

ORDINANCE NO. CO-2013-32

AN ORDINANCE APPROVING A SPECIAL USE FOR ELECTRONIC MESSAGE BOARD SIGNS AND ADDITIONAL VARIATIONS RELATED TO SIGNAGE IN A C-3 GENERAL COMMERCIAL ZONING DISTRICT – 11 N. 1ST AVENUE (McDONALDS)

WHEREAS, a petition for the granting of a special use and for variations as set forth below relative to signage for a restaurant site at 11 N. 1st Avenue (the "Subject Property"), has been filed with the Village of Maywood by Petitioner Kindt and Associates, Inc., representing McDonald's Corporation ("Petitioner"); and

WHEREAS, the Petition has been referred to the Plan Commission/Zoning Board of Appeals (Plan Commission) of the Village and has been processed in accordance with the Village of Maywood Zoning Code ("Zoning Code"); and

WHEREAS, the Subject Property is legally described in **Exhibit A** attached hereto and made a part hereof; and

WHEREAS, said Plan Commission held a public hearing on the question of whether the requested Special Use and Variations should be granted on March 26, 2013, 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 in the Chicago Sun Times, a newspaper of general circulation in the Village, there being no newspaper published in the Village. In addition, notice was sent to surrounding property owners; and

WHEREAS, on March 26, 2013, the Plan Commission voted to favorably recommend the requested Special Use and Variations to the Village President and Board of Trustees of the Village of Maywood; and

WHEREAS, the Plan Commission of this Village has reported its findings and recommendations regarding the Special Use and Variations to this Village President and Board of Trustees, and this Village President and Board of Trustees has duly considered said report and findings and recommendations.

NOW, THEREFORE, BE IT ORDAINED, by the President and Board of Trustees of the Village of Maywood, Cook County, Illinois, as follows:

SECTION 1: Petitioner desires to update its signage at its existing restaurant property located at 11 N. 1st Avenue in the C-3 General Commercial Zoning District. Petitioner seeks a special use permit for two electronic message board signs to be attached to pole signs, as well as variations from the following sections of the Zoning Ordinance: 15.10 D.2 (only one message board per zoning lot, Petitioner seeking two); 15.10 D.6 (electronic message board maximum size of 10 square feet; Petitioner seeking 18.25 square feet on one and 12 square feet on other); 15.10 D.8 (addition of

an electronic message board on a non-conforming sign); 15.10 E.4 (pole sign height shall not exceed 20 feet, 22 feet sought; a two ft. reduction from existing height); 15.10 E.7 (pole sign area shall not exceed 40 square feet, one sign requested at 117 square feet total (reduction of over 90 feet from current size) and the other at 83 square feet).

After questioning of the Petitioner and staff, and an opportunity for comments from the public, the Plan Commission recommended approval of the requested Special Use and Variations by a vote of 4-0-0. All of the foregoing are as further described in the findings of fact and recommendation of the Plan Commission, which is attached hereto as **Exhibit B**.

SECTION 2: The 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 B**, and incorporate such findings and recommendation herein by reference as if fully set forth herein.

SECTION 3: The President and Board of Trustees, after considering and adopting the findings and recommendation of the Plan Commission and other matters properly before it, hereby grants the requested Special Use to allow two electronic message board signs, as authorized by Section 15.10.D.1. of the Village of Maywood Zoning Ordinance, as amended, and Variations to the following Sections of the Zoning Code: 15.10 D.2 (only one message board per zoning lot, Petitioner seeking two); 15.10 D.6 (electronic message board maximum size of 10 square feet; Petitioner seeking 18.25 square feet on one and 12 square feet on other); 15.10 D.8 (addition of an electronic message board on a non-conforming sign); 15.10 E.4 (pole sign height shall not exceed 20 feet, 22 feet sought; a two square foot reduction from existing height); 15.10 E.7 (pole sign area shall not exceed 40 square feet, one sign approved at 117 square feet total (reduction of over 90 feet from current size) and other approved at 83 square feet).

SECTION 4: This Ordinance shall be in full force and effect from and after its adoption and approval as provided by law.

PASSED this 30TH day of April, 2013, by the Corporate Authorities of the Village of Maywood on a roll call vote as follows:

AYES: Mayor Yarbrough Sr., Trustee(s) G. Guzman, A. Jaycox, E. Perkins, M. Lightford and R. Rivers

NAYS: None

ABSENT: None

APPROVED by the Village President on the 30th day of April, 2013, and attested to by the Village Clerk this same day.

