

ORDINANCE NO. M - 2280

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO ALLOW
OPERATION OF AN INDOOR COMMERCIAL PLACE OF ASSEMBLY AT
18205 DIXIE HIGHWAY IN HOMEWOOD, COOK COUNTY, ILLINOIS.**

WHEREAS, 65 ILCS 5/11-13-1 *et seq.* authorizes municipalities under 500,000 population to determine and vary the application of their zoning regulations relating to the use of land; and

WHEREAS, 65 ILCS 5/11-13-1.1 authorizes the granting of a special use by passage of an Ordinance in districts where such a permit is required; and

WHEREAS, a request has been received for a special use permit for indoor fitness classified by Ordinance as an indoor commercial place of assembly at 18205 Dixie Highway; and

WHEREAS, the proposed use is to be located within an existing structure classified as a multi-tenant

WHEREAS, the subject property is located in the B-2, Downtown Transition zoning district; and

WHEREAS, indoor commercial places of assembly are allowed as a special use in the B-2, Downtown Transition zoning district; and

WHEREAS, use-specific regulations in Section 44-04-04 of the Village of Homewood Zoning Ordinance require that all commercial indoor places of assembly requiring a special use permit be located along a street classified as an arterial or collector; and,

WHEREAS, the subject property is located on Dixie Highway, a minor arterial roadway controlled by the Illinois Department of Transportation; and

WHEREAS, the Homewood Planning and Zoning Commission reviewed and considered the request at its regular meeting on January 25, 2024 recommended approval of a special use permit to allow the operation of an indoor commercial place of assembly; and

WHEREAS, the President and Board of Trustees of the Village of Homewood, Cook County, Illinois deem it appropriate and are willing to grant a special use permit, subject to the terms and provisions hereof.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Homewood, Cook County, Illinois, that:

SECTION ONE - FINDINGS OF FACT:

1. The subject property at 18205 Dixie Highway is zoned B-2 (Downtown Transition).
2. The applicant, Dionne Townsend, is the business owner at the subject property.
3. The proposed use, cited by the applicant as an “indoor cycling and fitness center,” is classified as an *indoor commercial place of assembly* per definitions set forth in Section 44-09 of the Village Zoning Ordinance.
4. The applicant, Dionne Townsend, has requested a Special Use Permit in the B-2 zoning district to operate the *indoor commercial place of assembly*, as required per Table 44-03-04 of the Village Zoning Ordinance.
5. The proposed use will use a tenant space totaling 2,850 square feet in gross floor area in an existing building.
6. The applicant has not proposed additions to the gross floor area, nor modifications to the site layout or exterior of the existing building.
7. The applicant meets the required use-specific standards for the proposed use, per Section 44-04-04.A of the Village Zoning Ordinance, which require indoor commercial *places of assembly*, to be located on an arterial or collector roadway to support uses that may create additional impacts to noise or peak traffic conditions.
8. The proposed use is located within a *multi-tenant shopping center*; 65 spaces are required for the 19,540 sq. ft. building.
9. The subject site has 62 parking spaces. The use complies with off-street parking requirements per Section 44-05-01 of the Village Zoning Ordinance, which allows additional parking to be waived for existing structures without a use change. While the use is being adjusted for the tenant space, the parking is determined as a *multi-tenant shopping center*,

and thus the parking use remains the same, and adjustments to off-street parking on the site are not required.

SECTION TWO – LEGAL DESCRIPTION:

The subject property is legally described as follows:

The North 265 feet (except the North 100 feet thereof) of that part of the West ½ of the SE ¼ of Section 31, Township 36 North, Range 14, bounded and described as follows: Beginning at the Northeast corner of Lot 1 in the subdivision of Lot 6 County Clerk’s Division of the W ½ of the SE ¼ of said Section 31; thence West along the North line of Lot 1 extended 297 feet to a point 33 feet East of the West line of said SE ¼; thence North parallel to said West line, 346 feet; thence East parallel to said North line of Lot 1, 297 feet; thence South parallel to said West line of said SE ¼; 346 feet to place of beginning, in Cook County, Illinois.

Permanent Index Number: 29-31-409-056-0000

Common Address: 18201-18209 Dixie Highway
Homewood, IL 60430

SECTION THREE – ISSUANCE OF SPECIAL USE PERMIT:

A special use permit is hereby granted to Honeycomb Hideout and applicant Dionne Townsend to operate an indoor commercial place of assembly at the above-described property.

SECTION FOUR – CONDITIONS:

1. Should a separate business conduct fitness classes and programming in the Honeycomb Hideout business space, the proprietor shall register with the Village to ensure that the business complies with all municipal codes and obtains a business operation certificate.
2. Fitness Classes shall be limited to Monday-Thursday 7:00 am – 10:00 am and 5:00 pm – 9:00 pm.
3. Total occupancy for fitness classes shall not exceed 30 patrons at any specific time.
4. No alcohol is allowed on the premises without a liquor license issued by the Village.

SECTION FIVE - ADDITIONAL MATERIALS TO BECOME PART OF THIS ORDINANCE:

The following documents are hereby made part of this Ordinance:

The Homewood Planning and Zoning Commission minutes of January 25, 2024, as they relate to the subject zoning.

The Homewood Village Board minutes of February 13, 2024, as they relate to the subject zoning.

SECTION SIX- RECORDING:

The Village Attorney shall cause this Ordinance without attachments to be recorded in the Office of the Cook County Clerk - Recording Division.

PASSED and APPROVED this 13th Day of February, 2024.

Village President

Village Clerk

YEAS: _____ NAYS: _____ ABSTENTIONS: _____ ABSENCES: _____