for theater, restaurant, amusement, and retail uses.

The topics to be addressed at the public hearing include, but may not be limited to the following:

The following is sought for the property legally described herein below:

Repeal the Preliminary Plat of Planned Unit Development (“PUD”) for the property (Ordinance 1848-16).

Repeal Section Two of Ordinance 1848-16 granting approval of a plat of PUD (Article XI-A, Section 2 Purpose and Intent, Planned Unit Development Uses).

Repeal Section Three A, Subsections 1, 2, 3, 5, 6 and 7 of Ordinance 1848-16 granting the following special uses:

- a. Subsection 1, to wit: a PUD Special Use for a use which is greater than .40 acres in size in a B-5 District (Article X-A-1, Section 3.5 and Article XI-A, Sections 3 and 5), and restate as a permitted use in a B-5 Retail Business District (said permitted use to be separately and concurrently adopted for the B-5 Retail Business District (“B-5 District”) in Case #612 currently pending before the Zoning Board of Appeals (“ZBA”).
- b. Subsection 2, to wit: a special use for a Theater (Article X-A-1 Section 3.4) and restate as a permitted use in a B-5 District (said permitted use to be separately and concurrently adopted for the B-5 District in Case #612 currently pending before the ZBA).
- c. Subsection 3, to wit: a special use for a Restaurant, Including Alcoholic Beverages to be located in the Theater premises (Article X-A-1 Section 3.3) and restated as a permitted use in a B-5 District (said permitted use to be separately and concurrently adopted for the B-5 District in Case #612 currently pending before the ZBA).
- d. Subsection 5, to wit: a special use for any use in excess of 10,000 square feet of net floor area (Article X-A-1 Section 3.1) and restated as a permitted use in a B-5 District (said permitted use to be separately and concurrently adopted for the B-5 District in Case #612 currently pending before the ZBA).
- e. Subsection 6, to wit: a special use for more than one principal structure on a Zoning Lot (Article X-A-1 Section 3.8) and restated as a permitted use in a B-5 District (said



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permitted use to be separately and concurrently adopted for the B-5 District in Case #612 currently pending before the ZBA).

f. Subsection 7, to wit: a special use for an accessory use to a principal use involving the outdoor service of food and beverages (Article X-A-1 Section 3.9) and restate as a permitted use in a B-5 District (said permitted use to be separately and concurrently adopted for the B-5 District in Case #612 currently pending before the ZBA).

Save, reenact and restate Section Three A, Subsection 3 of Ordinance 1848-16 granting a special use for an Amusement Establishment in the B-5 District (Article X-A-1 Section 3.2), said special use to be separately and concurrently restated for the B-5 District in Case #612 currently pending before the ZBA.

Variation 1, Save, reenact and restate the previously granted variation from Article XI-A,6.3(a) Parkway Trees, in Section Three B, Subsection Variation 1 of Ordinance 1848-16 and restated as a variation to the design standards to be adopted for the B-5 District (said regulations to be separately and concurrently restated and adopted for the B-5 District in Case #612 currently pending before the ZBA).

Variation 2. Save, reenact and restate the previously granted variation from Article XI-A,6.3(c)(1) Minimum Landscape Requirements - Landscape Buffer and Screening Requirements in Section Three B, Variation 2 of Ordinance 1848-16, and restated as variations to the design standards to be adopted for the B-5 District (said regulations to be separately and concurrently restated and adopted for the B-5 District in Case #612 currently pending before the ZBA).

Variation 3. Save, reenact and restate the previously granted variation from Article XI-A,6.3(c)(2) Foundation Planting Requirements in Section Three B, Variation 3 of Ordinance 1848-16 and restated as variations to the design standards to be adopted for the B-5 District (said regulations to be separately and concurrently restated and adopted for the B-5 District in Case #612 currently pending before the ZBA).

Variation 4. Save, reenact and restate the previously granted variation from Article XI-A,6.3(c)(3) Minimum Landscape Requirements - Landscape Buffer and Screening Requirements in Section Three B, Variation 4 of Ordinance 1848-16 and restated as variations to the design standards to be adopted for the B-5 District (said regulations to be separately and concurrently restated and adopted for the B-5 District in Case #612 currently pending before the ZBA).

