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

**ORDINANCE
NUMBER 2021-47**

**AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK
COUNTY, ILLINOIS, GRANTING A SPECIAL USE
PERMITTING ISLAND THYME, LLC TO OPERATE WITHIN
THE C-1 COMMERCIAL DISTRICT
(12720 SOUTH WESTERN AVENUE)**

**FRED BILOTTO, Mayor
RAEANN CANTELO-ZYLMAN, City Clerk
JAIRO FRAUSTO, City Treasurer**

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

Aldermen

ORDINANCE NUMBER 2021-

**AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS,
GRANTING A SPECIAL USE PERMITTING ISLAND THYME, LLC TO OPERATE
WITHIN THE C-1 COMMERCIAL DISTRICT
(12720 SOUTH WESTERN AVENUE)**

WHEREAS, the City of Blue Island, Cook County, Illinois (the “*City*”) is a duly organized and existing city created under the provisions of the laws of the State of Illinois and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions for the benefits of the residents of the City; and

WHEREAS, the Mayor and the Aldermen of the City of Blue Island have heretofore exercised the power conferred on them pursuant to Chapter 11-31-1, *et seq.* of the Illinois Municipal Code by adopting Chapter 166 of the Code of Ordinances of the City (the “*Zoning Code*”), as amended from time to time; and

WHEREAS, a special use application has been submitted to the City by Island Thyme, LLC (the “*Applicant*”) to allow within the C-1 Commercial District an “adult-use cannabis dispensing organization” (the “*Proposed Special Use*”) on the property located at 12720 South Western Avenue, Blue Island, Illinois and as legally described and depicted on Exhibit A (the “*Property*”); and

WHEREAS, the Planning and Zoning Board of Appeals (“*PZBA*”) held a public hearing on October 7, 2021 (the “*Public Hearing*”) as to whether the Proposed Special use should be approved, at which time all persons present were afforded an opportunity to be heard; and

WHEREAS, a public notice in the form required by law was given of said Public Hearing date; and

WHEREAS, the PZBA has filed its findings of fact and recommendations that the Proposed Special Use be granted, and the Mayor and Aldermen of the City have duly considered said findings of fact and recommendations, and

WHEREAS, the Mayor and Aldermen of the City deem it advisable and in the best interest of the health, safety, and welfare of the residents of the City to grant the Proposed Special Use subject to the conditions identified herein.

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

Section 1. The above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. The Mayor and Aldermen of the City hereby adopt by reference the findings of fact of the Planning and Zoning Board of Appeals as findings of the Mayor and Aldermen of the City as if completely set forth herein. All documents and exhibits submitted at the aforesaid public hearings are also incorporated by reference into this Ordinance.

Section 3. In addition to the findings set forth in Section 2 hereof, the Mayor and Aldermen of the City further find in relation to the Proposed Special Use as follows:

1. That the Proposed Special Use, subject to the conditions set forth herein, is in fact, a special use listed and authorized in the zoning district within which the property is located;
2. That the Proposed Special Use, subject to the conditions set forth herein, is consistent with the objectives of the City's comprehensive plan and the City's Zoning Ordinance;
3. That the Proposed Special Use, subject to the conditions set forth herein, will not negatively impact existing or planned uses located within the vicinity of the subject property;
4. That the Proposed Special Use, subject to the conditions set forth herein, will not be detrimental to or endanger the public health, safety, morals, comfort or general

welfare.

5. That the Proposed Special Use, subject to the conditions set forth herein, 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.
6. That the Proposed Special Use, subject to the conditions set forth herein, will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
7. That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided for the Proposed Special Use, subject to the conditions set forth herein;
8. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in public streets surrounding the Proposed Special Use, subject to the conditions set forth herein; and
9. That the Proposed Special Use, subject to the conditions set forth herein, complies with all additional regulations in the City's Zoning Ordinance specific to the special use requested.

