

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

The Zoning Board of Appeals of the Village of Norridge, Cook County, Illinois
Convened on the 5TH day of October 2020, 7:00 P.M. at its regular meeting place,
4000 N. Olcott Avenue, Norridge, IL 60706

SECRETARY

Allan J. Budnik

Per Executive Order 2020-07 issued by Governor JB Pritzker on March 16, 2020, Section 6:

MEMBERS

Christian Giacalone

Christopher Miroslaw

Christopher O’Leary

Richard Thompson

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 O’Leary, Member
Christian Giacalone, Member
Michael Straughn, Member

Absent: Christopher Miroslaw, Member

Also attending: Brian Gaseor, Village Engineer (in person)
Joan Cherry, Board Attorney (in person)
Joanna Skupien, Village Administrator (in person)

Also present: Dominic Falagario (in person)

Approval of Minutes - MOTION

To approve the Board Minutes with a date of September 14, 2020 was made by Mr. Thompson, seconded by Mr. O’Leary. A roll call was taken:

Yes – Thompson, O’Leary, Giacalone, Straughn, Budnik,

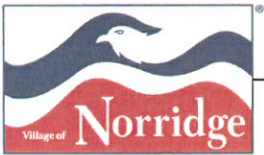
No – None

Abstain – Magnuson

MOTION CARRIED

Update on Future Cases

There are no new hearings scheduled at this time.



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Hearing – Case # 645 – 4400 N. Harlem Avenue

Chairperson Magnuson opened the hearings reading the rules of the hearing

The Secretary read the letter from the Petitioner.

Chairperson Magnuson swore in all present.

Mitch Goltz presented the case for GW properties. He displayed a planned map of the property. He stated they were looking to make the grocery store larger by eliminating the originally planned building on Montrose that was to have a drive-up. The Grocery store is the anchor for the project. He stated there are no changes to the gas station property that was previously approved.

Questions from the Board:

Q. Are there any changes to the parking spots that were originally required for the properties?

A: They remain the same; there will be larger spots on Montrose and Agatite to accommodate bigger vehicles.

Visitors Comments:

Paul Marenkowski -7862 Lawrence inquired why are we building a Starbucks so close to one just down the street.

Mr. Goltz answered that spacing was not an issue and that the North one would draw from the North and this one would draw from the south.

Rosa Barbenente – 7214 Pensacola asked why we need a gas station so close to one across the street.

Mr. Goltz answered that most drivers don't want to cross the traffic on the street.

The Board stated that the gas station was previously approved and is not an item that the petitioner is asking for any changes or will be discussed tonight.

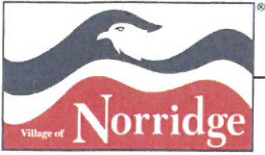
Athanasia Froustis – 7210 Pensacola is concerned about traffic from the gas station and that they should move it to the other side.

Carmela Mico – 7229 Montrose stated that the driveway second from the end would direct headlights right into her house and that traffic and parking is a concern.

Gerry Barcebal – emailed a letter to the Village Administrator for public comment – summarized as having issues with the two exits on Montrose.

Board Discussion

The Board moved to the address the items on the petition. Items that follow we either read in its entirety or summarized for those in attendance.



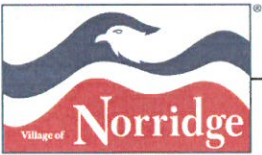
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The Zoning Ordinance provides that the area comprising 4400 North Harlem Avenue which is located in the M zone and is legally described on Petitioners' Plat of Survey/ Plat of Subdivision, be zoned in accordance with the Village's Planned Unit Development Ordinance. After a hearing before the Zoning Board of Appeals that was done initially by the Village Board in Ordinance 2002-20.

The Petitioner is now asking for changes to the Planned Unit Development that was approved by the Village Board in Ordinance 2002-20 due to changes in plans for the development. Both Ordinance 2002-20 and our Zoning Ordinance require that substantial changes in the proposed design of a previously approved planned unit development require a new hearing by the Zoning Board of Appeals and approval of any changes by the Village Board of Trustees. It is these changes that are before the Zoning Board tonight.

