

# VILLAGE OF NORRIDGE

4000 North Olcott Avenue • Norridge, Illinois 60706-1199  
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Zoning Board of Appeals

## Zoning Board of Appeals Meeting Minutes Village of Norridge

### **PRESIDENT**

Daniel Tannhauser

### **CHAIRPERSON**

Janice J. Magnuson

### **SECRETARY**

Allan J. Budnik

### **MEMBERS**

Christian Giacalone

Christopher Miroslaw

Christopher O'Leary

Richard Thompson

The Zoning Board of Appeals of the Village of Norridge, Cook County, Illinois  
Convened on the 3<sup>rd</sup> day of August 2020, 7:00 P.M. at its regular meeting place,  
4000 N. Olcott Avenue, Norridge, IL 60706

Per Executive Order 2020-07 issued by Governor JB Pritzker on March 16, 2020, Section 6:  
During the duration of the Gubernatorial Disaster Proclamation, the provisions of the Open  
Meetings Act, 5 ILCS 120, requiring or relating to in-person attendance by members of a  
public body are suspended. Specifically, (1) the requirement in 5 ILCS 120/2.01 that  
"members of a public body must be physically present" is suspended.

Due to Governor Pritzker's Executive Order 2020-10, Executive Order in response to COVID-19  
(COVID-19 Executive Order No.8), Board Members did meet in person at the Village of Norridge.  
Others were allowed to connect via video (Zoom) at 7:00 P.M. The meeting was called to order by  
Chairperson Magnuson and upon roll call the following named members answered present:

**Roll Call:** Present in person: Janice Magnuson, Chairperson  
Allan Budnik, Secretary  
Richard Thompson, Member  
Christopher Miroslaw, Member  
Christopher O'Leary, Member  
Christian Giacalone, Member

Absent: None

Also attending: Brian Gaseor, Village Engineer  
Joan Cherry, Board Attorney  
Joanna Skupien, Village Administrator

Present via Video: Jack Bielak, Village Trustee  
Dominic Falagarario

### **Approval of Minutes - Motion**

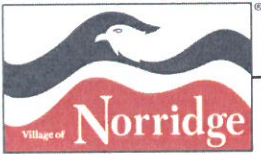
To approve the Board Minutes with a date of July 13, 2020 was made by Mr. Giacalone, seconded  
by Mr. Thompson. A roll call was taken:

Roll call vote: Ayes 6; Nays 0; Absent

### **MOTION CARRIED**

### **Update on Future Cases**

There will be a hearing for September regarding a home addition.



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## Hearing – Case # 643 - 4400 N. Harlem Ave.

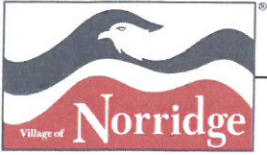
The Chairperson opened the hearings reading the rules of the hearing and swearing in all present.

The Secretary read the legal notice for the hearing.

Mr. Mitch Goltz for GW Properties presented the case for the proposed \$25 million development of the Makray Manufacturing property located on Montrose and Harlem Avenues. This 4.5 acre parcel potentially will be the future home of 4 single story buildings totaling up to 50,000 square feet of new retail and restaurant space. He displayed much of his presentation on the dual overhead displays. These items included information about who they are, the existing site survey, site aerial, existing building and site photos, proposed site plan, proposed subdivision of the site, a rendering of the proposed development and elevations of the proposed buildings. He further explained that the four buildings would be a retail/gas station, a multi-tenant building with a Starbucks, a grocery store and another multi-tenant building with a dental office. He continued explaining the access points from the road and proposed sign types and locations. He highlighted project projections to generate \$35 million in retail revenue annually, annual sales tax revenue of \$875,000, estimated property taxes to increase from \$65,000 to \$300,00 upon completion (\$180,000 per year to Norridge), the creation of both construction jobs and permanent part-time and full time jobs. He ended the presentation with photos of their previous developments and photos of what other similar stores would look like.

