

VILLAGE OF STICKNEY

6533 West Pershing Road
Stickney, Illinois 60402-4048
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Jeff Walik
Village President

Mary Hrejsa
Tim Kapolnek

Village Trustees

Mitchell Milenkovic
Sam Savopoulos

Leandra Torres
Jeff White



Audrey McAdams
Village Clerk

REGULAR MEETING BOARD OF TRUSTEES VILLAGE OF STICKNEY

Tuesday, February 2, 2021

7:00 p.m.

IMPORTANT NOTICE: As a result of the ongoing COVID-19 pandemic and the Governor of the State of Illinois' declaration of an emergency, the meeting will be conducted in person and via Zoom in compliance with P.A. 101-0640. All persons attending the meeting in-person will be required to wear a face mask at all times while in the building and will further be subject to strict social distancing (6 feet separation). Electronic attendance via Zoom is strongly encouraged. The information for the Zoom meeting is as follows:

Website: Zoom.us
Meeting ID: 312 915 7558
Password: 768782

PUBLIC COMMENT: Persons not attending the meeting in person may submit "Public Comment" to the Village Clerk no later than one (1) hour before the scheduled start of the meeting. Please send public comments to the Village Clerk at villageclerk@villageofstickney.com.

Meeting Agenda

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approve Minutes of the Previous Regular Meeting
5. Authorize Payment of Bills
6. Pass and Approve Ordinance 2021-01 Approving a Certain Amendment to the Village of Stickney Zoning Map and Certain Text Amendments to Sections 4, 6 and 9 of Appendix A of the Village of Stickney Code of Ordinances Titled "The Village of Stickney Zoning Ordinance—1980," Stickney, Illinois
7. Report from the President
8. Report from the Clerk
9. Trustee Reports/Committee Reports
10. Reports from Department Heads
11. Public Comments
12. Adjournment

Posted January 29, 2021

January 19, 2021

State of Illinois
County of Cook
Village of Stickney

IMPORTANT NOTICE: As a result of the ongoing COVID-19 pandemic and the Governor of the State of Illinois' declaration of an emergency, the special meeting will be conducted in person and via Zoom in compliance with P.A. 101-0640. All persons attending the meeting in-person will be required to wear a face mask at all times while in the building and will further be subject to strict social distancing (6 feet separation). Electronic attendance via Zoom is strongly encouraged. The information for the Zoom meeting is as follows:

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The Board of Trustees of the Village of Stickney met via Zoom electronic means on Tuesday, January 19, 2021, at 7:02 p.m.

Upon the roll call, the following Trustees were present:
Trustees Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres and White

Trustee Milenkovic, duly seconded by Trustee Kapolnek to approve the minutes of the previous Regular Session on Tuesday, January 5, 2021.

Upon the roll call, the following Trustees voted:
Ayes: Trustee Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres and White
Nays: None
Mayor Walik declared the motion carried.

Trustee White moved, duly seconded by Trustee Savopoulos that the bills, approved by the various committees of the Board, be approved for payment, and to approve warrants which authorize the Village Treasurer to draw checks to pay the bills, to be signed by the authorized signers, as provided for by the Ordinances of the Village of Stickney.

Upon the roll call, the following Trustees voted:
Ayes: Trustee Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres and White
Nays: None
Mayor Walik declared the motion carried.

Trustee Savopoulos moved, duly seconded by Trustee Torres to grant permission to the Stickney-Forest View Lions Club to Conduct the Queen of Hearts Raffle that includes a Request for a Waiver of the Fee and the requirement for the Fidelity Bond.

Upon the roll call, the following Trustees voted:

Ayes: Trustee Hrejsa, Kapolnek, Milenkovic, Savopoulos and Torres

Present: Trustee White

Nays: None

Mayor Walik declared the motion carried.

MAYOR'S REPORT: The Mayor thanked his family and friends and everyone here at the Village for all their love, caring, well-wishes and prayers for him during his Covid experience. His tests came up as two negatives and a positive. He said he had the first Covid vaccination and then came up with pneumonia. He never had pneumonia before. He spent a couple of days in the hospital. He was given antibiotics, steroids and Remdesivir. He explained that he was locked in the hospital. Everyday it is getting better. There was non-stop well wishes and prayers. He asked people to take the vaccination and wear their mask and take precautions.

In addition, the Village Hall will remain closed to the public through February. The girls will continue to work from the mailboxes. The Mayor received a thank you from St. Pius X Church and the Jewel Store for us putting together meals for Thanksgiving and Christmas for families in need. He thanked those who came out to assist in the delivery.

CLERK'S REPORT: The clerk reported that the Census results will be delayed, and Congress will ask to extend the Census deadline.

Trustee Reports: All the Trustees welcomed back the Mayor and our Village Attorney Mike Del Galdo.

Trustee Sam Savopoulos: The Trustee explained that he submitted an application on behalf of the Village to rezone part of the east side of the Village and the west side on Harlem Avenue. The Zoning Board met on January 5th and unanimously approved the application for the zoning. It will be on the next meeting's agenda.

Trustee Lea Torres: Trustee Torres thanked Chief Sassetti and Public Works for keeping the buildings sanitized to help people from getting Covid. Our building is sanitized on a regular basis and we know that it is clean. In addition, we were told that the Village would like to continue to hold events for the future, but the plans are contingent on Covid. We would like to have an Easter Egg hunt and a Tween Easter. We will wait until February to make the decisions. We will have a Village-wide garage sale. The dates are July 24 and 25. This year she will recommend that all the sales be held on the front of the property. The Trustee provided information pertaining to registering with the Stickney Township Health Department to receive the Covid vaccination. They will be taking the oldest first and then work their way down. Notice will be given to the seniors. Transportation will be needed.

Assistant Public Works Director Sam Alonzo: We were asked to keep moving cars so the plows can get through. We are anticipating additional snow this weekend. Watch the instruction signs on the block.

Fire Chief Jeff Boyajian: He told the Mayor to take one day at a time.

Police Chief Jim Sassetti: We were informed that during our first snowstorm no parking tickets were written. In the future, if we get more than two inches of snow and people don't move their cars, tickets will be written. He requested that people move their cars so we can properly clean the streets.

There being no further business, Trustee White moved, duly seconded by Trustee Savopoulos that the meeting be adjourned. Upon which the Board adopted the motion at p.m.

Audrey McAdams, Village Clerk

Approved by me this day of , 2021

Jeff Walik, President

Village of Stickney
Warrant Number 20-21-19

EXPENDITURE APPROVAL LIST
FOR VILLAGE COUNCIL MEETING ON
February 2, 2021

Approval is hereby given to have the Village Treasurer of Stickney, Illinois pay to the officers, employees, independent contractors, vendors and other providers of goods and services in the indicated amounts as set forth.

A summary indicating the source of funds used to pay the above is as follows:

01 CORPORATE FUND		299,588.64
02 WATER FUND		121,590.43
03 MOTOR FUEL TAX FUND		378.81
05 1505 FUND		-
07 POLICE REVENUE SHARING FUND		-
08 CAPITAL PROJECTS FUND		41,765.85
09 BOND & INTEREST FUND		-
	Subtotal:	<u>463,323.73</u>
General Fund Payroll	1/29/2021	125,164.68
Water Fund Payroll	1/29/2021	<u>16,196.60</u>
	Subtotal:	<u>141,361.28</u>

Total to be Approved by Village Council	<u><u>604,685.01</u></u>
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Approvals:

Jeff Walik, Mayor

Audrey McAdams, City Clerk

Treasurer

VOS_41665_Village of Stickney
Check/Voucher Register - Check Register
01 - General Fund
From 1/16/2021 Through 1/31/2021

