

ORIGINAL

ORDINANCE NO. CO-2016-35

AN ORDINANCE APPROVING ZONING CODE TEXT AMENDMENTS RELATIVE TO THE PURPOSE STATEMENT AND SPECIAL AND PERMITTED USES TABLE IN THE BUSINESS INDUSTRIAL PARK (BIP) ZONING DISTRICT AND APPROVING CERTAIN MAP AMENDMENTS RELATIVE TO VARIOUS PROPERTIES IN THE 100 BLOCK OF SOUTH 6TH AVENUE AND IN AN AREA BETWEEN THE PRAIRIE PATH AND WILCOX STREET FROM 2ND AVENUE TO 4TH AVENUE AND APPROVAL OF RELATED UPDATES TO THE OFFICIAL ZONING MAP OF THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS

WHEREAS, the Village of Maywood adopted a new zoning ordinance in April, 2010 (the "Zoning Ordinance"), which has been amended from time to time; and

WHEREAS, in 2008, the Village of Maywood approved an official comprehensive plan, which was then updated and replaced by the current comprehensive plan in 2014 (the "Current Comprehensive Plan"); and

WHEREAS, the Village of Maywood has adopted and does maintain an Official Zoning Map of the Village, which has been amended from time to time; and

WHEREAS, a petition for the granting of a text amendment to the Zoning Ordinance to revise the purpose statement and table of permitted and special uses in the Business Industrial Park (BIP) Zoning District (the "Text Amendment") has been filed with the Village of Maywood by Petitioner the Village of Maywood; and

WHEREAS, a petition for the rezoning of certain properties within the Village has been filed with the Village of Maywood by Petitioner the Village of Maywood. The proposed rezonings consist of the rezoning of certain parcels of property on the west side of 6th Avenue south from Saint Charles Road to Oak Street from BIP Zoning District to R-5 Multi-Family Residential Zoning District (the "6th Avenue Map Amendments") and the rezoning of a two block area bordered by the Illinois Prairie Path to the south, Wilcox Street to the north, 4th Avenue to the West, and 2nd Avenue to the east, from R-5 Multi-Family Residential and Open Space Special Purpose Zoning District, to M-1 General Manufacturing Zoning District (the "Prairie Path/Wilcox Street Area Map Amendments", and collectively, with the 6th Avenue Map Amendments, the "Proposed Map Amendments"). The Proposed Map Amendments and associated PINs are shown on the maps attached hereto as **Group Exhibit "B"** and made a part hereof.

WHEREAS, the Proposed Text Amendment and Proposed Map Amendments are consistent with and in furtherance of the Current Comprehensive Plan, and have been referred to the Plan Commission/Zoning Board of Appeals ("Plan Commission") of the Village and have been processed in accordance with the Zoning Code; and

WHEREAS, said Plan Commission held a public hearing on the question of whether the Proposed Text Amendment and Map Amendments should be granted on December 13, 2016, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, public notice in the form required by law was given of said public hearing by publication not more than thirty (30) days nor less than fifteen (15) days prior to said public hearing; and

WHEREAS, on December 13, 2016, the Plan Commission voted unanimously to

favorably recommend the requested Text Amendment and 6th Avenue Map Amendment to the Village President and Board of Trustees of the Village of Maywood. On December 13, 2016, the Plan Commission also voted six (6) in favor and one (1) opposed to favorably recommend the Proposed Prairie Path/Wilcox Street Map Amendments to the Village President and Board of Trustees of the Village of Maywood; and

WHEREAS, the Plan Commission of the Village has reported its findings and recommendation regarding the Proposed Text Amendment and Proposed Map Amendments to the President and Board of Trustees, and the President and Board of Trustees have duly considered said Report, Findings Of Fact And Recommendation, a copy of which is attached hereto as **Exhibit "A"** and made a part hereof; and

WHEREAS, the Village is a home rule municipality, having all of the powers and authority granted to such municipalities pursuant to Article VII, Section 6 of the Illinois Constitution of 1970, including the right to exercise any power and perform any function pertaining to its government and affairs. The Village is also authorized to enact and amend zoning regulations pursuant to Section 11-13-1.1 of the Illinois Municipal Code (65 ILCS 5/11-13-1.1); and

WHEREAS, the President and Board of Trustees, pursuant to their statutory zoning powers, home rule powers and the findings and recommendation of the Plan Commission, have determined that it is in the best interests of the health, welfare and safety of residents of the Village to adopt the Text Amendment and Map Amendments as set forth below.