### Questions from the Board:

- Q. The Board presented a list to the petitioner of typical vehicles that would not fit into the requested 18 foot long parking spaces. A moderate discussion took place about making some of the spaces 19 feet in length.
- A: We would see what we could do to accommodate it.
- Q: Is the trash location for the grocery store different from the other buildings?
- A:
- Q: On the rendering, would the grocery store be taller so that it could be seen from the street?
- A: Actual yes it would. A short discussion ensued with the end result of the petitioner needing to add another variance for the additional height.
- A short discussion took place as far as the height limit of a grocery store. It is 26 feet so a variance would have to be added to allow 32 feet.
- Q: Any concerns about traffic backing up on Montrose?
- A: Michael Reslam from KLOA (the company the completed the traffic impact study) explained the traffic impact and if needed they could widen or eliminate 1-2 parking spaces for a wider entrance/exit.
- Q: Explain the retention pond or water retention?
- A: An underground retention would be under the parking lot and would contain rainwater on the property with a controlled release into the Village's system so it is not overwhelmed.
- Q: Can you explain the buffer strips on the property?
- A: Mr. Goltz expanded on the reduced buffer strips and the divides between buildings A and D. We will be subdividing the property into four individual ownerships. The four owners will be in a Reciprocal Easement Agreement (REA) which spells out the responsibility of each owner as far as operations and maintenance of the properties.



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- Q: Is there any concern as to the cars stacked in the building B (Starbucks) drive thru blocking rear access to the other tenants in that building?  
A: The depiction is exaggerated with the number of cars in the drive thru and the sidewalk in between the drive thru and rear of the building will be raised or curbed.  
Q: Any fire departments concerns like will the building be fully sprinklered and placement for fire department connections will be reviewed by the fire department?  
A: Yes.  
Q: Any areas for shopping cart returns?  
A: Yes, generally will be back-to-back spots.  
Q: Do you have a grocer lined up?  
A: Yes, but I cannot disclose it at this time.  
Q: When would construction start?  
A: In the fall

## **Visitors Comments:**

There were visitors present but no one elected to make a statement or ask any questions.

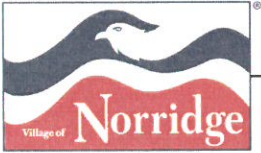
## **Board Discussion**

A discussion took place of the property remaining "M" Manufacturing but would have a P.U.D. overlay along with special uses.

Chairperson Magnuson stated that there was a list of documents submitted by the contract purchaser that we would review.

## **ITEM 1 – LIST OF DOCUMENTS SUBMITTED BY CONTRACT PURCHASER GW PROPERTIES LLC.**

1. Preliminary Plat of Planned Unit Development consisting of 1 sheet dated July 28, 2020. Prepared by Kimley Horn and Associates, Inc. Engineering, LLC, **Exhibit A.**
2. Site Plan (Sheet ST1) consisting of 1 sheet dated July 13, 2020 prepared by Design Studio LLC **Exhibit B.**
3. Landscape Plan (Sheet L101), consisting of 2 sheets dated July 28, 2020 prepared by Kimley Horn and Associates, Inc. **Exhibit C.**
4. Preliminary Grading Plan (Sheet C4.0) dated July 28, 2020 consisting of 1 sheet prepared by Kimley Horn and Associates, Inc. **Exhibit D.**
5. Preliminary Utility Plan (Sheet C5.0) dated July 27, 2020 consisting of 1 sheet prepared by Kimley Horn and Associates, Inc. **Exhibit E.**
6. Sign Plan consisting of 6 pages dated July 24, 2020 prepared by Olympik Signs. **Exhibit F.**



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7. A letter from the owner dated June 15, 2020, authorizing GW Properties LLC to pursue the zoning entitlements to the property and attached to the application as **Exhibit G**.
8. A letter from the contract purchaser GW Properties LLC consisting of 3 pages dated July 29, 2020, to pursue the zoning entitlements to the property. **Exhibit H**.
9. Aerial Map of property area, undated, consisting of 1 page. **Exhibit I**
10. Plat of Survey / Plat of Subdivision consisting of 1 sheet dated June 9, 2020, prepared by United Survey Service, LLC. **Exhibit J**.
11. Legal Notice consisting of 2 sheets published July 16, 2020 in the Norridge and Harwood Heights News. **Exhibit K**.
12. Architectural Renderings consisting of 7 sheets dated August 3, 2020. **Exhibit L**.
13. Traffic projections prepared by Kenig, Lindgren, O'Hara, Aboona, Inc. ("KLOA, Inc.") consisting of 126 pages dated July 28, 2020. **Exhibit M**.
14. Site Lighting and Photometric Plan consisting of 1 sheet dated August 3, 2020. **Exhibit N**.