Check Number	Vendor Name	Effective Date	Check Amount
503252	ANDERSON PEST SOLUTIONS	1/21/2021	54.60
503253	BLUE CROSS BLUE SHIELD	1/21/2021	57,001.97
503254	Chicago Water & Fire Restoration	1/21/2021	800.00
503255	Datacom	1/21/2021	449.00
503257	GW & Associates PC	1/21/2021	4,500.00
503260	Johnson Controls Security Solutions	1/21/2021	4,641.01
503262	Kane, McKenna and Associates, Inc.	1/21/2021	5,850.00
503265	Minuteman Press of Lyons	1/21/2021	50.09
503266	Municipal Code Corporation	1/21/2021	88.10
503267	National Domains, LLC	1/21/2021	224.00
503268	Safe Response, LLC	1/21/2021	999.99
503269	Schultz Supplies	1/21/2021	238.00
503272	Statewide Amusement Inc.	1/21/2021	100.00
503274	WEX Bank	1/21/2021	60.00
503275	ANDERSON PEST SOLUTIONS	1/25/2021	128.85
503276	CHICAGO COMMUNICATIONS, LLC	1/25/2021	472.00
503277	Comcast Business	1/25/2021	1,697.35
503278	Comcast	1/25/2021	364.03
503279	DEL GALDO LAW GROUP LLC	1/25/2021	16,591.90
503280	Johnson Controls Security Solutions	1/25/2021	468.41
503281	Just Tires	1/25/2021	20.00
503282	Konica Minolta Business Solutions U.S....	1/25/2021	50.37
503283	Municipal Emergency Services	1/25/2021	191.29
503285	Russo's Power Equipment, Inc.	1/25/2021	209.99
503286	Tool Store Go-Kart Shop	1/25/2021	54.85
503287	Westfield Ford, Inc.	1/25/2021	1,435.78
503288	ABC Automotive Electronics	1/28/2021	656.59
503289	Anthony T. Bertucca	1/28/2021	1,150.00
503290	Audrey McAdams	1/28/2021	10.00
503291	Autotime	1/28/2021	2,242.28
503292	Bell Fuels, Inc.	1/28/2021	895.84
503294	Brookfield Auto Center	1/28/2021	322.92
503295	CHICAGO COMMUNICATIONS, LLC	1/28/2021	95.00
503296	Town of Cicero	1/28/2021	192,233.00
503297	Comcast	1/28/2021	10.50
503299	Combat Swag, LLC	1/28/2021	479.12
503300	Costco - Citicard	1/28/2021	176.37
503301	CPURX, Inc.	1/28/2021	2,672.80
503303	Emergency Medical Products	1/28/2021	130.46
503305	Jack Phelan	1/28/2021	169.88
503306	Menards - Hodgkins	1/28/2021	9.63
503307	Progressive Microtechnology, Inc.	1/28/2021	101.77
503309	Sirchie	1/28/2021	650.00
503311	The Eagle Uniform Co.	1/28/2021	535.00
503312	Walter J. Dowling	1/28/2021	305.90
Total 01 - General Fund			299,588.64

VOS_41665_Village of Stickney
Check/Voucher Register - Check Register
02 - Water Fund
From 1/16/2021 Through 1/31/2021

<u>Check Number</u>	<u>Vendor Name</u>	<u>Effective Date</u>	<u>Check Amount</u>
503257	GW & Associates PC	1/21/2021	4,500.00
503258	Illinois Roofmasters, LLC	1/21/2021	6,500.00
503259	Jack's Inc.	1/21/2021	199.80
503261	Julie, Inc.	1/21/2021	764.10
503264	Menards - Hodgkins	1/21/2021	36.52
503270	Scout Electric Supply Co.	1/21/2021	210.00
503273	Underground Pipe & Valve, Co.	1/21/2021	1,716.00
503284	POMP'S TIRE SERVICE, INC.	1/25/2021	364.11
503292	Bell Fuels, Inc.	1/28/2021	447.93
503293	Berwyn ACE Hardware	1/28/2021	11.99
503294	Brookfield Auto Center	1/28/2021	3,383.44
503302	CUMMINS	1/28/2021	99,655.00
503304	Freeway Ford - Sterling Truck Sales, Inc.	1/28/2021	380.10
503306	Menards - Hodgkins	1/28/2021	68.35
503308	RAG's Electric	1/28/2021	2,710.12
503310	Standard Equipment Company	1/28/2021	642.97
	Total 02 - Water Fund		121,590.43

VOS_41665_Village of Stickney
Check/Voucher Register - Check Register
03 - Motor Fuel Tax Fund
From 1/16/2021 Through 1/31/2021

<u>Check Number</u>	<u>Vendor Name</u>	<u>Effective Date</u>	<u>Check Amount</u>
503271	SealMaster	1/21/2021	205.00
503298	ComEd	1/28/2021	<u>173.81</u>
	Total 03 - Motor Fuel Tax Fund		378.81

VOS_41665_Village of Stickney
Check/Voucher Register - Check Register
08 - Capital Projects Fund
From 1/16/2021 Through 1/31/2021

<u>Check Number</u>	<u>Vendor Name</u>	<u>Effective Date</u>	<u>Check Amount</u>
503256	Equipment Management Company	1/21/2021	19,730.00
503263	Lindahl Brothers, Inc.	1/21/2021	<u>22,035.85</u>
	Total 08 - Capital Projects Fund		41,765.85
			<u> </u>
Report Total			<u><u>463,323.73</u></u>

ORDINANCE NO. 2021-01

AN ORDINANCE APPROVING A CERTAIN AMENDMENT TO THE VILLAGE OF STICKNEY ZONING MAP AND CERTAIN TEXT AMENDMENTS TO SECTIONS 4, 6, AND 9 OF APPENDIX A OF THE VILLAGE OF STICKNEY CODE OF ORDINANCES TITLED "THE VILLAGE OF STICKNEY ZONING ORDINANCE—1980," STICKNEY, ILLINOIS.

WHEREAS, the Village of Stickney (the "Village") is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations related to the effective and orderly development of property located within the Village; and

WHEREAS, the Village President (the "President") and the Board of Trustees of the Village (the "Village Board" and with the President, the "Corporate Authorities") are committed to ensuring the health, safety and welfare of individuals residing in, working in, and visiting the Village; and

WHEREAS, the "Applicant" requested that certain amendments be made to the text (the "Text Amendments") of Appendix A of the Village of Stickney Code of Ordinances Titled "The Village of Stickney Zoning Ordinance—1980," as amended (the "Zoning Ordinance") and the Village of Stickney Zoning Map (the "Zoning Map Amendment", together with the Text Amendments, the "Amendments"). The Amendments are summarized as follows:

- (a) Text amendment to Section 4 of the Zoning Ordinance to define adult use cannabis business establishments and to determine the regulations and requirements associated with the same; and
- (b) Text amendment to Section 6 of the Zoning Ordinance of the Village of Stickney Municipal Code to create the "B-2 Harlem Avenue and Cicero Avenue Business District"; and
- (c) Text amendment to the Zoning Code to create Section 9, titled, "B-2 Harlem Avenue and Cicero Avenue Business District" and to define and determine the uses permitted, prohibited or allowed by special use therein; and
- (d) To amend the Village of Stickney Zoning Map to reflect the new B-2 zoning district;

WHEREAS, a copy of the legal descriptions for the affected properties is attached hereto as Exhibit A and is incorporated herein by reference as if set forth in full; and

WHEREAS, Section 12.10 of the Zoning Ordinance authorizes a member of the Village Board to propose or initiate amendments to the Zoning Ordinance and the Village of Stickney Zoning Map; and

WHEREAS, the Village Zoning Board of Appeals (the "ZBA") held a public hearing (the "Public Hearing") on January 5, 2021, pursuant to proper notice on the proposed Amendments; and

WHEREAS, the Public Hearing was held in-person and broadcast via Zoom.us ("Zoom") as a result of the ongoing COVID-19 pandemic and in compliance with Public Act P.A. 100-0640; and

WHEREAS, at said Public Hearing, testimony and comment was given by the Applicant, and members of the public, and further multiple opportunities were given to the public to offer public comment or testimony both in person and via electronic methods, specifically through Zoom; and

WHEREAS, no protest to the proposed Amendments was filed pursuant to Section 12.16 of the Zoning Ordinance; and

WHEREAS, based on the testimony given at said Public Hearing, the ZBA made certain findings of fact and conclusions with respect to the Amendment and made a recommendation to the Village Board that the Amendments be approved (collectively, the "Findings and Recommendation"); and

WHEREAS, a copy of the Findings and Recommendation is attached hereto as Exhibit B and is incorporated herein by reference as if set forth in full; and

WHEREAS, the Amendments would allow for certain uses of property not previously allowed that are congruous to certain existing special uses, would allow for the orderly development of surrounding properties, and would potentially produce additional economic activity to the area thereby increasing revenue to the Village and thereby allowing the Village to provide certain services to the Village and its residents; and

WHEREAS, the Amendments further are not detrimental to the health, safety or welfare of the Village, will not injure the use and enjoyment of the surrounding property owners or reduce property values or disrupt the trends of development, and the Amendments will advance the orderly and economic development of the surrounding properties; and

WHEREAS, in light of the above, the Amendments are in furtherance of the public health, safety and welfare;

NOW, THEREFORE, BE IT ORDAINED by the President and the Board of Trustees of the Village of Stickney, County of Cook, State of Illinois, in the exercise of its home rule powers as follows:

Section 1. Recitals. The foregoing recitals are herein incorporated and made a part of this Ordinance as if fully set forth herein.

