

MEETING AGENDA



Planning and Zoning Commission

Village of Homewood

November 21, 2024

Meeting Start Time: 7:00 PM

Village Hall Board Room

2020 Chestnut Road, Homewood, IL

Commission Meetings will be held as in-person meetings. In addition to in-person public comment during the meeting, members of the public may submit written comments by email to pzc@homewoodil.gov or by placing written comments in the drop box outside Village Hall. Comments submitted before 4:00 p.m. on the meeting date will be distributed to all Commission members prior to the meeting.

Please see last page of agenda for virtual meeting information.

1. Call to Order
2. Roll Call
3. Minutes:
Approve minutes from the October 24, 2024 meeting of the Planning and Zoning Commission.
4. Public Comments
5. Regular Business:
 - A. **Public Meeting** for Case 24-32: Site Plan Review for Redevelopment at 2124 W 183rd Street
 - B. **Public Hearing** for Case 24-46: Text Amendment to Permit Child Care Centers as Special Use in B-2 Downtown Transition Zone
 - C. **Public Hearing** for Case 24-47: Map Amendment from R-2 Single Family Residence to B-2 Downtown Transition at 18341 Dixie Highway
 - D. **Public Hearing** for Case 24-48: Special Use Permit for Child Care Center at 18341 Dixie Highway
 - E. **Public Hearing** for Case 24-53: Variance for Additional Driveway at 18148 Perth Avenue
 - F. **Public Hearing** for Case 24-49: Special Use Permit for Indoor Commercial Place of Assembly at 18035 Dixie Highway
6. Old Business:
7. New Business:
8. Adjourn

The public is invited to the meeting using the link below to join Webinar:
<https://us06web.zoom.us/j/99184811606?pwd=UkU5TjBjQm9kOTd0QkxkxektpaGRYdz09>

To listen to the Meeting via phone: Dial: 1-312-626-6799
Webinar ID: 991 8481 1606 Passcode: 573812

VILLAGE OF HOMEWOOD



MEETING MINUTES

DATE OF MEETING: October 10, 2024

PLANNING AND ZONING COMMISSION

7:00 pm

Village Hall Board Room
2020 Chestnut Street
Homewood, IL 60430

CALL TO ORDER:

Chair Sierzega called the meeting to order at 7:00 pm

ROLL CALL:

In attendance were Members Bransky, Castaneda, Johnson, O'Brien, Castaneda, and Chair Sierzega. Member Alfonso was absent. Present from the Village was Director of Economic and Community Development Angela Mesaros (serving as Staff Liaison), and Assistant Director of Economic & Community Development Noah Schumerth. Two representatives were present to provide scheduled training: David Silverman of Ancel Glink and Jason Berry of the Village of Lemont. Fourteen students from the Chaddick Institute of DePaul University were also in attendance a part of university activities. One member of the public was in attendance (Jim Scheffke of the Village Appearance Commission)

The public was able to watch and listen to the meeting via Zoom webinar.

APPROVAL OF MEETING MINUTES:

Chair Pro Tempore Bransky requested any requests for changes in the minutes.

Member O'Brien provided a statement requesting a change to page 5 of the minutes, clarifying the square footage and calculations of building capacity for the salon and spa use considered at the previous meeting.

Member O'Brien requested that a paragraph on page 5 referring to a previous case be deleted.

Member O'Brien motioned to approve the minutes from September 26, 2024; seconded by Member Johnson.

AYES: Members Bransky, O'Brien, Johnson, Castaneda

NAYES: NONE

ABSTENTIONS: Member Alfonso

ABSENT: Member Cap, Chair Sierzega

PUBLIC COMMENT:

None

Meeting Minutes | October 24, 2024

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Last Revised: 11/15/2024

REGULAR BUSINESS:

Planning and Zoning Commission Training Session. Presented by the American Planning Association - Illinois Chapter, in partnership with the Chaddick Institute at DePaul University.

Chair Pro Tempore Bransky introduced David Silverman of Ancel Glink and Jason Berry of the Village of Lemont, who were present to provide training for Planning and Zoning Commission members.

Member Cap arrived at 7:09pm.

The following topics were discussed: introductions of each Commission member; the role of the Planning and Zoning Commission and other municipal boards and agencies; Commission communication; meeting procedure; Commissioner responsibilities; standards and basis for Commission decisions and LaSalle Factors; areas of authority for Commissioners; Chair responsibilities vs. member responsibilities; handling testimony; developing Findings of Fact and conditions of approval; handling special uses requests; variances; ex parte communications; ethical commitments and responsibilities; managing conflicts of interest; Open Meetings Act; and planning tools for shaping development.

The training presentation and discussion concluded at 8:56pm.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

ADJOURN:

Member O’Brien made a motion to adjourn; second by Member Castaneda.

AYES: Members Alfonso, Cap, Bransky, O’Brien, Johnson, Castaneda

NAYES: NONE

ABSTENTIONS:

ABSENT: Chair Sierzega

Respectfully submitted,

Noah Schumerth

Noah Schumerth, Assistant Director of Economic and Community Development

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VILLAGE OF HOMEWOOD



MEMORANDUM

DATE OF MEETING: November 21, 2024

To: Planning and Zoning Commission

From: Noah Schumerth, Assistant Director of Economic and Community Development

Through: Angela Mesaros, Director of Economic and Community Development

Topic: Case 24-32: Site Plan Review for Redevelopment at 2124 W 183rd Street

APPLICATION INFORMATION

APPLICANT	Animesh (Andy) Kumar
ACTION REQUESTED	Site Plan Review
ADDRESS	2124 W 183 rd Street
PIN	29-31-315-014

ZONING & LAND USE

SUBJECT PROPERTY	ZONING	LAND USE
CURRENT	B-2 Downtown Transition	Vacant (Former Gas Station)
SURROUNDING	N: B-2 Downtown Transition	Professional Office
	E: B-2 Downtown Transition	Single-Family Residential
	S: B-2 Downtown Transition	Retail (Bicycle Shop)
	W: B-2 Downtown Transition	Gas Station

DOCUMENTS FOR REVIEW

Title	Pages	Prepared by	Date
Site and Landscaping Plan	1	J. Scott McKay, Architect	09/27/2024
Existing Floor Plan and Site Details	1	J. Scott McKay, Architect	09/27/2024
New First Floor Plan	1	J. Scott McKay, Architect	09/27/2024
Elevations	1	J. Scott McKay, Architect	09/27/2024
Additional Site Details	1	J. Scott McKay, Architect	09/27/2024
Color and Material Board	1	J. Scott McKay, Architect	10/15/2024
Environmental Restrictions Map	1	TriCore Engineering	8/22/2022
Site Plan Review Notes	2	Angela Mesaros, Dir. ECD	10/29/2024
Staff Exhibits	2	Noah Schumerth, Asst. Dir. ECD	11/05/2024

BACKGROUND

The applicant has proposed the redevelopment of a 0.35-acre site located at 2124 W 183rd Street. The applicant plans to repurpose the existing building on the site for a restaurant. In addition, they propose to construct an outdoor patio and site improvements necessary to support a restaurant use.

HISTORY

The original use of the property was a gas station, constructed in 1954. The property was used as a gas station until 2014, and has been vacant since that time. Due to the previous use as a gas station, the property was classified as a brownfield site requiring environmental review.

In 2021, the Village bought the property. The Village approved a Letter of Intent with Animesh (Andy) Kumar of Ultra Energy Group LLC. The Village published the solicitation for alternate proposals. No bids were received.



Figure 1: The building's previous use, Jetsonic convenience store and Citgo gas station, in 2013.

DISCUSSION

Site Plan

The applicant has proposed site redevelopment at 2124 W 183rd Street to support a new restaurant. The redevelopment will include improvements to the parking area, landscaping, a new outdoor patio, and other improvements required by the Village Zoning Ordinance to support restaurant use. The applicant will renovate the existing 2,370-square-foot building on the site for use as a restaurant.

The applicant has proposed reconstruction of the parking area on the site to create 12 new parking spaces. The restaurant use requires 12 parking spaces: *1 space per 200 s.f. * 2,370 s.f. = 11.85 parking spaces needed, (rounded up to 12 parking spaces).*

The use requires one (1) ADA-accessible parking space; two (2) spaces are provided. One (1) off-site loading space is provided as the Village Zoning Ordinance requires.

The applicant will construct a 6' public sidewalk along 183rd Street along the southern perimeter of the site and a new 5' walkway to connect the building and patio to the public sidewalk on 183rd Street, meeting pedestrian access requirements in the Village Zoning Ordinance. The sidewalk will connect ADA-accessible parking spaces to the building.

Vehicular access to the site will be provided by the two existing driveways off 183rd Street and Morris Avenue. An existing third curb cut, on Morris Avenue to the south, will be removed. A final set of drawings showing planned improvements instead of the existing driveway must be submitted prior to the issuance of building permits. *See Planning and Zoning Commission Recommendation.*

The applicant proposes a 430-square-foot patio for outdoor dining on the east side of the building. This will provide space for approximately 6 dining tables, as shown in the applicant's floor plan exhibits. The patio will be enclosed by a 4' 6" fence as required by the Village's liquor ordinance. The fence will be constructed with a "faux wood" and black metal frame.

A trash enclosure will be constructed near the northeastern corner of the site. The enclosure will open onto the alley to align with neighboring structures that receive trash pick-up service from the public alley north of the property. The enclosure will match the materials used on the primary structure, including a gate that matches the materials of the patio fence and building parapet. The enclosure meets all requirements of the Village Zoning Ordinance, including perimeter landscaping around the enclosure.

The site plan meets all standards for off-street parking and loading, trash enclosure and screening, and access.

Landscaping

The current property is fully covered by impervious surfaces with no landscaping. The applicant proposes new landscaping along the building foundation, site perimeter, and within new parking lot islands and other open areas of the property. The applicant also proposes landscaping to screen the trash enclosure and outdoor patio.

The applicant proposes the addition of three canopy trees (Japanese lilac trees) on the property; two located on the perimeter of the site adjacent to the Shell gas station to the west and one within a large parking lot landscape island. The applicant will provide shrubs and perennials in landscape beds throughout the property. Additional annuals will supplement landscape materials located near the foundation of the building.

The Village Arborist has reviewed the landscape plans and provided recommendations for species changes to promote the use of native flora and hardy plant materials based on Village landscape policies and the Appearance Plan. The applicant has provided a plant list in alignment with the recommendations of the Village Arborist.

Based on the State's remediation standards, the property is required to maintain an "engineered barrier" across the southern portion abutting 183rd Street to mitigate the effect of underground contaminants. This area must remain 100% paved so that no landscaping is permitted in this area. Other improvements, such as lighting and utilities, may be located inside the engineered barrier area.

The applicant has provided foundation landscaping along less than 80% of frontage in front and exterior side yards. Section 44-05-05.E.3 of the Village Zoning Ordinance permits the Director of Economic and Community Development to approve an alternative design for foundation landscaping that includes landscaping across less than 80% of the length of the building façade.

All zoning requirements for landscape areas (foundation, perimeter, interior parking lot island, enclosure screening) are met.

Site Engineering/Grading and Drainage

After acquiring the property, the Village engaged and TriCore, an environmental firm, to remediate the site under the State's Leaking Underground Storage Tank (LUST) program so it could be safely redeveloped. TriCore has outlined the state's requirements to obtain a No Further Remediation Letter (NFR) for the property, including restrictions on use and improvements to be constructed on the site. A restaurant is a permitted commercial use, provided all other standards are met. The following restrictions apply to all improvements and should be accounted for by the Planning and Zoning Commission:

- All soils excavated from the site shall be tested and disposed of at an appropriate hazardous waste disposal facility.
- An engineered barrier shall be established over a designation portion of the site along 183rd Street (see exhibit provided from TriCore Engineering). The engineered barrier area must remain paved with no exposed soils.

The proposed site plan meets all the required environmental standards.

The site currently drains surface runoff into drainage channels along 183rd Street. This adds to flooding in the south viaduct where drainage from the site is eventually diverted. In order to provide additional on-site detention, the Village Engineer requires that on-site drainage facilities be expanded with an oversized diameter pipe and a restrictor. A curb inlet will be installed to funnel runoff into an on-site facility.

An outdoor underground grease interceptor is required. A revised site plan indicating the location of the grease interceptor is required before the issuance of building permits. *See Recommended Planning and Zoning Commission Action.*

The site meets all engineering requirements for the site, including drainage improvements.

Elevations

The existing building is clad in concrete masonry blocks with various finishes, including split face, smooth face, and fluted finishes. The finishes are distributed across each elevation of the building, with split face block covering most of the building (particular the rear and interior side facades). Smooth block is primarily used above the storefront, fluted block is used for to create architectural accents. The smooth block covers an area where a canopy was removed. The building has a large storefront window with black and red aluminum framing. The front entrance to the building is oriented to the southeast, facing the corner of Morris Avenue and 183rd Street.



Figure 1: Existing structure on the site with materials identified. Plans for use of materials in redevelopment identified on image.

The elevations largely preserve the design of the existing building. The applicant has proposed to maintain the beige split face and fluted block across all four elevations of the building, including split-face block with a smoother finish above the storefront system of the building. The proposed building will maintain the existing storefront and concrete cap lining the roofline on each façade of the building.

Screening panels will be attached to the roof line of the building above the storefront. The screening panels will be constructed from NewTechWood composite board (recycled wood fiber and HDPE molded plastic) framed with black powder coated steel components. The new composite screens meet the screening requirements for roof-mounted equipment while creating the appearance of an even roof line across all four elevations of the building. The steel panels will match the material and finish used for the patio fencing on the east side of the building.

The concrete masonry cladding on the north, west, and east elevations has sustained wear and damage. The applicant will repair all areas where concrete masonry material has been damaged.

The Appearance Commission approved the building elevations, colors, and materials at its meeting on November 13, 2024.

Lighting

A photometric plan must be provided to complete the Site Plan Review. The applicant has proposed wall sconce lighting on the building near the front entrance as shown in the attached renderings. See *Recommended Planning and Zoning Commission Action*.

STAFF COMMENTS

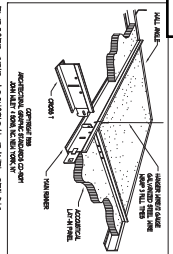
A Limited Use Permit approval will be required for the outdoor patio. This review is administered by staff as part of the Business License review for the restaurant use.

RECOMMENDED PLANNING & ZONING COMMISSION ACTION

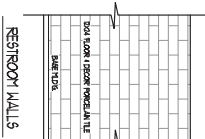
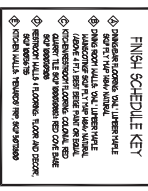
The Planning and Zoning Commission may wish to consider the following motion:

Approve Case 24-32, Site Plan Review for 2124 W 183rd Street, as proposed on the drawings submitted by J. Scott McKay, Architect, subject to the following conditions:

1. The location of an outdoor grease interceptor to accommodate the proposed restaurant must be identified in revised site drawings submitted to Village staff before the issuance of any building permit;
2. Proposed improvements within public right-of-way with the removal of a curb cut on Morris Avenue, including parkway improvements, must be identified in revised site drawings; and
3. A photometric plan showing the location of lighting fixtures, photometric values, and any proposed lighting product details shall be submitted prior to the issuance of any building permits.



TYPICAL WALL SECTION



SYMBOL LABEL LEGEND

SYMBOL	DESCRIPTION
1	WALL
2	DOOR
3	WINDOW
4	CEILING
5	FLOOR
6	MECHANICAL
7	ELECTRICAL
8	PLUMBING
9	MECHANICAL
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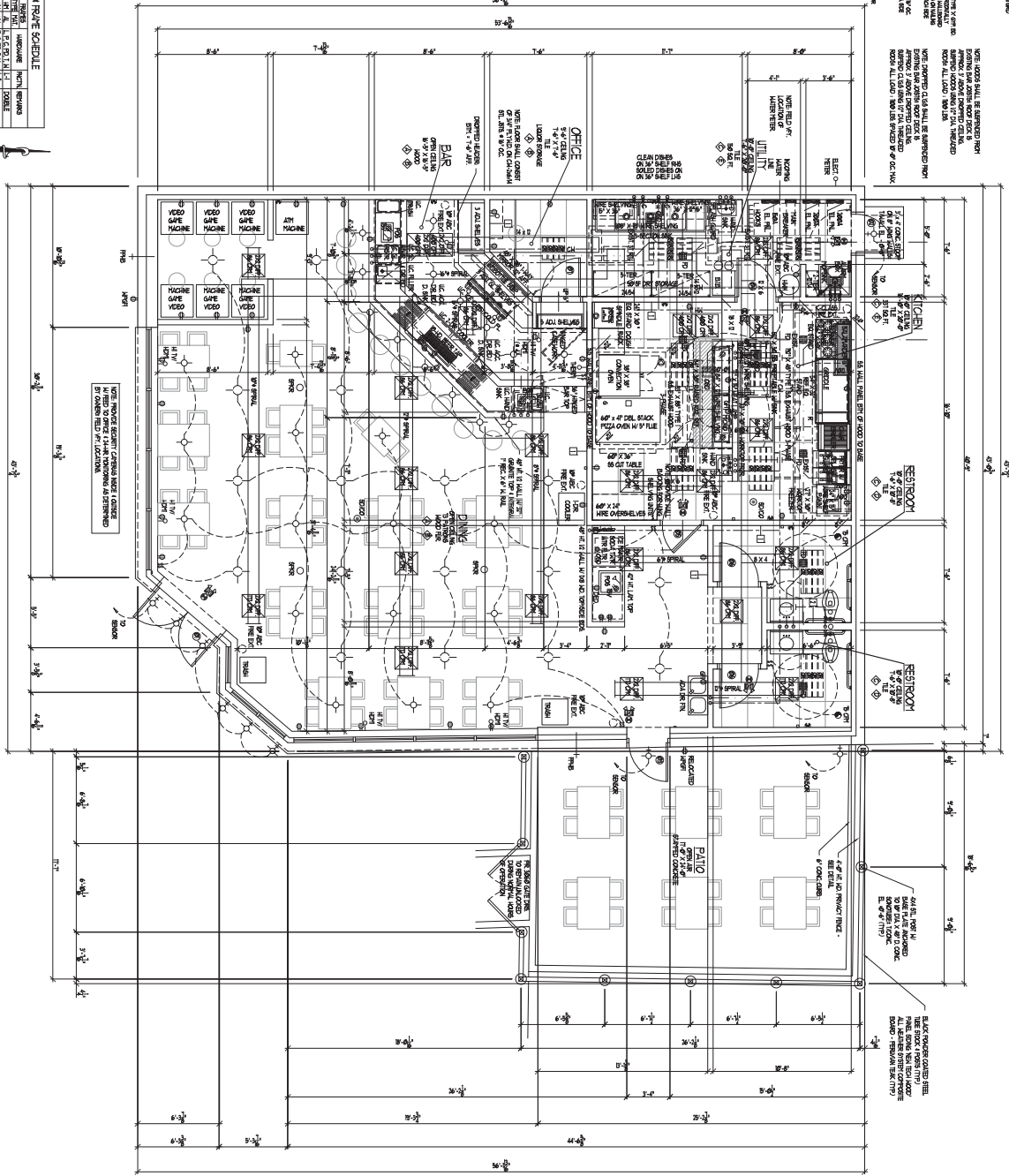
LANDSCAPE ELECTION MATERIALS KEY

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DOOR FRAME SCHEDULE

NO.	DESCRIPTION	FINISH	TYPE	MARKING
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NEA FIRST FLOOR PLAN - ARCHITECTURE