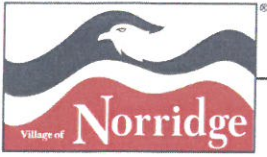
The Zoning Ordinance provides that the area comprising 4400 North Harlem Avenue which is located in the M zone and legally described on Petitioners' Plat of Survey/ Plat of Subdivision, be zoned in accordance with the Village's Planned Unit Development Ordinance.

## ITEM 2 - VARIATIONS SOUGHT

**Variation #1.** Motion to recommend or deny a variation of Article 1, Section 1.53 of the Zoning Ordinance due to existing site conditions reducing the length of the parking spaces by 2 feet from 9x20 to 9x18 resulting in a reduction of the overall square footage of each parking space by 18 square feet from 180 square feet to 162 square feet as shown on the Site Plan with the following exceptions to permit the following variations from Article 1, Section 1.53 of the Zoning Ordinance to accommodate larger vehicles:

On Lot 3 there shall be 34 parking spaces that are reduced in length by 1 foot from 9x20 to 9x19 square feet resulting in a reduction of the overall square footage of each of these 34 parking spaces by 9 square feet from 180 square feet to 171 square feet; and

On Lot 4 there shall be 16 parking spaces that are reduced in length by 1 square from 9x20 to 9x19 square feet resulting in a reduction of the overall square footage of each of these 16 parking spaces by 9 square feet from 180 square feet to 171 square feet,



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all as shown on the Site Plan.

## **FINDINGS FOR VARIATION #1 - Article 1, Section 1.53 of the Zoning Ordinance**

- (a) Will not impair an adequate supply of light and air to adjacent property.
- (b) Will not increase the hazard from fire and other dangers to said property.
- (c) Will not diminish the taxable value of land and buildings throughout the village.
- (d) Will not increase the congestion of the public streets.
- (e) Will not otherwise impair the public health, safety, comfort, morals, and welfare of the inhabitants of said Village.
- (f) The purpose of the variation is not based exclusively upon a desire to make more money out of the property.

There were no absolutes against.

**Motion** - to Approve Variation #1: by Mr. Thompson, seconded by Mr. O'Leary.

Roll call vote: Ayes 6; Nays 0; Absent 0.

## **MOTION CARRIED**

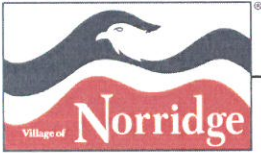
**PROCEDURAL MOTION:** Motion to consider Variations 2 through 8 as a group since all relate to the Planned Unit Development requirements regarding landscaping, buffering, site conditions.

## **FINDINGS FOR VARIATIONS #2 – 8**

- Variation #2. Article XI Section 8.6 of the Zoning Ordinance
- Variation #3. Article XI-A 6.3-c-1-a of the Zoning Ordinance
- Variation #4. Article XI-A.6.3-c-3-a of the Zoning Ordinance
- Variation #5. Article XI-A 6.3-c-3-f of the Zoning Ordinance
- Variation #6. Article XI-A 6.3(c)(2)(a) of the Zoning Ordinance
- Variation #7. Article XI-A 6.3(a) of the Zoning Ordinance
- Variation #8. Article XI,7 of the Zoning Ordinance

- (a) Will not impair an adequate supply of light and air to adjacent property.
- (b) Will not increase the hazard from fire and other dangers to said property.
- (c) Will not diminish the taxable value of land and buildings throughout the village.
- (d) Will not increase the congestion of the public streets.
- (e) Will not otherwise impair the public health, safety, comfort, morals, and welfare of the inhabitants of said Village.
- (f) The purpose of the variation is not based exclusively upon a desire to make more money out of the property.

There were no absolutes against the findings.



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**Motion** - to treat Variations 2 through 8 as a group was made by Mr. Budnik and seconded by Mr. O'Leary. Viva voce vote is unanimous.