Section 2. Approval of Text Amendments and Map Amendment. The Findings and Recommendation is hereby adopted. The Village Board concurs with the Findings and Recommendation and, in accordance with the findings and conclusions stated therein, hereby approves the Amendments, as described below.

Section 3. Amendment to Section 6.01 of the Zoning Ordinance. Section 6.01 of the Village of Stickney Zoning Ordinance is hereby amended by adding the underlined language as follows:

Section 6.01. - Classifications.

In order to carry out the provisions of this ordinance, the village is hereby divided into districts and classified as follows:

R	Single-family district
B	Business district
<u>B-2</u>	<u>Harlem Avenue and Cicero Avenue Business District</u>
P	Parks and recreation
I-1	Light industrial district
I-2	Heavy industrial district

Section 4. Amendment to Section 6.02 of the Zoning Ordinance. Section 6.02 of the Village of Stickney Zoning Ordinance is hereby amended by adding the underlined language as follows:

Section 6.02. - Zoning map.

The location and boundaries of the districts established by the ordinance are shown on the zoning district map dated March 18, 1952, revised January 8, 2013, and again revised in 2019, and as further amended from time-to-time which is incorporated herein and hereby made a part of this ordinance. Said district map, together with everything shown thereon and all amendments thereto, shall be as much a part of this ordinance as though fully set forth and described herein. Certified copies of said district map shall be filed with the office of the village clerk, the zoning enforcement officer, and the chairman of the zoning board of appeals; a certified copy of the district map shall be open to public inspection in the office of the village clerk at all times during which the office is open for business.

Section 5. Amendment to Section 9 of the Zoning Ordinance. Section 9 of the Village of Stickney Zoning Ordinance is hereby amended by removing the stricken language and adding the underlined language as follows:

SECTION 9. – ~~RESERVED~~ HARLEM AVENUE AND CICERO AVENUE BUSINESS DISTRICT

Section 9.00. - Establishment.

There shall be established in the Village of Stickney a B-2 zoning district to be known as the "Harlem Avenue and Cicero Avenue Business District" consisting of all lots which are located within the area designated business district on the zoning map. All lots located within the Harlem Avenue and Cicero Avenue Business District shall be subject to the regulations set forth herein.

Section 9.01. - Permitted uses.

The following uses are permitted in the Harlem Avenue and Cicero Avenue Business District:

Accessory uses as defined in this ordinance which are incidental in the conduct of a permitted use

Antique stores

Art and school supplies stores, including picture framing for retail trade

Artisan shops, the custom production of goods, including but not limited to, ceramic, painting, weaving, leather works, jewelry and clothing, either for sale or for the use of the artist

Auction rooms

Automobile accessory stores

Automobile service stations

Bakeries employing fewer than five persons

Barbershops

Bars, taverns, cocktail lounges and package liquor stores

Beauty parlors and shops

Bicycle stores, sales, rent and repair

Blueprinting

Boat and marine sales

Book and stationery stores

Building materials sales and storage and millwork

Camera and photographic supplies stores

Candy, confectionary and ice cream stores

Carpet and rug stores but not including carpet or rug cleaning

Cell phone or cell phone accessory stores, cell phone payment centers

China and glassware stores

Seasonal or specialty sales lots (i.e., Christmas tree lots, pumpkin lots, etc.) including the use of a temporary structure or trailer for sales office for no more than three (3) months in a twelve (12) month period

Clothing stores

Coins and philatelic stores

Custom dressmaking

Drug stores, pharmacies

Dry goods stores

Electrical and household appliance stores including radio and television sales

Engineers offices

Filling stations

Fire stations

Flower shops and conservatories

Food stores, grocery stores and meat markets

Furniture stores, including upholstery when conducted as part of retail operation and secondary to the principal use

Furrier shops

Garden supply and seed stores

Gift shops

Greenhouses and plant nurseries

Gymnasiums, commercial health clubs, reducing salons, weight loss clinics

Hardware stores

Hobbyshops for retail sale of items to be used for assembly away from the premises

Ice cream and milk machine sales

Ice cream stores

Interior decorating shops, including upholstery and making of draperies, slip covers and other similar activities when conducted as part of retail operations secondary to the principal use

Jewelry stores

Job and offset printing

Leather goods stores

Luggage stores

Monument sales

Motion picture studios

Motor vehicle sales and rental

Municipal buildings

Music, musical instrument and record/C.D. shops

Novelty stores

Office equipment sales and repair establishments

Office equipment supplies stores

Orthopedic and medical supply stores

Paint and wallpaper stores

Parking area, private, as accessory use

Pet shops

Photocopying, printing shops

Photographs, art galleries and studios

Physical, cultural and health services

Police stations

Political organization offices

Public libraries

Public utility uses

Railroad passenger stations

Railroad rights-of-way

Resale shops for apparel and accessories

Residence of proprietor of a commercial use in same location (commercial use only allowed on the first floor – residence on the first floor prohibited)

Restaurants and catering establishments

Schools

Secondhand stores and rummage shops, other than resale shop for apparel

Secretarial services

Security and commodity brokers

Service stations

Shoe stores

Show rooms, sales rooms, stores or shops for the conduct of retail business

Sound recording studios provided that they are sound proof to the extent that noise and vibration levels permitted from said studios are immeasurable outside the property controlled by the sound recording studio

Sporting goods stores

Tattoo shops, tattoo parlors

Taxidermists

Telephone booths

Temporary building for construction purposes for a period not to exceed duration of construction

Theatres and places of public amusement

Ticket agencies

Tobacco shops (including vape, pipe, or smoking accessory shops)

Toy shops

Variety stores (dollar stores)

Vending machines, as accessory use

Section 9.02. - Special uses.

The following special uses may be permitted in the Harlem Avenue and Cicero Avenue Business District:

Amusement establishments, including, but not limited to, bowling alleys, pool halls, dance halls and skating rinks

Automobile laundries (car washes)

Banks and other financial institutions, loan companies, loan offices, savings and loan

Adult-use cannabis business establishments (including adult-use cannabis cultivation center, craft grower, processing organization, infuser organization, dispensing organization or transporting organization) as defined in section 4.24

Clubs, lodges, fraternal or religious organizations

Convalescent centers, nursing homes, geriatric centers and rest homes

Currency exchanges

Day-care homes and nighttime homes for child care

Drive-in facilities for banks and other financial institutions

Dry cleaners, laundrettes, self-service laundries (includes laundromats) and laundry collection stations

Dyeing and rug cleaning establishments

Eating establishments, food cooperatives in legally established churches, hospitals, nursery schools and nursing homes

Exterminating shops

Firearms retailers and gun ranges

Food lockers, including frozen food lockers

Funeral parlors, undertaking establishments, crematoriums

Garages, public, including body repair and painting carried out in approved spray booths provided that all the walls of the paint shops which are adjacent to or across the street from a residence district should be solid with no opening except for required fire doors

Garden supply and seed stores

Hospitals, sanitariums, retirement homes and nursing homes not including institutions for the care and treatment of the insane, feebleminded, retarded, alcoholic or drug addict patient

Ice cream production and distribution

Machinery rental, sales and service

Mixed-use properties, a use that contains both commercial and residential uses with all residential uses being prohibited on the first on the first floor.