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

SECTION 1: Each whereas paragraph set forth above is incorporated by reference into this Section 1.

SECTION 2: The Village President and Board of Trustees of the Village of Maywood approve and adopt the findings of fact and recommendation of the Plan Commission, a copy of which is attached hereto as **Exhibit "A"**, and incorporate such findings and recommendation by reference as if fully set forth herein.

SECTION 3: Subsection 9.1.A. of the Zoning Code of the Village of Maywood is amended to read in its entirety as follows:

A. Purpose of BIP Business Industrial Park/Flex Zoning District

~~The purpose of the BIP Business Industrial Park District is to accommodate developments of office structures, research and development facilities, and/or light manufacturing uses with no outside impacts. This district is intended for architecturally coordinated office and industrial structures built within a campus-like atmosphere.~~ The purpose of the BIP Business Industrial Park / Flex Zoning District is to accommodate developments of office structures, light manufacturing, warehousing/distribution, contractor/landscaping yards, and auto-oriented uses. This District is intended to accommodate office and industrial structures, yards and auto uses which may be located in close proximity to residential neighborhoods. This District may also include uses such as restaurants, retail goods establishments, outdoor dining, financial institutions and personal services establishments that complement the daily function of

the surrounding heavier M-1 industrial uses in addition to buffering nearby residential uses.

SECTION 4: Table 9.1 of the Zoning Ordinance is amended to read in its entirety as follows:

VILLAGE OF MAYWOOD, ILLINOIS			
TABLE 9-1: OFFICE PARK/BUSINESS INDUSTRIAL PARK/FLEX AND MANUFACTURING ZONING DISTRICTS PERMITTED & SPECIAL USES			
<i>S = Special Use P = Permitted Use</i>			
USE ¹	DISTRICT		SPECIFIC USE STANDARDS
	BIP	M-1	
COMMERCIAL USES			
Body Art Establishment		S	
Day Care Center, Adult or Child	S ²		Section 11.3.D
Drive-Through Facility	S ²		Section 11.3.F
Financial Institution	P		
Gas Station		S	Section 11.3.J
Greenhouse/Nursery	P		
Heavy Retail, Rental and Service	PS	P	
Kennel/Pet "Day Care" Service		P	Section 11.3.L
Motor Vehicle Dealership (<i>ord. 2013-15</i>)	P		
Motor Vehicle Rental Establishment (<i>ord. 2013-15</i>)	P		
Motor Vehicle Service and Repair	P (<i>ord. 2013-15</i>)	P	Section 11.3.N
Office Business	P	P	
Outdoor Dining	P P ²		Section 11.3.P
Personal Services Establishment	P-P ²		
Restaurant	P-P ²		
Retail Goods Establishment	P-P ²		
TRANSPORTATION USES			
Off-Street Parking Lot (Principal Use)	S	S	Section 11.3.O.2
Parking Structure (Principal Use)		S	Section 11.3.O.1
MANUFACTURING, STORAGE AND RESEARCH USES			
Contractor Storage Yard	S	P	Section 11.3.Q
Manufacturing, General	P	P	
Outdoor Storage Yard	S	P	Section 11.3.Q
Recycling Center	S	P	
Research and Development Facility	P	P	
Self Storage Facility		P	
Solid Waste Transfer Facility		P	
Warehouse/Distribution	PS	P	

VILLAGE OF MAYWOOD, ILLINOIS			
TABLE 9-1: OFFICE PARK/BUSINESS INDUSTRIAL PARK/FLEX AND MANUFACTURING ZONING DISTRICTS PERMITTED & SPECIAL USES			
<i>S = Special Use P = Permitted Use</i>			
USE ¹	DISTRICT		SPECIFIC USE STANDARDS
	BIP	M-1	
OTHER			
Planned Unit Development	S	S	Section 5
Utilities, Private	S	S	Section 11.3.R

TABLE 9-1: FOOTNOTES

¹ The terms in this column (“Use”) are defined in Section 17 (Definitions).

² Allowed only when accessory to developments of large office structures, research and development facilities, and/or light manufacturing uses, and integrated into the larger development to serve the employees.