Variation 5. Save, reenact and restate the previously granted variation from Article XI-A,6.3(f) Landscaping, Screening, and Tree Preservation requirements in Section Three B, Variation 5 of Ordinance 1848-16 and restated as variations to the design standards to be adopted for the B-5 District (said regulations to be separately and concurrently restated and adopted for the B-5 District in Case #612 currently pending before the ZBA).



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Variation 6. Save, reenact and restate the previously granted variation from Article XI-A,6.4 Lighting Requirements in Section Three B, Variation 6 of Ordinance 1848-16 and restated as variations to the design standards to be adopted for the B-5 District (said regulations to be separately and concurrently restated and adopted for the B-5 District in Case #612 currently pending before the ZBA).

Variation 7. Repeal the previously granted variations from Article XI-A,6.5 Driveway, Driveway Apron, and Parking Lot Construction in Section Three B, Variation 7 of Ordinance 1848-16 and restate and replace with the specifications therefore to be at the review and approval of the Village Engineer (said regulations to be separately and concurrently restated and adopted for the B-5 District in Case #612 currently pending before the ZBA)

Variation 8. Repeal the previously granted variations from Article XI-A,6.6 Public Improvements in Section Three B, Variation 8 of Ordinance 1848-16 and restated and replaced with the specifications therefore to be at the review and approval of the Village Engineer (said regulations to be separately and concurrently restated and adopted for the B-5 District in Case #612 currently pending before the ZBA)

Variation 9. Save, reenact and restate the previously granted variation from Article XI-A,6.10 Construction Materials in Section Three B, Variation 9 of Ordinance 1848-16 and restated as variations to construction materials (said regulations to be separately and concurrently restated and adopted for the B-5 District in Case #612 currently pending before the ZBA).

Variation 10. Save, reenact and restate the previously granted variation from Article XI-A,6.11 Utility Services in Section Three B, Variation 10 of Ordinance 1848-16 and restated as variations to utility services (said regulations to be separately and concurrently restated and adopted for the B-5 District in Case #612 currently pending before the ZBA).

Repeal, save, reenact and restate, in whole or in part, those other terms and conditions stated in Ordinance 1848-16 affecting the use and development of the property legally described herein.

Repeal and/or save, reenact and restate previously approved exhibits (including Group Exhibit F) to Ordinance 1848-16.

The relief requested from the specified regulations set forth in the Village of Norridge Zoning Ordinance is for the property at located at 4510 to 4520 North Harlem Avenue located in the B-5 District (Article X-I-A), and Planned Unit Development Overlay District (Article XI-A), consisting of approximately 9.619 Acres, and legally described as follows:

PARCEL 1:

THAT PART OF THE SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE WEST 33 FEET THEREOF TAKEN FOR OKETO AVENUE, AND EXCEPT THAT PART CONDEMNED IN PROCEEDINGS IN THE CIRCUIT COURT OF COOK COUNTY, IN CASE NUMBER 99L50494), LYING EAST AND SOUTH OF A



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LINE DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF SAID SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, 503 FEET WEST OF THE NORTHEAST CORNER OF SAID SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, 162.00 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, 47.0 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, 168.44 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 THAT IS 550.0 FEET WEST OF THE SOUTHEAST CORNER OF SAID SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THE SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE WEST 33 FEET THEREOF TAKEN FOR OKETO AVENUE, AND EXCEPT THAT PART CONDEMNED IN PROCEEDINGS IN THE CIRCUIT COURT OF COOK COUNTY, IN CASE NUMBER 99L50494), EXCEPT THE FOLLOWING:

THAT PART LYING EAST AND SOUTH OF A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, 503 FEET WEST OF THE NORTHEAST CORNER OF SAID SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, 162.00 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, 47.0 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, 168.44 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 THAT IS 550.0 FEET WEST OF THE SOUTHEAST CORNER OF SAID SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4, ALL IN COOK COUNTY, ILLINOIS;

TOGETHER WITH THE BENEFITS AND EASEMENTS AS SET FORTH IN THAT CERTAIN DECLARATION OF EASEMENTS BY NORRIDGE REALTY CORPORATION RECORDED OCTOBER 23, 1986 AS DOCUMENT NUMBER 86495642.

The property is commonly known as 4510 - 4520 North Harlem Avenue, in Norridge, Illinois.

Brian Gaseor presented the case.