Nursery schools, children's day schools, day nurseries, child-care centers provided that at least 50 square feet of outdoor play area is provided for each child cared for

Offices, business and professional

Opticians and optometrists

Parking lots and storage garages

Parking lots and storage areas for motor vehicles under 1½-ton capacity

Post offices, post office substations

Public garages servicing automobiles and trucks under one and one-half ton capacity, but not including body repair and painting

Race track, raceway, speedway

Radio and transmission towers

Tailor Shops

Section 9.03. - Use restriction.

No land use which is listed herein as a special use in the heavy industrial district shall be permitted in a business district.

Section 9.04. - Height limitation.

The height of any building or structure located in a business district shall not exceed 45 feet or three stories, whichever is higher.

Section 9.05. - Front yard.

There shall be a front yard of not less than 16 feet in the business district.

Section 9.06. - Rear yard.

In the business district there shall be a rear yard of not less than ten percent of the depth of any lot, provided that the rear yard shall be required to exceed ten feet. Parking is permitted in a rear yard in a business district.

Section 9.07. - Side yard.

A side yard, if provided, shall not be less than three feet wide.

Section 9.08. - Intensity of use.

No business with its accessory buildings to be used for business district purposes shall occupy in excess of 90 percent of the area of the lot. Buildings used wholly for residence purposes shall conform to the restrictions provided herein for buildings in the single-family residence district. Any buildings hereafter constructed, altered, enlarged or rebuilt, to be used partially for residence purposes in a business district shall provide not less than 900 square feet of lot area per family.

Section 6. Amendment to Section 4 of the Zoning Ordinance. Section 4 of the Village of Stickney Zoning Ordinance is hereby amended by adding the underlined language as follows:

Section 4.24 Adult-use cannabis business establishments.

- (a) Declaration of Policy. The purpose and intent of this section is to provide regulations regarding the cultivation, processing and dispensing of adult-use cannabis occurring within the corporate limits of the Village. Such facilities shall

comply with all regulations provided in the Cannabis Regulation and Tax Act (410 ILCS 705/1-1 et seq.) (Act), as it may be amended from time-to-time, and regulations promulgated thereunder, and the regulations provided below. In the event that the Act is amended, the more restrictive of the state or local regulations shall apply.

(b) Definitions.

Adult-use cannabis business establishment. An “adult-use cannabis business establishment” means an adult-use cannabis cultivation center, craft grower, processing organization, infuser organization, dispensing organization or transporting organization.

Adult-use cannabis craft grower. An “adult-use cannabis craft grower” means a facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, dry, cure and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization, per the Cannabis Regulation and Tax Act, (410 ILCS 705/1-1 et seq.), as it may be amended from time-to-time, and regulations promulgated thereunder.

Adult-use cannabis cultivation center. An “adult-use cannabis cultivation center” means a facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act, (410 ILCS 705/1-1 et seq.), as it may be amended from time-to-time, and regulations promulgated thereunder.

Adult-use cannabis dispensing organization. An “adult-use cannabis dispensing organization” or “cannabis dispensary” means a facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers, per the Cannabis Regulation and Tax Act, (410 ILCS 705/1-1 et seq.), as it may be amended from time-to-time, and regulations promulgated thereunder.

Adult-use cannabis infuser organization. An “adult-use cannabis infuser organization” or “infuser” means a facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product, per the Cannabis Regulation and Tax Act, (410 ILCS 705/1-1 et seq.), as it may be amended from time-to-time, and regulations promulgated thereunder.

Adult-use cannabis processing organization. An “adult-use cannabis processing organization” or “processor” means a facility operated by an organization or business

that is licensed by the Illinois Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product, per the Cannabis Regulation and Tax Act, (410 ILCS 705/1-1 et seq.), as it may be amended from time-to-time, and regulations promulgated thereunder.

Adult-use cannabis transporting organization. An “adult-use cannabis transporting organization” or “transporter” means an organization or business that is licensed by the Illinois Department of Agriculture to transport cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, per the Cannabis Regulation and Tax Act, (410 ILCS 705/1-1 et seq.), as it may be amended from time-to-time, and regulations promulgated thereunder.

(c) *Special Use Required.* No adult-use cannabis business establishment shall operate without first obtaining a special use permit in accordance with the provisions of this zoning ordinance. In addition to any other provisions of this zoning ordinance, the following standards shall apply to all adult-use cannabis business establishment:

- (1) An adult-use cannabis business establishment must comply with all applicable rules and regulations enacted by the State of Illinois, including licensing requirements, age limitations, and minimum setbacks.
- (2) Subject to applicable law, an adult-use cannabis business establishment shall include, as a part of any special use application to the Zoning Board of Appeals, copies of all information submitted to the State of Illinois in an application for a license to operate under the State of Illinois Cannabis Regulation and Tax Act (410 ILCS 705/1-1 et seq.)
- (3) In the Harlem Avenue and Cicero Avenue Business District, an adult-use cannabis business establishment is only allowed along Harlem Avenue with a special use permit.
- (4) An adult-use cannabis business establishment shall not be located within 1,000 feet of the property line of a pre-existing place of worship, library, public park, forest preserve, public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this section.
- (5) The site design for any adult-use cannabis business establishment shall incorporate adequate security measures, such as interior and exterior lighting, surveillance cameras, and/or fencing. Said security measures shall be determined based on the specific characteristics of the establishment and of the floor plan for an adult-use cannabis business establishment and the site on which it is located, consistent with the requirements of the Cannabis Regulation and Tax Act (410 ILCS 705/1-1 et seq.).

- (6) On-site consumption of cannabis shall be prohibited on the premises of a cannabis dispensary. The cannabis dispensary shall be responsible for enforcing the prohibition of on-site consumption of cannabis under all circumstances on its premises.
- (7) A special use applicant shall submit additional information as required by the Zoning Administrator during the special use process.

Section 7. Amendment to the Village of Stickney Zoning Map. The Village Zoning Map is hereby amended to reflect the new B-2 zoning district at the locations legally described in Exhibit A.

Section 8. Savings Clause. This Ordinance shall not affect suits pending or rights existing at the time this Ordinance takes effect. Such suits and rights shall continue in full force to the same extent and with like effect as if this Ordinance be taken, construed or held to avoid or impair any cause of action now existing under any ordinance of the Village, or any amendment thereto, but as to any consideration of action now existing, such ordinance and amendment thereto, shall be continued in full force and effect.

Section 9. Superseder. Other than as set forth in Section 8 above, all ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 10. Severability. The provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

Section 11. Effective Date. This Ordinance shall be in full force and effect upon its passage and publication as provided by law.

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PASSED this ____ day of _____, 2021.

AYES:

NAYS:

ABSENT:

ABSTENTION:

APPROVED by me this ____ day of _____, 2021.

Jeff Walik, President

ATTESTED AND FILED in my
office this ____ day of _____, 2021.

Audrey McAdams, Village Clerk

EXHIBIT A
LEGAL DESCRIPTIONS

HARLEM AVENUE

THE BOUNDARIES OF THE ZONING DISTRICT ARE LEGALLY DESCRIBED AS FOLLOWS:

PARTS OF SECTION 6 IN TOWNSHIP 38 NORTH RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN INCLUDING:

LOTS 1 THROUGH 12 AND LOTS 14 THROUGH 18 IN BLOCK GROUP 6 OF WALTER G. MCINTOSH & CO.'S FOREST VIEW GARDENS, A SUBDIVISION OF LOTS 14, 15, 20, 21, 22, 23. AND 28 IN CIRCUIT COURT PARTITION OF PART OF SECTIONS 31, & 32-39-13, A PART OF SEC. 6-38-13, AND PART OF SEC. 1-38-12 AND PART OF THE N.E. ¼ OF SEC. 12-38-12;

LOTS 1 THROUGH 3 OF SMUDA'S RESUBDIVISION OF LOTS 19 AND 20 IN SAID WALTER G. MCINTOSH & CO.'S FOREST VIEW GARDENS SUBDIVISION;

LOTS 1 AND 2 OF MAPLE ESTATES RESUBDIVISION OF LOT 13 IN SAID WALTER G. MCINTOSH & CO.'S FOREST VIEW GARDENS SUBDIVISION;

LOTS 1 THROUGH 32 IN PREROST EDGEWOOD HOMES SECOND ADDITION A SUBDIVISION OF BLOCK 29 (EXCEPT EAST 375 FT.) IN SAID CIRCUIT COURT PARTITION SECTION 6-38-13;