SECTION 5: The Proposed 6th Avenue Map Amendments are approved, and the Official Zoning Map of the Village of Maywood, Cook County, Illinois, as amended, is further amended by changing the zoning classification of the Properties identified for rezoning in the portion of **Group Exhibit B** marked 6th Avenue Map Amendment Parcels from BIP Zoning District to R-5 Multi-Family Residential Zoning District.

SECTION 6: The Proposed Prairie Path/Wilcox Street Map Amendments are approved, and the Official Zoning Map of the Village of Maywood, Cook County, Illinois, as amended, is further amended by changing the zoning classification of the Properties identified for rezoning in the portion of **Group Exhibit B** marked Prairie Path/Wilcox Street Map Amendment Parcels from R-5 Multi-Family Residential Zoning District and Open Space Zoning District to M-1 General Manufacturing Zoning District.

SECTION 7: To the extent necessary, all tables of contents, indexes, headings and internal references or cross-references to sections that need to be amended or deleted within the Maywood Code of Ordinances, as amended, as a consequence of the above Code Amendments, shall be amended by the Village’s codifier so as to be consistent with the terms of this Ordinance.

SECTION 8: All ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are repealed.

SECTION 9: Each section, paragraph, clause and provision of this Ordinance is separable, and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

SECTION 10: Except as to the Text Amendment and Map Amendments set forth above in this Ordinance, the Official Map of the Village, as amended, and all Chapters and Sections of the Zoning Ordinance of the Village of Maywood, as amended, shall remain in full force and effect.

SECTION 11: This Ordinance shall be in full force and effect from and after its adoption, approval and publication as provided by law.

ADOPTED this 20th day of December, 2016, pursuant to a roll call vote as follows:

VOTE ON SECTION 3 and SECTION 4: BIP PURPOSE CLAUSE AND PERMITTED AND SPECIAL USE TABLE TEXT AMENDMENTS (Motion by: Trustee Rogers; Second by: Trustee Dorris)

AYES: Mayor Edwenna Perkins, Trustee(s) H. Yarbrough, Sr.,
I. Brandon, A. Dorris, M. Rogers, M. Lightford and R. Rivers.

NAYS: None

ABSENT: None

VOTE ON SECTION 5: 6TH AVENUE MAP AMENDMENTS (Motion by: Trustee Rogers; Second by: Trustee Dorris)

AYES: Mayor Edwenna Perkins, Trustee(s) H. Yarbrough, Sr.,
I. Brandon, A. Dorris, M. Rogers, M. Lightford and R. Rivers.

NAYS: None

ABSENT: None

VOTE ON SECTION 6: PRAIRIE PATH/WILCOX STREET MAP AMENDMENTS (Motion by: Trustee Rogers; Second by: Trustee Dorris)

AYES: Mayor Edwenna Perkins, Trustee(s) H. Yarbrough, Sr.,
I. Brandon, A. Dorris, M. Rogers, M. Lightford and R. Rivers.

NAYS: None

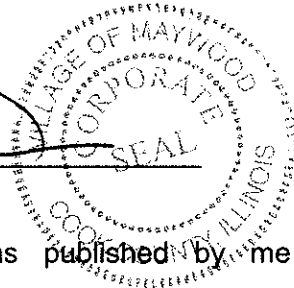
ABSENT: None

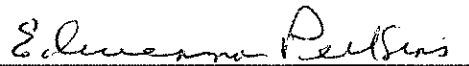
APPROVED by me this 21st day of December, 2016, and attested to by the Village Clerk this same day.

ATTEST:



Village Clerk





Village President

This Ordinance was published by me in pamphlet form on the 21st day of December, 2016.



Village Clerk

Exhibit "A"

**Report, Findings of Fact and Recommendation dated December 13, 2016
prepared by the Maywood Plan Commission**

(attached)



Village of **MAYWOOD**

40 MADISON STREET • MAYWOOD, ILLINOIS 60153 • (708) 450-4405

FINDINGS OF FACT AND RECOMMENDATION OF THE PLAN COMMISSION / ZONING BOARD OF APPEALS TO THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD RELATIVE TO PROPOSED TEXT AND MAP AMENDMENTS TO THE VILLAGE OF MAYWOOD ZONING ORDINANCE AND OFFICIAL ZONING MAP OF THE VILLAGE