**MOTION CARRIED.** Thereafter, Variations 2 through 8 are treated as a group.

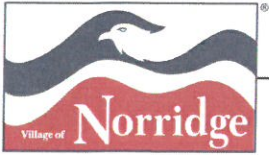
**Variation #2.** Motion to recommend or deny a variation of Article XI Section 8.6 of the Zoning Ordinance reducing the depth of the required 30 foot buffer strip by 26.7 feet due to existing site conditions where the Zoning Ordinance states that this buffer strip be provided where a building in a manufacturing district is across the street from a residential district. This variation would apply to Lot 4 and Lot 1 on north side of Montrose Avenue subject to the following conditions:

- a. That the petitioner provide a 36" high masonry wall along the Montrose Avenue property line as shown on the Landscape Plan.
- b. That the petitioner provides parkway trees in the public parkway on the north side of Montrose Avenue as shown on the Landscape Plan.
- c. That the petitioner provides parkway trees in the public parkway on the south side of Montrose Avenue as shown on the Landscape Plan and will work with residents and Village staff regarding the placement of the trees.
- d. That the petitioner provide shrubs as shown in those areas on the north side of Montrose Avenue where it is not possible to install a 36" high masonry wall as shown on the Landscape Plan.

**Motion** - to Approve Variation #2: by Mr. Thompson, seconded by Mr. Giacalone.

**Variation #3.** Motion to recommend or deny a variation of Article XI-A 6.3-c-1-a of the Zoning Ordinance reducing the landscaped area for off-street parking lots for buffering and screening from a minimum width of eight (8) feet, or, where screening shall consist of a masonry wall, a minimum width of five (5) feet as follows:

- a. On the north side of the property a 3.2 foot reduction in the landscaped area from 8.0 feet to 4.8 feet due to existing site conditions subject to petitioner providing bushes, landscaping and a wrought iron type fence in mitigation as shown on the Landscape Plan.
- b. On the east side of the property a .4 foot reduction in the landscaped area from 8.0 feet to 7.6 feet due to existing site conditions subject to petitioner providing bushes, landscaping and a wrought iron type fence in mitigation as shown on the Landscape Plan.



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- c. On the south side of the property a 3.3 foot reduction in the landscaped area from 8.0 feet to 4.7 feet due to existing site conditions subject to petitioner providing bushes, landscaping and a 36 inch high masonry wall in mitigation as shown on the Landscape Plan.
- d. On the west side of the property a 4.5 foot reduction in the landscaped area from 8.0 feet to 3.5 feet due to existing site conditions subject to petitioner providing bushes, landscaping and a solid wood type fence on Lot 3 adjacent to Building C (depending on discussions with the neighboring property owner there could be a solid 8 foot fence in this location), and bushes and landscaping on Lot 4 adjacent to the Building D drive-through in mitigation as shown on the Landscape Plan.

**Motion** - to Approve Variation #3: by Mr. O'Leary, seconded by Mr. Giacalone.

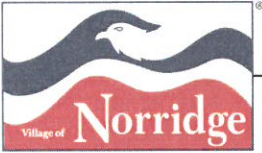
**Variation #4.** Motion to recommend or deny a variation of Article XI-A.6.3-c-3-a of the Zoning Ordinance reducing the double row of shrubs to a single row of shrubs along the west property line due to existing site conditions (lack of space) as shown on the Landscape Plan.

**Motion** - to Approve Variation #4: by Mr. Thompson, seconded by Mr. Giacalone.

**Variation #5.** Motion to recommend or deny a variation of Article XI-A 6.3-c-3-f: reducing the minimum ten (10) foot landscaped setback and screening area located along the length of any property line of the Planned Unit Development due to existing site conditions as shown on the Landscape Plan. While there is a minimum 10 foot buffer in places on Lot 1 (south of the convenience store building) and on Lot 2 (to the north of the drive through and Starbucks) the buffer area around the other property lines varies from 0 to than the minimum 10 feet due to existing site conditions as follows:

- a. North – buffer is 3.2 feet – a 6.8 foot variation from the 10 foot requirement;
- b. East (Harlem Ave.) – buffer is 0.4 foot – a 9.6 foot variation from the 10 foot requirement.
- c. South (Montrose Avenue) – buffer is 3.3 feet a 6.7 foot variation from the 10 foot requirement;
- d. West – buffer is 4.5 feet a 5.5 foot variation from the 10 foot requirement.

The variation from this section of the Zoning Ordinance is conditioned on petitioner providing bushes, landscaping, wrought iron fencing where feasible and underground water detention for the entire property as shown on the Landscape Plan, the Site Plan and the Preliminary Grading and Utility Plan. On the south side of the property (Montrose Avenue) a 36 inch high masonry wall is



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provided on the property line in mitigation of the 8 foot masonry wall requirement, which could constitute a security issue and is a wall height variation of 5 feet as shown on the Landscape Plan.