- Petitioner proposes a revised plat of subdivision enlarging Lot 3 (which will have the grocery store) by eliminating Lot 4 and making Lot 4 part of Lot 3. This will enable the grocery store to have a larger footprint and a larger parking area. The new plat of subdivision will have 3 lots instead of 4 lots.
- In eliminating Lot 4 the new plan relocates the restaurant and retail uses for Lot 4 to Lot 2 and eliminates the Lot 4 drive-through facility and the special use for it which was approved in Ordinance 2002-20. There will not be a drive-through in that area now.
- Lot 2 located at Agatite and Harlem will now have 2 buildings instead of 1. Building B-1 will have a drive-through Starbucks and Building B-2 will have the retail uses originally planned for Lot 4. The drive-through area for the Starbucks must be relocated since there are plans now for two buildings on Lot 2 instead of 1.
- These proposed changes will mean that adjustments need to be made to the special uses for the drive-through restaurants, to a number of the landscaping and buffering variations, addition of a parking space variation for Lot 2 due to the increased usage of that lot (although the overall development remains compliant with our code as to the total number of required parking spaces), and an increase of the number of truck or larger vehicle parking spaces provided for Lot 3.
- Petitioner does not ask for any changes to the Lot 1 special use for the gas station and convenience store, nor any changes to the location or dimensions of Lot 1 on the proposed plat of subdivision, nor for any changes to Variation #4 (a landscaping variation permitting a single row or shrubs) or Variation #7 (parkway tree requirements), all of which were approved by the Village Board in Ordinance 2002-20.



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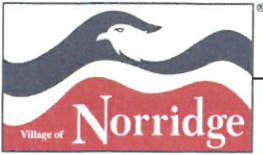
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- The Village Board's requirement in Ordinance 2002-20 of a 3 foot masonry wall along the development's south property line on Montrose continues and is unchanged by anything proposed tonight.
- All of the conditions and restrictions recommended by the Zoning Board of Appeals and imposed on this development by the Village Board in Ordinance 2002-20 are not up for reconsideration tonight and will remain unchanged.

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

1. Preliminary Plat of Planned Unit Development consisting of 1 sheet dated September 30, 2020. Prepared by Kimley Horn and Associates, Inc. Engineering, LLC. **Revised Ex. D, Revised Group Ex. E-1.**
2. Site Plan (Sheet ST1) consisting of 2 sheets: Preliminary Site Plan (Sheet C3.0) dated September 30, 2020. prepared by Kimley Horn; and Site Plan (Sheet ST1) dated September 30 prepared by Design Studio LLC. **Revised Group Ex. E-2.**
3. Landscape Plan (Sheet L101), consisting of 2 sheets dated September 30, 2020. prepared by Kimley-Horn and Associates, Inc. **Revised Group Ex. E-3.**
4. Preliminary Grading Plan (Sheet C4.0) dated September 30, 2020. consisting of 1 sheet prepared by Kimley-Horn and Associates, Inc. **Revised Group Ex. E-4.**
5. Preliminary Utility Plan (Sheet C5.0) dated September 30, 2020. consisting of 1 sheet prepared by Kimley-Horn and Associates, Inc. **Revised Group Ex. E-5.**
6. Sign Plan consisting of 6 pages dated September 3, 2020 prepared by Olympik Signs attached hereto as **Revised Group Ex. E-6.**
7. A letter from the owner dated June 15, 2020, authorizing GW Properties LLC to pursue the zoning entitlements to the property and attached hereto as **Revised Group Ex. E-7.**
8. A letter from the contract purchaser GW Properties LLC consisting of 3 pages dated July 29, 2020, and a letter from the contract purchaser GW Properties LLC dated September 3, 2020 consisting of 1 page, to pursue the zoning entitlements to the property. **Revised Group Ex. E-8.**
9. Aerial Map of property area, undated, consisting of 1 page. **Revised Group Ex. E-9.**