Plan Commission / Zoning Board of Appeals

Public Hearing: Case PC/ZBA #16-001

December 13, 2016

Council Chambers, 125 S. 5th Avenue, Maywood, Illinois

APPLICANT: Village of Maywood

APPLICATION: For certain amendments to the Village of Maywood Zoning Ordinance and Official Map of the Village to reflect certain of the approved recommendations of the Village's 2014 Comprehensive Plan. Proposed changes include amendments to the purpose statement and text of table 9-1 (Office Park and Manufacturing Zoning Districts Permitted and Special Uses) of the Village of Maywood Zoning Ordinance relative to permitted and special uses in the BIP (Business Industrial Park) Zoning District, and the proposed rezoning of parcels in three zoning districts in conformance with the Village of Maywood 2014 Comprehensive Plan. The proposed rezonings concern certain properties located on the west side of 6th avenue from Oak Street to Saint Charles Road (proposed to be rezoned from BIP (Business Industrial Park) to R-5 (Multi-Family Residential)), and properties in a two-block area bordered by the Illinois Prairie Path to the south, Wilcox Street to the north, 4th Avenue to the west, and 2nd Avenue to the east to be rezoned from R-5 (Multi-Family Residential District) or OS (Open Space) special purpose district to M-1 (General Manufacturing District).

BACKGROUND: The current Zoning Ordinance was adopted in 2010. In 2014, the Village updated its Comprehensive Plan following workshops, Steering Committee meetings, and an Open House in 2013 and 2014. The Plan Commission recommended approval of the 2014 Comprehensive Plan Update in November, 2014, and the Update was approved by the Village Board in December 2014. With the approval by the Village Board of the Comprehensive Plan Update in 2014, Village staff is now seeking to update zoning districts in certain neighborhoods in order to reflect the best uses of the land and create future growth, and has brought forth certain recommended changes to the Village of Maywood Zoning Ordinance and to the Village's Official Map.

The proposed text and map amendments were recommended by the Board of Trustees earlier this year to be forwarded to the Plan Commission and Zoning Board of Appeals for public

currently located in the Prairie Path Rezoning Area, the mutual support they provide to each other, and the property taxes they provide to the Village. The current zoning limits their ability to grow and improve their businesses. He strongly supports the proposed rezoning of his and other properties in this area. Staff member Angela Smith weighed in to confirm that in the Prairie Path Rezoning Area there is a synergy of businesses that work together and that Mr. Donev is an example of the type of business owner Maywood wants to cultivate.

2. Mr. Tom McCarthy, Maywood business owner, weighed in with his thoughts on the type of businesses that should be in the Prairie Path Rezoning Area. He acknowledged that he too would like to see more restaurants and public commercial uses that support the Prairie Path in the area, but noted that the zoning change would reflect the businesses that exist there now, and would allow good business owners to remain and maintain their businesses. He noted that small business owners invest in their property and structures as their retirement security. Having zoning that does not match the use of the property creates uncertainty for such owners. He supports the proposed rezoning to M-1 of the Prairie Path Rezoning Area.

No other residents or citizens were present to speak for or against the matter. The Public hearing was closed.

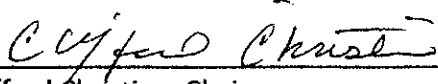
Following the close of the public hearing, the commissioners further discussed the proposals. While some commissioners continued to be concerned about the impact of the changes by the Prairie Path, others noted that code enforcement was the problem, not the businesses. In their opinion, property values in the area could increase with increased investment by business owners as a result of the rezoning, and watchful code enforcement by the Village.

A motion was made by Commissioner Lira, and seconded by Commissioner Stelnicki, to recommend approval of staff's revised purpose statement for the BIP (Business Industrial Park) Zoning District, and staff's proposed text amendments to the text of Table 9-1 (Office Park and Manufacturing Zoning Districts Permitted and Special Uses) of the Village of Maywood Zoning Ordinance relative to permitted and special uses in the BIP (Business Industrial Park) Zoning District. The Motion was approved on a unanimous vote of 7-0-0.

A motion was made by Commissioner Lira, and seconded by Commissioner Stelnicki, to recommend approval of the proposed rezoning from BIP (Business Industrial Park) to R-5 (Multi Family Residential) of certain properties located on the west side of 6th Avenue between Oak Street to St. Charles Road, as recommended by staff. The Motion carried unanimously, 7-0.

