
**THE CITY OF BLUE ISLAND
COOK COUNTY, ILLINOIS**

ORDINANCE NUMBER 2021-010

**AN ORDINANCE AUTHORIZING A SPECIAL USE FOR A “MOVIE
AND LIVE INDOOR THEATER” USE IN BLUE ISLAND, ILLINOIS
(THE LYRIC THEATER – 12952 S. WESTERN AVENUE)**

**FRED BILOTTO, Mayor
RAEANN CANTELO-ZYLMAN, City Clerk**

**DEXTER JOHNSON
LUIZ MONTOYA
NANCY RITA
BILL FAHRENWALD
GABRIEL McGEE
CANDACE CARR
JOSH ROLL**

Aldermen

ORDINANCE NO. 2021-010

**AN ORDINANCE AUTHORIZING A SPECIAL USE FOR A
“MOVIE AND LIVE INDOOR THEATER” USE IN BLUE ISLAND, ILLINOIS
(THE LYRIC THEATER – 12952 S. WESTERN AVENUE)**

WHEREAS, the Zoning Board of Appeals heard a petition for a special use for a “Movie and Live Indoor Theater” use at 12952 S. Western Avenue, Blue Island, Illinois, 60406. The applicant, Amanda Garetto-Melvin, requested the Zoning Board of Appeals to permit a special use to establish a Movie and Live Indoor Theater establishment, which once housed the former *Lyric Theater*; and

WHEREAS, the legal description of the property is set forth in Exhibit “A” (the “*Property*”).

WHEREAS, the existing zoning classification of the property is an Uptown Transit Oriented Development District (UTOD) zone; and

WHEREAS, on March 19, 2021 the Zoning Board of Appeals (the “*Zoning Board*”) caused the appropriate notice of hearing on the application to be published in accordance with § 166.095(D) of the Blue Island Code of Ordinances; and

WHEREAS, on April 8, 2021, the Zoning Board held a public hearing to hear testimony and consider the petition, along with all other requested and supporting documents submitted by the Applicant; and

WHEREAS, the Zoning Board of Appeals after due consideration has found that:

- (a) The establishment, maintenance, or operation of this special use will not be detrimental to or endanger public health, safety, morals, comfort, or general welfare;

- (b) The special use herein requested will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
- (c) The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
- (d) Adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided;
- (e) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in public;
- (f) The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the City Council pursuant to the recommendations of the Zoning Board of Appeal; and

WHEREAS, a true and correct copy of the Findings of Fact and Recommendation of the Zoning Board of Appeals is attached hereto as Exhibit “B.”

WHEREAS, the Zoning Board of Appeals has recommended a special use for a “Movie and Live Indoor Theater” use, for the property which is located at 12952 S. Western Avenue; and

WHEREAS, the Mayor and City Council of the City of Blue Island, after due consideration, have determined that a special use for a Movie and Live Indoor Theater use for the property located at 12952 S. Western Avenue, Blue Island, Illinois, 60406 be issued, subject to the following conditions:

1. That the special use herein requested shall, except as varied by this ordinance, conform to all applicable district regulations, codes, and ordinances of the City of Blue Island.
2. That future plans and specifications for building, construction, or development and with respect to all improvements of any kind or nature to the premises be approved by the Building Department of the City of Blue Island and, when required, by any other department of the City.
3. The applicant shall appear before the Zoning Board at its regularly scheduled meeting that occurs six months after the issuance of the Certificate of Occupancy for the purposes of assessing the parking arrangements for events at the theater and making modifications thereto if the Zoning Board determines modifications are required.
4. The marquee sign on the front of the building will be updated to comply with the current City code requirements for large signs in the UTOD Zoning District.
5. A valet parking agreement for offsite parking and shuttling of patrons will be submitted by the applicant to the City with the application for a business license for review by the Community Development Committee.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Blue Island, County of Cook and State of Illinois, as follows:

Section One

That the recitals and findings set forth above are incorporated herein by reference, the same as if they were fully set forth herein verbatim, and they are adopted as the findings of the City Council.

Section Two

The written findings of fact and recommendation of the Zoning Board relative to the petition requesting a special use for a “Movie and Live Indoor Theater” use, attached hereto as Exhibit “B,” are hereby accepted, incorporated herein by reference in their entirety, and adopted as the findings of the City Council. All documents and exhibits submitted at the public hearing concerning this petition are also incorporated by reference into this Ordinance.

Section Three

That the City Clerk of the City of Blue Island is hereby authorized to issue a special use for a “Movie and Live Indoor Theater” use, for the property located at 12952 S. Western Avenue, Blue Island, Illinois, subject to the following conditions:

1. That the special use herein requested shall, except as varied by this ordinance, shall conform to all applicable district regulations, codes, and ordinances of the City of Blue Island.
2. That future plans and specifications for building, construction, or development and with respect to all improvements of any kind or nature to the premises be approved by the Building Department of the City of Blue Island and, when required, by any other department of the city.
3. The applicant shall appear before the Zoning Board at its regularly scheduled meeting that occurs six months after the issuance of the Certificate of Occupancy

for the purposes of assessing the parking arrangements for events at the theater and making modifications thereto if the Zoning Board determines modifications are required.