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10. Plat of Subdivision consisting of 2 sheets dated August 31, 2020 prepared by United Survey Service, LLC. **Revised Group Ex. E-10.**
11. Legal Notice consisting of 2 sheets published September 19, 2020 in the Chicago Tribune. **Revised Group Ex. E-11.**
12. Architectural Elevations consisting of 4 sheets dated September 30, 2020. **Revised Group Ex. E-12.**
13. Traffic projections prepared by Kenig, Lindgren, O'Hara, Aboona, Inc. consisting of 126 pages dated July 28, 2020. **Revised Group Ex. E-13.**
14. Photometric Plan prepared by WLS Lighting consisting of 1 page and dated September 30, 2020. **Revised Group Ex. E-14.**

The Zoning Board inquired of the petitioner if there would be signage directing cars to the exit from the drive through. Mr. Goltz answered that there would be.

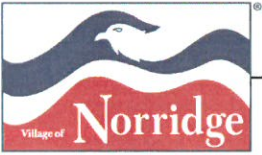
ITEM 2 – AMENDMENT OF DRIVE THROUGH SPECIAL USE FOR LOT 2 PREVIOUSLY APPROVED IN ORDINANCE 2002-20 AND REPEAL OF SPECIAL USE FOR LOT 4 PREVIOUSLY APPROVED IN ORDINANCE 2002-20.

1. ***Amended Special Use – Drive-Through Restaurant – Lot 2 and Lot 4.*** In Ordinance 2002-20 Section Three A, 1, the Village Board approved a Special Use for the Lot 2 drive-through restaurant pursuant to Article XI, Section 5 and Article X-A-1 Section 3 of the Zoning Ordinance with certain conditions. The Petitioner requests an amendment to the Lot 2 Special Use because the location of the drive-through area for the drive-through restaurant approved in Ordinance 2002-20 has been reconfigured due to the fact that there are now 2 buildings on Lot 2 instead of 1 building. The new location of the drive-through is shown on the **Revised Site Plan (Revised Group Ex. E-2)**. The Lot 4 Special Use granted in Ordinance 2002-20 is being eliminated in conjunction with the elimination of Lot 4. Petitioner's Revised Plat of Subdivision and the Revised Site Plan show the elimination of Lot 4 due to the enlargement of Lot 3 and the grocery store building to be built on Lot 3.

FINDINGS

Special Use Findings for the Revised Lot 2 Special Use:

- (a.) 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.) 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.) Will not impede the normal and orderly development and improvement of the adjacent property for uses permitted in the district.



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- (d.) 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 Petitioners will provide adequately for such services.
- (e.) Complies with all additional standards imposed on it by the particular provision of this Zoning Ordinance authorizing such use.

There were no absolutes against the Findings.

The Chairperson asked for a motion to approve or deny a recommendation for a Revised Lot 2 Special Use pursuant to Article XI, Section 5 and Article X-A-1 Section 3 of the Zoning Ordinance for a drive-through restaurant on Lot 2 as shown on the Revised Site Plan in the "M" Manufacturing District, subject to the terms, conditions and limitations set forth therein and as set forth in this Ordinance and specifically the following:

Revised Lot 2 Special Use conditions:

- (1) Hours of operation may be up to 24 hours.
- (2) Sound mitigation shall be provided.

The Revised Lot 2 Special Use shall run with the use and not with the land and is subject to the other terms, conditions and limitations in Ordinance 2002-20.

In the event that the Revised Lot 2 Special Use ceases to be used in accordance with this Ordinance or is terminated for any reason, the Revised Lot 2 Drive-Through Special Use granted herein shall be null and void by operation of law and with no further action necessary by the Village.

MOTION

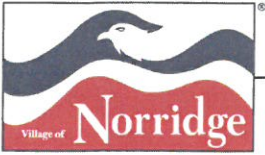
To Approve Amended Special Use #1 for Lot 2 by Mr. Thompson, seconded by Mr. O'Leary. A roll call was taken:

Yes – Thompson, O'Leary, Giacalone, Straughn, Budnik, Magnuson
No – None
Abstain – None

MOTION CARRIED

The next motion is procedural in nature and is to repeal the drive-through special use previously granted for Lot 4 since Lot 4 is being eliminated.