A motion was made by Commissioner Lira, and seconded by Commissioner Stelnicki, to recommend approval of the proposed map amendment for properties in a two-block area bordered by the Illinois Prairie Path to the South, Wilcox Street to the North, 4th Avenue to the West, and 2nd Avenue to the East from R-5 (Multi-Family Residential District) or OS (Open Space Special Purpose District) to M-1 (General Manufacturing District), as recommended by staff. The Motion passed on a vote of 6-1-0, with Commissioner Smith providing the dissenting vote.

Signed:



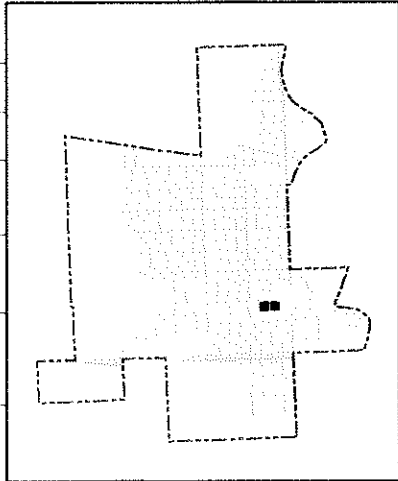
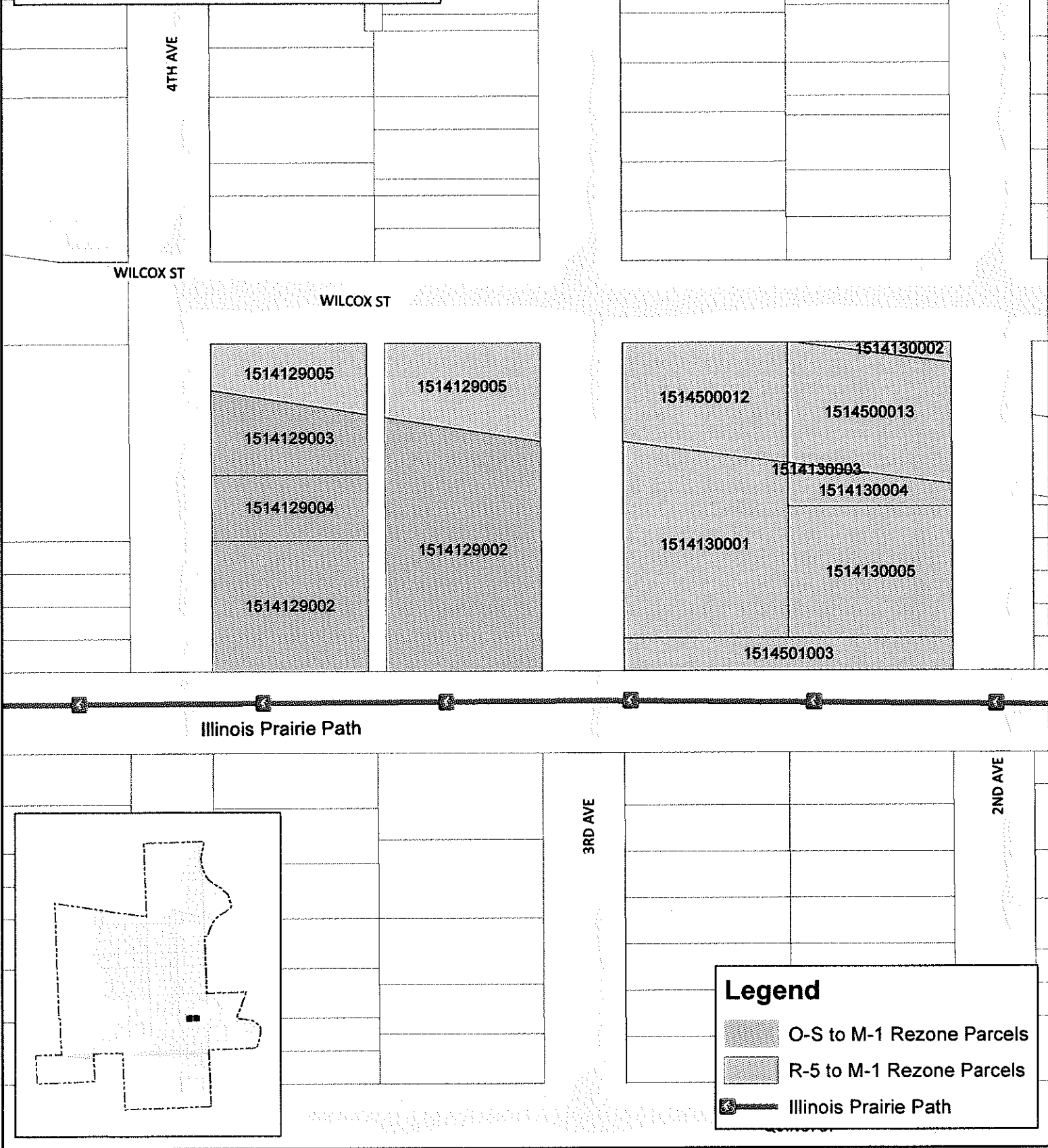
Clifford Christian, Chairman
Maywood Plan Commission / Zoning Board of Appeals
Village of Maywood