LOTS 1 THROUGH 40 IN BLOCK 4 OF GOSS, JUDD, & SHERMAN'S FIRST ADDITION TO FOREST MANOR, A SUBDIVISION OF BLOCKS 30 AND 31 IN SAID CIRCUIT COURT PARTITION;

LOTS 1 THROUGH 40 IN BLOCK 4 OF GOSS, JUDD, & SHERMAN'S FOREST MANOR, A SUBDIVISION OF LOTS 32 AND 33 IN SAID CIRCUIT COURT PARTITION;

LOTS 17 THROUGH 26 IN BLOCK 3 OF NEW BOHEMIA HOME ADDITION, A SUBDIVISION OF LOTS 34 AND 35 OF SAID CIRCUIT COURT PARTITION;

LOTS 17 THROUGH 26 IN BLOCK 2 OF NEW BOHEMIA HOME ADDITION, A SUBDIVISION OF LOTS 34 AND 35 OF SAID CIRCUIT COURT PARTITION;

ALL THAT PART OF THE WEST ½ OF BLOCK 37, AND THE WEST ½ OF THE EAST ½ OF BLOCK 37 (INCLUDING ALL SUBDIVIDED LANDS) IN CIRCUIT COURT PARTITION OF PART OF SECTIONS 31, & 32-39-13, A PART OF SEC. 6-38-13, AND PART OF SEC. 1-38-12 AND PART OF THE N.E. ¼ OF SEC. 12-38-12, EXCEPT FOR LOT 1 IN PREROST & SVATEK SUBDIVISION OF THE NORTH 150 FEET OF THE SOUTH 183 FEET OF PART OF THE WEST ½ OF THE EAST ½ OF BLOCK 37 IN SAID CIRCUIT COURT PARTITION; AND ALSO FOR PARTS OF PERSHING ROAD, HARLEM AVENUE AND 40TH STREET LOCATED IN BLOCK 37 THAT ARE IMMEDIATELY ADJACENT AND BORDER THE DESCRIBED PORTIONS OF BLOCK 37.

ALL IN THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS.

CICERO AVENUE/PERSHING ROAD

PARCEL 1:

3501 SOUTH LARAMIE AVENUE, STICKNEY, IL 60402

16-33-400-005-0000

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF SAID SOUTHEAST QUARTER OF SECTION 33, WHICH IS 1174.48 FEET NORTH OF THE SOUTHEAST CORNER OF SAID SECTION AND RUNNING THENCE NORTH ALONG SAID EAST LINE OF THE SOUTHEAST QUARTER A DISTANCE OF 38.70 FEET TO A POINT 1213.18 FEET NORTH OF SAID SOUTHEAST CORNER; THENCE WEST PERPENDICULAR TO SAID EAST LINE OF SOUTHEAST QUARTER A DISTANCE OF 40 FEET; THENCE SOUTHWESTERLY ON A LINE WITH AN ANGLE OF 164 DEGREES 24 MINUTES, MEASURED FROM EAST TO SOUTHWEST FROM LAST DESCRIBED LINE, A DISTANCE OF 259.98 FEET TO A POINT WHICH IS 290.41 FEET (MEASURED PERPENDICULAR) WEST OF SAID EAST LINE OF THE SOUTHEAST QUARTER AND THENCE EASTERLY A DISTANCE OF 292.08 FEET TO THE POINT OF BEGINNING; EXCEPTING FROM THE ABOVE DESCRIBED LAND THE EAST 50 FEET THEREOF FALLING IN CICERO AVENUE, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

3740 SOUTH CICERO AVENUE, STICKNEY, IL 60402
16-33-400-011

A PARCEL OF LAND IN THE EAST 650 FEET OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, SAID PARCEL BEING A PART OF THE TRACT OF LAND CONVEYED BY JOHN J. BURKE AND OTHERS, TO CARTAGE SERVICE, INCORPORATED, BY WARRANTY DEED RECORDED IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS ON SEPTEMBER 21, 1950 AS DOCUMENT 14907917 AND WHICH PARCEL IS PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF A LINE 30 FEET (MEASURED PERPENDICULARLY) SOUTHERLY FROM A PARALLEL TO THE NORTHERLY LINE AND ITS EASTWARD EXTENSION OF SAID TRACT OF LAND SO CONVEYED WITH THE EAST LINE OF SAID SOUTHEAST 1/4; WHICH INTERSECTION IS 1,144.31 FEET NORTH OF THE SOUTHEAST CORNER OF SAID SOUTHEAST 1/4; THENCE WESTWARDLY ALONG THE ABOVE MENTIONED PARALLEL LINE A DISTANCE OF 292.08 FEET TO ITS INTERSECTION WITH A LINE 290.41 FEET (MEASURED PERPENDICULARLY) WEST OF AND PARALLEL TO SAID EAST LINE OF THE SOUTHEAST 1/4; THENCE SOUTH ALONG THE LAST ABOVE MENTIONED PARALLEL LINE A DISTANCE OF 260.99 FEET TO ITS INTERSECTION WITH THE SOUTH LINE OF THE ABOVE MENTIONED TRACT OF LAND CONVEYED BY DOCUMENT 14907917 WHICH SOUTH LINE IS A LINE EXTENDING WEST PERPENDICULAR TO SAID EAST LINE OF THE SOUTHEAST 1/4 FROM A POINT THEREON THAT IS 852.1 FEET NORTH OF SAID SOUTHEAST CORNER OF THE SOUTHEAST 1/4 ; THENCE WEST ALONG SAID SOUTH LINE OF SAID TRACT, SO CONVEYED, A DISTANCE OF 359.59 FEET TO THE WEST LINE OF SAID EAST 650 FEET OF THE SOUTHEAST 1/4; THENCE NORTH ALONG SAID WEST LINE OF EAST 650 FEET A DISTANCE OF 186.69 FEET TO THE NORTHWEST CORNER OF SAID TRACT SO CONVEYED; THENCE NORTHEASTWARDLY ALONG THE NORTHWESTERLY LINE OF SAID TRACT, SO CONVEYED, A DISTANCE OF 374.46 FEET TO AN ANGLE IN SAID NORTHERLY LINE WHICH IS 290.41 FEET (MEASURED PERPENDICULARLY) WEST OF SAID EAST LINE OF THE SOUTHEAST 1/4; THENCE EASTWARDLY ALONG SAID NORTHERLY LINE AND ITS EASTWARD EXTENSION OF SAID TRACT SO CONVEYED A DISTANCE OF 292.08 FEET TO A POINT ON SAID EAST LINE OF SAID SOUTHEAST CORNER THAT IS 1,174.48 FEET NORTH OF SAID SOUTHEAST CORNER THEREOF; AND THENCE SOUTH ALONG SAID EAST LINE A DISTANCE OF 30.17 FEET TO THE POINT OF BEGINNING, EXCEPTING FROM SAID PARCEL THAT PART THEREOF WHICH LIES WITHIN THE EAST 50 FEET (TAKEN FOR STREET SOUTH CICERO AVENUE) OF SAID SOUTHEAST 1/4, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