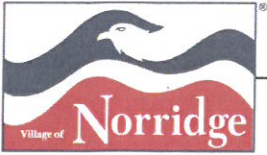
**Motion** - to Approve Variation #5: by Mr. Thompson, seconded by Mr. Giacalone

**Variation #6.** Motion to recommend or deny a variation of Article XI-A 6.3(c)(2)(a) - Foundation Planting Requirements based on existing site conditions and as shown on the Site Plan and Landscape Plan as follows.

- a. Building A, located on Lot 1 (the Gas Station and Convenience Store at Montrose and Harlem Avenues), a variation of 6 feet from the 6 foot requirement on the north, east, and west sides of Building A with underground water detention provided and 18.5 feet of landscaped area provided on the south side of Building A and foundation plantings (as shown on the Landscape Plan) in mitigation.
- b. Building B located on Lot 2 (the intersection of Harlem and Agatite Avenues to be 2 retail units and a drive through Starbucks), a variation of 6 feet from the 6 foot requirement on the east, west, and south side of Building B with no landscaped area on the east due to location of the parking lot, on the west due to the location of the drive through, and on the south side of Building B a variance from the 6 foot requirement of 2.5 feet while providing a landscaped area of 3.5 feet, and 7.8 feet of landscaped area provided on the north side of Building B and foundation plantings (as shown on the Landscape Plan) with underground water detention provided in mitigation.
- c. Building C located on Lot 3 (grocery store fronting on Agatite Avenue), a variation of 6 feet from the 6 foot requirement on the east and south of Building C with no landscaped area on the east and south due to the location of the parking lot, on the west a variation of 1.5 feet from the 6 foot requirement while providing a landscaped area of 4.5 feet wide with bushes as shown on the Landscape Plan (this is next to Iggy's the neighboring property and its fence), 7.3 feet of landscaped area on the north side of Building C, and foundation plantings (as shown on the Landscape Plan), and underground water detention in mitigation.
- d. Building D located on Lot 4 (Retail, Restaurant and Drive-Through fronting on Montrose Avenue) a variation of 1 foot from the 6 foot requirement on the north side of Building D providing a 5 foot wide landscaped area, on the west side of Building D a variation of .5 feet providing a landscape area 5.5 foot wide landscape area and foundation plantings, on the south side of Building D a variation of 3.0 feet from the 6 foot requirement providing a 3.0 foot wide landscape area with foundation plantings (as shown in the Landscape Plan) and underground water detention in mitigation.

**Motion** - to Approve Variation #6: by Mr. Miroslaw, seconded by Mr. Giacalone.





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**Variation #7.** Motion to recommend or deny a variation of Article XI-A 6.3(a) of the Zoning Ordinance requiring the installation of one tree for every 25 feet of public parkway located adjacent to the property comprising the Planned Unit Development to zero parkway trees on Harlem Avenue and Agatite Avenue as there is no area in which to install parkway trees on either of those public parkways due to existing site conditions. Petitioner shall, as directed by the Village, install parkway trees on the public parkway on the south side of Montrose Avenue across the street from the property in question in mitigation of the parkway tree requirement in addition to the parkway trees provided on the public parkway on the north side of Montrose adjacent to the property in question, all as shown on the Landscape Plan.

**Motion** - to Approve Variation #7: by Mr. O'Leary, seconded by Mr. Thompson.

**Variation #8.** Motion to recommend or deny a variation of Article XI, 7 Height Regulations Zoning Ordinance requiring a building height of no more than twenty-six (26) feet in height to an amount of no greater than six (6) feet or to an amount no greater than thirty-two (32) feet in height or two stories for Building C on Lot 3 as shown on the Site Plan.

Mr. Goltz was asked if the height request included any necessary rooftop equipment screening. He stated yes it would.

**Motion** - to Approve Variation #8: by Mr. Thompson, seconded by Mr. O'Leary.

Vote to Approve Variations #2 – 8:

Roll call vote: Ayes 6; Nays 0; Absent 0.

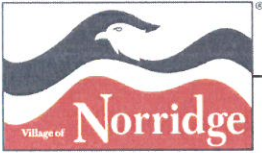
**Variations #2-8 approved.**

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## ITEM 3 - SPECIAL USES SOUGHT

Board Attorney Joan Cherry summarized the three special uses.