Comments from attendees: None



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Findings:

Pursuant to Article XV, Section 5.2 of the Zoning Ordinance the ZBA finds and recommends repeal of the Harlem Oketo PUD, and repeal of portions of Ordinance 1848-16 related to the PUD and the 4 Acres PUD Special Use, the Theater Restaurant Special Use for restaurants including alcohol, the Multiple Structures on One Zoning Lot Special Use, the Net Floor Area Special Use, and the .4 Acres PUD Special Use. The ZBA also finds and recommends amendments to Ordinance 1848-16 and the restating of the Variations and the Amusement Establishment Special Use and the Outdoor Storage Special Use. The ZBA finds:

- A. That the existing uses of property within the general area of the property in question and their relationship to one another are compatible with the repeal of the e Harlem Oketo PUD, the amendments to Ordinance 1848-16, the repeal of portions of Ordinance 1848-16, and the additional uses and amendments in the Revised B-5 district.
- B. That the zoning classification of existing properties within the general area of this district and their relationship to one another are fully accommodated by the repeal of the proposed additional uses and amendments to the Revised B-5 district zoning.
- C. That existing properties are well suited in this district for the uses permitted under the existing zoning classification and for the proposed additional uses and amendments in the Revised B-5 district and the proposed repeal of the Harlem Oketo PUD, the amendments to Ordinance 1848-16, and the repeal of portions of Ordinance 1848-16.
- D. That the trend of development in this district, including changes, if any, which may have taken place since the day the existing properties in the district were placed in their present zoning classification is consistent with the proposed additional uses and amendments and the proposed repeal of the Harlem Oketo PUD, the amendments to Ordinance 1848-16, and the repeal of portions of Ordinance 1848-16.
- E. The proposed repeal of the Harlem Oketo PUD, the amendments to Ordinance 1848-16, the repeal of portions of Ordinance 1848-16 and the additional uses and amendments in the Revised B-5 district are designed to encourage redevelopment of property that has been vacant, underutilized, or unutilized.
- F. That the proposed repeal of the Harlem Oketo PUD, the amendments to Ordinance 1848-16, the repeal of portions of Ordinance 1848-16 is reasonably necessary to the promotion of the public health, safety or general welfare of the Village.

Motion: A motion was made by Mr. Ronstadt, seconded by Mr. Thompson to recommend to the Village Board to repeal Ordinance 1848-16 previously granting a planned unit development and attendant special uses and variations and now repealing and/or saving and reenacting certain special



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uses and saving and reenacting previously approved variations affecting the development of the subject property.

A roll call was taken: (5) Yea, (0) No, **MOTION CARRIED**

Case Closed

MOTION: A motion was made by Mr. Thompson, seconded by Mr. Jarosz change the start time of zoning cases starting January 1, 2017 to 7:00 p.m. A roll call was taken. (5) Yea, (0) No **MOTION CARRIED.**

MOTION – By Mr. Thompson, seconded by Mr. Ronstadt that, the meeting be continued to November 28, 2016 at 6:30pm: A voice vote was taken with no objections. **MOTION CARRIED.** The meeting ended at 8:44 PM.



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The Zoning Board of Appeals of the Village of Norridge, Cook County, Illinois
Re-Convened on the 28th day of November, 2016, 6:30 P.M. at its regular meeting place,
4000 N. Olcott Avenue, Norridge, IL 60706

The meeting was called to order by Chairperson Magnuson and upon roll call the
following named members answered present:

Roll Call: Present: Janice Magnuson, Chairperson
Allan Budnik, Secretary
Richard Thompson, Member
Andy Ronstadt, Member

Absent: Wayne Jarosz, Member
Christopher Miroslaw, Member
Andrew Cichon, Member

Also attending: Brian Gaseor, Village Engineer

Update on Future Cases

Mr. Gaseor advised the Board that there will only be the one case for December.

Discussion: CMAP Recommendations

The board continued review of the CMAP recommendation.

MOTION - By Mr. Ronstadt, seconded by Mr. Thompson that, there being no further business, the meeting be adjourned. A voice vote was taken with no objections. **MOTION CARRIED.**
MEETING ENDED at 7:51pm. Next meeting 5th December, 2016, 7:30 P.M.

Respectfully submitted,

Allan J. Budnik
Secretary

Janice Magnuson
Chairperson