The Chairperson asked for a motion to recommend or deny repeal of Section Three A, 1, of Ordinance 2002-20 approving the Special Use for the Lot 4 drive-through restaurant shown on the Site Plan that is Group Exhibit 2 to Ordinance 2002-20.



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MOTION

To Approve the Repeal of the Lot 4 Special Use #1 by Mr. Thompson, seconded by Mr. Giacalone. A roll call was taken:

Yes – Thompson, O’Leary, Giacalone, Straughn, Budnik, Magnuson
No – None
Abstain – None

MOTION CARRIED

ITEM 3 – AMENDMENT OF VARIATIONS PREVIOUSLY APPROVED IN ORDINANCE 2002-20.

The public was asked for comment. – None

Amended Variation #1. Parking Stall Size Variation - Article 1, Section 1.53.

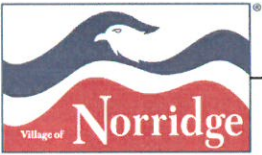
In Ordinance 2002-20 Section Three B, 1, the Village Board approved a variation of Article 1, Section 1.53 of the Zoning Ordinance reducing the length of the parking spaces by 2 feet from 9x20 to 9x18 feet resulting in a reduction of the overall square footage of each parking space by 18 square feet from 180 square feet to 162 square feet as now shown on the **Revised Site Plan (Revised Group Ex. E-2) for Lot 3 and Lot 4.** Petitioner is requesting that the exception for Variation #1 in Ordinance 2002-20 Section Three B, 1, permitting a parking stall size reduced in length by 1 foot from 9x20 to 9x19 square feet on Lot 3 be amended to provide for 48 larger spaces instead of 34 larger spaces approved in Ordinance 2002-20, an increase of 18 larger spaces to accommodate larger vehicles on Lot 3.

FINDINGS

- (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.

The Chairperson asked for a motion to approve or deny Amended Variation #1 for Lot 3 a variation from Article 1, Section 1.53 of the Zoning Ordinance to increase the number of spaces to accommodate larger vehicles from 34 in the prior Variation #1 to 48 parking spaces that are 9x19 square feet (171 square feet in area) as shown on the Revised Site Plan.



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MOTION

To Approve Amended Variation #1 for Lot 3 by Mr. O’Leary, seconded by Mr. Thompson. A roll call was taken:

Yes – Thompson, O’Leary, Giacalone, Straughn, Budnik, Magnuson
No – None
Abstain – None

MOTION CARRIED

The next motion is procedural in nature and is to repeal the exception to the variation for Lot 4 in Ordinance 2002-20 since it is eliminated from the development on the new plat of subdivision.

The Chairperson asked for a motion to recommend or deny the repeal of Variation #1 in Ordinance 2002-20 Section Three B, 1, b. of Article 1, Section 1.53 of the Zoning Ordinance for Lot 4 because Lot 4 has been eliminated from the development.

MOTION

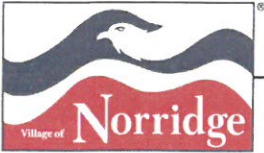
To Approve the Repeal of that portion of Variation #1 pertaining to Lot 4 by Mr. Budnik, seconded by Mr. Giacalone. A roll call was taken:

Yes – Thompson, O’Leary, Giacalone, Straughn, Budnik, Magnuson
No – None
Abstain – None

MOTION CARRIED

The next motion is procedural in nature to consider amendments to Variations 2, 3, 5, 6, and 8 in a group for purposes of the findings since these Variations all relate to the PUD requirements for landscaping, buffering, and site conditions. Variations 4 and 7 are unchanged from Ordinance 2002-20 do not need to be amended.

The Chairperson asked for a motion to consider amendments to Variations 2, 3, 5, 6, and 8 previously approved in Ordinance 2002-20 Section Three B as a group.



