

VILLAGE OF HOMEWOOD



MEMORANDUM

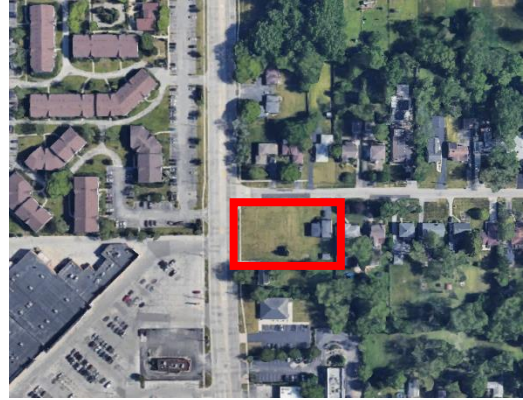
DATE OF MEETING: September 26, 2024

To: Planning and Zoning Commission

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

Through: Angela Mesaros, Director of Economic and Community Development

Topic: Case 24-38: Map Amendment at 3131 Olive Road



APPLICATION INFORMATION

APPLICANT	Theresa McAvoy
ACTION REQUESTED	Map Amendment
ADDRESS	3131 Olive Road, Homewood, IL 60430
PIN	258-36-304-035

ZONING & LAND USE

SUBJECT PROPERTY	ZONING	LAND USE
CURRENT	B-3 General Business	Single-Family Residential
PROPOSED	R-1 Single-Family Residence	Single-Family Residential (no change)
SURROUNDING	N: R-1 Single-Family Residence	Single-Family Residential
	E: R-1 Single-Family Residence	Single-Family Residential
	S: B-3 General Business	Single-Family Residential
	W: R-3 Multi-Family Residence (Hazel Crest)	Multi-Family Residential

LEGAL NOTICE

Legal notice was published in *Daily Southtown* on September 12, 2024 letters were sent to property owners and residents within 250'.

DOCUMENTS FOR REVIEW

Title	Pages	Prepared by	Date
Application	3	Timothy P McHugh, Attorney	09/19/2024
Standards for Map Amendment	7	Timothy P McHugh, Attorney	08/23/2024
Plat of Survey	1	Carradus Land Surveyors	08/26/2024
Staff Exhibits	4	Noah Schumerth, Asst. Dir. ECD	09/19/2024

BACKGROUND

The applicant, Theresa McAvoy, has requested a map amendment of the Village Zoning Map. The proposed map amendment rezones the subject property at 3131 Olive Road from the B-3 General Business to R-1 Single-Family Residence zoning district. The property is 0.67 acres and is currently occupied by a single-family residence. The single-family residential land use is not permitted within the B-3 zoning district. The applicant has requested the rezoning to permit the continued use of the property as a single-family residence.

HISTORY

The single-family residence on the property was constructed in 1971. The 1986 Comprehensive Plan designated the subject property as an existing single-family residence land use. The 1986 Comprehensive Plan also designated the property as single-family residential on the plan's Future Land Use Map.

In 1999, the Village of Homewood completed a revision of its Comprehensive Plan. The new Comprehensive Plan document updated the Future Land Use Map. The Future Land Use Map classified the subject property in the Commercial category, anticipating future commercial demand growth in the area along the 183rd Street and Kedzie Avenue corridors. The updated Future Land Use Map placed the subject property in the Commercial category, along with additional single-family homes to the south of the subject property. The property was commercially rezoned in 2002 to reflect the change in the Future Land Use category from Single-Family Residential to Commercial.

Since the adoption of the 1999 Comprehensive Plan, the property has remained occupied by a single-family residence. No proposals for commercial development have been received for this property since it was commercially rezoned.

DISCUSSION

Standards for Map Amendment

Any proposed map amendment shall be reviewed by the Planning and Zoning Commission and the Village Board using the Standards for Map Amendments as outlined in Section 44-07-10(d) of the Homewood Zoning Ordinance. The review shall ensure the proposed map amendment aligns with the Village Comprehensive Plan and the Village Zoning Ordinance while ensuring that the proposed amendment does not cause potential adverse impacts on surrounding properties. No map amendment shall be approved by the Village Board unless the following standards are met:

a. Does the current zoning or the proposed zoning more closely conform to the stated goals in the comprehensive plan? The current zoning is in close conformance with the 1999 Comprehensive Plan. The future land use goals in the 1999 Comprehensive Plan identified the area around Kedzie Avenue and 183rd Street as an area poised for significant office and commercial growth, prompting the change of the subject property from Single-Family Residential to Commercial:

“Regional retail market shifts in the future will create the need for additional local retail shopping in the Downtown and along 183rd Street. Related commercial, service and office needs

at critical transportation intersections will accompany this, especially at the Kedzie Avenue intersection.” (p. 67, 1999 Comprehensive Plan).

The 1999 Comprehensive Plan was written over 25 years ago, and the plan does not reflect current market conditions. Commercial demand markets have shifted dramatically, and demand for new commercial development has waned. The economic development and planning focus in this area has shifted toward redevelopment of existing vacant commercial developments at the 183rd and Kedzie intersection. The proposed amendment is in alignment with market shifts and future development expectations in the area.

b. Have major land uses, conditions or circumstances changed since the original zoning was established?