WALL ASSEMBLY KEY

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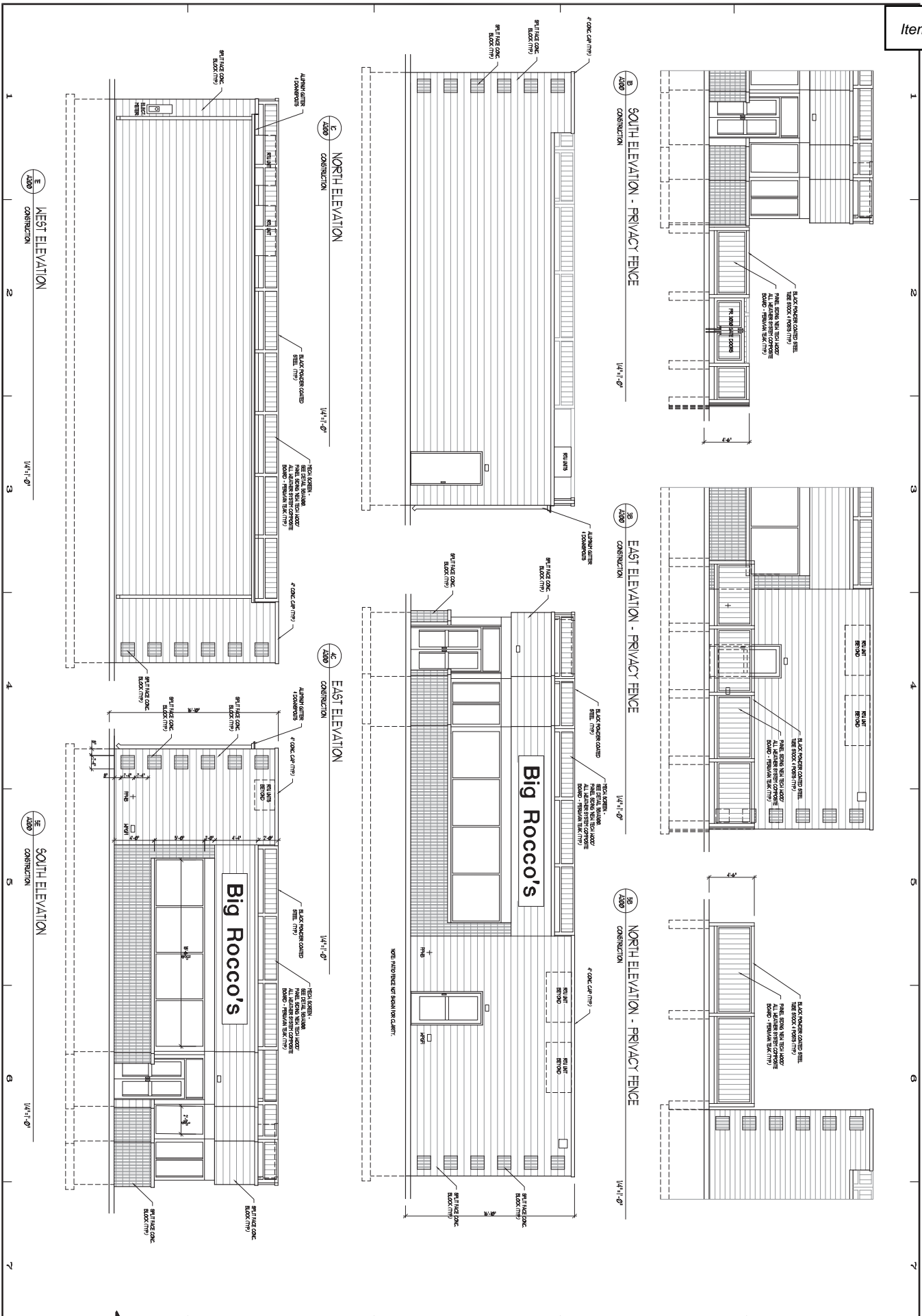
J. Scott Mackay, Architect
 Residential, Commercial, Industrial, Equine Architecture
 Nurseries, Virtual Modeling, Renewable resources and Alternative Energy Solutions
 J. Scott Mackay, Architect
 300 Blue Springs Lane
 Gladstone Heights, IL 60038
 Tel: 815-245-3301
 email: dchencaiche@msa.com

NEA FIRST FLOOR PLAN - ARCHITECTURE
 DOOR SCHEDULE, SUPPLY & WASTE LEGEND
 SYMBOLS KEY, TYPICAL WALL SECTION

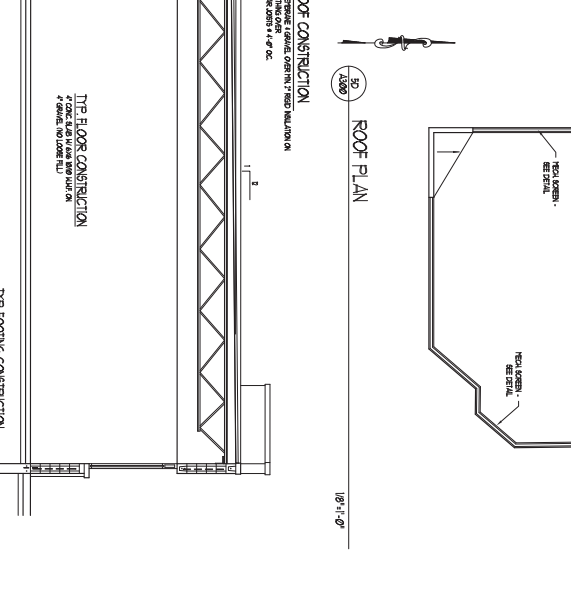
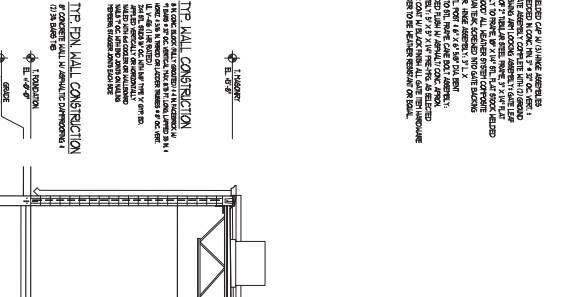
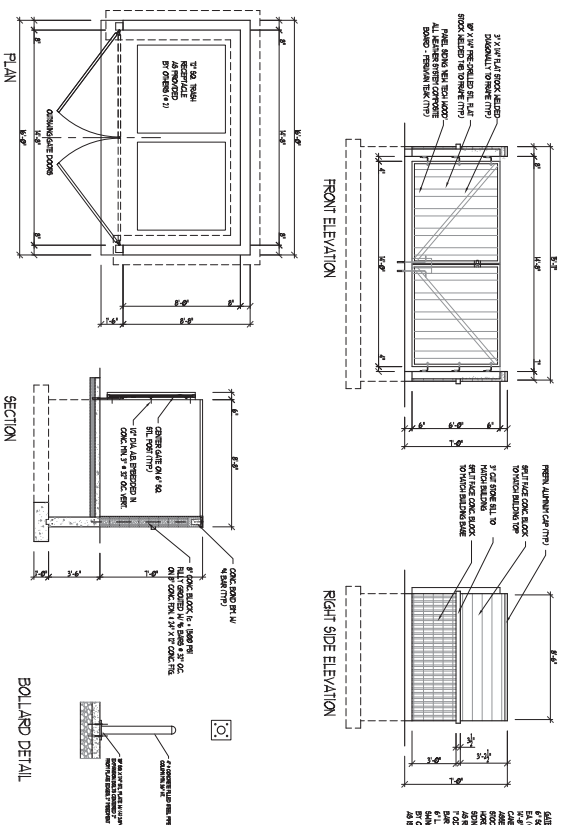
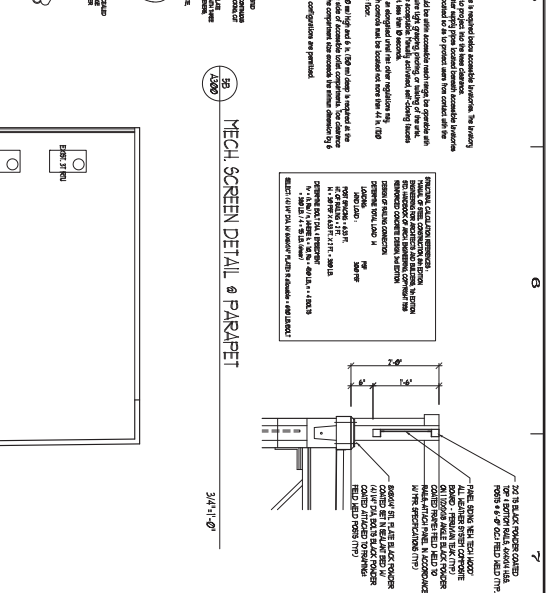
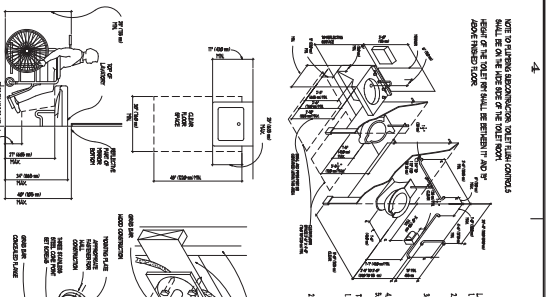
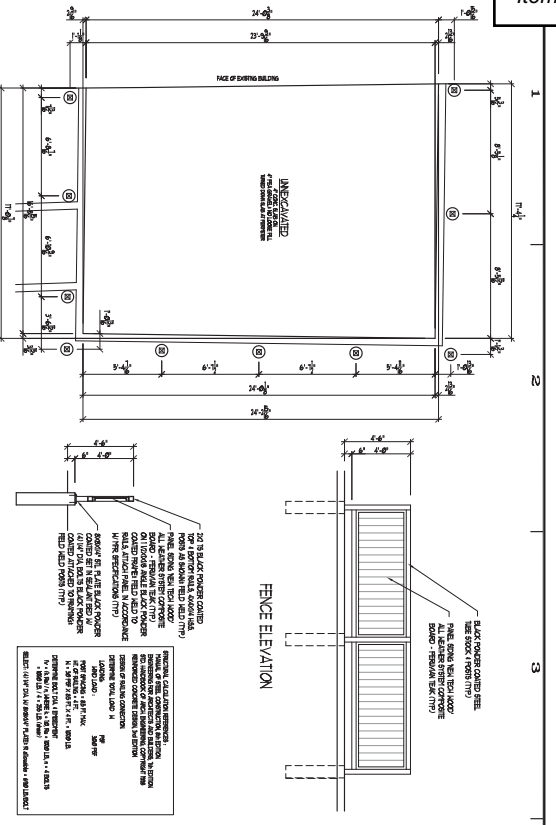
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 204 N. BARD ST.
 HOMEWOOD, IL



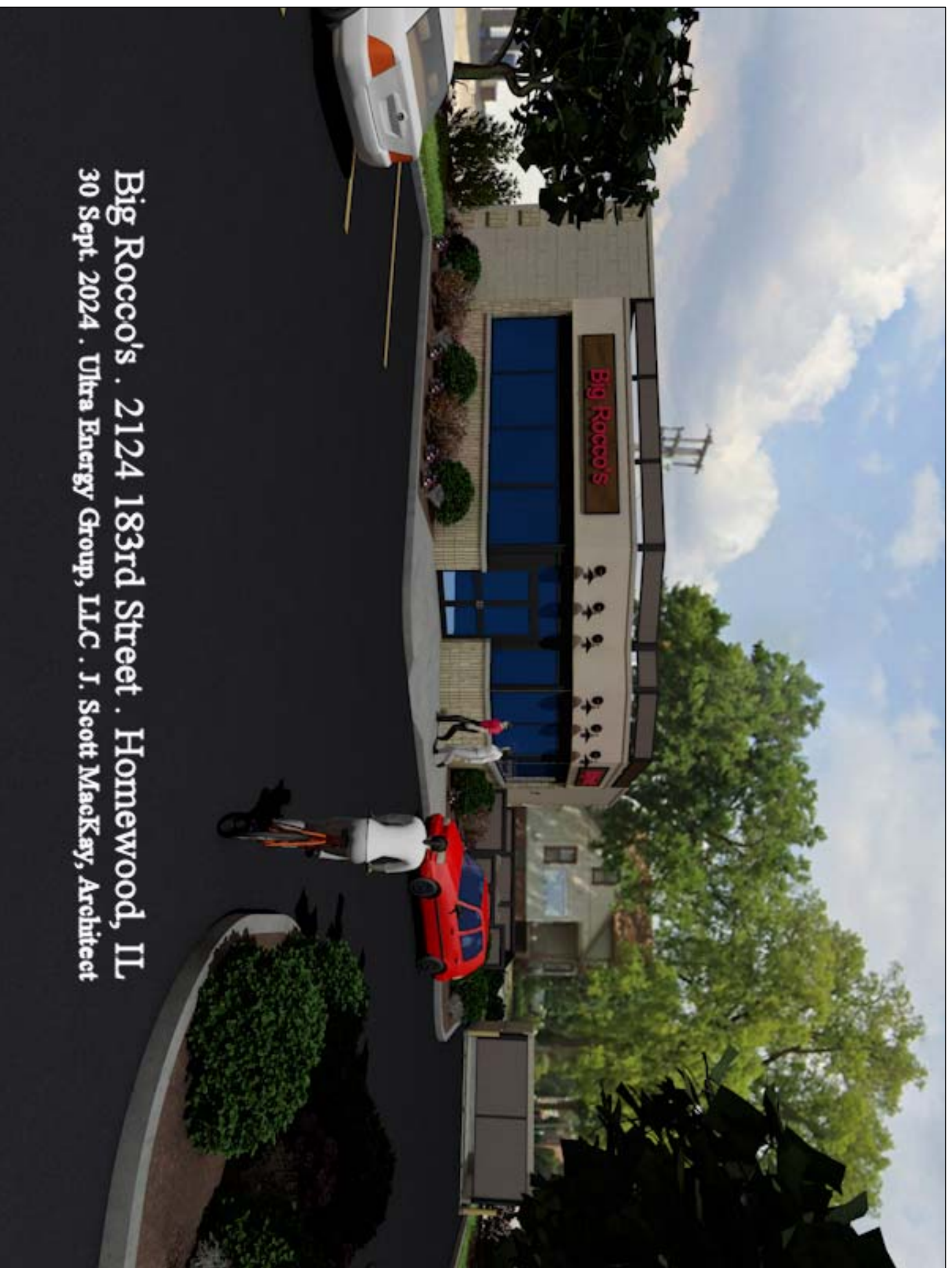
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<p>J. Scott MacKay, Architect Residential, Commercial, Industrial, Equestrian Architecture Restoration, Virtual Modeling, Renewable resources and Alternative Energy Solutions</p>	<p>J. Scott MacKay, Architect 301 Blue Springs Blvd. Glenade Heights, TN 37039 Tel: 855-245-3361 email: chenscaiche@msmka.com</p>	<p>RENOVATION TO: 204 N. BIRD ST. HOMEBROOK, IL</p>	<table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>REVISION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>5-20-24</td> <td>ISSUE FOR PERMIT</td> </tr> <tr> <td>2</td> <td></td> <td></td> </tr> <tr> <td>3</td> <td></td> <td></td> </tr> <tr> <td>4</td> <td></td> <td></td> </tr> <tr> <td>5</td> <td></td> <td></td> </tr> </tbody> </table>	NO.	DATE	REVISION	1	5-20-24	ISSUE FOR PERMIT	2			3			4			5		
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<p>J. Scott MacKay, Architect Residential, Commercial, Industrial, Equine/Inn Architecture Horticulture, Virtual Modeling, Renewable resources and Alternative Energy Solutions</p> <p>J. Scott MacKay, Architect 401 Blue Springs Road Glenade Heights, TN 37093 Tel: 855-245-3361 email: dchenecher@jmac.com</p>	<p>BUILDING SECTION ROOF PLAN, MECH. SCREEN DETAIL, ACCESSIBILITY DETAILS, TRASH ENCLOSURE DETAIL, PRIVACY FENCE DETAIL.</p>	<p>RENOVATION TO: 204 N. BIRD ST. HOMESWOOD, IL</p> <p>ULTRA ENERGY GROUP, LLC 11465 BUTTERFIELD, RD.</p>	<table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>REVISION</th> </tr> <tr> <td>1</td> <td>09-24</td> <td>ISSUE FOR PERMIT</td> </tr> <tr> <td>2</td> <td>11-11</td> <td>REVISED PER COMMENTS</td> </tr> <tr> <td>3</td> <td>12-18</td> <td>REVISED PER COMMENTS</td> </tr> <tr> <td>4</td> <td>12-18</td> <td>REVISED PER COMMENTS</td> </tr> <tr> <td>5</td> <td>12-18</td> <td>REVISED PER COMMENTS</td> </tr> <tr> <td>6</td> <td>12-18</td> <td>REVISED PER COMMENTS</td> </tr> </table>	NO.	DATE	REVISION	1	09-24	ISSUE FOR PERMIT	2	11-11	REVISED PER COMMENTS	3	12-18	REVISED PER COMMENTS	4	12-18	REVISED PER COMMENTS	5	12-18	REVISED PER COMMENTS	6	12-18	REVISED PER COMMENTS
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Big Rocco's . 2124 183rd Street . Homewood, IL
 30 Sept. 2024 . Ultra Energy Group, LLC . J. Scott MacKay, Architect