**Special Use #1.** Motion to recommend or deny in conjunction with the grant of the Preliminary Plat of Planned Unit Development for the Property, the creation of and recommendation of a special use for an Automobile Service Station for the retail sale and dispensing of fuel, lubricants, tires, batteries, accessories and supplies, including installation and minor services customarily incidental thereto, on Lot 1 as shown on the Site Plan in accordance with the terms, conditions and limitations



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set forth therein and the Zoning Ordinance. Hours of operation may be 24 hours. In the event that the use of Lot 1 as an Automobile Service Station is terminated for any reason, the Special Use granted herein shall be null and void by operation of law and with no further action necessary by the Village.

## **SPECIAL USE FINDINGS FOR SPECIAL USE #1 - ARTICLE X-A-1 OF THE ZONING ORDINANCE:**

- (a) The proposed special use will be in harmony with the general and specific purposes for which this Zoning Ordinance was enacted and for which the regulations of the district in question were established.
- (b) The proposed special use will not have a substantial or undue adverse effect upon adjacent property, the character of the area or the public health, safety, and general welfare.
- (c) The proposed special use will not impede the normal and orderly development and improvement of the adjacent property for uses permitted in the district.
- (d) The proposed special use will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries and schools, or the applicant will provide adequately for such services.
- (e) The proposed special use complies with all additional standards imposed on it by the particular provision of this Zoning Ordinance authorizing such use.

No absolutes against the findings.

**Motion** - to Approve Special Use #1: by Mr. Thompson, seconded by Mr. Mr. Miroslaw.

Roll call vote: Ayes 6; Nays 0; Absent 0.

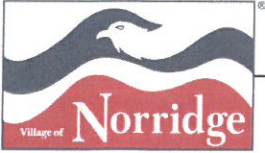
## **MOTION CARRIED**

**PROCEDURAL MOTION:** Motion to consider Special Use #2 and #3 as a group since both relate to the Planned Unit Development requirements regarding the requirement for special use permits for drive-through establishments made by Mr. Giacalone and seconded by Mr. O'Leary.

Viva voce vote is unanimous. Motion carried.

Thereafter, Special Uses #2 and #3 are treated as group.

Special Use #2 and #3. Article X-A-1, Section 3, Number 4 and Article XI-A Section 5 of the Zoning Ordinance on Lot 2 and Lot 4.



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## **SPECIAL USE FINDINGS FOR SPECIAL USES #2 AND #3: - Article X-A-1, Section 3, Number 4 and Article XI-A Section 5 of the Zoning Ordinance.**

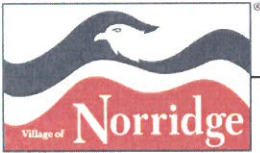
- (a) The proposed special use will be in harmony with the general and specific purposes for which this Zoning Ordinance was enacted and for which the regulations of the district in question were established.
- (b) The proposed special use will not have a substantial or undue adverse effect upon adjacent property, the character of the area or the public health, safety, and general welfare.
- (c) The proposed special use will not impede the normal and orderly development and improvement of the adjacent property for uses permitted in the district.
- (d) The proposed special use will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries and schools, or the applicant will provide adequately for such services.
- (e) The proposed special use complies with all additional standards imposed on it by the particular provision of this Zoning Ordinance authorizing such use.

No absolutes against the findings

**Special Use #2.** Motion to recommend or deny in conjunction with the grant of the Preliminary Plat of Planned Unit Development for the Property the following special use requested by Petitioner - A special use required by Article X-A-1, Section 3, Number 4 and Article XI-A Section 5 of the Zoning Ordinance for a Drive-through restaurant offering goods or services directly to customers waiting in parked motor vehicles on Lot 4 as shown on the Site Plan in accordance with the terms, conditions and limitations set forth therein and the Zoning Ordinance. Hours of operation shall not exceed 6:00 a.m. to 11:00 p.m. The Special Use shall run with the use and not with the land. In the event that the use of Lot 4 as a drive-through restaurant is terminated for any reason, the Special Use granted herein shall be null and void by operation of law and with no further action necessary by the Village.