Group Exhibit "B"

**Diagrams Identifying
6th Avenue Map Amendment Parcels And
Prairie Path/Wilcox Street Map Amendment Parcels**

(attached)

Prairie Path / Wilcox Street Map Amendment Parcels

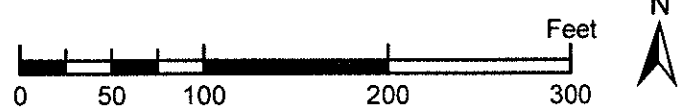


Legend

- O-S to M-1 Rezone Parcels
- R-5 to M-1 Rezone Parcels
- Illinois Prairie Path

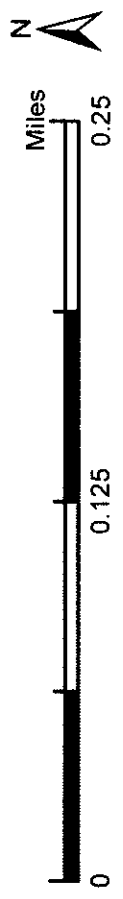
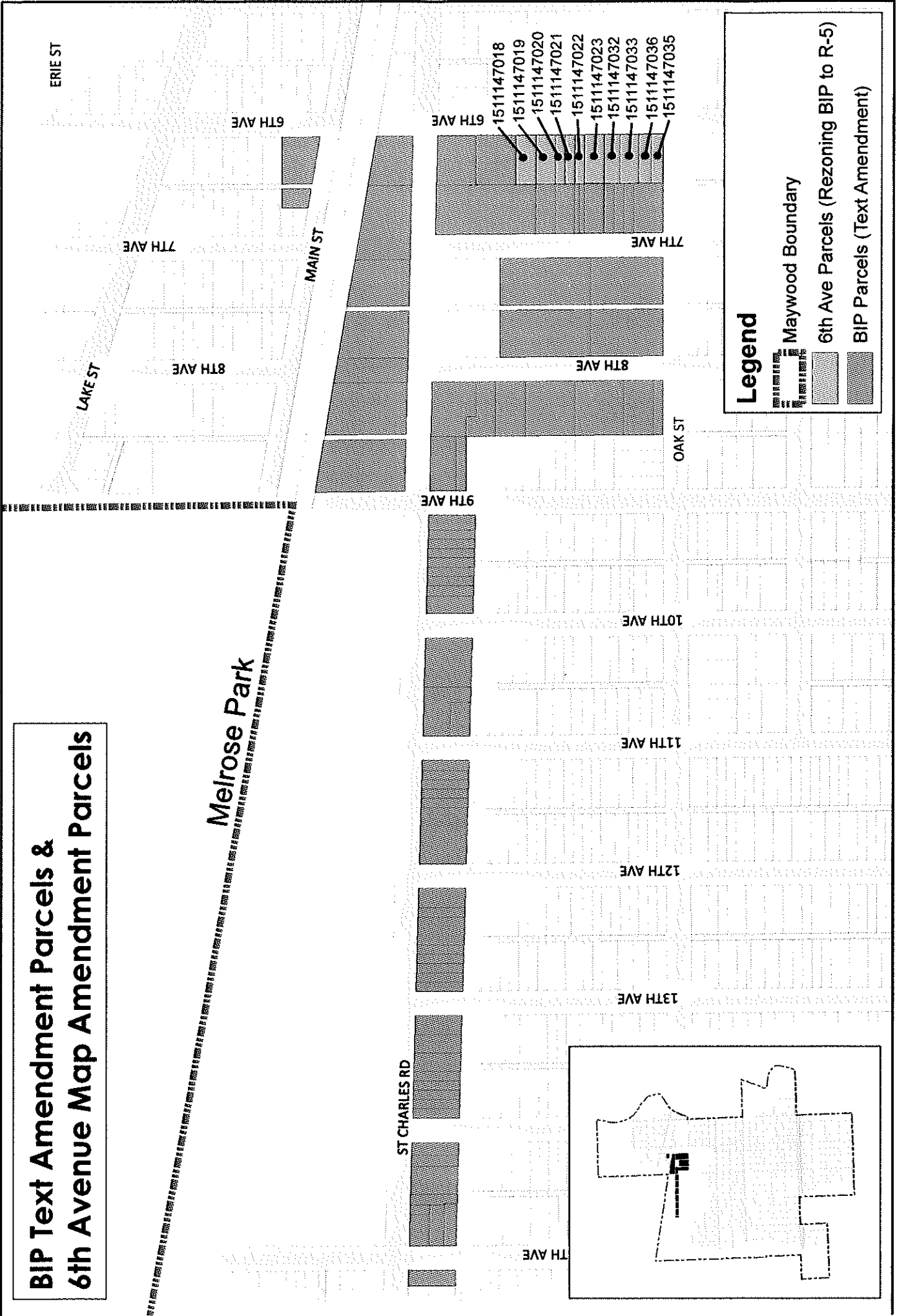