1B
 NBI

EXTERIOR RENDERING
 PROPOSED CONDITIONS

NO SCALE



NEW TECH WOOD COMP. - PERUVIAN TEAK

1B
 NBI

PROPOSED MATERIALS
 PROPOSED CONDITIONS

NO SCALE



BLACK POWDER COATED SQUARE STEEL

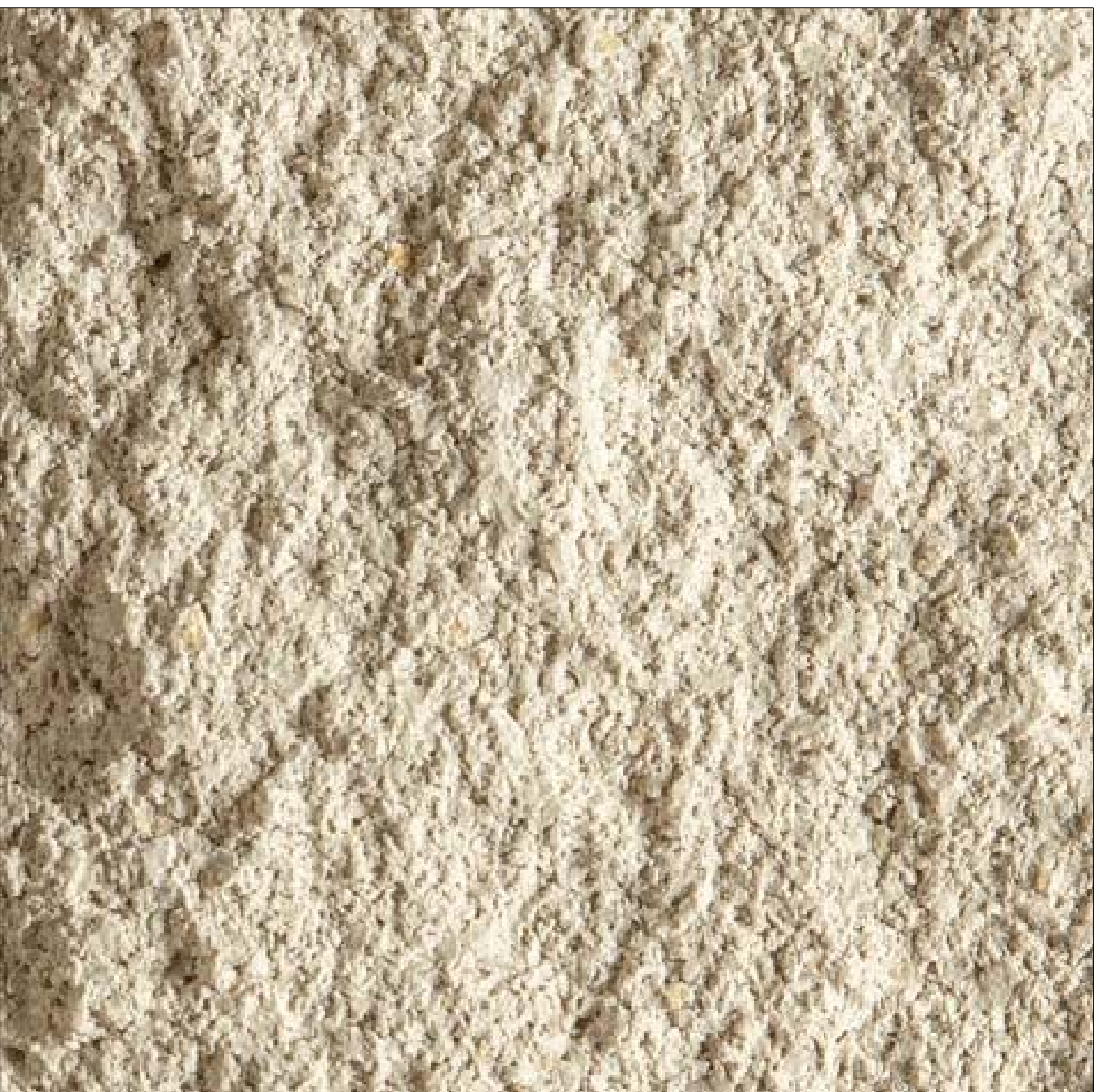


NORTHFIELD SPLIT FACE BLOCK - BALSA

1E
 NBI

EXISTING MATERIALS
 PROPOSED CONDITIONS

NO SCALE



NORTHFIELD SPLIT FACE BLOCK - WHITE BIRCH

1E
 NBI

PROPOSED MATERIALS
 PROPOSED CONDITIONS

NO SCALE



NORTHFIELD RIB SPLIT BLOCK - BALSA

NO.	DATE	REVISION
1	10-5-24	
2		
3		
4		
5		
6		
7		

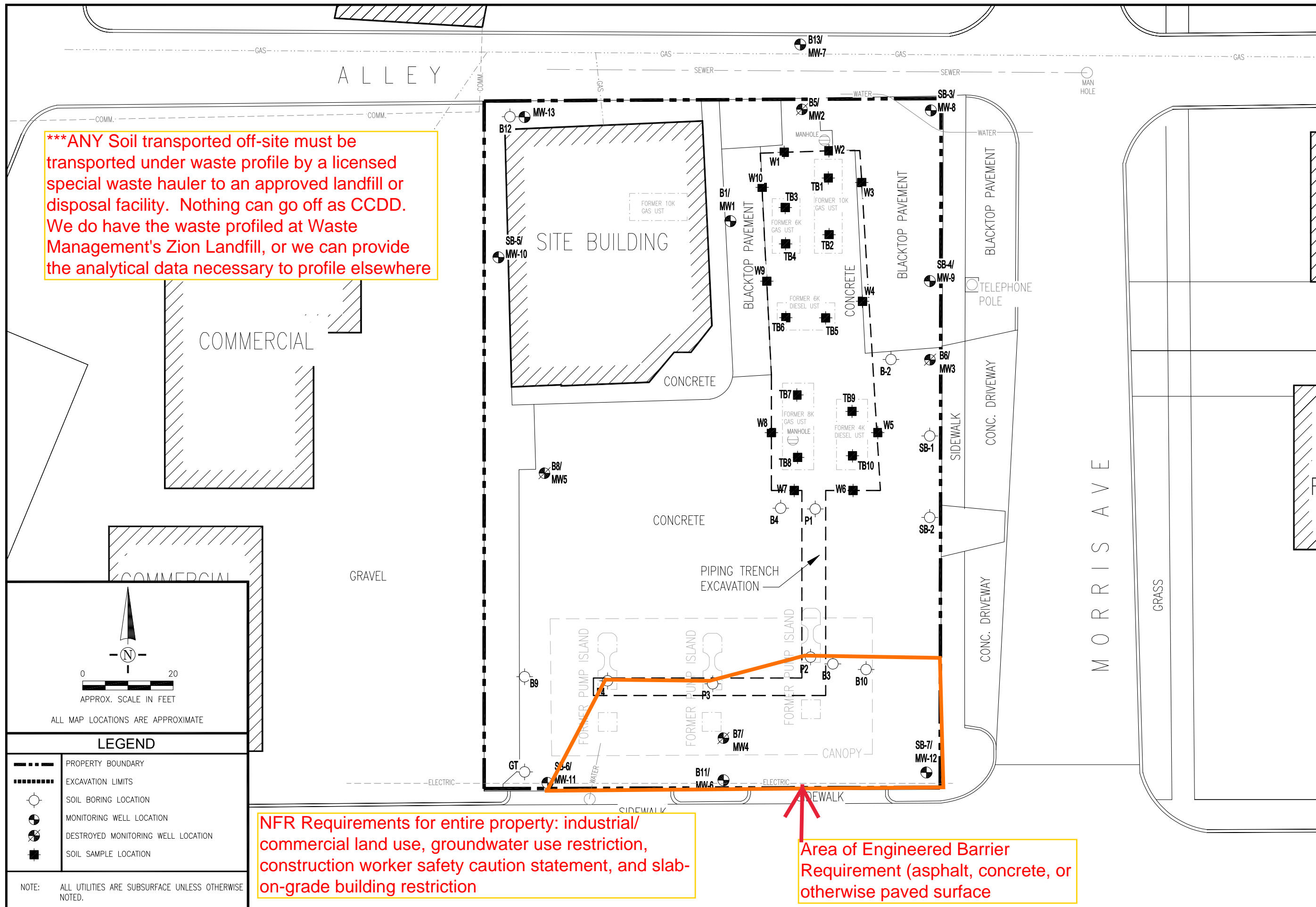
RENOVATION TO:
 2124 W. 183RD ST.
 HOMEWOOD, IL.

EXTERIOR RENDERING
 EXISTING MATERIALS
 PROPOSED MATERIALS

J. Scott MacKay, Architect
 Residential, Commercial, Industrial, Equestrian Architecture
 Interiors, Virtual Modeling, Renewable resources and Alternative Energy Solutions

J. Scott MacKay, Architect
 310 Blue Spruce Lane
 Glendale Heights, IL 60139
 Tel: 615-245-3301
 email: dreamcatcher107@gmail.com

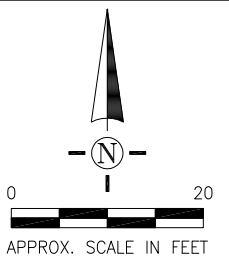
Grid Drawing	2/4/23MB
Project Number	2/4/13
Sheet Number	NBI



***ANY Soil transported off-site must be transported under waste profile by a licensed special waste hauler to an approved landfill or disposal facility. Nothing can go off as CCDD. We do have the waste profiled at Waste Management's Zion Landfill, or we can provide the analytical data necessary to profile elsewhere

NFR Requirements for entire property: industrial/commercial land use, groundwater use restriction, construction worker safety caution statement, and slab-on-grade building restriction

Area of Engineered Barrier Requirement (asphalt, concrete, or otherwise paved surface)



ALL MAP LOCATIONS ARE APPROXIMATE

LEGEND

- PROPERTY BOUNDARY
- EXCAVATION LIMITS
- SOIL BORING LOCATION
- MONITORING WELL LOCATION
- ⊗ DESTROYED MONITORING WELL LOCATION
- SOIL SAMPLE LOCATION

NOTE: ALL UTILITIES ARE SUBSURFACE UNLESS OTHERWISE NOTED.

TriCore Environmental, LLC
 2368 Corporate Lane, Suite 116
 Naperville, IL 60563
 (630) 520-9973

Village of Homewood
 2020 Chestnut
 Homewood, IL 60430

SITE MAP
 GUPTA, RAMESH
 2124 W. 1183rd STREET
 HOMEWOOD, IL 60430

DRAWN BY:	JO
APPROVED BY:	MIC
SCALE:	1" = 20'
DATE:	8/22/2022
DRAWING FILE:	MD21-156

FIGURE 2

VILLAGE OF HOMEWOOD



SITE PLAN REVIEW

DATE: October 29, 2024

Project: 2124 183rd Street

Attendees:

Village of Homewood

Dennis Johnson	Chief Building Inspector
Max Massi	Village Engineer
Denise McGrath	Police Chief
Angela Mesaros	Director of Economic and Community Development
Noah Schumerth	Assistant Director of Economic and Community Development

Applicant

Animesh (Andy) Kumar	Owner
J. Scott McKay	Architect
Pinakin Patel	

PROJECT DESCRIPTION:

Animesh (Andy) Kumar of Ultra Energy Group LLC has an interest in the purchase and rehabilitation of the property at 2124 183rd Street, a former Citgo gas station now owned by the Village. The project is an existing gas station, a one-story masonry building constructed in 1970s, proposed renovation into a restaurant. Occupancy is less than 100 people inside with an exterior patio on the east side. Twelve parking spaces. Ingress/Egress on both Morris and 183rd Street. A loading area on northeast side. Requested modification to landscaping due to the soil removal restrictions.

DISCUSSION:

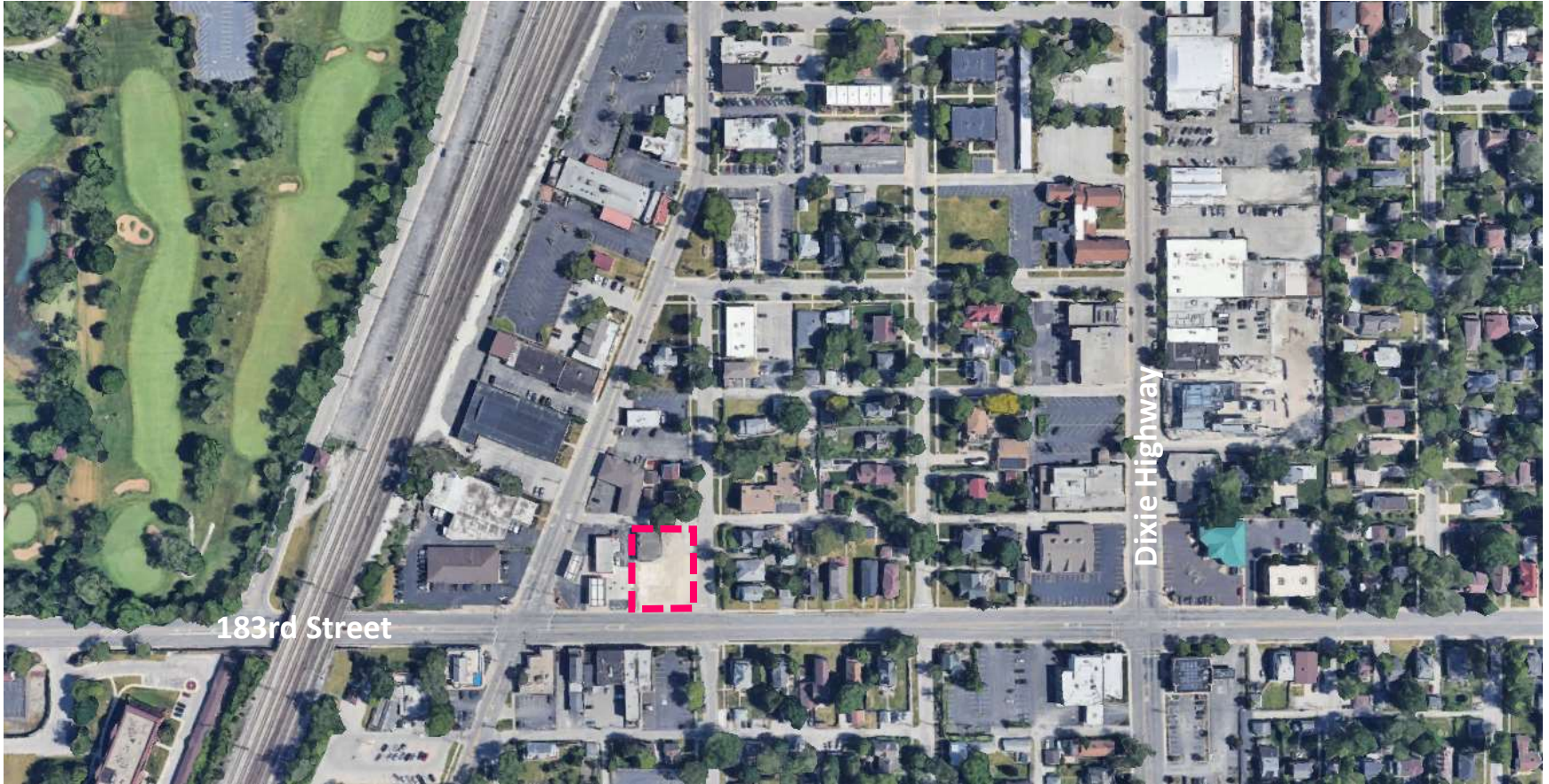
Staff and applicant reviewed Exhibit B of the Purchase & Sale Agreement, Permit Requirements, dated May 21, 2024. **Comments are in bold type below.**

1. No Further Remediation (NFR) Letter – **Applicant asked if they could run underground conduit on the area identified for the engineered barrier.**
2. Grease Interceptor required for a restaurant. **Max Massi stated that a minimum 1,000 gallon underground, outdoor interceptor is required. An alternative option is a smaller gravity...**
3. Parking lot must be replaced and restriped to meet zoning and ADA accessibility standards, Section 44-05-02. **Ok.**
4. Stormwater Detention is required on-site per the Village Code. Andy Kumar asked if a pipe can be used to take out water. **Max Massi stated that a curb inlet can be used. Need to have the civil engineer run calculations. Potential to use an oversize NDS plastic pipe. The project civil engineer, Roger, spoke with Max Massi on the phone. Need to capture some storm water on site. The property’s water drains directly onto 183rd Street and into the south viaduct that has started to flood in recent years. The southeast corner has an existing curb inlet that they can connect.**

5. Dedication of Right-of-way: Six feet (or more) of right-of-way along 183rd must be dedicated to the Village to provide a sidewalk. **Agreed.**
6. Lighting – must comply with zoning ordinance standards, Section 44-05-12. **Photometrics are required.**
7. Landscaping – must meet zoning ordinance standards, Section 44-05-06. **Exception for the area with the required engineered barrier.**
8. New curbs are required on 183rd Street if driveway entrances are eliminated. **Consolidating entrances.**
9. A new driveway entrance may be required. **Utilizing and consolidating existing driveways.**
10. Building permits require a full set of architectural plans.
11. Appearance Review – the **Appearance Commission is scheduled for Wednesday, November 13 at 6 PM.**
12. Site Plan Review – requires Planning & Zoning Commission approval.
13. Signs require a permit and compliance with Chapter 30 of the Code of Ordinances. **Ok**
14. Fire alarms - **Add to construction documents. Tied back to Fire Department**
15. Fire suppression for kitchen
16. Business License: Applications are available through the Village’s website. **Will apply after real estate closing**
17. Security Cameras inside + outside – **yes, will have onsite monitors for Police to review.**
18. The existing sanitary service line will need to be televised by the owner/contractor and a DVD of the televising given to the Department of Public works to evaluate the condition of this line for re-use. **OK.**

Noah Schumerth reviewed the Memorandum dated October 24, 2024 with the applicant.

- Scott McKay discussed the location of the dumpster enclosure and agreed to reorient the enclosure to allow direct access from the public alleyway.
- Dennis Johnson expressed concerns with the site triangle at the corner of Morris and the alleyway. It was agreed that they could remove the landscaping perimeter around the dumpster enclosure.
- General discussion about the location of the loading zone and its proximity to the back patio. Applicant and staff could not identify a better location.
- Max Massi suggested that the applicant plant grass in the areas of the parkway along Morris Avenue that are currently paved.





VILLAGE OF HOMEWOOD



MEMORANDUM

DATE OF MEETING: November 21, 2024

To: Planning and Zoning Commission

From: Noah Schumerth, Assistant Director of Economic and Community Development

Through: Angela Mesaros, Director of Economic and Community Development

Topic: Case 24-46 – Text Amendment for Child Care Centers in B-2 Downtown Transition

APPLICATION INFORMATION

APPLICANT	Village of Homewood
ACTION REQUESTED	Text Amendment
ADDRESS	N/A
PIN	N/A

LEGAL NOTICE Legal notice was published in *Daily Southtown* on November 6, 2024. No mailed notice is required for this proposed text amendment.

DOCUMENTS FOR REVIEW

Title	Pages	Prepared by	Date
Revised Text – Section 44-03-04	1	Noah Schumerth, Asst. Dir. ECD	11/08/2024
Revised Text – Section 44-04-06	1	Noah Schumerth, Asst. Dir. ECD	11/08/2024
Zoning Map	1	Village of Homewood	N/A

BACKGROUND

The Village of Homewood has initiated a text amendment to permit the operation of *child care center* uses as a special use in the following zoning districts:

- B-2 Downtown Transition

Currently, *child care centers* are only permitted in the B-3 General Business zoning district as a special use. The proposed amendment would allow for the expansion of locations where a special use permit for a child care center use may be considered for approval.

DISCUSSION

Current Zoning

The current zoning ordinance, adopted in 2023, modified where childcare centers are permitted to operate within the Village of Homewood. The former zoning ordinance allowed child care centers as a special use in all single-family residential districts and some commercial districts. Today, the zoning ordinance only allows child care centers as a special use in one commercial zoning district. No child care centers are currently permitted in residential districts, except as home day cares operating as a permitted home occupation.

The 2023 zoning changes for child care centers is illustrated in **Table 1**.

Table 1. Homewood Zoning for Child Care Centers

Districts Allowing Child Care Centers prior to January 11, 2023	Districts Allowing Child Care Centers following January 11, 2023
<p><u>Residential Districts:</u></p> <ul style="list-style-type: none"> • R-1 Single Family Residence (S) • R-2 Single-Family Residence (S) • R-3 Townhouse/Transition (S) • R-4 Multiple-Family Residence (S) <p><u>Commercial Districts</u></p> <ul style="list-style-type: none"> • B-2 Community Business (S) • B-3 Service Commercial (S) 	<p><u>Residential Districts</u></p> <ul style="list-style-type: none"> • None <p><u>Commercial Districts</u></p> <ul style="list-style-type: none"> • B-3 General Business (S)

(S) Special Use Permit required for use

Peer Communities

To assess Homewood’s current zoning requirements, staff completed an analysis of eight south suburban municipalities with similar community areas (large commercial corridor, neighborhood commercial areas, etc.) to those found in Homewood. Staff assessed the following:

- Where child care centers are permitted, whether as a by-right permitted use or special use
- Additional use standards applied to child care centers

Staff findings from the assessment of peer communities can be found in **Table 2**.