**Motion** - to Approve Special Use #2: by Mr. Thompson, seconded by Mr. O'Leary.

**Special Use #3.** Motion to recommend or deny in conjunction with the grant of the Preliminary Plat of Planned Unit Development for the Property the following special use requested by Petitioner - A special use required by Article X-A-1, Section 3, Number 4 and Article XI-A Section 5 of the Zoning Ordinance for a Drive-through restaurant offering goods or services directly to customers waiting in parked motor vehicles on Lot 2 as shown on the Site Plan in accordance with the terms,



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conditions and limitations set forth therein and the Zoning Ordinance. Hours of operation may be 24 hours. In the event that the use of Lot 2 as a drive-through restaurant is terminated for any reason, the Special Use granted herein shall be null and void by operation of law and with no further action necessary by the Village.

**Motion** - to Approve Special Use #3: by Mr. Thompson, seconded by Mr. Giacalone.

Vote to Approve Special Uses #2 and #3:

Roll call vote: Ayes 6; Nays 0; Absent 0.

**Special Uses #2 and #3 Approved.**

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There was a short discussion about delivery times.

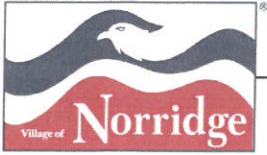
Board Attorney Joan Cherry read the following.

## **ITEM 4 - PLANNED UNIT DEVELOPMENT CONDITIONS**

### **Conditions applicable to Permitted Uses, Special Uses, and the Planned Unit Development August 3, 2020**

#### 1. Planned Unit Development

- a. Association (Reciprocal Easement Agreement “REA”) to be established for all owners and lessees for maintenance of property, water detention, on an ongoing basis.
- b. Water detention per the Preliminary Grading Plan Sheet C4.0 and Preliminary Utility Plan Sheet C5.0.
- c. Trash screening for each building per Village requirements.
- d. All HVAC on roof and screened per Village requirements.
- e. Signage as required by Article X-A-1 Section 6 (B-5 Sign Regulations) and as shown on GW properties Sign Plan dated 7-24-2020. Village of Norridge Sign on Montrose and Harlem monument sign. The Village sign easement shall be included in the ordinance approving the planned unit development. Directional signage shall be included for the planned unit development
- f. Curb cuts on Montrose Avenue, Agatite Avenue and Harlem Avenue as shown on the Site Plan Sheet ST1 dated 7-13-2020.



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- g. Maintenance of landscaping to be in first class condition on an ongoing basis.
  - h. Water detention per MWRD requirements.
  - i. Amendment of PUD required if new use not granted in preliminary plat comes in, or request for new use that is prohibited or not included in B-5 permitted uses.
  - j. Truck deliveries to the planned unit development shall be restricted on Montrose Avenue to between the hours of 7:00 a.m. to 9:00 p.m.
2. Subdivision Plat shall be reviewed pursuant to Chapter 86 of the Village Code and necessary approvals obtained prior to subdividing.
  3. Convenience Store on Lot 1 - liquor sales shall be for packaged liquor only.
  4. Grocery Store hours shall not exceed 6:00 a.m. – 10 p.m.
  5. B-5 Zoning Permitted Uses are applied through the PUD.

Hours of operation to be consistent with Village Code requirements unless otherwise provided by the Village Board.

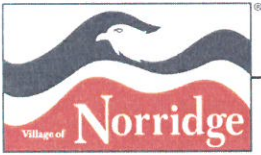
6. Drive Throughs on Lot 2 and Lot 4 – Special Use Conditions

Sound mitigation should be provided.

7. Restaurants in the planned unit development if the service of alcohol is approved then such service shall be less than 40% of sales.
8. Outdoor dining areas shall be protected from traffic and parkers.
9. Development of the Planned Unit Development shall conform to final plans and plats that substantially conform to the Preliminary Plat
10. Lighting and Security Lighting

## Hours

- a. Lighting shall be designed to be down-lit and to be contained in the PUD and shall be shielded to avoid spillage onto other properties.
- b. All lighting shall be on the buildings and there shall be no pole lights in the parking areas with the exception of the grocery store parking area.
- c. Hours of security lighting shall be from dusk to dawn.



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Mr. Goltz stated there were no issues with the conditions. He reviewed delivery hours on Montrose, Grocery hours, Bollards for outdoor seating areas and stated there will be light wall-pack on the buildings.

**Motion** - to Approve the Planned Unit Development Conditions: by Mr. O'Leary, seconded by Mr. Budnik.

Roll call vote: Ayes 6; Nays 0; Absent 0.