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MOTION

To Approve to consider amendments to Variations 2, 3, 5, 6, and 8 previously approved in Ordinance 2002-20 Section Three B as a group by Mr. Budnik, seconded by Mr. O'Leary. A roll call was taken:

Yes – Thompson, O'Leary, Giacalone, Straughn, Budnik, Magnuson
No – None
Abstain – None

MOTION CARRIED

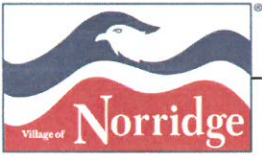
FINDINGS FOR AMENDED VARIATIONS 2, 3, 5, 6, and 8

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

Amended Variation #2. In Ordinance 2002-20 the Village Board granted a variation for Lot 1 and Lot 4 reducing the depth of the require buffer strip required by Article XI Section 8.6 of the Zoning Ordinance that requires a buffer strip be provided where a building in a manufacturing district is across the street from a residential district. Because Lot 4 and the building on Lot 4 have been eliminated from the development Variation #2 now applies only to Lot 1. There is a larger buffer strip around the Lot 1 building than was around the Lot 4 building. Although the Lot 1 building still needs a variation reducing the depth of the required 30 foot buffer strip by 11.5 feet due to existing site conditions, this Amended Variation for an 18.5 foot reduction is substantially less than the 26.7 foot variation approved in Ordinance 2002-20. This amendment only applies to Lot 1 on the north side of Montrose Avenue. This Amended Variation #2 remains subject to the same conditions previously required in Ordinance 2002-20, Section Three, B, Variation #2 which are:



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- 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 provide parkway trees in the public parkway on the north side of Montrose Avenue as shown on the Landscape Plan.
- c. That the Petitioner provide 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.

Public Comment

Rosa Barbenente – 7214 Pensacola stated that there are a lot of accidents at the corner of Montrose and Harlem and this will add to it.

The Zoning Board inquired as to what she deemed as “a lot of accidents”

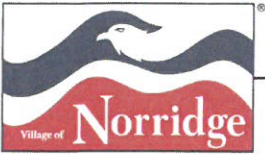
Rosa answered four.

Mr. Gaseor stated that there were changes made to the Montrose exits to make it safer.

Athanasia Froustis – 7210 Pensacola stated to vote as if you lived on this block.

Amended Variation #3. In Ordinance 2002-20 the Village Board granted 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 for the north, east and south side of the Property. Due to the proposed changes in the dimensions and location of off-street parking lots, the Petitioner has requested the following amendments to Variation #3 in Ordinance 2002-20:

- a. On the north side of the property a 5.8 foot reduction in the landscaped area from 8.0 feet to 2.2 feet due to existing site conditions subject to Petitioner providing bushes, landscaping and a four (4) foot high wrought iron type fence in mitigation as shown on the Revised Landscape Plan.
- b. On the east side of the property a 7.6 foot reduction in the landscaped area from 8.0 feet to .4 foot due to existing site conditions subject to Petitioners providing bushes, landscaping and a four (4) foot high wrought iron type fence in mitigation as shown on the Revised Landscape Plan. [no change from Variation #3]
- c. On the south side of the property a 4.7 foot reduction in the landscaped area from 8.0 feet to 3.3 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 Revised Landscape Plan.
- d. On the west side of the property a 3.7 foot reduction in the landscaped area from 8.0 feet to 4.3 feet due to existing site conditions subject to petitioner providing bushes, landscaping



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and a solid wood type fence on Lot 3 adjacent to Building C (depending on discussions with the neighboring property owner this may be a solid 8 foot fence in this location), and bushes as shown on the Revised Landscape Plan.

Public Comment

Mr Goltz – stated that the property is not perfectly square therefore the distances above are the minimums of the landscaped areas. The wall on Montrose remains unchanged. The Zoning Board commented that the solid wall on Montrose will block headlights from parking vehicles.

Athanasia Froustis – 7210 Pensacola stated her house is right in front of the proposed exit and there will be nothing blocking lights from the exiting vehicles.