Table 2. Zoning for Child Care Centers in Other South Suburban Communities

City/Village Name	Child Care Centers in Residential Districts?	Child Care Centers in Commercial Districts?	*Conditions/Requirements
Tinley Park	Special Use	Special Use	
	Multi-family districts only	Community and regional commercial districts only	
Orland Park	Special Use	Special Use	Minimum 5 acre lot size in single-family residential districts
	Single-family residential districts only (with restrictions)	All commercial, downtown, and historic districts	
Matteson	Not Permitted	Special Use	
	Home daycares only	All commercial and mixed-use districts	
Lansing	Not Permitted	Special Use	Also permitted as accessory use in light manufacturing district
	Home daycares only	Community and general commercial districts only	
Mokena	Not Permitted	Special Use	
	Home daycares only	All commercial districts	
New Lenox	Special Use	Special Use	
	Multi-Family Districts Only	All commercial, office, and mixed-use districts	
Frankfort	Special Use	Special Use	
	All residential districts	All commercial and office districts	
Country Club Hills	Special Use	Special Use	All child care centers must occupy a minimum of 2,500 s.f. floor area
	Single-family residential districts only (with restrictions)	All commercial districts	

The staff finds the following:

- All communities studied allow child care centers as a special use in most commercial districts. All communities allow child care centers in “neighborhood” or “community” commercial districts (similar to Homewood’s B-2 and B-3 districts)
- All communities include home day cares as a permitted home occupation in single-family districts, most with restrictions on size and location, which is consistent with Homewood’s zoning ordinance
- Homewood’s current zoning requirements for child care centers are significantly more restrictive than those found in other communities in the region, especially in the number of commercial districts where child care centers are permitted.

Recommended Changes

Staff recommends the following amendments to the zoning ordinance for consideration by the Planning and Zoning Commission:

1. **Amend Table 44-03-04 to allow child care centers as a special use in the B-2 Downtown Transition district.**

Justification: This change aligns with other municipalities in the region, which uniformly allow childcare centers in lower-intensity commercial districts, such as Homewood’s B-2 Downtown Transition and B-3 General Business districts. The change will permit suitable sites within the B-2 district, including existing child care centers, to be used as child care centers in the future. Child care is a transitional use between commercial and residential uses, as the B-2 district serves as a transitional zone between downtown commercial and nearby residential uses. Allowing child care centers aligns with the purpose of the B-2 zoning district, which is to support “a mix of residential and non-residential uses and contextually sensitive infill development in a pedestrian-oriented environment.”

The amendment does not include adding child care centers as a special use in the B-1 Downtown Core and B-4 Shopping Center districts. The B-1 Downtown Core district is designed to “establish a destination for retail, dining and entertainment in the Village.” The addition of child care centers as a special use would not be in alignment with the stated intent and purpose of this district.

The B-4 Shopping Center district is designed to support “retail uses which serve both the residents of the Village and surrounding areas.” Allowing childcare centers in this district would not align with the stated intent and purpose of the district. Staff also finds that the B-4 district is not suitable for uses that may serve high volumes of children and other vulnerable users.

2. **Amend Section 44-04-04 to require additional standards for child care centers, including:**
 - a. **Child care centers shall be located only in buildings that have a single principal use.**
 - b. **Structures used for a child care center shall be located in freestanding buildings.**

Justification: Many properties in the B-2 Downtown Transition district are storefront properties, built “wall-to-wall” with other buildings with limited facilities on-site, such as parking lots and open spaces. These sites present challenges that make the operation of childcare centers uniquely difficult and less suitable. These requirements ensure that childcare centers are restricted to larger sites with higher

amounts of open space and area necessary for pick-up/drop-off zones and off-street parking. Requiring freestanding, single-use buildings reduces public safety risks by limiting potential fire spread and improving building security.

c. Structures used for a childcare center shall be a minimum of 3,000 square feet in gross floor area.

Justification: Restrictions such as minimum site acreage or building floor area are common to ensure that childcare centers are restricted to spaces that are large enough to adequately support childcare. This restriction will limit childcare centers to a limited range of more appropriate locations within Homewood’s commercial districts. The average size of a child care center in the State of Illinois is 85 children (excluding home and family day care facilities, which Homewood administers separately as a home occupation use). According to the Department of Children and Family Services, the minimum required square footage per child is 35 square feet. The average childcare facility in Illinois requires 2,975 square feet of floor area (85 children x 35 square feet). This restriction ensures that the average-size childcare facility would be allowed by the zoning ordinance.

Text Amendment Standards

In the consideration of this proposed text amendment, the Planning and Zoning Commission should consider the following standards:

1. Is the proposed text amendment consistent with the stated goals of the Comprehensive Plan? The proposed text amendment meets Objective 1.4 of the 1999 Comprehensive Plan, “Establish a transition zone between surrounding the current downtown where, depending on market timing, changes in zoning from residential to commercial or mixed-uses would be favorably considered depending on the specifics of the proposal.” The proposed amendment will permit a use which is suitable in transitional residential and commercial areas. The amendment allows child care centers to be considered depending on a case by case basis through the special use permit process.
2. Does the proposed text amendment address a particular issue of concern for the Village? The proposed text amendment addresses an increasing demand for child care centers as an amenity within the Village of Homewood and requests to Village staff about available space. The proposed amendment addresses a 2023 change in the Village Zoning Ordinance that created nonconformity of a child care center in a zoning category that does not support the use.
3. Will the proposed text amendment impose any unreasonable hardships on existing uses? The proposed amendment will not impose hardship on existing properties. Some properties may be brought back into conformance with the Village zoning ordinance.
4. Have major land uses, conditions, or circumstances changed since the original zoning ordinance text was established? There are currently very limited opportunities for child care centers within the Village. The ordinance was changed in 2023 in a manner which restricted the location of child care centers to the B-3 General Business district, removing them as an allowable use from other zoning districts.

5. Is the requested change compatible with the existing uses and development patterns of the community? Child care centers provide children’s care, education and recreation, which is compatible with some residential and downtown transition areas. The proposed amendment will permit child care centers as a special use, allowing for a review of surrounding uses and development patterns with each proposal. The text amendment is written with restrictions that address likely conflicts between child care centers and surrounding development patterns.
6. Will the proposed change be detrimental to the health, safety or welfare of the neighborhood or of the Village as a whole? The proposed change will not negatively impact the health, safety and general welfare of the neighborhood.

FINDINGS OF FACT

The staff has prepared the *draft* findings of fact following the standards outlined in Section 44-07-11 of the Village Zoning Ordinance for special use permit applications. The findings of fact, as proposed or as amended, may be entered into the record:

1. The current zoning ordinance permits child care centers as a special use within the B-3 General Business district.
2. The current zoning ordinance was adopted on January 11, 2023. At that time, child care centers as a special use were removed from all residential districts (R-1, R-2, R-3, and R-4) and commercial districts outside of the B-3 district. Home daycares are approved for use in residential districts (R-1, R-2, R-3, and R-4).
3. Upon completion of research and assessment of the potential impact on health, safety and general welfare, the Village has initiated a text amendment to permit child care centers as a special use in the B-2 Downtown Transition zoning districts.
4. The Village proposes restrictions on minimum gross floor area, and limitations to operate only in single use and free-standing buildings for commercial child care centers in the B-2 district.

RECOMMENDED PLANNING & ZONING COMMISSION ACTION

The Planning and Zoning Commission may wish to consider the following motion:

Recommend approval of Case 24-46, amendments to the text of the zoning ordinance:

Amend Table 44-03-04 of the Village Zoning Ordinance to add child care centers as a special use within the B-2 Downtown Transition zoning district, and

Amend Section 44-04-06 Child Care Center of the Homewood Zoning Ordinance to add the following standards for child care centers:

1. Operation in the B-2 Downtown Transition district is limited to properties with a single principal use.
2. Operation in the B-2 Downtown Transition district is limited to a freestanding building.
3. Structures used for a child care center shall be a minimum of 3,000 square feet in gross floor area.

AND

Incorporate the Findings of Fact into the record.

Sec. 44-04-06. - Service and office use standards.

(a) *Adult day care.*

- (1) The site plan shall address pick-up/drop-off operations.
- (2) Provide a traffic study analyzing impacts on the adjacent neighborhood and emergency response times.

(b) *Kennel.*

- (1) Such uses shall not create a nuisance as defined in this Code.
- (2) A type C transition area, as detailed in subsection 44-05-06(h), shall be required along lot lines adjacent to any parcel in a nonresidential district.
- (3) A type D transition area, as detailed in subsection 44-05-06(h), shall be required along lot lines adjacent to any parcel in a residential district.
- (4) Drainage from outdoor storage or animal exercise areas shall be directed to gravel, grassed, or other planted areas in a manner that prevents direct discharge to storm drain inlets and surface waters.

(c) *Child care center.*

- (1) The center shall comply with all local, state, and federal regulations, and shall be registered and licensed by the Department of Children and Family Services (DCFS) prior to the issuance of a special use permit.
- (2) The center shall annually supply a copy of its DCFS license or registration to the director of economic and community development.

(3) All child care centers located within the B-2 Downtown Transition district shall be located in freestanding structures with a single principal use.

(4) All structures within which a child care center is located shall be a minimum of 3,000 square feet in gross floor area.

Item 5. B.

Table 44-03-04: Permitted Limited and Special Uses

Use	Additional Regulation	R-1	R-2	R-3	R-4	B-1	B-2	B-3	B-4	M-1	M-2	PL-1	PL-2
Agricultural and Open Space Uses													
Community Garden	<u>44-04-02(a)</u>	P	P	S	S								
Natural Area Preserve		P	P	P	P	P	P	P	P	P	P	P	P
Residential Uses													
Dwelling, Duplex	<u>44-04-03(a)</u>			P	P								
Dwelling, Multiple-Family													
Up to 6 units	<u>44-04-03(b)</u>			P	P		P	S	S				
7+ units	<u>44-04-03(b)</u>			S	P		S	S	S				
Above ground floor						P	P	S	S				
Dwelling, Single-Family Detached		P	P										
Dwelling, Townhouse	<u>44-04-03(c)</u>			P	P								

Table 44-03-04: Permitted Limited and Special Uses

Use	Additional Regulation	R-1	R-2	R-3	R-4	B-1	B-2	B-3	B-4	M-1	M-2	PL-1	PL-2
Group Homes													
Up to 8 residents	<u>44-04-03(d)</u>	P	P	P	P		P	P	P				
<u>9+</u> residents	<u>44-04-03(d)</u>	S	S	S	S		S	S	S				
Manufactured Home Park					S								
Senior Housing, Dependent	<u>44-04-03(e)</u>			S	S		S	S	S				
Senior Housing, Independent	<u>44-04-03(e)</u>			S	S		S	S	S				
Residential Uses, Existing													
Dwelling, Duplex, existing at time of adoption of this chapter		P	P	P	P		P						

Table 44-03-04: Permitted Limited and Special Uses

Use	Additional Regulation	R-1	R-2	R-3	R-4	B-1	B-2	B-3	B-4	M-1	M-2	PL-1	PL-2
Dwelling, Multiple-Family, existing at time of adoption of this chapter		P	P	P	P		P						
Dwelling, Single-Family Detached, existing at time of adoption of this chapter		P	P	P	P		P						
Place of Assembly Uses													
Civic Uses of Public Property	<u>44-04-04(a)</u>											T	T
Indoor Commercial Place of Assembly													
Less than 5,000 sq ft	<u>44-04-04(b)</u>					S	S	P	P				
5,000 sq ft or more	<u>44-04-04(b)</u>					S	S	P	P				

Table 44-03-04: Permitted Limited and Special Uses

Use	Additional Regulation	R-1	R-2	R-3	R-4	B-1	B-2	B-3	B-4	M-1	M-2	PL-1	PL-2
Outdoor Commercial Place of Assembly	<u>44-04-04(c)</u>					S	S	S	S				
Indoor Non-Commercial Place of Assembly													
Less than 5,000 sq ft	<u>44-04-04(b)</u>	P	P	P	P								P
5,000 sq ft or more	<u>44-04-04(b)</u>	S	S	S	S								S
Outdoor Non-Commercial Place of Assembly	<u>44-04-04(c)</u>	S	S	S	S								S
Retail and Mixed-Commercial Uses													
Firearms Retailer	<u>44-04-05(a)</u>									S			
Retail													
Less than 5,000 sq ft						P	P	P	P				
5,000 sq ft or more						S	S	P	P				

Table 44-03-04: Permitted Limited and Special Uses

Use	Additional Regulation	R-1	R-2	R-3	R-4	B-1	B-2	B-3	B-4	M-1	M-2	PL-1	PL-2
Multi-tenant Shopping Center													
Less than 5,000 sq ft							S	P	P				
5,000 sq ft or more								S	S				
Outdoor Itinerant Merchants	<u>44-04-05(b)</u>					T	T	T	T	T			T
Pawn Shop													
Service and Office Uses													
Adult Day Care	<u>44-04-06(a)</u>						S	S	S	S			
Kennel	<u>44-04-06(b)</u>							S	S	S			
Check Cashing/Pay Day Loan Store													
Child Care Center	<u>44-04-06(c)</u>						S	S					

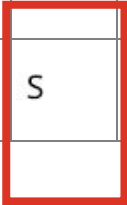


Table 44-03-04: Permitted Limited and Special Uses

Use	Additional Regulation	R-1	R-2	R-3	R-4	B-1	B-2	B-3	B-4	M-1	M-2	PL-1	PL-2
Coworking Space													
Less than 2,500 sq ft						L	P	P	P	S			
2,500 sq ft or more							S	P	P	S			
Above ground floor						P	P						
Financial Institution								S	S				
Hospital								S	S	S			
Laundry, Self Service								S	S				
Massage Therapy								S	S	S			
Medical Office													
Less than 2,500 sq ft							P	P	P	P			
2,500 sq ft or more							S	P	P	P			
Above ground floor						P	P						

Table 44-03-04: Permitted Limited and Special Uses

Use	Additional Regulation	R-1	R-2	R-3	R-4	B-1	B-2	B-3	B-4	M-1	M-2	PL-1	PL-2
Personal Service													
Less than 2,500 sq ft						S	L	L	P				
2,500 sq ft or more							S	L	P				
Above ground floor						P	P						
Professional Office													
Less than 2,500 sq ft						S	P	P	P	P			
2,500 sq ft or more							S	P	P	P			
Above ground floor						P	P						
Salon and Spa Establishments							S	S	P				
Tattoo Studio/Body Piercing Facility	<u>44-04-06(d)</u>							S		S			

Table 44-03-04: Permitted Limited and Special Uses

Use	Additional Regulation	R-1	R-2	R-3	R-4	B-1	B-2	B-3	B-4	M-1	M-2	PL-1	PL-2
Veterinary Clinic	<u>44-04-06(e)</u>						S	S	S	S			
Eating and Drinking Uses													
Carry-Out Facility	<u>44-04-07(a)</u>					S	S	L	L				
Craft Brewery						L	L	L	L				
Restaurant/Bar						P	P	P	P				
Lodging Uses													
Bed and Breakfast	<u>44-04-08(a)</u>	S	S	S	S	S	S						
Hotel					S	L	L	L	P				
Motel								S	S				
Vehicle Related Uses													
Autobody Repair	<u>44-04-09(a)</u>									S			
Car Wash	<u>44-04-09(b)</u>							S	S				

Table 44-03-04: Permitted Limited and Special Uses

Use	Additional Regulation	R-1	R-2	R-3	R-4	B-1	B-2	B-3	B-4	M-1	M-2	PL-1	PL-2
Fuel Sales	<u>44-04-09(c)</u>						S	S	S				
Motor Vehicle Sales	<u>44-04-09(d)</u>							L	L	L			
Motor Vehicle Service								L	L	P			
Motor Vehicle Rental	<u>44-04-09(d)</u>							S	S	S			
Industrial Uses													
Artisan Manufacturing, Assembly, Fabrication	<u>44-04-10(a)</u>					L	L	L					
Building Material, Machinery, and Equipment Sales or Storage										P			
Contractor Shop										P			
Commercial Kitchen										L			

Table 44-03-04: Permitted Limited and Special Uses

Use	Additional Regulation	R-1	R-2	R-3	R-4	B-1	B-2	B-3	B-4	M-1	M-2	PL-1	PL-2
Crematorium	<u>44-04-10(b)</u>									S			
Dry Cleaner, Processing on Site										L			
Greenhouse, Wholesale										P			
Laundry, Commercial										L			
Light Manufacturing, Assembly, Fabrication										L			
Materials Salvage Yard/Recycling Operations										S			
Mining and Aggregate Extraction	<u>44-04-10(c)</u>										S		
Self-Storage	<u>44-04-10(d)</u>									S			
Printing and Publishing										P			

Table 44-03-04: Permitted Limited and Special Uses

Use	Additional Regulation	R-1	R-2	R-3	R-4	B-1	B-2	B-3	B-4	M-1	M-2	PL-1	PL-2
Research and Development										L			
Warehouse, Distribution										S			
Utility Uses		S	S	S	S	S	S	S	S	S	S	S	S
Adult Uses													
Adult Uses	<u>44-04-11(a)</u>									S			
Cannabis Related Uses													
Cannabis Dispensing Organization	<u>44-04-12(a)</u>							S	S	P			
Cannabis Infuser Organization	<u>44-04-12(a)</u>									P			
Medical Cannabis Cultivation Center										P			

Table 44-03-04: Permitted Limited and Special Uses

Use	Additional Regulation	R-1	R-2	R-3	R-4	B-1	B-2	B-3	B-4	M-1	M-2	PL-1	PL-2
Transportation Uses													
Parking Structure/Deck						L	L	S	S	S			
Parking Lot						S	S			S	S	S	S
Transportation Station/Terminal		S	S	S	S	S	S	S	S	S			S
Accessory Uses													
Accessory Dwelling, Detached	<u>44-04-14(a)</u>	S	S	S	S								
Accessory Dwelling, Attached / Internal	<u>44-04-14(a)</u>	P	P	P	P								
Accessory Retail/Restaurant					S	P	P	P	P	P			L
Cargo Container Storage, Stacking - Permanent	<u>44-04-14(c)</u>									S			

Table 44-03-04: Permitted Limited and Special Uses

Use	Additional Regulation	R-1	R-2	R-3	R-4	B-1	B-2	B-3	B-4	M-1	M-2	PL-1	PL-2
Cargo Container Storage, Stacking - Temporary	<u>44-04-14(d)</u>	T	T	T	T	T	T	T	T	T		T	T
Civic Uses of Public Property	<u>44-04-14(e)</u>											T	T
Contractor's Trailers and Real Estate Model Units	<u>44-04-14(f)</u>	T	T	T	T	T	T	T	T	T		T	T
Drive-Through Facility	<u>44-04-14(g)</u>						S	S	S				
Dumpsters, Temporary	<u>44-04-14(h)</u>	T	T	T	T	T	T	T	T	T	T	T	T
Electric Vehicle Charging Station	<u>44-04-14(i)</u>	P	P	P	P	P	P	P	P	P	P	P	P
Food Cart or Truck	<u>44-04-14(j)</u>					T	T	T	T	T			T
Home-Based Business, Class I	<u>44-04-14(k)</u>	L	L	L	L	L	L	L	L				