**MOTION CARRIED**

**PROCEDURAL MOTION:** Motion to enter this outline detailing all of the documents produced, special uses, variations, and findings into the record for Case #643.

**Motion** - made by Mr. Mirosław and seconded by Mr. Thompson. Viva voce vote is unanimous.

**MOTION CARRIED.**

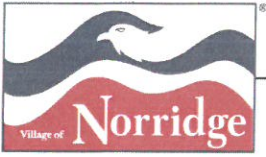
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## **ITEM 5 - RECOMMENDATION OF THE PLANNED UNIT DEVELOPMENT**

Petitioner requests a planned unit development special use to enable it to develop the property as legally described in the Notice. After consideration of the testimony, documents, and other evidence the Zoning Board of Appeals finds that:

### **FINDINGS:**

- (a) The design of the Planned Unit Development presents an innovative and creative approach to the development of land and environment.
- (b) The Planned Unit Development meets the requirements and standards of the Planned Unit Development regulations.
- (c) The physical design of the Planned Unit Development efficiently utilizes the land and adequately provides for transportation and public facilities.
- (d) The modifications in design standards and the waiver of regulations from the Zoning Ordinance fulfill the intent of those regulations.
- (e) The Planned Unit Development is compatible with the adjacent properties and nearby land uses and shall not substantially diminish or impair property values within the neighborhood.



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- (f) The Planned Unit Development shall be so designed, located and proposed to be operated and maintained and that it will not impair an adequate supply of light and air to adjacent property or otherwise injure other property or its use, will not substantially increase the danger of fire or otherwise endanger the public health, safety and welfare.
- (g) The Planned Unit Development shall be so designed that adequate utilities, road access, drainage and other necessary facilities will be provided to serve it.
- (h) The Planned Unit Development shall have or make adequate provision to provide ingress and egress to the proposed use in a manner that minimizes traffic congestion in the public streets.
- (i) The Planned Unit Development shall have adequate provisions, including but not limited to adequate site area, which area may be greater than the minimum in the district in which the proposed site is located, as well as landscaping, public open space and other buffering features to protect uses within the development and on surrounding properties.
- (j) The Planned Unit Development fulfills the objectives of the planning policies of the Village.
- (k) There shall be reasonable assurance that, if authorized, the Planned Unit Development will be completed according to schedule and maintained in a first class condition.
- (l) The design of all buildings, structures, and facilities on the site of the Planned Unit Development shall meet the Village's appearance review standards.
- (m) Any signage on the site of the Planned Unit Development shall be in conformity with Village sign regulations as set forth in the Zoning Ordinance or shall satisfy the standards of review for variations set forth therein.
- (n) The existing site conditions and the nature of this particular redevelopment project do not permit the inclusion of common or public open space or recreational facilities and these criteria do not apply to this Planned Unit Development.

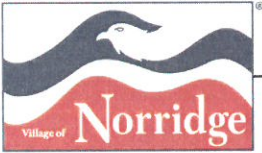
No absolutes against the findings.

**Motion** - to Approve recommending the Planned Unit Development and the Preliminary Plat of Planned Unit Development: by Mr. Thompson, seconded by Mr. Giacalone.

Roll call vote: Ayes 6; Nays 0; Absent 0.

**MOTION CARRIED**

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## ITEM 6 - PLAT OF SUBDIVISION

Village Engineer report to the Zoning Board of Appeals that he has reviewed the Petitioner's Preliminary Plat of Subdivision and reports that no variations to Chapter 86 of the Village Code are needed.

**Motion** - to Approve recommending the proposed Plat of Subdivision for the Property located at 4400 Harlem Avenue: by Mr. Giacalone, seconded by Mr. O'Leary.

Roll call vote: Ayes 6; Nays 0; Absent 0.

### **MOTION CARRIED**

**Case was closed.**

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### **Discussion: CMAP Recommendations**

Tabled at this time.

### **Public Comment – None**

**MOTION** - By Mr. Thompson, seconded by Mr. Giacalone that the meeting be adjourned. A voice vote call was taken:

Roll call vote: Ayes 6; Nays 0; Absent 0

### **MOTION CARRIED.**

MEETING ENDED at 8:59 P.M. Next meeting scheduled for September 14, 2020, 7:00 P.M.

Respectfully submitted,

Allan J. Budnik  
Secretary

Janice Magnuson  
Chairperson

Richard D. Thompson  
Chairperson pro tempore