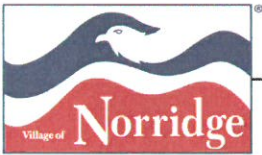
Amended Variation #5. In Ordinance 2002-20 the Village Board granted a variation of Article XI-A 6.3-c-3-f reducing the minimum ten (10) foot landscaped setback and screening area located along the length of any property line of the Planned Unit Development due to existing site conditions. While there is a minimum 10 foot buffer in places on Lot 1 (south of the convenience store building) the buffer area around the other property lines varies from 0.8 feet to 5.7 feet due to existing site conditions. The changes in design of the development necessitate some amendments to the previously approved Variation #5 in Ordinance 2002-20. Petitioner has proposed the following amendments to Variation #5:

A short discussion took place and Attorney Cherry defined the difference between “buffer” and “setback”.

- a. North – buffer is 2.2 feet – a 7.8 foot variation from the 10 foot requirement;
- b. East (Harlem Ave.) – buffer is 0.8 foot – a 9.2 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 4.3 feet a 5.7 foot variation from the 10 foot requirement.

As required in Ordinance 2002-20 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 Revised Landscape Plan, the Revised Site Plan and the Revised Preliminary Grading and Revised Utility Plan. On the south side of the Property (Montrose Avenue) a 36 inch high masonry wall is 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 Revised Landscape Plan.

Attorney Cherry stated that one of the issues with an eight foot high wall is that people can lurk behind them.



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Amended Variation #6. In Ordinance 2002-20 Section Three B, 2, the Village Board approved *Variation #6* granting relief from certain Foundation Planting Requirements in the Zoning Ordinance in Article XI-A 6.3(c)(2)(a). Due to Petitioner's proposed reconfiguration of the location of and addition of buildings on Lot 2 (Building B is eliminated and the buildings on Lot 2 are now designated as Building B-1 and Building B-2), the enlarging of the building on Lot 3, and the elimination of Building D and Lot 4, Petitioner has requested amendments to Variation #6 for Lot 2 and Lot 3. There is no change to Variation #6 for Building A located on Lot 1.

a. Building A, [unchanged from Variation #6]

b. For Building B-1 located on Lot 2 (the intersection of Harlem and Agatite Avenues to be three 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-1 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 north side of Building B-1 a variance from the 6 foot requirement of 1 foot while providing a landscaped area of 5.0 feet, and foundation plantings (as shown on the Revised Landscape Plan and the Revised Site Plan sheet C3.0) with underground water detention provided in mitigation.

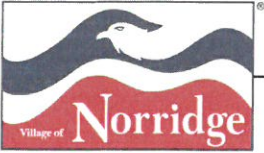
For Building B-2 located on Lot 2 (the intersection of Harlem and Agatite Avenues to be two retail units): a variation of 3 feet from the 6 foot requirement on the south side of Building B-2 while providing a landscaped area of 3 feet on the south side of Building B-2; and a variance from the 6 foot requirement on the north side of Building B-2 of .3 feet while providing landscaped area of 5.7 feet on the north side of Building B-2, and on the east and west side of Building B-2 a variation of 6 feet from the 6 foot requirement, and foundation plantings (as shown on the Revised Landscape Plan and the Revised Site Plan sheet C3.0) with underground water detention provided in mitigation.

c. For Building C located on Lot 3 (grocery store), a variation of 6 feet from the 6 foot requirement on the north, east and south of Building C with no landscaped area on the north, east and south due to the location of the parking lot, on the west a variation of 1.7 feet from the 6 foot requirement while providing a landscaped area of 4.3 feet wide with bushes as shown on the Revised Landscape Plan (this is next to Iggy's the neighboring property and its fence), and foundation plantings (as shown on the Revised Landscape Plan and the Revised Site Plan sheet C3.0) and underground water detention in mitigation.

The Zoning Board asked what changes regarding this item from the original plan.

Mr. Goltz summarized the changes.

Amended Variation #8. In Ordinance 2002-20 Section Three B, 2, the Village Board approved *Variation #8* a variation of Zoning Ordinance Article XI, 7 Height Regulations allowing a building height variation of up to 6 feet over the 26 feet height limitation for the Building C grocery store on Lot 3. Petitioner requests an amendment of Variation 8 to permit a height of 35 feet, a variance of 9



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feet over the limitation for Building C on Lot 3 as shown on the Revised Elevations for Building C in Revised Group Exhibit E-12.