4. The marquee sign on the front of the building will be updated to comply with the current City code requirements for large signs in the UTOD Zoning District.
5. A valet parking agreement for offsite parking and shuttling of patrons will be submitted by the applicant to the City with the application for a business license for review by the Community Development Committee.

Section Four

That the special use permit for a “Movie and Live Indoor Theater” use authorized herein may be revoked by the City Council of the City of Blue Island upon application being made to the City Council by the Blue Island Building Department, or any interested party, and upon a finding by the City Council that the conditions herein established have not been complied with.

Section Five

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section Six

This ordinance shall be in full force and effect from and after its passage and approval as required by law.

Section Seven

That the City Clerk is further directed to forward a copy of this ordinance to the applicant as notification of the passage and approval of this ordinance.

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ADOPTED this 10th day of May, 2021, pursuant to roll call as follows:

| | YES | NO | ABSENT | PRESENT | ABSTAIN |
|---------------------|-----|----|--------|---------|---------|
| Alderman JOHNSON | X | | | | |
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| Alderman MONTOYA | X | | | | |
| | | | | | |
| Alderman RITA | X | | | | |
| | | | | | |
| Alderman FAHRENWALD | X | | | | |
| | | | | | |
| Alderman MCGEE | X | | | | |
| | | | | | |
| Alderman CARR | X | | | | |
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| Alderman ROLL | X | | | | |
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| Mayor BILOTTO | | | | | |
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| | 7 | | | | |

APPROVED by the Mayor on May 10, 2021.

FRED BILOTTO
MAYOR OF THE CITY OF BLUE ISLAND,
COUNTY OF COOK AND STATE OF ILLINOIS

ATTESTED and Filed in my office this
10th day of May, 2021

RAEANN CANTELO-ZYLMAN, CITY CLERK

PUBLISHED in pamphlet form this
10th day of May, 2021

RAEANN CANTELO-ZYLMAN, CITY CLERK

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CERTIFICATE

I, **RAEANN CANTELO-ZYLMAN**, certify that I am the duly elected and acting Municipal Clerk of the City of Blue Island of Cook County, Illinois.

I further certify that on **May 10, 2021** the Corporate Authorities of such municipality passed and approved Ordinance No. **2021 - 010** Entitled: **AN ORDINANCE AUTHORIZING A SPECIAL USE FOR A "MOVIE AND LIVE INDOOR THEATER "USE IN BLUE ISLAND, ILLINOIS (THE LYRIC THEATER - 12952 S. WESTERN AVENUE).** Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **2021 - 010** including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance posted in the municipal building commencing on **May 10, 2021** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at Blue Island, Illinois, this **10th** day of **May, 2021**.

CORPORATE SEAL


RAEANN CANTELO-ZYLMAN, CITY CLERK

EXHIBIT A

Legal Description

12952 S. Western Avenue, Blue Island, Illinois, 60406.

PIN: 24-36-223-016-0000 Legal Description:

LOT 3 IN BLOCK 26 IN YOUNG'S ADDITION TO BLUE ISLAND, A SUBDIVISION OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 36, TOWNSHIP 37 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

EXHIBIT "B"

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

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**City of Blue Island
Building & Zoning Department**
13051 Greenwood Avenue
Blue Island, IL 60406
Office (708) 597-8606
Fax (708) 396-2686
building@cityofblueisland.org

FINDINGS OF FACT

**CITY OF BLUE ISLAND ZONING BOARD OF APPEALS (ZBA)
PUBLIC HEARING OF APRIL 8, 2021**

Amanda Garetto-Melvin (Applicant), 12952 S. Western Avenue, Blue Island, IL 60406

On April 8, 2021, the Zoning Board of Appeals voted (4-0) to adopt the Findings of Fact recommending City Council approval of a zoning special use of the Blue Island Uptown Transit Oriented Development (UTOD) District Ordinance of 2012, as amended, for a “Movie and Live Indoor, Theater” use within the City of Blue Island.

Section 8.10(6) [Section 166.095(F)]: No special use shall be recommended by the Zoning Board of Appeals unless such Board shall find that:

- a) That the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare;

The applicant finds the subject property will be operated as a movie theater and event space, and will conform with the building, health, fire, and safety codes of the City of Blue Island. The building will be brought up to code on both the exterior and interior finishings to assure that all occupants and uses will not danger the public health, safety, morals, comfort or general welfare of the community.

The Zoning Board of Appeals finds the subject property’s building has been uninhabited for many, many years, and the proposed movie theater will allow for the property owner to bring up the existing building into further compliance pertaining to building, health, and fire standards.

- b) That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;

The applicant finds the proposed use as a movie theater and event space will enhance the use and enjoyment of other properties in the immediate vicinity and improve the property values within the neighborhood. The previously uninhabited building will be a productive and meaningful business to the neighborhood. Hopefully, this new use will attract other much needed businesses to the Uptown Area, and spur additional commerce in the local area.