Village of Maywood
Department of Community Development



BIP Text Amendment Parcels & 6th Avenue Map Amendment Parcels
















Melrose Park



Village of Maywood
Department of Community Development

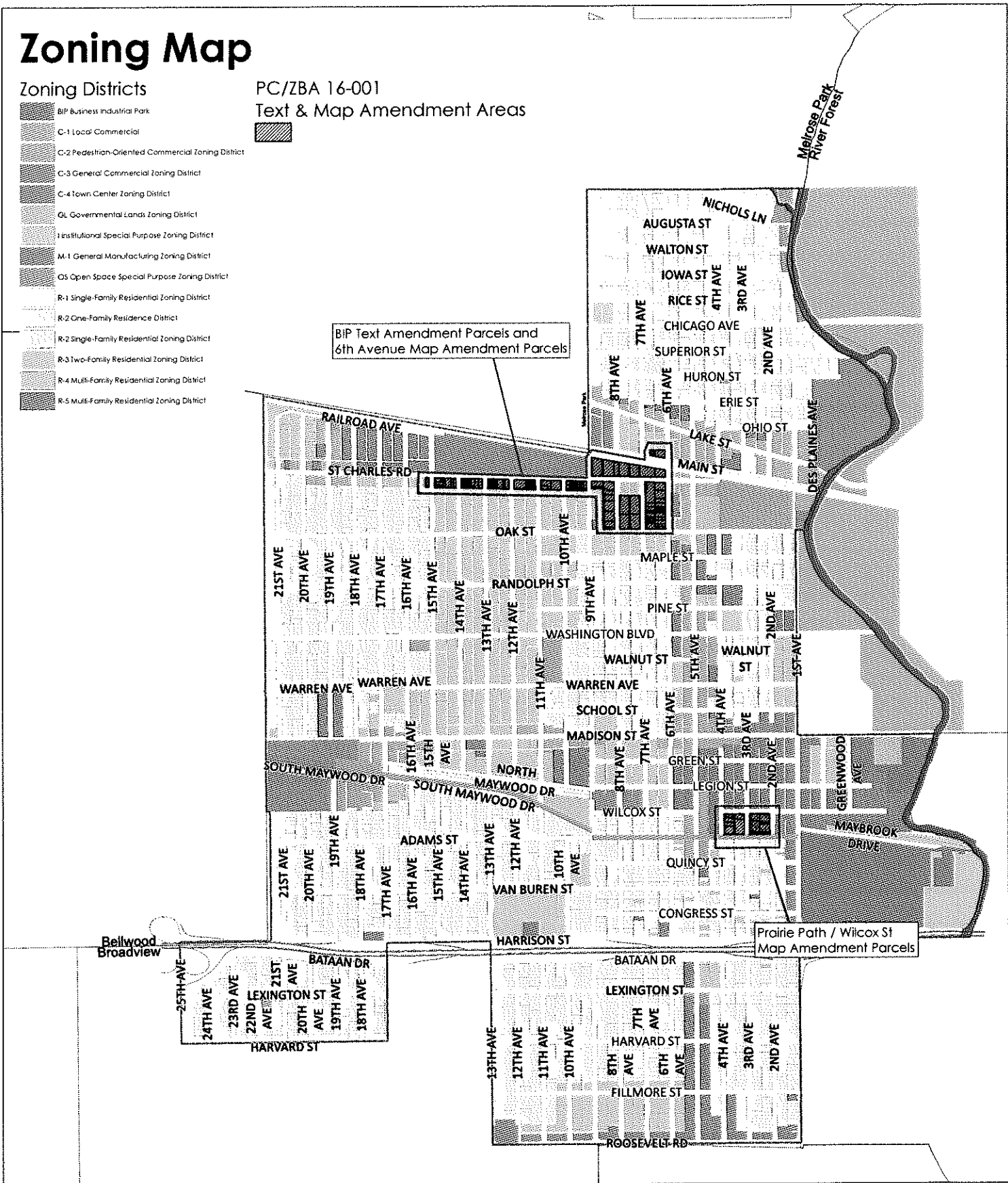
Zoning Map

Zoning Districts

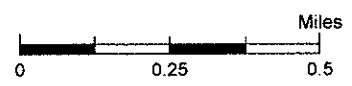
-  BIP Business Industrial Park
-  C-1 Local Commercial
-  C-2 Pedestrian-Oriented Commercial Zoning District
-  C-3 General Commercial Zoning District
-  C-4 Town Center Zoning District
-  GL Governmental Lands Zoning District
-  Institutional Special Purpose Zoning District
-  M-1 General Manufacturing Zoning District
-  OS Open Space Special Purpose Zoning District
-  R-1 Single-Family Residential Zoning District
-  R-2 One-Family Residence District
-  R-2 Single-Family Residential Zoning District
-  R-3 Two-Family Residential Zoning District
-  R-4 Multi-Family Residential Zoning District
-  R-5 Multi-Family Residential Zoning District

PC/ZBA 16-001

Text & Map Amendment Areas



Village of Maywood
Department of Community Development



STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CLERK'S CERTIFICATE

I, Viola Mims, Clerk of the Village of Maywood, in the County of Cook and State of Illinois, certify that the attached and foregoing is a true and correct copy of that certain Ordinance now on file in my Office, entitled:

ORDINANCE NO. CO-2016-35