The Chairperson asked for a motion to approve or deny the Amended Variations 2, 3, 5, 6, and 8.

MOTION

To Approve the Amended Variations 2, 3, 5, 6, and 8 by Mr. Thompson, seconded by Mr. Giacalone. A roll call was taken:

Yes – Thompson, O’Leary, Giacalone, Straughn, Budnik, Magnuson
No – None
Abstain – None

MOTION CARRIED

ITEM 4 – NEW VARIATION - A VARIATION IN THE NUMBER OF PARKING SPACES FOR LOT 2

Variation #9. Parking Areas, Parking Lots and Loading – Required Spaces - Article XII, Section 1.11 ((b)(e)(g)) - Petitioner requests a variation of 30 parking spaces from the requirements of Article XII, Section 1.11 ((b)(e)(g)) of the Zoning Ordinance requiring 65 parking spaces to be provided for Building B-1 and B-2 and the uses to be located on Lot 2. Petitioner’s Revised Site Plan provides 35 spaces for Lot 2 due to the requirements of existing site conditions, the reconfiguration of the Lot 2 drive-through area, and the fact that the businesses formerly located on Lot 4 referred to in Ordinance 2002-20 have been relocated to Lot 2 as shown on the Revised Site Plan. The Petitioner has sufficient parking spaces to meet code for the entire Norridge Corner PUD based on the parking spaces provided on the Revised Site Plan and Petitioner will provide for 30 parking spaces on Lot 1 and Lot 3 which are adjacent to Lot 2 by cross-easements to be designated as such in the REA to be established at closing of the sale by Makray to Petitioner. This cross-easement requirement is in Ordinance 2002-20 Section Three C (1).

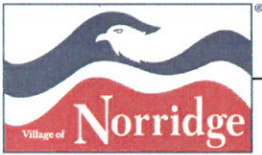
Chairperson Magnuson summarized parking space allowances for the properties. The Board inquired if there was a pathway to get from Lot 3 to Lot 2.

Mr. Goltz answered not between the buildings as they did not want to promote people walking through a drive-thru.

Public Comment

Rosa Barbenente – 7214 Pensacola asked are there enough parking spaces to park at Caputos.

Mr. Goltz stated that there are 175 spaces and they are required to have only 150.



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FINDINGS FOR VARIATION # 9.

- (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.

The Chairperson asked for a motion to approve or deny a recommendation of a Variation of Article XII, Section 1.11 ((b)(e)(g) for Lot 2 for a 30 space reduction conditioned on the REA specifically providing for those 30 spaces on adjacent areas of Lot 1 and Lot 3.

MOTION

To Approve a recommendation of a Variation of Article XII, Section 1.11 ((b)(e)(g) for Lot 2 for a 30 space reduction conditioned on the REA specifically providing for those 30 spaces on adjacent areas of Lot 1 and Lot 3 by O'Leary, seconded by Mr. Straughn. A roll call was taken:

Yes – Thompson, O'Leary, Giacalone, Straughn, Budnik, Magnuson

No – None

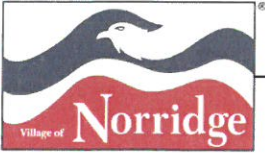
Abstain – None

MOTION CARRIED

ITEM 5 – PLANNED UNIT DEVELOPMENT CONDITIONS

Conditions applicable to Permitted Uses, Special Uses, and the Planned Unit Development approved for this Property in Ordinance 2002-20 remain unchanged and will apply to the Amended Special Use, Amended Variations and Variations that are the subject of the petition heard tonight.

The Chairperson asked for a motion to enter this outline detailing all of the documents produced, special uses, variations, and findings into the record for Case #645.



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MOTION

To enter this outline detailing all of the documents produced, special uses, variations, and findings into the record for Case #645 by Mr. Thompson, seconded by Mr. O'Leary. A roll call was taken:

Yes – Thompson, O'Leary, Giacalone, Straughn, Budnik, Magnuson
No – None
Abstain – None

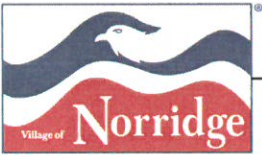
MOTION CARRIED

ITEM 6 - RECOMMENDATION OF AMENDMENTS TO 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.
- (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.