Special Use

The Zoning Board of Appeals finds the special use will allow for this legacy building to be inhabited, once again, in a more productive and meaningful manner. The proposed movie theater use will become a major commercial anchor for the redevelopment of Western Avenue between High and York Streets.

- c) That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;

The applicant finds the proposed use as a movie theater and event space will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district. The property is an existing vacant building and will not require any additional exterior structures. The existing building will be internally rehabilitated to conform to today's building, health, fire, and safety codes of the City of Blue Island.

The Zoning Board of Appeals finds the subject property is an existing two-story legacy building that was built before the automobile became a prevalent means of transportation. In other words, the existing building covers the entire zoning parcel; and no external expansion is expected for the proposed movie theater use, and all new renovations will take place inside of the building's walls. Nothing new will be built outside of the existing building's exterior shell.

- d) That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;

The applicant finds the property will utilize the existing utilities, access roads, drainage and/or necessary facilities without the need to incur any additional changes to add new utilities. The existing utilities will suffice.

The Zoning Board of Appeals finds the applicant will continue to use the same utilities, access roads, and existing drainage system. No new physical changes will occur onsite to necessitate any new utilities.

- e) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in public streets;

The applicant finds that a voluntary parking plan will be needed for this special use. In order to minimize traffic congestion when the movie theater is utilized for events, the applicant has put together a parking plan to remedy the lack of onsite parking. This plan includes measures to include multiple parking lots with sufficient spacing so as to not create traffic congestion. These ancillary lots are to include the common public parking lot located directly behind the building, the private parking lots located at 12720 Western Ave., 2427 Burr Oak Ave., 12704 Western Ave., and 12660 S. Western Ave., as well, as the Metra and VSUSA parking lots. The property will try to purchase or partner up with a local company to provide a shuttle service for the guests to get to and from these lots.

The Zoning Board of Appeals finds the subject property will conform to the existing traffic pattern, and the voluntary parking plan will try to alleviate for the lack of onsite parking for the legacy building. The proposed voluntary parking plan will use a mixture of public and private parking lots to provide for complimentary parking spaces for the movie theater

Special Use

patrons. The applicant will provide for a bus shuttle service to move patrons from one place to another. The applicant will also apply for a valet parking permit to allow for such a service to exist during the business license application process.

- f) That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the City Council pursuant to the recommendations of the Zoning Board of Appeals.

The applicant finds the property will conform to the applicable regulations of the district in which it is located and will not disrupt the orderly business matters of the city. The applicant is more than happy to comply with additional conditions requested by the Zoning Board of Appeals, the Community Development Committee, and the City Council.

The Zoning Board of Appeals finds the special use conforms with the requirements of the city.

Complimentary off-street parking will be provided by a voluntary parking plan to help mitigate against the probable parking problems that can arise from the re-establishment of a movie theater. The movie theater should not disrupt the natural and orderly business matters of the city. The city hopes that new businesses will follow suit with the re-opening of the Lyric Theater.

The applicant has agreed to revisit the voluntary parking plan in six months after a certificate of occupancy has been issued for the movie theater business.



City of Blue Island
Building & Zoning Department
13051 Greenwood Avenue
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RECOMMENDATION LETTER

SPECIAL USE

Date: 04-16-21

Amanda Garetto-Melvin (Applicant), 12952 S. Western Avenue, Blue Island, IL 60406

I. Introduction and Purpose

The City of Blue Island received an application to grant a special use for the Lyric Theater, which is located at 12952 S. Western Avenue in the Uptown Transit Oriented Development (UTOD) District.

II. Discussion and Highlights

Amanda Garetto-Melvin, the applicant, wants to re-establish the “Movie and Live Indoor, Theater” use for the former Lyric Theater, which has been closed for many, many years.

On April 8, 2021, the Zoning Board of Appeals heard a special use application, and they approved a special use to allow for a “Movie and Live Indoor, Theater” in the Uptown Transit Oriented Development (UTOD) District. The vote by the Zoning Board of Appeals was 4-0 in favor of approving the special use application.

On April 14, 2021, the Community Development Committee heard a special use application, and they approved a special use to allow for a “Movie and Live Indoor, Theater” in the Uptown Transit Oriented Development (UTOD) District. The vote by the Community Development Committee was 7-0 in favor of approving the special use application.

The Zoning Board of Appeals and the Community Development Committee have agreed on the condition that the applicant will need to return to the Zoning Board of Appeals to review the parking scenario six months after a certificate of occupancy is issued for the applicant.

Ms. Garetto-Melvin is strongly encouraged to apply for a business license application after the City Council approves the special use application.

III. Conclusion and Recommendation

Recommendation to grant a special use for a “Movie and Live Indoor, Theater.”

Staff Contact: Howard M. Coppari, LEED AP, Community Development Manager
Email: hcoppari@cityofblueisland.org