AN ORDINANCE APPROVING ZONING CODE TEXT AMENDMENTS RELATIVE TO THE PURPOSE STATEMENT AND SPECIAL AND PERMITTED USES TABLE IN THE BUSINESS INDUSTRIAL PARK (BIP) ZONING DISTRICT AND APPROVING CERTAIN MAP AMENDMENTS RELATIVE TO VARIOUS PROPERTIES IN THE 100 BLOCK OF SOUTH 6TH AVENUE AND IN AN AREA BETWEEN THE PRAIRIE PATH AND WILCOX STREET FROM 2ND AVENUE TO 4TH AVENUE AND APPROVAL OF RELATED UPDATES TO THE OFFICIAL ZONING MAP OF THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS

which Ordinance was passed by the Board of Trustees of the Village of Maywood at a Regular Village Board Meeting on the 20th day of December, 2016, at which meeting a quorum was present, and approved by the President of the Village of Maywood on the 21st day of December, 2016.

I further certify that the vote on the question of the passage of said Ordinance by the Board of Trustees of the Village of Maywood was taken by Ayes and Nays and recorded in the minutes of the Board of Trustees of the Village of Maywood, and that the result of said vote was as follows, to-wit:

AYES: Mayor Edwenna Perkins, Trustee(s) H. Yarbrough, Sr.,
 I. Brandon, A. Dorris, M. Rogers, M. Lightford and R. Rivers.

NAYS: None

ABSENT: None

I do further certify that the original Ordinance, of which the foregoing is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Maywood, this 21st day of December, 2016.





Village Clerk