3740 SOUTH CICERO AVENUE, STICKNEY, IL 60402
16-33-400-012

A PARCEL OF LAND IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE EAST LINE OF SAID SOUTHEAST QUARTER WITH A LINE 30 FEET (MEASURED PERPENDICULARLY) SOUTHERLY FROM AND PARALLEL WITH THE NORTHERLY LINE, AND ITS EASTWARD EXTENSION, OF THE TRACT OF LAND CONVEYED BY JOHN J. BURKE ET AL, TO CARTAGE SERVICE, INCORPORATED, BY WARRANTY DEED RECORDED IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS ON SEPTEMBER 21, 1950 AS DOCUMENT 14907917, WHICH POINT IS 1,144.31 FEET NORTH OF THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER, AND RUNNING; THENCE WESTWARDLY ALONG THE ABOVE MENTIONED PARALLEL LINE A DISTANCE OF 292.08 FEET TO ITS INTERSECTION WITH A LINE A DISTANCE OF 290.41 FEET (MEASURED PERPENDICULARLY) WEST FROM AND PARALLEL WITH SAID EAST LINE OF SOUTHEAST QUARTER, THENCE SOUTH ALONG THE LAST ABOVE MENTIONED PARALLEL LINE A DISTANCE OF 260.99 FEET TO ITS INTERSECTION WITH THE SOUTH LINE OF THE ABOVE MENTIONED TRACT OF LAND CONVEYED BY DOCUMENT NO. 14907917; THENCE EAST ALONG SAID SOUTH LINE, BEING A LINE EXTENDING WEST, PERPENDICULAR TO SAID EAST LINE OF SOUTHEAST QUARTER FROM A POINT THEREON THAT IS 852.11 FEET NORTH OF SAID SOUTHEAST QUARTER, A DISTANCE OF 140.41 FEET TO ITS INTERSECTION WITH A LINE 150 FEET WEST FROM AND PARALLEL WITH SAID EAST LINE OF SOUTHEAST QUARTER; THENCE SOUTH, PARALLEL WITH SAID EAST LINE, A DISTANCE OF 100 FEET; THENCE EAST PERPENDICULAR TO THE LAST ABOVE DESCRIBED COURSE, A DISTANCE OF 150 FEET TO A POINT ON SAID EAST LINE OF SOUTHEAST QUARTER THAT IS 752.11 FEET NORTH FROM SAID SOUTHEAST CORNER OF SOUTHEAST QUARTER; AND THENCE NORTH ALONG SAID EAST LINE OF SOUTHEAST QUARTER A DISTANCE OF 392.20 FEET OF

THE POINT OF BEGINNING EXCEPTING FROM THE ABOVE DESCRIBED PROPERTY THE EAST 50 FEET THEREOF TAKEN FOR SOUTH CICERO AVENUE, IN COOK COUNTY, ILLINOIS.

PARCEL 4:

3756 SOUTH CICERO AVENUE, STICKNEY, IL 60402
16-33-400-007-0000

ALL OF THAT PART OF THE EAST 650 FEET OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF SAID SOUTHEAST 1/4 OF SECTION 33 WHICH IS 752.11 FEET NORTH OF THE SOUTHEAST CORNER OF SAID SECTION AND RUNNING THENCE NORTH ALONG SAID EAST LINE OF SAID SOUTHEAST 1/4 A DISTANCE OF 100 FEET; THENCE WEST PERPENDICULAR TO SAID EAST LINE OF THE SOUTHEAST 1/4 A DISTANCE OF 650 FEET; THENCE SOUTH PARALLEL TO SAID EAST LINE OF THE SOUTHEAST 1/4 A DISTANCE OF 100 FEET; THENCE EAST A DISTANCE OF 650 FEET TO THE POINT OF BEGINNING (EXCEPTING FROM ABOVE DESCRIBED PROPERTY THE EAST 150 FEET THEREOF), IN COOK COUNTY, ILLINOIS.

PARCEL 5:

3756 SOUTH CICERO AVENUE, STICKNEY, IL 60402
16-33-400-008-0000

ALL OF THAT PART OF THE EAST 650 FEET OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF SAID SOUTHEAST 1/4 OF SECTION 33 WHICH IS 552.11 FEET NORTH OF THE SOUTHEAST CORNER OF SAID SECTION AND RUNNING THENCE NORTH ALONG SAID EAST LINE OF SAID SOUTHEAST 1/4 A DISTANCE OF 200 FEET ; THENCE WEST PERPENDICULAR TO SAID EAST LINE OF THE SOUTHEAST 1/4 A DISTANCE OF 650 FEET; THENCE SOUTH PARALLEL TO SAID EAST LINE OF THE SOUTHEAST 1/4 A DISTANCE OF 200 FEET; THENCE EAST, A DISTANCE OF 650 FEET, TO THE POINT OF BEGINNING, (EXCEPTING FROM THE ABOVE DESCRIBED PROPERTY THE EAST 50 FEET TAKEN FOR CICERO AVENUE) IN COOK COUNTY, ILLINOIS.

PARCEL 6A:

4950 WEST 39TH STREET, STICKNEY, IL 60402
16-33-400-037

THAT PART OF THE WEST 130 FEET OF THE EAST 780.0 FEET OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH LIES NORTH OF A LINE DRAWN AT RIGHT ANGLES TO THE EAST LINE OF SAID SOUTHEAST 1/4 AT A POINT WHICH IS 552.11 FEET NORTH OF THE SOUTHEAST CORNER OF SAID SOUTHEAST 1/4 OF SAID SECTION 33 AND SOUTH OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE EAST LINE OF SAID SOUTHEAST 1/4 OF SAID SECTION 33 WHICH IS 1,213.18 FEET NORTH OF THE SOUTHEAST CORNER THEREOF; THENCE WEST A RIGHT ANGLES TO THE EAST LINE OF SAID SOUTHEAST 1/4 OF SAID SECTION 33, A DISTANCE OF 40 FEET TO A POINT; THENCE SOUTHWESTERLY ON A LINE WITH AN ANGLE OF 164 DEGREES 24 MINUTES 00 SECONDS MEASURED FROM EAST TO SOUTHWEST FROM LAST DESCRIBED LINE, A DISTANCE OF 259.98 FEET; THENCE SOUTHWESTERLY ON A LINE WITH A DEFLECTION OF 00 DEGREES 36 MINUTES TO THE LEFT FROM THE LAST DESCRIBED LINE TO THE POINT OF INTERSECTION OF SAID LAST DESCRIBED LINE WITH THE WEST LINE OF SAID EAST 780.0 FEET OF SAID SOUTHEAST 1/4 OF SAID SECTION 33, IN COOK COUNTY, ILLINOIS.

PARCEL 6B:

4950 WEST 39TH STREET, STICKNEY, IL 60402
16-33-400-037

THAT PART OF THE WEST 397 FEET OF THE EAST 780 FEET OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH LIES SOUTH OF A LINE DRAWN AT RIGHT ANGLES TO THE EAST LINE OF SAID SOUTHEAST 1/4 AT A POINT WHICH IS 552.11 FEET NORTH OF THE SOUTHEAST

CORNER OF THE SAID SOUTHEAST 1/4 OF SAID SECTION 33, EXCEPT THE SOUTH 34 FEET TAKEN FOR PERSHING ROAD, IN COOK COUNTY, ILLINOIS.

PARCEL 7:

3800 SOUTH CICERO AVENUE, STICKNEY, IL 60402.
16-33-400-038-0000

THAT PART OF THE EAST 383 FEET OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 39 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH LIES SOUTH OF A LINE DRAWN AT RIGHT ANGLES TO THE EAST LINE OF AFORESAID SOUTHEAST 1/4 THROUGH A POINT IN SAID EAST LINE WHICH IS 552.11 FEET NORTH OF THE SOUTHEAST CORNER THEREOF AFORESAID SOUTHEAST 1/4.

EXCEPT THE EAST 50 FEET THEREOF TAKEN FOR CICERO AVENUE AND THE SOUTH 34 FEET THEREOF TAKEN FOR PERSHING ROAD, AND ALSO EXCEPTING THAT PART DESCRIBED AS FOLLOWS COMMENCING AT THE INTERSECTION OF THE WEST LINE OF AFORESAID CICERO AVENUE AND THE NORTH LINE OF AFORESAID PERSHING ROAD, THENCE NORTH IN THE WEST LINE OF AFORESAID CICERO AVENUE, A DISTANCE OF 50 FEET TO A POINT, THENCE SOUTHWEST IN A LINE TO A POINT IN THE NORTH LINE OF AFORESAID PERSHING ROAD THAT IS 50 FEET WEST OF THE POINT OF BEGINNING, THENCE EAST IN THE NORTH LINE OF AFORESAID PERSHING ROAD THAT IS 50 FEET TO POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

ALSO EXCEPTING THAT PART TAKEN BY THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF ILLINOIS IN CASE 87L50570 DESCRIBED AS COMMENCING AT THE SOUTHEAST CORNER OF SECTION 33 TOWNSHIP 39 NORTH RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN THENCE ON AN ASSUMED BEARING OF SOUTH 89 DEGREES, 49 MINUTES 53 SECONDS WEST ON SOUTH LINE OF SAID SOUTHEAST 1/4 A DISTANCE OF 50.00 FEET TO THE SOUTHERLY PROLONGATION OF THE WEST LINE OF CICERO AVENUE; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ON LAST DESCRIBED LINE 84.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 44 DEGREES 54 MINUTES 57 SECONDS WEST ON A LINE WHICH INTERSECTS THE NORTH LINE OF THE SOUTH 34.00 FEET OF SAID SOUTHEAST 1/4 AT A POINT DISTANT 50.00 WEST OF THE WEST LINE OF SAID CICERO AVENUE, A DISTANCE OF 39.66 FEET TO A LINE 28.00 FEET WEST OF AND PARALLEL WITH THE WEST LINE OF SAID CICERO AVENUE, THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ON THE LAST DESCRIBED LINE 101.08 FEET; THENCE NORTH 06 DEGREES 08 MINUTES 48 SECONDS EAST 261.50 FEET TO A POINT ON THE WEST LINE OF CICERO AVENUE SAID POINT BEING 417.00 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHEAST 1/4; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST ON THE WEST LINE OF SAID CICERO AVENUE 333.00 FEET TO THE POINT OF BEGINNING.