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- (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.

There were no absolutes against the Findings.

The Chairperson asked for a motion to approve or deny the Amendments and Variations to the Planned Unit Development and the Preliminary Plat of Planned Unit Development Approved in Ordinance 2002-20

MOTION

To approve the Amendments and Variations to the Planned Unit Development and the Preliminary Plat of Planned Unit Development Approved in Ordinance 2002-20 by Mr. Thompson, seconded by Mr. Giacalone. A roll call was taken:

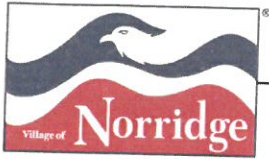
Yes – Thompson, O’Leary, Giacalone, Straughn, Budnik, Magnuson
No – None
Abstain – None

MOTION CARRIED

ITEM 7 – PLAT OF SUBDIVISION

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

The Chairperson asked for a motion to approve or deny recommending the proposed Revised Plat of Subdivision for the Property located at 4400 Harlem Avenue.



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MOTION

To approve recommending the proposed Revised Plat of Subdivision for the property located at 4400 Harlem Avenue by Mr. Giacalone, seconded by Mr. Straughn. A roll call was taken:

Yes – Thompson, O’Leary, Giacalone, Straughn, Budnik, Magnuson
No – None
Abstain – None

MOTION CARRIED

Case was closed.

The court reporter was released.

Discussion: CMAP Recommendations

This item was tabled for tonight and will be discussed at a continuance meeting.

Public Comment

Athanasia Froustis – 7210 Pensacola asked if the Montrose driveway exits were up for discussion.

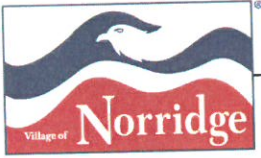
The Board answered that the exits were not an item discussed here tonight.

MOTION - By Mr. Thompson, seconded by Mr. Straughn that the meeting be continued to Monday, October 26, 2020 at 6:30 P.M. to be held at the Seib Center at 7774 Irving Park Road due to early voting has use of the Board room at the Village Hall. A roll call vote was taken:

Yes – Thompson, O’Leary, Giacalone, Straughn, Budnik, Magnuson
No – None
Abstain – None

MOTION CARRIED.

MEETING ENDED at 8:40 P.M. Next meeting scheduled for October 26, 2020, 6:30 P.M. at the Sieb Center 7774 Irving Park Road.



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The Zoning Board of Appeals of the Village of Norridge, Cook County, Illinois
Re-Convened on the 26th day of October, 2020, 6:30 P.M. at the Estelle Sieb Center
7774 W. Irving Park Road, Norridge, IL 60706

The meeting was called to order by Chairperson Magnuson, all present had their
temperatures taken prior to entering, wore face coverings and remained socially distant.
Upon roll call the following named members answered present:

Roll Call: Present: Janice Magnuson, Chairperson
Allan Budnik, Secretary
Richard Thompson, Member
Christopher O'Leary, Member
Christian Giacalone, Member
Michael Straughn, Member

Absent: Christopher Miroslaw, Member

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

Update on Future Cases

One case will be scheduled for December.

Discussion: CMAP Recommendations

The board continued review cannabis zoning items and the remainder of the meeting involved discussions on what we need to prepare for a future public zoning hearing on dispensaries. Items to consider will be to allow a dispensary or not, how many if allowed, distances from schools, etc. and if an overlay of the zoning map should be considered. Other items include medical or recreational dispensaries and parking considerations must be included. A future hearing should be at a place and time when the pandemic eases.

Public Comment – None

MOTION - By Mr. Straughn, seconded by Mr. Giacalone that the meeting be adjourned. A voice vote was taken with no objections. **MOTION CARRIED.**

MEETING ENDED at 8:35 P.M. Next meeting scheduled for November 9, 2020, 6:30 P.M.

Respectfully submitted,

Allan J. Budnik
Secretary

Janice Magnuson
Chairperson