ATTEST:

Gary Webb
VILLAGE CLERK



Andrew Yarbrough Sr.
VILLAGE PRESIDENT

EXHIBIT A

Property commonly known as: 11 North 1st Avenue, Maywood, Illinois 60153
P.I.N. #'s: 15-11-210-092-0000, 15-11-210-093-0000

The property is legally described as follows:

PARCEL 1

THAT PART OF LOT 2 IN ASSESSOR'S DIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF LAKE STREET, 150 FEET SOUTHEASTERLY AS MEASURED ALONG SAID SOUTH LINE FROM THE INTERSECTION OF THE EAST LINE OF FIRST AVENUE AND THE SOUTHERLY LINE OF LAKE STREET, SAID POINT OF INTERSECTION BEING AT THE INTERSECTION OF A LINE DRAWN PARALLEL WITH AND 33 FEET EAST OF THE WEST LINE OF SAID LOT 2 (NORTH AND SOUTH CENTERLINE OF SECTION 11) AND A LINE DRAWN 33 FEET SOUTHERLY AT RIGHT ANGLES TO AND PARALLEL WITH THE NORTHERLY LINE OF SAID LOT 2 (BEING SOUTHERLY OF LAKE STREET); RUNNING THENCE SOUTHEASTERLY ALONG THE SAID SOUTHERLY LINE OF LAKE STREET A DISTANCE OF 99.90 FEET TO A POINT OF BEND IN SAID LAKE STREET; THENCE CONTINUING ALONG SAID SOUTHERLY LINE WHICH FORMS AN ANGLE OF AN ANGLE OF 18 DEGREES 39 MINUTES TO THE SOUTH WITH THE PREVIOUSLY DESCRIBED SOUTHERLY LINE EXTENDED, A DISTANCE OF 37.55 FEET; THENCE SOUTHWESTERLY FORMING AN ANGLE OF 80 DEGRES 22 MINUTES 19 SECONDS TO THE SOUTH WITH THE LAST DESCRIBED SOUTHERLY LINE, 210.52 FEET TO ITS POINT OF INTERSECTION WITH A LINE DRAWN PARALLEL WITH AND 25 FEET NORTHERLY AND AT RIGHT ANGLES TO THE ORIGINAL NORTHERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTHWESTERLY ALONG SAID PARALLEL LINE A DISTANCE OF 192.95 FEET TO ITS INTERSECTION WITH THE AFORESAID EAST LINE OF FIRST AVENUE; THENCE NORTH ALONG SAID EAST LINE A DISTANCE OF 64 FEET TO A POINT 177.38 FEET SOUTH OF THE INTERSECTION WITH THE AFORESAID SOUTHERLY LINE OF LAKE STREET; THENCE EAST AT RIGHT ANGLES TO THE LAST DESCRIBED LINE A DISTANCE OF 112.61 FEET; THENCE NORTHEASTERLY ALONG A LINE FORMING AN ANGLE OF 113 DEGREES 25 MINUTES 19 SECONDS FROM WEST TO NORTH TO EAST WITH THE LAST DESCRIBED LINE, A DISTANCE OF 82.21 FEET; THENCE NORTHERLY ALONG A LINE DRAWN PARALLEL WITH THE AFORESAID WEST LINE OF LOT 2, A DISTANCE OF 64.64 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 2

LOT 2 (EXCEPT THE SOUTHERLY 25 FEET, BEING THE 25 FEET LYING NORTH AND ADJOINING THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY AND EXTENDING FROM THE CENTERLINE OF FIRST AVE, MAYWOOD, EASTERLY TO THE CENTERLINE OF THE DES PLAINES RIVER) IN ASSESSOR'S DIVISION OF THAT PART OF THE NORTHEAST ¼ OF SECTION 11, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALSO EXCEPT THE FOLLOWING DESCRIBED TRACT OF LAND; BEGINNING AT A POINT OF INTERSECTION OF THE EAST LINE OF FIRST AVENUE AND THE SOUTHERLY LINE OF LAKE STREET, SAID POINT BEING AT THE INTERSECTION OF A LINE DRAWN PARALLEL WITH AND 33 FEET EAST OF THE WEST LINE OF SAID LOT 2 (NORTH AND SOUTH CENTERLINE OF SAID SECTION 11) AND A LINE DRAWN 33 FEET SOUTHERLY, AT RIGHT ANGLES TO AND PARALLEL WITH THE NORTHERLY LINE OF SAID LOT 2 (BEING THE SOUTHERLY LINE OF LAKE STREET), RUNNING THENCE SOUTHEASTERLY ALON THE SAID SOUTHERLY LINE OF LAKE STREET, A DISTANCE OF 249.90 FEET TO THE POINT OF BEND IN SAID LAKE STREET; THENCE CONTINUING ALONG SAID SOUTHERLY LINE WHICH FORMS AN ANGLE OF 18 DEGREES 39 MINUTES TO THE SOUTH WITH THE PREVIOUSLY DESCRIBED SOUTHERLY LINE, EXTENDED, A DISTANCE OF 37.55 FEET; THENCE SOUTHWESTERLY FORMING AN ANGLE OF 80 DEGREES 22 MINUTES 19 SECONDS TO THE SOUTH WITH THE LAST DESCRIBED SOUTHERLY LINE, EXTENDED, A DISTANCE OF 210.52 FEET TO ITS INTERSECTION WITH A LINE DRAWN PARALLEL WITH AND 25 FEET NORTHERLY AND AT RIGHT ANGLES TO THE ORIGINAL NORTHERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO AND NORTHWESTERN RAILWAY; THENCE NORTHWESTERLY ALONG SAID PARALLEL LINE, A DISTANCE OF 192.95 FEET TO ITS INTERSECTION WITH THE AFORESAID EAST LINE OF FIRST AVENUE; THENCE NORTH ALONG THE SAID EAST LINE, A DISTANCE OF 241.38 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

EXHIBIT B

**FINDINGS OF FACT AND RECOMMENDATION OF THE PLAN
COMMISSION**

(ATTACHED)