The property was originally zoned R-1 Single-Family Residential prior to the 2002 update of the Homewood Zoning Ordinance, which was completed to align with the 1999 Comprehensive Plan. Since the commercial rezoning of the subject property, the land use of the property has not changed, and no known interest for commercial development on this property materialized. The area around the 183rd Street and Kedzie Avenue intersection has seen significant increases in commercial vacancy since the adoption of the 1999 Comprehensive Plan and the 2002 zoning ordinance update. Changing circumstances have seen the Village shift priorities toward redevelopment of vacant or blighted commercial properties in this area.

c. Do sites exist for the proposed use in existing districts permitting such use? N/A.

d. Is the requested change compatible with the existing uses, development patterns and zoning of nearby properties? The property is bordered to the north, east, and south by single-family residential uses similar to the current use on the subject property. The properties to the north and east are also zoned R-1 Single-Family Residential.

The subject property is located on a segment of Olive Road which is exclusively zoned R-1 Single-Family Residential. Though all properties along this segment of Olive Road are used for single-family residences, including the subject property, the subject property is the only property on the street zoned B-3 General Business.

e. Does the present development of the area comply with existing ordinances? The current single-family residential use on the property is not permitted in the existing zoning category (B-3 General Business). The current use is a legal non-conforming use. The property must be rezoned to an R-1 Single-Family Residential or R-2 Single Family Residential to permit the existing use.

f. Does the existing zoning impose an unreasonable hardship or can a reasonable economic benefit be realized from uses permitted by the existing zoning? The current zoning does not permit the continued operation of a single-family residence on the property. The current single-family residence is a legal non-conforming use, and this designation creates challenges in securing financing, insurance and other necessities for the home. Should the home be significantly damaged, the property owner would be unable to rebuild the home. The applicant and property owner has cited that the property cannot be sold as a residence under current zoning, causing significant economic hardship and loss of the economic benefit of the property.

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

The property cannot be sold as a single-family residence under current zoning, which diminishes the value of the property.

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

The property has been vacant since 2023. All other homes in the vicinity of the subject property are occupied.

i. Is the property physically suitable for the zoned uses or for the proposed use?

The site is currently used as a single-family residential dwelling, and has been used for a single-family residence for over 50 years. The existing single-family residential home is suitable to continue as a single-family residence, as it is set back from Kedzie Avenue (arterial) by approximately 165' and has all necessary access and utility service necessary for the current use of the property as a single-family residence. The property would require utility and service upgrades to support commercial uses permitted under the current zoning.

j. Does the proposed use satisfy a public need? N/A.

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

The proposed map amendment will not change the use of the property, and will not cause any new impact on any public facility.

l. In the vicinity, will the environment or traffic patterns be adversely affected?

The proposed map amendment will not change the use of the property, and will not cause any change in the neighborhood environment or traffic patterns.

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

The property will not change in use with the rezoning and will not affect neighboring property values. The effect of a proposed commercial development on surrounding property values in the vicinity, as permitted under current zoning, is unknown.

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

The existing zoning will deter the use of the property for its existing use. The site is not proposed to be redeveloped.

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

The proposed map amendment will not change the use of the property, and will not cause any new impact on the health, safety or welfare of the neighborhood.

Staff has reviewed the applicant's responses to the Standards for Map Amendment and finds that the proposed map amendment meets the standards for approval.

STAFF COMMENTS

The Planning and Zoning Commission serves as a recommending body for map amendments. The Planning and Zoning Commission is to provide a recommendation for approval or denial by the Village Board of Trustees. No additional approvals are required to allow the continued use of the property as a single-family residence.

FINDINGS OF FACT

The staff has prepared the following *draft* Findings of Fact following the standards outlined in Section 44-07-10(b) of the Homewood Zoning Ordinance. After consideration of public testimony, the following Findings of Fact (as proposed or amended) may be entered into the public record:

1. The subject property is located at 3131 Olive Road.
2. The subject property is 0.67 acres.
3. The subject property is located within the B-3 General Business zoning district.
4. The current use of the property is a single-family residence. The property has remained in use as a single-family residence since 1971.
5. The current zoning designation (B-3 General Business) does not permit single-family residential uses within the zoning district, including single-family detached residential uses existing before the adoption of the current Homewood Zoning Ordinance on January 10, 2023.
6. The current single-family detached residence on the property is a legal non-conforming use.
7. The applicant has proposed the amendment of the Homewood Zoning Map to change the zoning designation of the property from B-3 General Business to R-1 Single-Family Residence.
8. The applicant does not propose any change in use from the existing single-family detached residence on the property.

RECOMMENDED PLANNING & ZONING COMMISSION ACTION

Recommend **approval** of Case 24-38 to allow a Map Amendment for 0.67 acres at 3131 Olive Road, changing the zoning designation of the property from the B-3 General Business zoning district to the R-1 Single-Family Residence zoning district;

AND

Incorporate the Findings of Fact into the record.