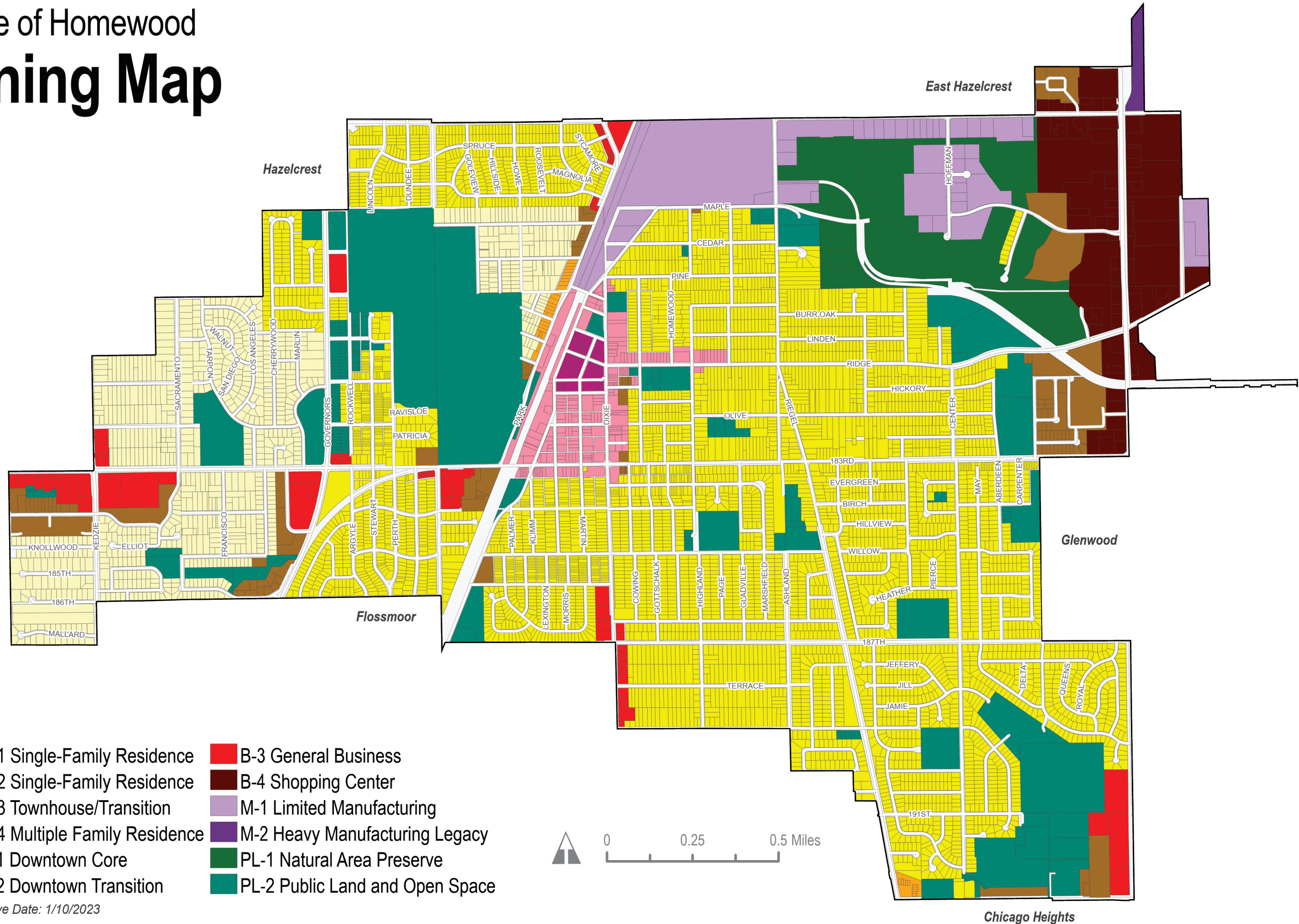
Table 44-03-04: Permitted Limited and Special Uses

Use	Additional Regulation	R-1	R-2	R-3	R-4	B-1	B-2	B-3	B-4	M-1	M-2	PL-1	PL-2
Home-Based Business, Class II	<u>44-04-14(k)</u>	S	S	S	S	S	S	S	S				
Outdoor Display/Sale of Merchandise	<u>44-04-14(l)</u>							S	S	S			
Outdoor Itinerant Merchants	<u>44-04-14(m)</u>					T	T	T	T	T			T
Outdoor Seating for Restaurants	<u>44-04-14(n)</u>					L	L	L	L	L			L
Outdoor Storage, Permanent	<u>44-04-14(o)</u>							S	S	S			
Portable Temporary Storage Container	<u>44-04-14(p)</u>	T	T	T	T	T	T	T	T				
Solar Energy Collection System, canopy	<u>44-04-14(q)</u>					L	L	L	L	L		L	L

Table 44-03-04: Permitted Limited and Special Uses

Use	Additional Regulation	R-1	R-2	R-3	R-4	B-1	B-2	B-3	B-4	M-1	M-2	PL-1	PL-2
Solar Energy Collection System, ground													
Less than 1 Acre	<u>44-04-14(r)</u>	L	L	L	L	L	L	L	L	L	L	L	L
1—5 Acres	<u>44-04-14(s)</u>									S			
Solar Energy Collection System, roof	<u>44-04-14(t)</u>	P	P	P	P	P	P	P	P	P		P	P
Tent	<u>44-04-14(u)</u>	T	T	T	T	T	T	T	T	T		T	T

Village of Homewood Zoning Map



Effective Date: 1/10/2023

VILLAGE OF HOMEWOOD



MEMORANDUM

DATE OF MEETING: November 21, 2024

To: Planning and Zoning Commission

From: Noah Schumerth, Assistant Director of Economic and Community Development

Through: Angela Mesaros, Director of Economic and Community Development

Topic: Cases 24-47 and 24-48: Map Amendment, Special Use Permit for Child Care Center at 18341 Dixie Highway.

APPLICATION INFORMATION

APPLICANT	Wilnetta Robinson
ACTION REQUESTED	Map Amendment, Special Use Permit
ADDRESS	18341 Dixie Highway
PIN	32-06-204-001, 32-06-204-002, 32-06-204-003, 32-06-204-004, 32-06-204-005

LEGAL NOTICE Legal notice was published in *Daily Southtown* on November 6, 2024. Mailed notice was sent to 31 residents and property owners within 250’ of the subject property.

DOCUMENTS FOR REVIEW

Title	Pages	Prepared by	Date
Application	2	Wilnetta Robinson, Applicant	10/30/2024
Owner Authorization Letter	1	Geoffrey and Suzanne Gendels, Owners	10/28/2024
Property Information Letter	1	Geoffrey and Suzanne Gendels, Owners	10/28/2024
Narrative	1	Wilnetta Robinson, Applicant	10/28/2024
Standards for Map Amendment	2	Wilnetta Robinson, Applicant	10/30/2024
Standards for Special Use	2	Wilnetta Robinson, Applicant	10/30/2024
Staff Exhibits	3	Noah Schumerth, Asst. Dir. ECD	11/13/2024

ZONING & LAND USE

SUBJECT PROPERTY	ZONING	LAND USE
CURRENT	R-2 Single-Family Residence	Vacant
PROPOSED	B-2 Downtown Transition	Child Care Center
SURROUNDING	N: B-2 Downtown Transition	Bank/Financial Institution
	E: R-2 Single-Family Residence	Single-Family Residential
	S: R-2 Single-Family Residence	Single-Family Residential
	W: R-2 Single-Family Residence	Single-Family Residential

BACKGROUND

The applicant, Wilnetta Robinson of On Cloud Nine Child Care Center, wishes to operate a child care center at the property at 18341 Dixie Highway. The property is currently in the R-2 single-family residential district. Childcare centers are not permitted in the R-2 district. Homewood’s zoning ordinance currently allows child care centers as a special use only in the B-3 General Business district. This property is not adjacent to the B-3 district and could not be re-zoned into that district.

The following approvals are required to allow a childcare center at this location:

1. A text amendment to the zoning ordinance to allow child care centers as a special use in the B-2 district.
2. A zoning map amendment from the R-2 Single Family Residence district to the B-2 Downtown Transition district.
3. A special use permit to allow the operation of a childcare center at the subject property at 18341 Dixie Highway.

HISTORY

The building at 18341 Dixie Highway was constructed in 1972. On August 28, 1990, the Village Board approved a special use permit to allow a child care center at the subject property. This child care center (Homewood Children’s Center) operated until 2014. The building was used for children’s child care services and events intermittently under the same business ownership until 2020. The building has been fully vacant since March 2020.

Per Section 44-07-11 of the Homewood Zoning Ordinance, special use permits automatically expire after the use has been discontinued for one year or longer. The use at the subject property has been discontinued for more than four years, and thus the previously approved special use permit is no longer in effect. Ms. Robinson has applied for a special use permit to operate the child care center at 18341 Dixie Highway.

ZONING MAP AMENDMENT

Discussion

Because the proposed child care center is not permitted in the R-2 Single-Family Residence zoning district. A map amendment is required. Staff recommends that the property be zoned as B-2 Downtown Transition zoning district, because this district is directly adjacent to the property. Ms. Robinson has applied for a

map amendment to the B-2 district. The building is a commercial structure that was previously allowed as a child care center with a special use permit. The property is bordered to the north by other properties located within the B-2 Downtown Transition zoning district. The proposed zoning amendment would not be considered “spot zoning.”

The comprehensive update of the Village Zoning Ordinance in 2023, removed child care centers as an allowed special use in all residential districts (R-1, R-2, R-3, and R-4). Child care centers remain a special use only in the B-3 General Business District. The subject commercial property as currently zoned (R-2) has limited opportunities for reuse (*indoor non-commercial places of assembly and bed and breakfast lodging* are the only non-residential uses allowed).

The following bulk and dimensional standards would now apply to this property:

	Current Zoning (R-2 Single-Family Residential)	Proposed Zoning (B-2 Downtown Transition)
Front Setback	25'	0'
Interior Side Setback	5'	5' (<i>standard for B-2 property adjacent to R-2 zoning</i>)
Exterior Side Setback	20'	0'
Rear Setback	30'	16' (<i>standard for B-2 property adjacent to residential</i>)
Impervious Surface Coverage	60% allowed	80% allowed

Due to the location adjacent to residential uses, the interior side and rear setbacks for the R-2 zoning district would still apply to the property. **The current structure meets the requirements of the new proposed zoning for the property (B-2 Downtown Transition).**

The property will also meet all new use-specific requirements proposed in the text amendment (Case 24-46) to permit childcare center uses in the B-2 Downtown Transition zoning district.

Map Amendment Standards

The Planning and Zoning Commission must consider the following standards when reviewing the proposed map amendment:

- a. Does the current zoning or the proposed zoning more closely conform to the stated goals in the comprehensive plan?
- b. Have major land uses, conditions or circumstances changed since the original zoning was established? The original zoning was established several decades ago. The zoning ordinance was updated in 2023 in a manner which restricts the original use of the property. Child care center uses are no longer allowed as a special use in the R-2 Single-Family Residence zoning district.

- c. Do sites exist for the proposed use in existing districts permitting such use? Child care centers are currently only permitted in the B-3 General Business district. There are limited vacancies or suitable sites which could support a new child care center as proposed within the B-3 zoning district.
- d. Is the requested change compatible with the existing uses, development patterns and zoning of nearby properties? The B-2 district is intended as a transitional zoning district with a mix of residential and lower-intensity commercial uses suitable for a downtown environment. While the property is abutted by single-family residential properties in the R-2 district, other commercial properties within the B-2 district are adjacent to property zoned in the R-2 district, and the stated purpose of the B-2 zoning district is to provide a suitable transition to residential uses from the downtown area.
- e. Does the present development of the area comply with existing ordinances? The current development on the site is compliant with B-2 zoning requirements.
- f. Does the existing zoning impose an unreasonable hardship or can a reasonable economic benefit be realized from uses permitted by the existing zoning? The current zoning of the property restricts the potential use of the commercial building on the property. The former use of the property, a child care center, is not permitted to operate under current zoning. Currently, the commercial property has limited opportunities for reuse (with indoor non-commercial places of assembly and bed and breakfast lodging as the only non-residential uses that may utilize the property). The current zoning designation of the commercial structure restricts opportunities for sale and recouping reasonable economic benefit from the property.
- g. What is the extent of the diminishment of property values, if any, resulting from the current zoning? The property value is diminished due to the lack of uses permitted to operate within the existing commercial building on the site.
- h. How long has the property been vacant as compared to development occurring in the vicinity? The subject property has been partially vacant for ten years and fully vacant for approximately four years. The vacancy for this property has been significantly longer than business vacancies in the nearby vicinity along Dixie Highway and 183rd Street (e.g. 2000 Ridge Road; 18215 Dixie Highway).
- i. Is the property physically suitable for the zoned uses or for the proposed use? The property is a commercial building that formerly operated as a childcare center. The building is designed for a child care center, and includes outdoor recreation space compliant with Illinois state requirements for child care centers. The property meets zoning requirements for the proposed use, including parking, screening, and outdoor space design requirements. The property is physically suitable for the proposed use.

The property is not suitable for most uses permitted in the existing zoning district (R-2), except indoor non-commercial places of assembly. The property is more suitable for uses allowed within the B-2 zoning district.

- j. Does the proposed use satisfy a public need? The Village has received a number of requests for child care centers, indicating a potential public need for this service.
- k. Will the proposed change conflict with existing or planned public improvements or adversely impact schools, parks or other public facilities? No conflict with existing or planned public improvements or facilities is anticipated. The proposed use previously operated at the site with no documented concerns regarding public improvements or facilities.
- l. In the vicinity, will the environment or traffic patterns be adversely affected? The Village anticipates that the proposed use could increase traffic around the subject property, briefly during peak “pick up” and “drop off” hours (7:30 am – 8:30 am and 4:00 pm – 5:00 pm on weekdays). The property has a parking lot that is sufficient to accommodate drop-off and pick-up and will help mitigate traffic issues.
- m. To what extent will the proposed change diminish property values of the surrounding properties? The proposed change to zoning is unlikely to reduce property values. The map amendment will create opportunities to end the longstanding vacancy of the building, which may have a positive impact on the surrounding properties. The proposed map amendment will allow the operation of the former use of the property.
- n. Will the proposed change deter the use of properties in the area or contribute to redevelopment? The proposed map amendment will not deter the use of property in the area. The map amendment will allow the use of the existing building for its former use. The proposed map amendment to zone the subject property in the B-2 district could create opportunities for future redevelopment which would not be permitted under the current R-2 zoning.
- o. Will the proposed change be detrimental to the health, safety and welfare of the neighborhood or of the village as a whole? The proposed change will not negatively impact the health, safety, and welfare of the neighborhood.

ZONING TEXT AMENDMENT

The Village of Homewood has proposed a text amendment (Case 24-46) to allow child care centers as a special use in the B-2 Downtown Transition zoning district with restrictions. This allows the proposed child care center to be considered through the special use permit process. Additional standards are proposed for child care centers, including:

- A child care center in the B-2 district may only operate on a property with a single principal use.
- Structures used for a child care center in the B-2 district shall be freestanding.
- A child care center shall be a minimum 3,000 square feet in gross floor area.

SPECIAL USE PERMIT

Discussion

The applicant has applied for a special use permit to allow the operation of a child care center at the subject property. The center will operate within the 3,350 square foot existing building, and will utilize

the full interior and the existing outdoor recreation area abutting the building. The applicant has not proposed significant changes to the site or the exterior of the building.

The applicant proposes a maximum capacity of up to 50-55 students, complies with capacity requirements provided by the Illinois Department of Child and Family Services (DCFS). The applicant does not anticipate more than 40 children utilizing the center at any given time. The center would provide services for children ranging from 6 weeks to 12 years of age. Children 5-12 years of age would receive only before and after school services, while children less than 5 years of age would receive services throughout the day.

The applicant proposes that the child care center would operate between 6:00 am and 7:00 pm on weekdays. No weekend services are proposed. The applicant has stated that the peak hours for student drop-off would be between 7:30 am and 8:30 am, and that peak hours for student pick-up would be between 4:00 pm and 5:00 pm. The applicant has also stated that each family negotiates drop-off and pick-up times as part of their contract for services, and thus drop-off and pick-up times will be staggered throughout each day.

The proposed child care facility would be licensed by the Illinois DCFS. The applicant has not applied for this license but plans to do so upon receiving local approval of zoning changes to permit the use.

Zoning Review

The subject property meets all bulk and dimensional standards for the existing zoning (R-2 Single-Family Residential) and the proposed zoning (B-2 Downtown Transition) for the property.

The property has 16 parking spaces that were installed with the original childcare center. The site requires 12 parking spaces (1 space per 300 square feet * 3,350 square feet = 11.16 spaces, rounded up to 12 spaces). **The site meets the parking requirements for the proposed use. The site also meets all pedestrian access requirements in Section 44-05-04 of the Village Zoning Ordinance.** The staff has recommended two conditions for parking improvements to meet building code requirements. See *Recommended Planning and Zoning Commission Action*.

The applicant plans to meet all use-specific requirements for child care centers as outlined in Section 44-04-06 of the Village Zoning Ordinance. These standards are verified by staff through the Business License review process.

Special Use Standards

The Planning and Zoning Commission shall use the following standards and additional facts when considering the application for this special use:

- (1) Is the special use deemed necessary for the public convenience at that location?
- (2) Will the special use be detrimental to the economic welfare of the community?
- (3) Will the special use be consistent with the goals and policies of the comprehensive plan and other adopted plans of the village?

- (4) Is the special use at the subject property so designed, located, and proposed to be operated, that the public health, safety, and welfare will be protected? The child care center will be licensed and is proposed in a property suitable for the capacity. The design of the site, including a large parking area with a drop-off/pick-up area, will ensure minimal impacts on surrounding streets.
- (5) Is the special use a suitable use of the property and, without the special use, could the property will be substantially diminished in value? The proposed use matches the former use of the property, which was previously approved as a special use by the Planning and Zoning Commission. The building is designed with adequate facilities to support its use and will not generate negative impacts on surrounding properties. The proposed use is not currently permitted to operate on the property and requires approval of the proposed text amendment (Case 24-46) to allow childcare uses in the B-2 zoning district, other uses may be suitable for the property if this special use permit is not approved.
- (6) Will the special use cause substantial injury to the value of other property in the neighborhood in which it is located?
- (7) Will the special use be consistent with the uses and community character of the neighborhood surrounding the subject property? The site is adjacent to commercial property (Chase Bank, 18301 Dixie Highway), and is located at the southernmost commercial corridor along Dixie Highway. A child care center provides a transitional use between the commercial property to the north and the residential property to the south. The proposed use matches the previous use of the property, which operated for almost 30 years in the residential context of this property.
- (8) Will the special use be injurious to the use or enjoyment of other property in the neighborhood for the purposes permitted in the zoning district?
- (9) Will the special use impede the normal and orderly development and improvement of surrounding properties for uses permitted in the zoning district?
- (10) Does the proposed special use at the subject property provides adequate measures of ingress and egress in a manner that minimizes traffic congestion in the public streets? The site has two driveways on Evergreen Drive. The placement of driveways on the local street is suitable to avoid congestion impacts on Dixie Highway as an arterial. The site also has direct connections to public sidewalks on the
- (11) Is the subject property adequately served by utilities, drainage, road access, public safety and other necessary facilities to support the special use? The site has necessary facilities to support the use, including parking, pick-up and drop-off area, adequate pedestrian connections to all entrances. The building has outdoor recreation areas suitable to support a licensed child care center. An ADA-accessible parking space and parking lot restriping will be required to meet local building code requirements.

FINDINGS OF FACT

Staff has prepared the draft findings of fact in accordance with the standards set forth in Section 44-07-11 of the Village Zoning Ordinance for special use permit applications. The findings of fact, as proposed or as amended, may be entered into the record:

1. The subject property is a 0.48-acre site comprised of five parcels located at 18341 Dixie Highway, at the southeast corner of Dixie Highway and Evergreen Drive;
2. The subject property is owned by Geoffrey A. Gendels and Suzanne Gendels;
3. The subject property is located within the R-2 Single-Family Residence zoning district;
4. The subject property was used as a child care center, allowed via approval of a special use permit, from 1990 to 2020. The property has been vacant since 2020;
5. The current zoning designation does not allow child care centers;
6. The applicant has proposed a map amendment to change the zoning designation of the property from the R-2 district to the B-2 Downtown Transition zoning district;
7. Child care centers are proposed as a special use in a text amendment initiated by the Village Staff. With the text amendment child care centers are allowed as a special use in the B-2 Downtown Transition district.
8. The proposed child care center meets all applicable standards in the proposed zoning district (B-2 Downtown Transition).
9. The proposed child care center business will operate within the existing commercial building that is adequately served by utilities, access, and on-site parking.