ALL IN THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS.

EXHIBIT B

FINDINGS AND RECOMMENDATION

**FINDINGS OF FACT AND RECOMMENDATION
OF THE ZONING BOARD OF APPEALS**

**RE: TEXT AMENDMENTS TO SECTIONS 4, 6, AND 9 OF THE VILLAGE OF
STICKNEY ZONING ORDINANCE – 1980 (THE “ZONING
ORDINANCE”) AND AMENDMENT TO THE VILLAGE OF STICKNEY
ZONING MAP (“THE VILLAGE ZONING MAP”)**

APPROVAL OF TEXT AMENDMENTS

On January 5, 2021, the Village of Stickney Zoning Board of Appeals (the “ZBA”) recommended approving (a) certain text amendments to Sections 4, 6, and 9 of the Zoning Ordinance and (b) a certain amendment to the Village Zoning Map, based on the following:

1. Section 6 of the Zoning Ordinance governs the Zoning Districts of the Zoning Ordinance;
2. Section 9 of the Zoning Ordinance is currently reserved;
3. Section 4 of the Zoning Ordinance provides the general provisions of the Zoning Ordinance;
4. Pursuant to Section 12.10 of the Zoning Ordinance, which vests a member of the board of trustees of the Village with the authority to initiate amendments to the Zoning Ordinance, the “Applicant” initiated certain text amendments described below (the “Amendments”) to Sections 4, 6, and 9 of the Zoning Ordinance in order to (a) to define adult use cannabis business establishments and to determine the regulations and requirements associated with the same and (b) create the “B-2 Harlem Avenue and Cicero Avenue Business District” and to define and determine the uses permitted, prohibited or allowed by special use therein (collectively, the “Text Amendments”);
5. The Applicant also initiated an amendment to the Village Zoning Map to reflect the proposed new B-2 zoning district (the “Map Amendment”, together with the Text Amendments, the “Amendments”)
6. Specifically, the Applicant proposed amending Sections 6.01 and 6.02 of the Zoning Ordinance as follows (shown by underlining of text to be added):

Section 6.01. - Classifications.

In order to carry out the provisions of this ordinance, the village is hereby divided into districts and classified as follows:

R	Single-family district
B	Business district
<u>B-2</u>	<u>Harlem Avenue and Cicero Avenue Business District</u>
P	Parks and recreation
I-1	Light industrial district
I-2	Heavy industrial district

Section 6.02. - Zoning map.

The location and boundaries of the districts established by the ordinance are shown on the zoning district map dated March 18, 1952, revised January 8, 2013, and again revised in 2019, and as further amended from time-to-time which is incorporated herein and hereby made a part of this ordinance. Said district map, together with everything shown thereon and all amendments thereto, shall be as much a part of this ordinance as though fully set forth and described herein. Certified copies of said district map shall be filed with the office of the village clerk, the zoning enforcement officer, and the chairman of the zoning board of appeals; a certified copy of the district map shall be open to public inspection in the office of the village clerk at all times during which the office is open for business.

7. Also, the Applicant proposed amending Section 9 of the Zoning Ordinance as follows (shown by strikethroughs of the text to be deleted and underlining of text to be added):

SECTION 9. - ~~RESERVED~~ HARLEM AVENUE AND CICERO AVENUE BUSINESS DISTRICT

Section 9.00. - Establishment.

There shall be established in the Village of Stickney a B-2 zoning district to be known as the "Harlem Avenue and Cicero Avenue Business District" consisting of all lots which are located within the area designated business district on the zoning map. All lots located within the Harlem Avenue and Cicero Avenue Business District shall be subject to the regulations set forth herein.

Section 9.01. - Permitted uses.

The following uses are permitted in the Harlem Avenue and Cicero Avenue Business District:

Accessory uses as defined in this ordinance which are incidental in the conduct of a permitted use

Antique stores

Art and school supplies stores, including picture framing for retail trade

Artisan shops, the custom production of goods, including but not limited to, ceramic, painting, weaving, leather works, jewelry and clothing, either for sale or for the use of the artist

Auction rooms

Automobile accessory stores

Automobile service stations

Bakeries employing fewer than five persons

Barbershops

Bars, taverns, cocktail lounges and package liquor stores

Beauty parlors and shops

Bicycle stores, sales, rent and repair

Blueprinting

Boat and marine sales

Book and stationery stores

Building materials sales and storage and millwork

Camera and photographic supplies stores

Candy, confectionary and ice cream stores

Carpet and rug stores but not including carpet or rug cleaning

Cell phone or cell phone accessory stores, cell phone payment centers

China and glassware stores

Seasonal or specialty sales lots (i.e., Christmas tree lots, pumpkin lots, etc.) including the use of a temporary structure or trailer for sales office for no more than three (3) months in a twelve (12) month period

Clothing stores

Coins and philatelic stores

Custom dressmaking

Drug stores, pharmacies

Dry goods stores

Electrical and household appliance stores including radio and television sales

Engineers offices

Filling stations

Fire stations

Flower shops and conservatories

Food stores, grocery stores and meat markets

Furniture stores, including upholstery when conducted as part of retail operation and secondary to the principal use

Furrier shops

Garden supply and seed stores

Gift shops

Greenhouses and plant nurseries

Gymnasiums, commercial health clubs, reducing salons, weight loss clinics

Hardware stores

Hobbyshops for retail sale of items to be used for assembly away from the premises

Ice cream and milk machine sales

Ice cream stores

Interior decorating shops, including upholstery and making of draperies, slip covers and other similar activities when conducted as part of retail operations secondary to the principal use

Jewelry stores

Job and offset printing

Leather goods stores

Luggage stores

Monument sales

Motion picture studios

Motor vehicle sales and rental

Municipal buildings

Music, musical instrument and record/C.D. shops

Novelty stores

Office equipment sales and repair establishments

Office equipment supplies stores

Orthopedic and medical supply stores

Paint and wallpaper stores

Parking area, private, as accessory use

Pet shops

Photocopying, printing shops

Photographs, art galleries and studios

Physical, cultural and health services

Police stations

Political organization offices

Public libraries

Public utility uses

Railroad passenger stations

Railroad rights-of-way

Resale shops for apparel and accessories

Residence of proprietor of a commercial use in same location (commercial use only allowed on the first floor – residence on the first floor prohibited)

Restaurants and catering establishments

Schools

Secondhand stores and rummage shops, other than resale shop for apparel

Secretarial services

Security and commodity brokers

Service stations

Shoe stores

Show rooms, sales rooms, stores or shops for the conduct of retail business

Sound recording studios provided that they are sound proof to the extent that noise and vibration levels permitted from said studios are immeasurable outside the property controlled by the sound recording studio

Sporting goods stores

Tattoo shops, tattoo parlors

Taxidermists

Telephone booths

Temporary building for construction purposes for a period not to exceed duration of construction

Theatres and places of public amusement

Ticket agencies

Tobacco shops (including vape, pipe, or smoking accessory shops)

Toy shops

Variety stores (dollar stores)

Vending machines, as accessory use

Section 9.02. - Special uses.