RECOMMENDED PLANNING & ZONING COMMISSION ACTION

The Planning and Zoning Commission may wish to consider the following motion:

Recommend approval of Case 24-47 a map amendment for the property at 18341 Dixie Highway from the R-2 Single-Family Residence zoning district to the B-2 Downtown Transition zoning district;

AND

Recommend approval of Case 24-48 to allow a child care center as a special use permit at 18341 Dixie Highway, subject to the following conditions:

1. The applicant must provide a revised site drawing restriping the parking lot for 16 parking spaces in the rear prior to the issuance of a business license or any building permit associated with the proposed use;
2. The applicant must provide one (1) ADA-accessible handicap space on the site prior to issuance of business license or any building permit associated with the proposed use.

AND

Incorporate the Findings of Fact into the record.



VILLAGE OF HOMEWOOD

APPLICATION:
NON-RESIDENTIAL
ZONING REVIEW

2020 Chestnut Road, Homewood, IL 60430

PROPERTY INFORMATION

Street Address: 18341 Dixie Hwy Homewood, IL 60430

Property Index Number(s): 32-06-204-005-0000

Lot Size: 19,358 sq. ft. 0.44 acres
If the subject property is multiple lots, provide the combined area.

Zoning District:
 R-1 R-2 R-3 R-4 B-1 B-2 B-3 B-4 M-1 M-2 PL-1 PL-2

Complete this section to determine your required review(s):

Is the subject property more than one lot held in common ownership?

yes no

→ If yes, lots held in common ownership should be consolidated

A Planned Development is required for development of lots >25,000 sq ft located in the B-1 or B-2 Zoning Districts.

REQUESTED USE

Requested Use: Special use for a 50 capacity licensed daycare center.

Gross Floor Area: 3350 sq. ft. Parking Provided: yes lot cars

Existing Use: 20+ years as daycare center

The requested use is:

Permitted

Limited

Special

Other:

SITE OR BUILDING CHANGES

Existing Development: N/A

Proposed Development *Check all that apply. Provide a description and metrics below.*

New Construction Addition Site Alterations Exterior Building Alterations

Development Metrics	Existing	Proposed
Gross Floor Area (sq. ft.):	_____	_____
Parking Spaces	_____	_____
Lot Coverage	_____	_____
Impervious Area (sq. ft.)	_____	_____
Impervious Coverage (%)	<u>0.0%</u>	<u>0.0%</u>

New construction?

yes no

→ If yes, requires Site Plan Review

Floor area increase is 20% or more?

yes no

→ If yes, requires Site Plan Review

Does the applicant elect to proceed as a Planned Development?

yes no

Is site circulation or parking impacted?

yes no

→ If yes, requires Site Plan Review

Is site landscaping impacted?

yes no

→ If yes, requires Site Plan Review

Exterior building alterations?

yes no

→ If yes, requires Appearance Review

ZONING RELIEF OR CHANGES

Zoning Variance or Amendment *Describe any requested zoning relief or changes below.*

The property is zoned R2 and I am seeking for B2 zoning with special use for a daycare center.

The applicant requests:

Variance

Administrative Exception

Zoning Text Amendment

Zoning Map Amendment

APPLICATION

NON-RESIDENTIAL ZONING REVIEW

APPLICANT

Name Wilhelma Robinson
 Company On Cloud Nine Childcare LLC
 Address 21331 Georgetown Rd
Frankfort, IL 60423
 Phone 708 378 8029
 Email oncloudninechildcare@gmail.com
 Role Owner

PROPERTY OWNER

Name Geoff and Suzanne Gendels
 Company _____
 Address 15443 Droggrande Dr.
Dale Forest, IL 60452
 Phone 713-297-4701
 Email smgendels@gmail.com

Check box if the applicant is the property owner

I acknowledge and attest that:

- » All the information and exhibits submitted with this application are true and accurate to the best of my knowledge;
- » Village representatives are permitted to make reasonable inspections of the subject property necessary to process this application;
- » I agree to pay all required fees;
- » No work may be done without first obtaining a Building Permit. All work shall be completed in accordance with Village Codes and Ordinances.

Wilhelma Robinson
Applicant Name

Wilhelma Robinson
Applicant Signature

10/28/24
Date

Staff Notes

Do not write below this line.

Fee: _____ Paid Date Received: _____

CASE NO: _____ REQUEST: _____

Comments/Conditions: Approved Approved with Conditions Denied Date: _____

CASE NO: _____ REQUEST: _____

Comments/Conditions: Approved Approved with Conditions Denied Date: _____

CASE NO: _____ REQUEST: _____

Comments/Conditions: Approved Approved with Conditions Denied Date: _____

This application has zoning approvals and may proceed to obtain Building Permits or a Certificate of Occupancy.

Name: _____ Signature: _____ Date: _____

Homewood Children's Center, Inc.
Est. 1990

10.28.24

Re: Wilnetta Robinson-Authorization to lease premises for specific use as a licensed daycare.

Dear Village of Homewood:

We, Suzanne and Geoffrey Gendels, owners of record hereby authorize Wilnetta Robinson to lease the property at 18341 Dixie Highway, Homewood, IL 60430 for the specific use of providing daycare services on the premises. This was the same prior use of record on file at the Village of Homewood Special Use Permit regarding property at 18341 Dixie Highway, Homewood, IL 60430. The will commence immediately after proper zoning assignment review.

Please feel free to contact me should you require any additional information at (708) 297-4701.

Sincerely,

Geoffrey A. Gendels

Geoffrey A. Gendels
Owner

18341 Dixie Hwy, Homewood, IL 60430
Tel: (708) 297-4701 smgendels@gmail.com

18341 Dixie Highway, Homewood IL 60430

- Private Office 8X10 80 sq'
- Kitchen, galley 5x 10 50 sq'
- Utility Room 8 x 8 ft. 64 sq'
- North large room 20 X 51 1,020 sq'
- Middle large room 23x 42 966 sq'
- Middle room, hall 23 X 23 529 sq'
- South room 20 x 25 500 + 8 x 6 area 48 = 548 sq'
- bathrooms, kids 8x10 / and Adult 4 x6 24 =104 sq ' '
- entry vestibule 6x6 36 sq ' '
- mail foyer 4x5 20 sq'

Total interior 3,350 sq.'
 south fenced yard 1,800s
 rear fenced yard 2,000s
 Parking lot (16 cars) 6,400s
 Total exterior land 19,040s

The price for 3,350 sq ft. building and land is asking \$395,000

- Last operated as a licensed daycare for over 30 years.
- It's a private free standing solid brick building on the end cap of the Homewood business district. High traffic off main corner high visibility location.
- Close to expressways, and a 10 min. walk to the train.
- Included in price are all fixtures, furnishings, equipment within, in shed and all outdoor equipment within, and the fenced playground areas.
- Full build-out value included for the total interior and land build-out and 2 built-out fenced playgrounds, fully landscaped property, and 16 car private parking lot. Includes, 2 new HVAC systems, 02.24, and new Painting interior and exterior,02.24. New Roof 30 yr. 10.14, Shed-new roof and rehab. 04.14 and undergoinfg painting.
- Security main door code entry, rooftop security lights, and fencing secures the entry area.
- Taxes: There are 5 tax lots, and the annual property tax is approximately \$32,000 after tax attorney appeal. Also, Cook County section 8 allows for an incoming buyer of vacant property 12 years at 60% current tax rate.

TY for your interest.
Suzanne and Geoff

(773) 931-7963 S
(708) 297-4701 G

smgendels@gmail.com

October 28, 2024,

Narrative of Proposed Use

Wilnetta Robinson, Owner and Director of On Cloud Nine Childcare, intend to use the property located at 18341 Dixie Hwy, Homewood, IL 60423 as a licensed daycare center. A request for DCFS permit/license will be submitted. It is up to DCFS's discretion to determine final operating capacity, however based on the 3350 sq ft indoor space, capacity is approximately for 50-55 children/staff. Daily childcare services will be provided for ages 6 weeks to 12 years of age consisting of infants, toddlers, preschool, and before and after school services to school age children. Hours of operations are tentative between the hours of 6 am to 7pm Monday thru Friday. Average capacity would be 40 children with a peak capacity not to exceed 50 children.



STANDARDS FOR:
MAP AMENDMENT
2020 Chestnut Road, Homewood, IL 60430

Street Address: 18341 Dixie Hwy Homewood, IL 60430

Existing Zoning District: R2

Requested Zoning District: B2

Applicant Name: Wilnetta Robinson Date: 10/30/2024

Provide responses to each question below using complete sentences and specific to the requested change in zoning.
 The Planning and Zoning Commission and Village Board shall consider the following responses to the Standards for a Map Amendment in evaluating the application. No one is controlling.

1. Does the proposed zoning more closely conform to the stated goals of the Comprehensive Plan?
Provide clear connections to the goals of the Comprehensive Plan.

Yes. The zoning aligns with the goals of the comprehensive plan, as there are other businesses within half a mile of the building with the same zoning. The building use for the past 20+ years has been a daycare center. The proposed use as a daycare center make serves the past use of the location, althoguh it sits in a residential community. The building is a stand alone property with private parking, entrances, and gated play areas.

2. Have major land uses, conditions, or circumstances changed since the original zoning was established?
Describe the reason for this requested amendment.

The area was rezoned in 2023 to R2. Operations for a daycare center requires special use B2 zoning before a business license can be issued. However, there have not been any major changes to land use, conditions, or circumstances since the original zoning was established. The building, although not in operation for the last several years, is still structurally constructed to operate as a daycare center.

3. Do sites existing for the proposed use in existing districts permitting such use?
Demonstrate why the change in zoning is necessary.

The area was rezoned in 2023 to R2. Operations for a daycare center requires special use B2 zoning before a business license can be issued

4. Is the requested change compatible with the existing uses, development patterns, and zoning of nearby properties?
Describe how the amendment will be compatible with the Village as it exists.

The amendment to once again allow a daycare center at this location aligns with the village's objective to rezone in 2023. The intent was to offer an opportunity for adaptive reuse to businesses compatible with the downtown location. This building is mixed use and the area includes a vibrant mix of offices and services, shops and restaurants, apartments, and single family homes. The Homewood business community is diverse and there is a current need for high quality childcare as more families expand their families and enter the workforce.

5. Does the present development of the area comply with the existing ordinances?
Is the proposed change correcting existing or creating new non-conformities?

The proposed change is aligned with the village's objective to increase commercial development to provide more goods and services for residents and visitors, ultimately adding value to the B2 district by allowing community members to have more access to high quality childcare. Parents prefer and value intimate childcare settings that aid in their children's development. This daycare center would provide an opportunity to create and strengthen bonds within the community.

6. Does the existing zoning impose an unreasonable hardship, or can a reasonable economic benefit be realized from uses permitted by the existing zoning?

Is it economically necessary to change the zoning?

An unreasonable hardship does not exist. The proposed change is adding value to the B2 district. There is a current need for high quality childcare as more families expand their families and enter the workforce. Currently, the building is structurally a daycare center and vacant. Active use of the building would bring back a lively feeling to the area with the cheerful voices of children playing and parents interacting within the community and patronizing local businesses.

7. What is the extent of the diminishment of property values, if any, resulting from the current zoning?

Property values will maintain or possibly increase as the property has been maintained and minor cosmetic improvements on the exterior such as landscaping and clean up of the playground will be done to further add value.

8. How long has the property been vacant as compared to development occurring in the vicinity?

The property has been vacant for 8 years.

9. Is the property physically suited for the uses allowed by the proposed zoning?

Yes. The property's outside has maintains the desiganted outdoor play area that are gated and the inside floorplan has been maintained to operate as a daycare center.

10. Does the proposed use satisfy a public need?

There is a current need in the community for high quality childcare as more families expand their families and enter into the workforce. In conjunction with the village's objective to increase use of the Metra station, this location offers convenience to commuting parents since it is in close proximity to the Homewood Metra station. One of the top criteria a parent looks at when choosing childcare is convenience.

11. Will the proposed change conflict with existing or planned public improvements, or adversely impact schools, parks, or other public facilities?

There are no known present or future conflicts.

12. Will the proposed change adversely affect environmental or traffic patterns in the vicinity?

No. There is ample private parking for staff and parents to facilitate drop off and pickup. Additonally, the arrival and dismissal of children into the facility is staggered, further eliminating the concern for traffic congestion.

13. To what extent will the proposed change diminish property values of surrounding properties?

The building has been maintained and propperty values will only increase with the pending cosmetic updates and improvements to be made to the property.

14. Will the proposed change deter the use of properties in the area or contribute to redevelopment?

No. It would be business as usual.

15. Will the proposed change be detrimental to the health, safety, and welfare of the neighborhood or of the Village as a whole?

No. Reopening the space as a daycare center will add value to the community and facilitate the need for parents within the community to have direct access to high quality, affordable childcare.



STANDARDS FOR:
SPECIAL USE

2020 Chestnut Road, Homewood, IL 60430

Street Address:	18341 Dixie Hwy	Homewood, IL 60430
Requested Use:	Daycare Center	Area: 3,350 sq. ft.
Business Name:	On Cloud Nine Childcare LLC	
Applicant Name:	Wilnetta Robinson	Date: 10/30/2024

Provide responses to each question below using complete sentences and specific to the proposed business and selected location.

The Planning and Zoning Commission and Village Board shall consider the following responses to the Standards for a Special Use in evaluating the application. No one is controlling.

1. Is the special use deemed necessary for the public convenience at this location?

Describe why this location is best-suited for your business to serve the community.

There is a current need in the community for high quality childcare as more families expand their families and enter into the workforce. In conjunction with the village's objective to increase use of the Metra station, it will be beneficial to offer convenience to commuting families. Additionally, the building has been constructed and maintained as a daycare center and only minor cosmetic updates are needed to resume operations.

2. Is the special use detrimental to the economic welfare of the community?

Will the business have a negative impact on other businesses?

The business will be advantageous for neighboring businesses. Parents will be more likely to patronize local businesses. They will have easy access to banking, grocery stores, and local shops. For instance, working parents often want convenience, particularly in the evening, and look for quick dinner options for their families, which there is an abundance in the surrounding area.

3. Will the special use be consistent with the goals and policies of the Comprehensive Plan?

Describe how your business fits with the goals and policies summarized on the attached sheet.

According to objective 1.1, if the daycare can operate in this building, the building will no longer be vacant. Objective 1.4 would be achieved when rezoning from R2 to B2, which allow special use for daycare, which the village finds favorable. A master plan objective will be met since the daycare is in close proximity to the Metra, offering convenience to commuting parents.

4. Is the special use so designed, located, and proposed to be operated, that the public health, safety, and welfare will be protected?

Describe any negative impacts, external to your business, that may result from it operating at this location.

The location will not pose a danger to public health and safety of the community. In fact, the business will be regulated by DCFS and the State of Illinois Health Department, which promotes the health and safety of others, especially children.

5. Is the special use a suitable use of the property, and will the property will be substantially diminished in value without the special use?

Describe why your business is best-suited for your this property.

The owner will be onsite as director and has been operating a licensed home daycare for the past 10 years without incident and began her roots in Homewood. The building has been maintained and only requires minimal cosmetic updates to operate. The owner values community and has identified the need for high quality,affordable childcare within the Homewood community.

6. Will the special use cause substantial injury to the value of other property in the neighborhood in which it is located?

Will your business decrease the value of other properties?

Property values will maintain or possibly increase as the property has been maintained and minor cosmetic improvements on the exterior, such as landscaping and clean up of the playgroun,d will be done to further add value.

7. Will the special use be consistent with the uses and community character of the neighborhood surrounding the property?

Describe how your business is compatible with its neighbors.

Families that the daycare service will be the same famalies patronizing surrounding businesses. The daycare will draw more families into the area, increase use of the Metra station, and encourage support of local businesses. Additionally, the daycare would want to patronize local businesses and network for community events and sponsorship opportunities.

8. Will the special use be injurious to the use or enjoyment of other property in the neighborhood for the purposes permitted in the zoning district?

Describe any negative impacts, external to your business, that may result from it operating at this location.

No. This location will not disrupt the peace of the commmunity. Residents would appreciate the cheerful sounds of chlden playing and being in a safe environment while their parents work. Operating hours are during the day and are offered at reasonable times so staff, families serviced, and residential neighbors can enjoy their evenings as well.

9. Will the special use impede the normal and orderly development and improvement of surrounding properties for uses permitted in the zoning district?

Describe any negative impacts, external to your business, that may result from it operating at this location.

No. Business as usual for surrounding properties.

10. Does the special use provide adequate measures of ingress and egress in a manner that minimizes traffic congestion in the public streets?

Describe how will customers get to and from your business.

Yes. There is ample private parking for staff and parents to facilitate drop off and pickup. Additonally, the arrival and dismissal of children into the facility is staggered, further eliminating the concern for traffic congestion.

11. Is the special use served by adequate utilities, drainage, road access, public safety and other necessary facilities?

A new business going into an existing development, may answer 'no.'

No.

12. Will the special use substantially adversely affect one or more historical, archaeological, cultural, natural or scenic resources located on the parcel or surrounding properties?

A new business going into an existing development, may answer 'no.'

No.







VILLAGE OF HOMEWOOD



MEMORANDUM

DATE OF MEETING: November 21, 2024

To: Planning and Zoning Commission

From: Noah Schmerth, Assistant Director of Economic and Community Development

Through: Angela Mesaros, Director of Economic and Community Development

Topic: Case 24-53: Variance for Driveway at 18148 Perth Avenue

APPLICATION INFORMATION

APPLICANT	Ruth Fulwiley
ACTION REQUESTED	Variance – Section 44-05-05
ADDRESS	18148 Perth Avenue
PIN	28-36-409-018, 28-36-409-019, 28-36-409-020, 28-36-409-021, 28-36-409-037, 28-36-409-038, 28-36-409-039, 28-36-409-040

ZONING & LAND USE

SUBJECT PROPERTY	ZONING	LAND USE
CURRENT	R-2 Single-Family Residential	Single-Family Residential
PROPOSED	R-2 Single-Family Residential	Single-Family Residential
SURROUNDING	N: R-2 Single-Family Residential	Single-Family Residential
	E: R-2 Single-Family Residential/PL-2 Public Land and Open Space	Single-Family Residential
	S: R-2 Single-Family Residential	Single-Family Residential
	W: R-2 Single-Family Residential	Single-Family Residential

LEGAL NOTICE Legal notice was published in *Daily Southtown* on November 6, 2024; letters were sent to 17 property owners and residents within 250’.

DOCUMENTS FOR REVIEW

Title	Pages	Prepared by	Date
Application	2	Ruth Fulwiley, Applicant	
Standards for Variance	2	Ruth Fulwiley, Applicant	
Plat of Survey	1	Ruth Fulwiley, Applicant	
Staff Exhibits	3	Noah Schmerth, Asst. Dir. ECD	

BACKGROUND

The applicant, Ruth Fulwiley, has proposed a second driveway on property at 18148 Perth Avenue. The second driveway will provide rear yard access to the property from Stewart Avenue. The applicant has applied for a variance from Section 44-05-05 of the Village Zoning Ordinance, which currently restricts single-family residential properties to one driveway per parcel.

DISCUSSION

The applicant has proposed the construction of a new driveway providing vehicular access to the property from Stewart Avenue. The property is a double frontage lot, with frontage on both Perth Avenue and Stewart Avenue. The residential structure on the property faces toward Perth Avenue to the east.

The proposed driveway addition will extend 37' from the edge of the right-of-way on Stewart into the property. The driveway will be 16' in width. The driveway will have a rounded apron installed similar to the driveway. The Village Engineer has reviewed the driveway's construction standards and approved the proposed design against access management and construction standards.

The adjacent property (18140 Perth) was permitted to construct a second driveway off Stewart Avenue in 2022. The Village Zoning Ordinance was amended in 2023 with new driveway standards that restrict single-family residential lots to one driveway per principal dwelling unit (Section 44-05-05.d.1.a). Under the previous zoning ordinance, single-family residential properties could install additional driveways in limited instances, including on double-frontage lots.

Standards for Variance

The Planning and Zoning Commission shall use the following standards when considering this variance request. No variance shall be granted unless findings of fact for each specific application demonstrate hardship and the least deviation from this chapter necessary, as provided in the applicant's response to each of the following standards:

a. Can the property in question yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located? The property will not cease to provide a reasonable return for the single-family residential use on which the property is located. The use of the rear yard as proposed by the applicant will be severely restricted with the requested variance.

b. Is the plight of the owner due to unique circumstances? The property is unique with frontage on two public streets (not alleys). Double-frontage lots are not common in the Village. The lot is also much deeper than most properties in the Village, extending 270' between Perth Avenue and Stewart Avenue. The Village Ordinance was updated in 2023 to restrict additional driveways for single-family homes. The purpose was to limit the number of driveways along single-frontage lots which make up the vast majority of the Village's lots. The lot has a unique situation that permits the construction of a second driveway along Stewart to provide additional access to the lot.

c. If granted, will the variance alter the essential character of the locality? The driveway will not substantially alter the character of the neighborhood. The property is located within a single-family residential neighborhood with large lots and less developed street sections (no sidewalks, etc.), which creates an environment where driveways are spread out from one another along each street (i.e. Stewart Avenue). The driveway will not alter the overall character of the surrounding neighborhood.

A separate building permit application for a privacy fence is also under consideration by the Building Division. This will further screen portions of the driveway from Stewart Avenue.

(2) Supplemental to the above standards, the decision-making authority shall also consider findings on the character of the alleged hardship and the potential impacts to neighboring properties of granting the variance, as provided in the applicant's response to each of the following standards. Not one of the standards is controlling.

a. Do the particular physical surroundings, shape, or topographical conditions of the subject property pose a particular hardship upon the owner, as distinguished from a mere inconvenience, under the strict application of these regulations? The lot is 270' deep, which is significantly deeper than most residential lots within the Village. The property is also a double-frontage lot on two public streets. The applicant has cited challenges with access to the rear of the property from Perth Avenue due to the narrow interior side setbacks on each side of the existing home (5').

b. Would the conditions upon which the petition for variance is based be generally applicable to other properties within the same zoning classification? Not generally applicable. The property shares similar characteristics to the neighboring property at 18040 Perth Avenue, where a driveway was constructed off of Stewart Avenue in 2022. The lots have narrow interior side setbacks restricting rear property access on a large single-family residential lot.

c. Has the alleged practical difficulty or particular hardship been created by any person presently having an interest in the property?

d. If granted, will the variance be detrimental to the public welfare or injurious to other neighboring property? The driveway as proposed will be located and designed in a manner that will not affect neighboring property.

e. If granted, will the variance: impair an adequate supply of light and air to adjacent property; or substantially increase the danger of fire or otherwise endanger the public safety; or substantially diminish or impair values of neighboring property?

FINDINGS OF FACT

Staff has prepared the draft findings of fact in accordance with the standards set forth in Section 44-07-12 of the Village Zoning Ordinance for special use permit applications. The findings of fact, as proposed or as amended, may be entered into the record:

1. The subject property is a 0.61-acre site comprised of eight parcels located at 18148 Perth Avenue, near the intersection of Perth Avenue and Ravisloe Lane;
2. The subject property is owned by Ruth Fulwiley;

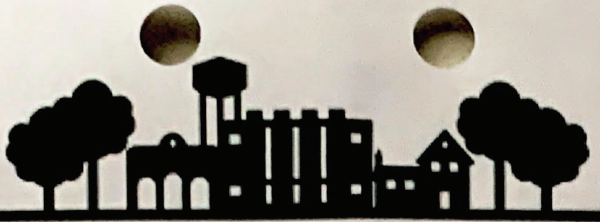
3. The subject property is located within the R-2 Single-Family Residence zoning district;
4. The subject property is used as a single-family residence;
5. The subject property is a double frontage lot with frontages on two public streets: Perth Avenue and Stewart Avenue;
6. The zoning regulations for single-family residential property restrict properties to one (1) driveway per principal dwelling unit, as stated in Subsection 44-05-05.d.1.a of the Village Zoning Ordinance;
7. The applicant has requested a variance from in Subsection 44-05-05.d.1.a of the Village Zoning Ordinance to construct a second driveway on Stewart Avenue;
8. The proposed driveway meets construction and access management standards found in local codes and ordinances of the Village of Homewood;
9. The proposed improvements meet all other applicable standards in the property’s current zoning district (R-2 Single-Family Residence).

RECOMMENDED PLANNING & ZONING COMMISSION ACTION

The Planning and Zoning Commission may wish to consider the following motion:

Recommend approval of Case 24-53 to allow a variance of Section 44-05-05.d.1.a of the Homewood Zoning Ordinance, to permit the construction of a second driveway at 18048 Perth Avenue, subject to the following conditions:

1. Approval of construction plans for the driveway by the Homewood Building Division which meet all requirements of Homewood building codes and ordinances.



VILLAGE OF HOMEWOOD

APPL Item 5. E.

NON-RESIDENTIAL ZONING REVIEW

2020 Chestnut Road, Homewood, IL 60430

PROPERTY INFORMATION

Street Address: 18148 Perth Ave Homewood, IL 60430
Property Index Number(s): 28364090370000, 28364090380000, 28364090390000, 28364090400000
Lot Size: sq. ft. acres
Zoning District: R-1 R-2 R-3 R-4 B-1 B-2 B-3 B-4 M-1 M-2 PL-1 PL-2

Complete this section to determine your required review(s):

Is the subject property more than one lot held in common ownership?
yes no
If yes, lots held in common ownership should be consolidated

A Planned Development is required for development of lots >25,000 sf or located in the B-1 or B-2 Zoning Districts.

REQUESTED USE

Requested Use: Asphalt pavement, width is 16 feet and length from Stewart Ave is 23 feet.
Gross Floor Area: sq. ft. Parking Provided:
Existing Use:

The requested use is:
Permitted
Limited
Special
Other:

SITE OR BUILDING CHANGES

Existing Development:
Proposed Development Check all that apply. Provide a description and metrics below.
New Construction Addition Site Alterations Exterior Building Alterations
Asphalt pavement
Development Metrics table with Existing and Proposed columns for Gross Floor Area, Parking Spaces, Lot Coverage, Impervious Area, and Impervious Coverage.

New construction? yes no
If yes, requires Site Plan Review
Floor area increase is 20% or more? yes no
If yes, requires Site Plan Review
Does the applicant elect to proceed as a Planned Development? yes no
Is site circulation or parking impacted? yes no
If yes, requires Site Plan Review
Is site landscaping impacted? yes no
If yes, requires Site Plan Review
Exterior building alterations? yes no
If yes, requires Appearance Review

ZONING RELIEF OR CHANGES

Zoning Variance or Amendment Describe any requested zoning relief or changes below.
Asphalt pavement rear of property

The applicant requests:
Variance
Administrative Exception
Zoning Text Amendment
Zoning Map Amendment

APPLICANT

Name Ruth Fulwiley
 Company _____
 Address 18148 Perth Ave.
Homewood, IL 60430
 Phone 773-358-8217
 Email Rfvon@aim.com
 Role homeowner

PROPERTY OWNER

Name _____
 Company _____
 Address _____
 Phone _____
 Email _____
 Check box if the applicant is the property owner

I acknowledge and attest that:

- » All the information and exhibits submitted with this application are true and accurate to the best of my knowledge;
- » Village representatives are permitted to make reasonable inspections of the subject property necessary to process this application;
- » I agree to pay all required fees;
- » No work may be done without first obtaining a Building Permit. All work shall be completed in accordance with Village Codes and Ordinances.

Ruth Fulwiley
Applicant Name

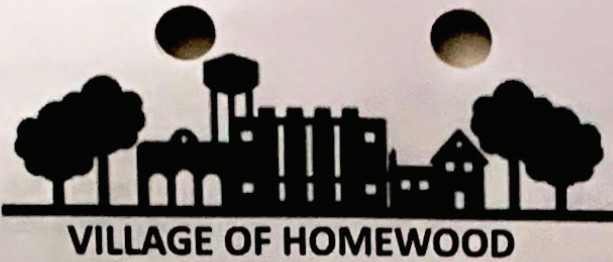
Ruth Fulwiley
Applicant Signature

11-04-24
Date

Staff Notes

Do not write below this line.

Fee: _____ <input type="checkbox"/> Paid	Date Received: _____
CASE NO: _____ REQUEST: _____	
Comments/ Conditions:	<input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied Date: _____
CASE NO: _____ REQUEST: _____	
Comments/ Conditions:	<input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied Date: _____
CASE NO: _____ REQUEST: _____	
Comments/ Conditions:	<input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied Date: _____
<p>This application has zoning approvals and may proceed to obtain Building Permits or a Certificate of Occupancy.</p>	
Name: _____	Signature: _____ Date: _____



STANDARDS FOR:
VARIANCE

2020 Chestnut Road, Homewood, IL 60430

Street Address: 18148 Perth Ave. Homewood, IL 60430

Requested Variance: _____

Zoning Requirement: _____

Ordinance Reference: _____

Applicant Name: Ruth Fulwiley Date: 11-04-24

Provide responses to each question below using complete sentences and specific to the property and relief requested.

The Planning and Zoning Commission and Village Board shall consider the following responses to the Standards for a Variance in evaluating the application.

No variance shall be granted unless the findings of fact for each application demonstrate a true hardship and the least deviation from the Ordinance necessary, as provided by the applicant's response to the following:

1. Can the property in question yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located?

Describe why you cannot comply with the zoning regulations and how it impacts the property value.

The rear of my property has no alley way and is located on Stewart Ave. Currently the rear of the property is enclosed by a fence, and an asphalt pavement will serve as an entrance to the rear of the property.

2. Is the plight of the owner due to unique circumstances?

Describe why this request is unique to you; would it apply to your neighbors as well?

My neighbor and I properties are very similar and unique compared to other homes nearby. The front of our home is located on Perth Ave. and the rear is located on Stewart Ave.

3. If granted, will the variance alter the essential character of the locality?

Describe how the property, with this relief, will compare to the surrounding properties.

My property is unique compared to most homes nearby, but will compare to my neighbor's property, having a similar asphalt pavement as an entrance.

Continued on following page.

Supplemental to the above standards, the decision-making authority shall also consider and make findings of fact on the character of the alleged hardship and the potential impacts to neighboring properties of granting the variance, as provided in the applicant's following responses. No one is controlling.

4. Do the particular physical surroundings, shape, or topographical conditions of the subject property pose a particular hardship upon the owner, as distinguished from a mere inconvenience, under the strict application of these regulations?

Describe the unique characteristics of the site that limit use or development without the requested relief.

Without the requested relief, I will have no entrance at the rear of my home, due to it being difficult to have a sliding gate with wheels.

5. Would the conditions upon which the request for variance is based be generally applicable to other property within the same zoning classification?

Do your neighbors have the same circumstances?

My nextdoor neighbor property is very similar to mine, and have an asphalt pavement in the rear of their property.

6. Has the alleged practical difficulty or particular hardship been created by any person presently having an interest in the property?

Provide information about any personal gains related to the hardship.

As the homeowner, I will benefit due to having an entrance located on Stewart Ave to the rear of the property.

7. If granted, will the variance be detrimental to public welfare or injurious to other neighboring properties?

Describe any potential negative impacts on neighboring properties and mitigation efforts.

The asphalt pavement will create an entrance on Stewart Ave. to the rear of my property. I foresee no negative impacts on neighboring properties.

8. If granted, will the variance: impair an adequate supply of light and air to adjacent property; substantially increase the danger of fire or otherwise endanger the public safety; or, substantially diminish or impair values of neighboring property?

Explain how the requested relief will not create a hazard or de-value adjacent property.

The asphalt pavement will not create a hazard or de-value adjacent property.

TELEPHONE
(708) 799-9542
FAX
(708) 799-8797

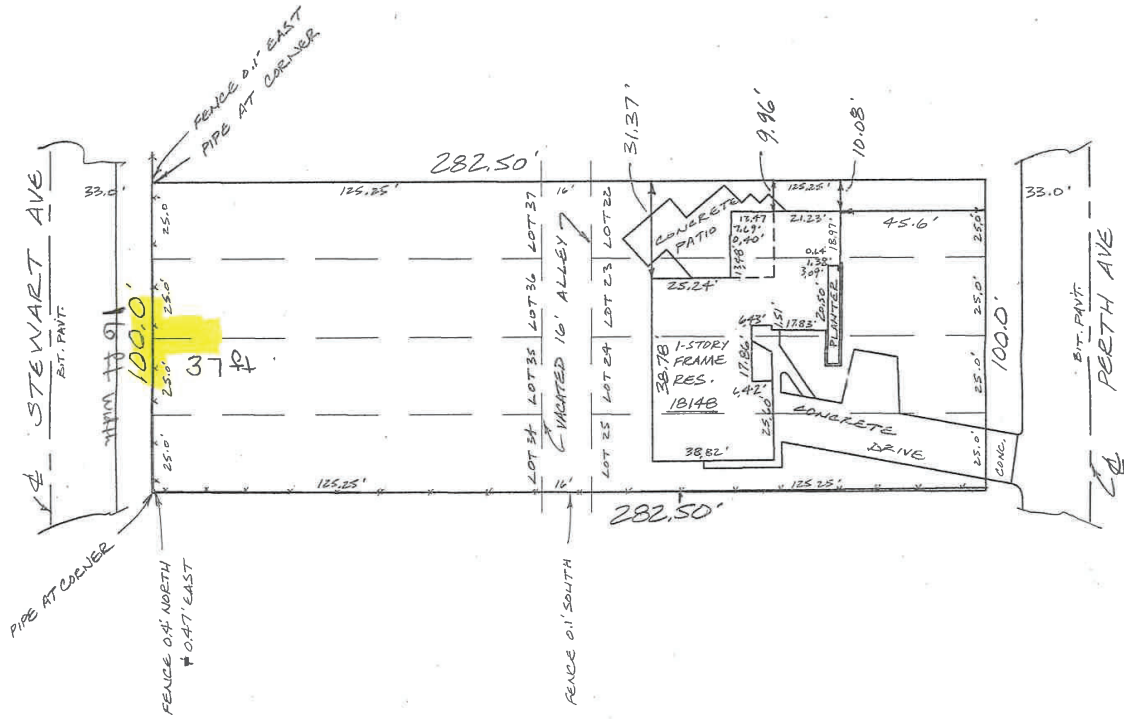
DAVID A. RING & ASSOCIATES
REGISTERED LAND SURVEYORS

18120 1/2 MARTIN AVENUE
HOMEWOOD, ILLINOIS
60430

Item 5. E.

PLAT OF SURVEY

LOTS 22 TO 25 INCLUSIVE AND LOTS 34 TO 37 INCLUSIVE ALL IN BLOCK E IN SCANDIA ADDITION TO HOMEWOOD, A SUBDIVISION OF THE NORTH 35 ACRES OF THE WEST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 36 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



FOR: WILLIAM BUTCHER, ATTY.
SCALE: 1" = 40'
JOB NO. 2107041

RESURVEYED TO LOCATE BUILDING.
JOB NO. _____
DATE _____

ORDERED BY _____
CONTRACTOR, BUILDERS OR OWNERS SHOULD VERIFY AND COMPARE ALL POINTS BEFORE BEGINNING ANY CONSTRUCTION AND AT ONCE REPORT ANY DISCREPANCIES. CONSULT DEED FOR BUILDING LINE AND RESTRICTIONS. CONSULT DEED OR ABSTRACT OF TITLE FOR EASEMENTS. THIS PLAT WAS PREPARED FOR THE ABOVE NAMED PARTY ONLY AND IS ONLY VALID IF THE SURVEYORS EMBOSSED SEAL IS PRESENT.



STATE OF ILLINOIS } SS
COUNTY OF COOK }

I DO HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED IN THE ABOVE CAPTION TO THE HEREON DRAWN PLAT, AND SAID PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY. ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF AND CORRECTED TO A TEMPERATURE OF 68 DEGREES FAHRENHEIT. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

[Signature]
ROBERT D. MCILLISTER, P.L.S.

DATE: JULY 8, 2021 CERT. NO. 2921
PROFESSIONAL DESIGN FIRM 184-004604

18148 Perth Avenue

Driveway Variance

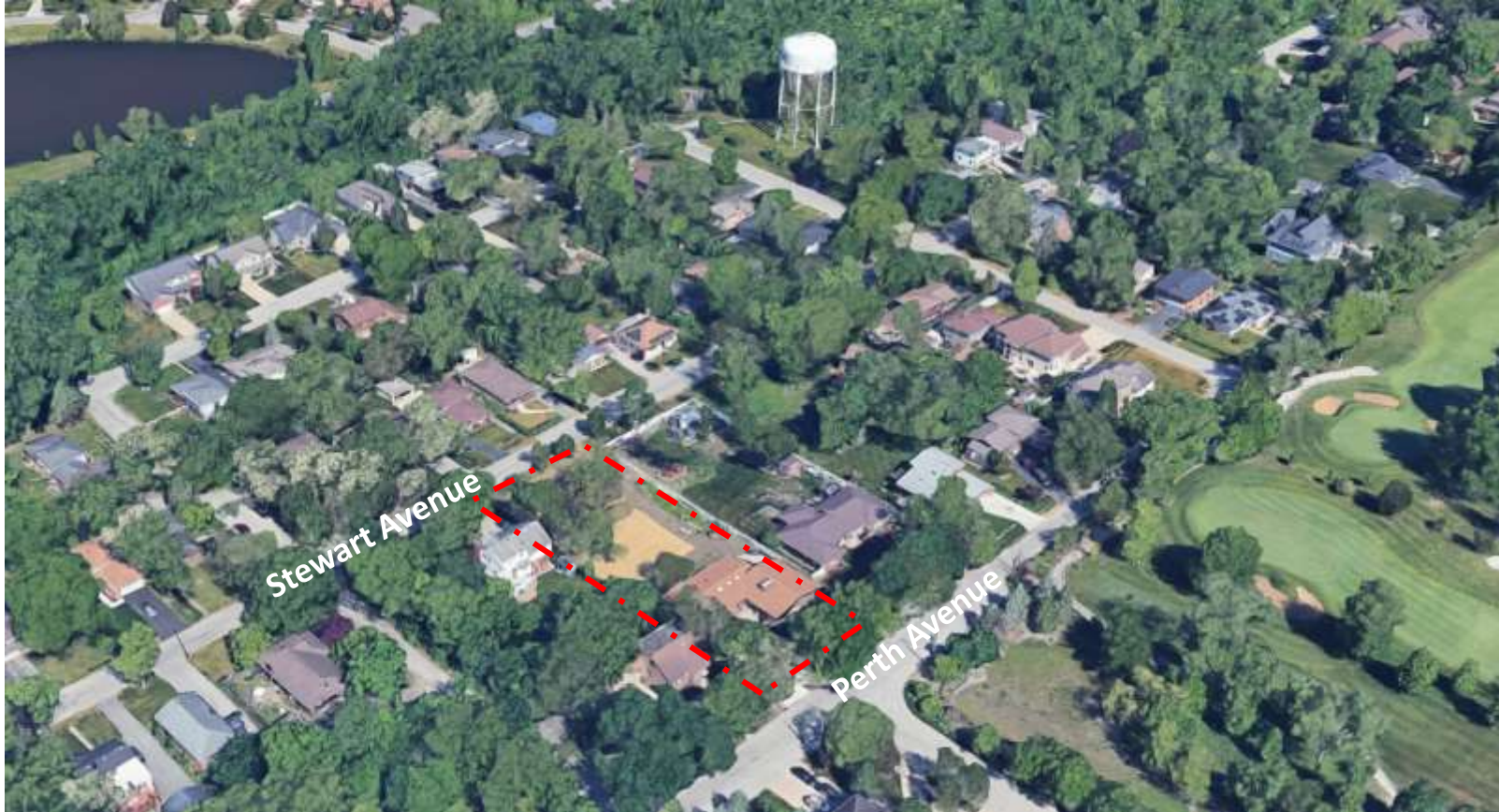
Context Aerial Im

Item 5. E.