The following special uses may be permitted in the Harlem Avenue and Cicero Avenue Business District:

Amusement establishments, including, but not limited to, bowling alleys, pool halls, dance halls and skating rinks

Automobile laundries (car washes)

Banks and other financial institutions, loan companies, loan offices, savings and loan

Adult-use cannabis business establishments (including adult-use cannabis cultivation center, craft grower, processing organization, infuser organization, dispensing organization or transporting organization) as defined in section 4.24

Clubs, lodges, fraternal or religious organizations

Convalescent centers, nursing homes, geriatric centers and rest homes

Currency exchanges

Day-care homes and nighttime homes for child care

Drive-in facilities for banks and other financial institutions

Dry cleaners, launderettes, self-service laundries (includes laundromats) and laundry collection stations

Dyeing and rug cleaning establishments

Eating establishments, food cooperatives in legally established churches, hospitals, nursery schools and nursing homes

Exterminating shops

Firearms retailers and gun ranges

Food lockers, including frozen food lockers

Funeral parlors, undertaking establishments, crematoriums

Garages, public, including body repair and painting carried out in approved spray booths provided that all the walls of the paint shops which are adjacent to or across the street from a residence district should be solid with no opening except for required fire doors

Garden supply and seed stores

Hospitals, sanitariums, retirement homes and nursing homes not including institutions for the care and treatment of the insane, feeble-minded, retarded, alcoholic or drug addict patient

Ice cream production and distribution

Machinery rental, sales and service

Mixed-use properties, a use that contains both commercial and residential uses with all residential uses being prohibited on the first on the first floor.

Nursery schools, children's day schools, day nurseries, child-care centers provided that at least 50 square feet of outdoor play area is provided for each child cared for

Offices, business and professional

Opticians and optometrists

Parking lots and storage garages

Parking lots and storage areas for motor vehicles under 1½-ton capacity

Post offices, post office substations

Public garages servicing automobiles and trucks under one and one-half ton capacity, but not including body repair and painting

Race track, raceway, speedway

Radio and transmission towers

Tailor Shops

Section 9.03. - Use restriction.

No land use which is listed herein as a special use in the heavy industrial district shall be permitted in a business district.

Section 9.04. - Height limitation.

The height of any building or structure located in a business district shall not exceed 45 feet or three stories, whichever is higher.

Section 9.05. - Front yard.

There shall be a front yard of not less than 16 feet in the business district.

Section 9.06. - Rear yard.

In the business district there shall be a rear yard of not less than ten percent of the depth of any lot, provided that the rear yard shall be required to exceed ten feet. Parking is permitted in a rear yard in a business district.

Section 9.07. - Side yard.

A side yard, if provided, shall not be less than three feet wide.

Section 9.08. - Intensity of use.

No business with its accessory buildings to be used for business district purposes shall occupy in excess of 90 percent of the area of the lot. Buildings used wholly for residence purposes shall conform to the restrictions provided herein for buildings in the single-family residence district. Any buildings hereafter constructed, altered, enlarged or rebuilt, to be used partially for residence purposes in a business district shall provide not less than 900 square feet of lot area per family.

8. Also, the Applicant proposed amending Section 4 of the Zoning Ordinance as follows (shown by underlining of text to be added):

Section 4.24 Adult-use cannabis business establishments.

(a) *Declaration of Policy.* The purpose and intent of this section is to provide regulations regarding the cultivation, processing and dispensing of adult-use cannabis occurring within the corporate limits of the Village. Such facilities shall comply with all regulations provided in the Cannabis Regulation and Tax Act (410 ILCS 705/1-1 et seq.) (Act), as it may be amended from time-to-time, and regulations promulgated thereunder, and the regulations provided below. In the event that the Act is amended, the more restrictive of the state or local regulations shall apply.

(b) *Definitions.*

Adult-use cannabis business establishment. An “adult-use cannabis business establishment” means an adult-use cannabis cultivation center, craft grower, processing organization, infuser organization, dispensing organization or transporting organization.

Adult-use cannabis craft grower. An “adult-use cannabis craft grower” means a facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, dry, cure and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization, per the Cannabis Regulation and Tax Act, (410 ILCS 705/1-1 et seq.), as it may be amended from time-to-time, and regulations promulgated thereunder.

Adult-use cannabis cultivation center. An “adult-use cannabis cultivation center” means a facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act, (410 ILCS 705/1-1 et seq.), as it may be amended from time-to-time, and regulations promulgated thereunder.

Adult-use cannabis dispensing organization. An “adult-use cannabis dispensing organization” or “cannabis dispensary” means a facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers, per the Cannabis Regulation and Tax Act, (410 ILCS 705/1-1 et seq.), as it may be amended from time-to-time, and regulations promulgated thereunder.

Adult-use cannabis infuser organization. An “adult-use cannabis infuser organization” or “infuser” means a facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product, per the Cannabis Regulation and Tax Act, (410 ILCS 705/1-1 et seq.), as it may be amended from time-to-time, and regulations promulgated thereunder.

Adult-use cannabis processing organization. An “adult-use cannabis processing organization” or “processor” means a facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product, per the Cannabis Regulation and Tax Act, (410 ILCS 705/1-1 et seq.), as it may be amended from time-to-time, and regulations promulgated thereunder.

Adult-use cannabis transporting organization. An “adult-use cannabis transporting organization” or “transporter” means an organization or business that is licensed by the Illinois Department of Agriculture to transport cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, per the Cannabis Regulation and Tax Act, (410 ILCS 705/1-1 et seq.), as it may be amended from time-to-time, and regulations promulgated thereunder.

(c) Special Use Required. No adult-use cannabis business establishment shall operate without first obtaining a special use permit in accordance with the provisions of this zoning ordinance. In addition to any other provisions of this zoning ordinance, the following standards shall apply to all adult-use cannabis business establishment:

- (1) An adult-use cannabis business establishment must comply with all applicable rules and regulations enacted by the State of Illinois, including licensing requirements, age limitations, and minimum setbacks.
- (2) Subject to applicable law, an adult-use cannabis business establishment shall include, as a part of any special use application to the Zoning Board of Appeals, copies of all information submitted to the State of Illinois in an application for a license to operate under the State of Illinois Cannabis Regulation and Tax Act (410 ILCS 705/1-1 et seq.)
- (3) In the Harlem Avenue and Cicero Avenue Business District, an adult-use cannabis business establishment is only allowed along Harlem Avenue with a special use permit.
- (4) An adult-use cannabis business establishment shall not be located within 1,000 feet of the property line of a pre-existing place of worship, library, public park, forest preserve, public or private nursery school, preschool, primary or secondary school, day care center, day care home or residential care home. Learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this section.
- (5) The site design for any adult-use cannabis business establishment shall incorporate adequate security measures, such as interior and exterior lighting, surveillance cameras, and/or fencing. Said security measures shall be determined based on the specific characteristics of the establishment and of the floor plan for an adult-use cannabis business establishment and the site on which it is located, consistent with the requirements of the Cannabis Regulation and Tax Act (410 ILCS 705/1-1 et seq.).
- (6) On-site consumption of cannabis shall be prohibited on the premises of a cannabis dispensary. The cannabis dispensary shall be

responsible for enforcing the prohibition of on-site consumption of cannabis under all circumstances on its premises.

(7) A special use applicant shall submit additional information as required by the Zoning Administrator during the special use process.

9. Also, the Applicant proposed amending the Village Zoning Map to reflect the new B-2 zoning district.
10. In accordance with the Illinois Compiled Statutes and the Zoning Ordinance, notice of a public hearing regarding the Amendments was published in one or more newspapers in general circulation in the Village; and
11. At the abovementioned hearing, credible evidence was presented showing that the Amendments: (a) allow for certain uses of property not previously allowed that are congruous to certain existing special uses; (b) would allow for the orderly development of surrounding properties; (c) would potentially produce additional economic activity to the area thereby increasing revenue to the Village and thereby allowing the Village to provide certain services to the Village and its residents; (d) are not detrimental to the health, safety or welfare of the Village; (e) will not injure the use and enjoyment of the surrounding property owners or reduce property values or disrupt the trends of development; and (f) will advance the orderly and economic development of the surrounding properties.

CONCLUSION

Testimony at the public hearing on the proposed Amendments demonstrated that the Amendments would be in the public interest and the best interests of the Village. Accordingly, the ZBA recommends approval of the Amendments.

Chairman of the Zoning Board of Appeals for the Village of Stickney