PIN: 28-36-409-018 to 021; 036 to 040

Case 24-53 PZC

November 21, 2024





PIN: 28-36-409-018 to 021; 036 to 040

Case 24-53 PZC

November 21, 2024



VILLAGE OF HOMEWOOD



MEMORANDUM

DATE OF MEETING: November 21, 2024

To: Planning and Zoning Commission

From: Noah Schumerth, Assistant Director of Economic and Community Development

Through: Angela Mesaros, Director of Economic and Community Development

Topic: Case 24-49: Special Use Permit for Indoor Commercial Place of Assembly at 18035 Dixie Highway

APPLICATION INFORMATION

APPLICANT	Niya Jones
ACTION REQUESTED	Special Use Permit
ADDRESS	18035 Dixie Highway
PIN	29-31-400-054

ZONING & LAND USE

SUBJECT PROPERTY	ZONING	LAND USE
CURRENT	B-2 Downtown Transition	Vacant (Formerly Retail)
SURROUNDING	N: B-2 Downtown Transition	Indoor Commercial Place of Assembly (Elite 24 Fitness)
	E: B-2 Downtown Transition	Medical Office (Eldridge/Eldridge Dental)
	S: B-2 Downtown Transition	Personal Services (Travel Brokers)
	W: B-1 Downtown Core	Gas Station

LEGAL NOTICE Legal notice was published in *Daily Southtown* on November 6, 2024; letters were sent to 55 property owners and residents within 250’.

DOCUMENTS FOR REVIEW

Title	Pages	Prepared by	Date
Application	2	Niya Jones, Applicant	11/15/2024
Special Use Standards	2	Niya Jones, Applicant	10/18/2024
Floor Plan	1	Niya Jones, Applicant	10/18/2024
Staff Exhibits	2	Noah Schumerth, Asst. Dir. ECD	11/15/2024

BACKGROUND

The applicant, Niya Jones of The Livie Room, has proposed an indoor commercial place of assembly at 18035 Dixie Highway. According to the applicant, the space is proposed as a “community gathering space” for corporate events, podcast hosting, small gatherings, small holiday events, repass events, and other small upscale functions.

DISCUSSION

The applicant has proposed an event center as an indoor commercial place of assembly at the subject property. The subject property was formerly occupied by Popology, a retail store offering popcorn and other food items.

The tenant space at 18035 Dixie Highway has a floor area of 1,100 square feet. The space will be broken into two areas: a large gathering area arranged for various events, and a kitchen space designed for event preparation and food for events. The space will have one restroom for use, located off the rear kitchen area. No on-site food preparation is planned with this business. Liquor may not be served at any time without approval of a Liquor License by the Village Board of Trustees.

The business will have one employee.

The applicant has stated that the event center would be available from 10:00 a.m. to 1:00 a.m., seven (7) days a week. The applicant envisions that peak hours will be weekends, especially weekend nights. The applicant does not anticipate high traffic on weekdays, with only repasses and corporate events expected. Larger events, such as birthdays and wedding receptions, would occur on weekends.

The applicant anticipates a maximum capacity of approximately 50 people for high table events, and 60 people for events with seating. The final capacity of the building will be determined by the Fire Department during the Business Operation Certificate review process.

There is one (1) dedicated parking space for use by the business located in the rear of the building, which will be used by the one employee of the business. There is no public customer parking on the site. Four parking spaces are required by the Village Zoning Ordinance: $1,100 \text{ square feet} * 1 \text{ space per } 300 \text{ square feet} = 3.67 \text{ spaces (rounded up to 4 spaces)}$.

The remaining three (3) parking spaces for zoning compliance may be met using off-site parking spaces within 300' of the business, as permitted by Section 44-05-02.j of the Village Zoning Ordinance. The three spaces are met using on-street parking spaces on Dixie Highway in front of the building.

Larger events are expected to require a greater number of parking spaces than the four (4) which are required. The applicant has stated that she wishes to use street parking and public parking facilities to support larger events. The applicant has also suggested a desire to lease spaces from another entity, such as St. John Neumann Church or another institution in downtown Homewood, to permit event parking at specific times.

Special Use Standards

The Planning and Zoning Commission must consider the following standards when reviewing the application for this special use:

- 1) Is the special use deemed necessary for the public convenience at that location? Other similar uses (indoor commercial places of assembly events spaces) are located within a ½ mile radius of the proposed business, including Infinite Event Suite (1820 Ridge) and Honeycomb Hideout (18205 Dixie Highway). Staff has received a large number of requests for similar uses, suggesting increased public demand and a need for such locations with convenient access.
- 2) Will the special use be detrimental to the economic welfare of the community?
- 3) Will the special use be consistent with the goals and policies of the comprehensive plan and other adopted plans of the village?
- 4) Is the special use at the subject property so designed, located, and proposed to be operated, that the public health, safety, and welfare will be protected? There are limited parking opportunities within a short distance of the proposed business. Larger public parking areas that may support the events proposed, such as the Village Hall Parking Lot on Chestnut Road and the “Metra” Parking Lot on Harwood Avenue, are over 500’ from the business. These lots also require crossing multiple streets, which may create safety hazards for users when accessing the site.
- 5) Is the special use a suitable use of the property and, without the special use, could the property will be substantially diminished in value? The property is located in the B-2 Downtown Transition zoning district, which permits a range of commercial and assembly uses. The property is unlikely to be diminished in value if the special use is not approved due to alternative permitted uses which may occupy the space.
- 6) Will the special use cause substantial injury to the value of other property in the neighborhood in which it is located?
- 7) Will the special use be consistent with the uses and community character of the neighborhood surrounding the subject property? The proposed use, an indoor commercial place of assembly, is similar to other uses in the immediate vicinity. Hours of events may extend until 1:00 a.m., which may allow activity to run later than most other businesses in the downtown neighborhood.
- 8) Will the special use be injurious to the use or enjoyment of other property in the neighborhood for the purposes permitted in the zoning district? The use may significantly increase parking demand in the immediate vicinity at event times and may impact the enjoyment of surrounding properties and existing businesses.
- 9) Will the special use impede the normal and orderly development and improvement of surrounding properties for uses permitted in the zoning district?
- 10) Does the proposed special use at the subject property provides adequate measures of ingress and egress in a manner that minimizes traffic congestion in the public streets? The area may see brief traffic increased before and after larger events. Congestion impacts may be mitigated by available parking dispersed across the downtown area, but could also be increased by a large number of event attendees attempting to park vehicles at busy times in the downtown area. The site has one public access point along Dixie Highway. The site has vehicular access off of Ridge Road for loading and employee parking. No customer parking is available on-site.

11) Is the subject property adequately served by utilities, drainage, road access, public safety and other necessary facilities to support the special use? The site has the necessary utilities and facilities to support the use. Additional review of facilities, such as fire suppression and security systems, will be completed during the Business Operation Certificate review process upon approval of a Special Use Permit.

FINDINGS OF FACT

The staff has prepared the draft findings of fact following the standards outlined in Section 44-07-11 of the Village Zoning Ordinance for special use permit applications. The findings of fact, as proposed or as amended, may be entered into the record:

1. The subject property is located at 18035 Dixie Highway on a 0.24-acre parcel, at the northeast corner of Dixie Highway and Ridge Road;
2. The subject property is owned by UMC Meds LLC of Mokena, Illinois;
3. The subject property is located within the B-2 Downtown Transition zoning district;
4. The proposed business is to be located within a space with 1,100 square-foot of gross floor area;
5. The applicant has proposed an indoor commercial place of assembly to occupy the subject property;
6. The current zoning designation of the property allows indoor commercial places of assembly as a special use;
7. The subject property has four (4) parking spaces on-site, shared with other businesses adjacent to the proposed business, with one (1) dedicated parking space.
8. The site meets applicable development standards in Section 44-05 of the Village Zoning Ordinance;
9. The proposed event business will operate within the existing commercial building that is adequately served by utilities, access, and on-site parking.

RECOMMENDED PLANNING & ZONING COMMISSION ACTION

Staff recommends denial of a Special Use Permit for an indoor commercial place of assembly at 18035 Dixie Highway. The Planning and Zoning Commission may wish to consider the following motion:

Case 24-49 for a Special Use Permit to allow the operation of an indoor commercial place of assembly at 18035 Dixie Highway;

AND

Incorporate the Findings of Fact into the record.



VILLAGE OF HOMEWOOD

NON-RESIDENTIAL ZONING REVIEW

2020 Chestnut Road, Homewood, IL 60430

PROPERTY INFORMATION

Street Address: 18035 Dixie Hwy Homewood, IL 60430

Property Index Number(s): _____

Lot Size: 1100 sq. ft. 0.24 acres
If the subject property is multiple lots, provide the combined area.

Zoning District:
 R-1 R-2 R-3 R-4 B-1 B-2 B-3 B-4 M-1 M-2 PL-1 PL-2

Complete this section to determine your required review(s):

Is the subject property more than one lot held in common ownership?

- yes no

→ If yes, lots held in common ownership should be consolidated

A Planned Development is required for development of lots >25,000 sf or located in the B-1 or B-2 Zoning Districts.

REQUESTED USE

Requested Use: Event Space

Gross Floor Area: 1100 sq. ft. Parking Provided: 1

Existing Use: Popcorn Store

The requested use is:

- Permitted
- Limited
- Special
- Other:

SITE OR BUILDING CHANGES

Existing Development: _____

Proposed Development *Check all that apply. Provide a description and metrics below.*

New Construction Addition Site Alterations Exterior Building Alterations

Development Metrics	Existing	Proposed
Gross Floor Area (sq. ft.):	<u>1100</u>	<u>1100</u>
Parking Spaces	<u>1</u>	<u>1</u>
Lot Coverage		
Impervious Area (sq. ft.)		
Impervious Coverage (%)	<u>0.0%</u>	<u>0.0%</u>

New construction?

- yes no

→ If yes, requires Site Plan Review

Floor area increase is 20% or more?

- yes no

→ If yes, requires Site Plan Review

Does the applicant elect to proceed as a Planned Development?

- yes no

Is site circulation or parking impacted?

- yes no

→ If yes, requires Site Plan Review

Is site landscaping impacted?

- yes no

→ If yes, requires Site Plan Review

Exterior building alterations?

- yes no

→ If yes, requires Appearance Review

ZONING RELIEF OR CHANGES

Zoning Variance or Amendment *Describe any requested zoning relief or changes below.*

The applicant requests:

- Variance
- Administrative Exception
- Zoning Text Amendment
- Zoning Map Amendment

APPLICANT

Name Niya Jones
 Company The Livie Room
 Address 415 Hamlin St.
Park Forest IL 60466
 Phone 708-257-1552
 Email diva-style@live.com
 Role Owner

PROPERTY OWNER

Name Omar Hassad
 Company _____
 Address 17320 Oak Park Ave.
Tinley Park, IL 60477
 Phone 630-865-4467
 Email _____

Check box if the applicant is the property owner

I acknowledge and attest that:

- » All the information and exhibits submitted with this application are true and accurate to the best of my knowledge;
- » Village representatives are permitted to make reasonable inspections of the subject property necessary to process this application;
- » I agree to pay all required fees;
- » No work may be done without first obtaining a Building Permit. All work shall be completed in accordance with Village Codes and Ordinances.

Niya Jones
Applicant Name

[Signature]
Applicant Signature

11/15/24
Date

Staff Notes

Do not write below this line.

Fee: \$150 ^{NS 11/15/24} Paid Date Received: _____

CASE NO: 24-49 REQUEST: Special Use Permit

Comments/Conditions: Approved Approved with Conditions Denied Date: _____

CASE NO: _____ REQUEST: _____

Comments/Conditions: Approved Approved with Conditions Denied Date: _____

CASE NO: _____ REQUEST: _____

Comments/Conditions: Approved Approved with Conditions Denied Date: _____

This application has zoning approvals and may proceed to obtain Building Permits or a Certificate of Occupancy.

Name: _____ Signature: _____ Date: _____



STANDARDS FOR: SPECIAL USE

2020 Chestnut Road, Homewood, IL 60430

Street Address: 18035 Dixie Hwy Homewood, IL 60430

Requested Use: Event Space Area: 1100 sq. ft.

Business Name: The Livie Room

Applicant Name: Niya Jones Date: 10/18/24

Provide responses to each question below using complete sentences and specific to the proposed business and selected location.

The Planning and Zoning Commission and Village Board shall consider the following responses to the Standards for a Special Use in evaluating the application. No one is controlling.

1. Is the special use deemed necessary for the public convenience at this location?
Describe why this location is best-suited for your business to serve the community.

This location is best-suited for my business to serve this community for small gathering, corporate meetings, podcast host, and holiday events (safe) as well repass space.

2. Is the special use detrimental to the economic welfare of the community?
Will the business have a negative impact on other businesses?

I believe it will have no negative on any other businesses in the community.

3. Will the special use be consistent with the goals and policies of the Comprehensive Plan?
Describe how your business fits with the goals and policies summarized on the attached sheet.

Yes, my business will hold celebrations of life and all the occasions and beautiful upscale events.

4. Is the special use so designed, located, and proposed to be operated, that the public health, safety, and welfare will be protected?
Describe any negative impacts, external to your business, that may result from it operating at this location.

N/A

5. Is the special use a suitable use of the property, and will the property will be substantially diminished in value without the special use?
Describe why your business is best-suited for your this property.

My business is best-suited for this property for the convenience of the families that live in this community and business because it close to where they live and work

6. Will the special use cause substantial injury to the value of other property in the neighborhood in which it is located?

Will your business decrease the value of other properties?

No

7. Will the special use be consistent with the uses and community character of the neighborhood surrounding the property?

Describe how your business is compatible with its neighbors.

Yes, my business will beautify our entrance for any occasion that's appropriate for the season.

8. Will the special use be injurious to the use or enjoyment of other property in the neighborhood for the purposes permitted in the zoning district?

Describe any negative impacts, external to your business, that may result from it operating at this location.

No there should be no negative impacts to other property in the neighborhood. All the events will be inside of the property there will be no events on the outside.

9. Will the special use impede the normal and orderly development and improvement of surrounding properties for uses permitted in the zoning district?

Describe any negative impacts, external to your business, that may result from it operating at this location.

No, the proposed special use is not expected to impede normal and orderly development as it is compatible with existing uses, has been designed to mitigate potential impacts, and will not significantly alter the character of the surrounding area.

10. Does the special use provide adequate measures of ingress and egress in a manner that minimizes traffic congestion in the public streets?

Describe how will customers get to and from your business. Based on the site plan analysis, the

special use appears to provide adequate ingress and egress measures with multiple access points, well designed traffic flow, and coordinated traffic signals which are likely to minimize traffic congestion in the area.

11. Is the special use served by adequate utilities, drainage, road access, public safety and other necessary facilities?

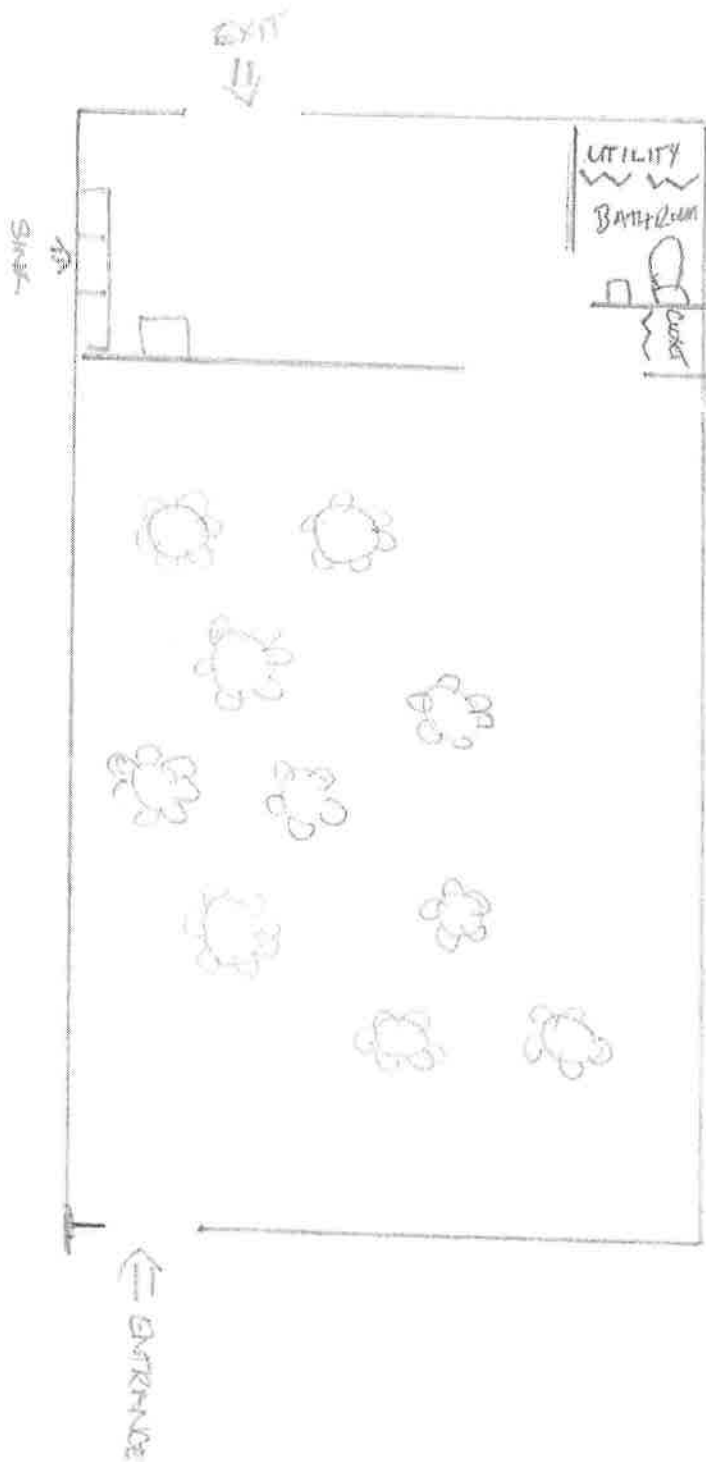
A new business going into an existing development, may answer 'no.'

No

12. Will the special use substantially adversely affect one or more historical, archaeological, cultural, natural or scenic resources located on the parcel or surrounding properties?

A new business going into an existing development, may answer 'no.'

No



The Hive Room

Floor plan

10/28/24





Proposed Tenant Space
(formerly Popology)