Section 4. A special use, subject to the conditions set forth below, is hereby granted and issued to Island Thyme, LLC for an "adult-use cannabis dispensing organization" use in the C-1 Commercial District located at 12720 South Western Avenue, Blue Island, Illinois, and as legally described on Exhibit A.

This special use permit is subject to the following conditions:

1. That this special use shall be limited to the Applicant and shall not be transferable except upon reapplication, hearing and approval in the manner provided in the Zoning Code;
2. That this special use approval authorizes the conduct of the special use only on the Property and is not transferable to other properties;
3. That any modification or intensification of a special use that alters the essential character or operation of the use in a way not intended at the time the special use was granted, as evidenced by the record or text of the ordinance, shall require a new special use approval;
4. That the approval of a special use authorizes the Property to be used in the manner

proposed, but does not alone authorize the establishment or extension of any use, nor development, construction, reconstruction, alteration, or moving of any building, structure, or parking lot without first obtaining any other required permit, including a zoning certificate, building permit and certificate of occupancy;

5. That the special use, subject to the conditions set forth herein, complies with all other codes and ordinances of the City of Blue Island, the County of Cook, the State of Illinois, and the federal government;
6. That the special use, subject to the conditions set forth herein, does not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors; and
7. That the special use, subject to the conditions set forth herein, provides vehicular access to the property designed so as not to create interference with traffic on surrounding public thoroughfare;
8. That the special use, subject to the conditions set forth herein, shall not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance;
9. This Ordinance shall be signed by the Applicant to signify acknowledgement of the terms hereof.

Section 5. The Applicant hereunder shall at all times comply with the terms and conditions of the special use and, in the event of non-compliance, said permit shall be subject to revocation.

Section 6. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

Section 7. All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 8. This Ordinance shall be in full force and effect following its passage, approval and publication in pamphlet form as provided by law.

(Left intentionally blank)

ADOPTED this 12th day of **October, 2021**, pursuant to roll call as follows:

	YES	NO	ABSENT	PRESENT	ABSTAIN
Alderman JOHNSON	X				
Alderman MONTOYA	X				
Alderman RITA	X				
Alderman FAHRENWALD		X			
Alderman MCGEE		X			
Alderman CARR	X				
Alderman ROLL	X				
Mayor BILOTTO					
	5	2			

APPROVED by the Mayor on **October 12, 2021**.

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

ATTESTED and Filed in my office this
12th day of October, 2021.

RAEANN CANTELO-ZYLMAN, CITY CLERK

PUBLISHED in pamphlet form this
12th day of October, 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 **October 12, 2021** the Corporate Authorities of such municipality passed and approved Ordinance No. **2021 - 047** Entitled:

AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS, GRANTING A SPECIAL USE PERMITTING ISLAND THYME, LLC TO OPERATE WITHIN THE C-1 COMMERCIAL DISTRICT (12720 SOUTH WESTERN AVENUE)

Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **2021 - 47** including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance posted in the municipal building commencing on **October 12, 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 **12th** day of **October, 2021**.

CORPORATE SEAL



CITY CLERK

Exhibit A

Legal Description

Dispensary:

ADDRESS: 12720 S. Western Avenue, Blue Island, Illinois

PINs: 24-36-205-031, 24-36-205-032

LOT 5 AND 6 (EXCEPT SOUTH 30 FEET OF SAID LOT 6) ALSO (EXCEPTING THAT PART OF LOT 5 AND 6 TAKEN OR USED FOR WIDENING OF WESTERN AVENUE) ALL IN THE SUBDIVISION OF BLOCK 1 IN J.P. YOUNGS ADDITION TO BLUE ISLAND, BEING A SUBDIVISION OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Parking Lots:

ADDRESSES: 2427 Burr Oak Avenue, Blue Island, Illinois;
2427 W. Prairie Street, Blue Island, Illinois

PINs: 24-36-205-013, 24-36-205-024, 24-36-205-025, 24-36-205-034

PARCEL 1:

LOT 4 (EXCEPT THE WEST 25 FEET THEREOF) AND ALL OF LOT 5 IN GEORGE CHASE'S SUBDIVISION OF LOT 7 (EXCEPT THE SOUTH 30 FEET) IN THE SUBDIVISION OF BLOCK 1 IN YOUNG'S ADDITION TO BLUE ISLAND, A SUBDIVISION OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN EXCEPTING THAT PART THEREOF CONVEYED TO THE PEOPLE OF THE STATE OF ILLINOIS FOR THE USE OF THE DEPARTMENT OF TRANSPORTATION BY TRUSTEE'S DEED DATED OCTOBER 9, 1973, RECORDED NOVEMBER 19, 1973 AS DOCUMENT NUMBER 22548122, DESCRIBED AS FOLLOWS: BEING AT THE INTERSECTION OF THE EAST LINE OF THE WEST 25 FEET OF AFORESAID LOT 4 AND THE NORTH LINE OF AFORESAID LOT 4: THENCE SOUTHERLY ALONG THEE EAST LINE OF THE WEST 25 FEET OF AFORESAID LOT 4 AND THE NORTH LINE OF AFORESAID LOT 4: THENCE SOUTHERLY ALONG THE EAST LINE OF THE WEST 25 FEET OF AFORESAID LOT 4 A DISTANCE OF 13.9 FEET TO A POINT: THENCE SOUTHEASTERLY ALONG A STRAIGHT LINE TO A POINT OF THE EAST LOT LINE OF AFORESAID LOT 5, SAID POINT BEING 17.0 FEET NORMALLY DISTANT SOUTH OF THE NORTH LINE OF AFORESAID LOT 5, THENCE NORTHERLY ALONG THE EAST LOT LINE OF AFORESAID LOT 5 A DISTANCE OF 17.0 FEET TO THE NORTHEAST CORNER OF AFORESAID LOT 5: THENCE WESTERLY ALONG THE

NORTH LOT LINE OF AFORESAID LOTS 5 AND 4 A DISTANCE OF 55 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 7.0 FEET SOUTH OF THE NORTHWEST CORNER OF ORIGINAL LOT 7 IN GEORGE CHASE'S SUBDIVISION OF LOT 7 (EXCEPT THE SOUTH 30 FEET THEREOF) THENCE SOUTH 87 DEGREES 55 MINUTES 08 SECONDS EAST, A DISTANCE OF 137.71 FEET TO A POINT OF BEGINNING; THENCE CONTINUING ON SAID SOUTH RIGHT OF WAY LINE OF BURR OAK AVENUE AS WIDENED A DISTANCE OF 55.09 FEET TO AN IRON PIPE; THENCE SOUTH 00 DEGREES 13 MINUTES 00 SECONDS EAST, A DISTANCE OF 118.17 FEET TO 3 P.K. NAILS: THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE NORTH ALLEY LINE A DISTANCE OF 55.00 FEET TO 3 P.K. NAILS: THENCE NORTH 00 DEGREES 13 MINUTES 00 SECONDS WEST A DISTANCE OF 121.90 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

LOTS 6 AND 7 IN GEORGE CHASE'S SUBDIVISION OF LOT 7 (EXCEPT THE SOUTH 30 FEET THEREOF) IN THE SUBDIVISION OF BLOCK 1 OF YOUNG'S ADDITION TO BLUE ISLAND BEING A SUBDIVISION OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT AN IRON PIPE FOUND AT THE SOUTHWEST CORNER OF ORIGINAL LOT 7 IN GEORGE CHASE'S SUBDIVISION (EXCEPT THE SOUTH 30 FEET) IN BLOCK 1 OF YOUNG'S ADDITION TO BLUE ISLAND, A SUBDIVISION OF THE EAST HALF OF THE, NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 37 NORTH, RANGE 13 THENCE EAST ALONG THE NORTH LINE OF PRAIRIE AVENUE A DISTANCE OF 142.64 FEET TO THE POINT OF BEGINNING; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE NORTH RIGHT OF WAY LINE OF PRAIRIE AVENUE A DISTANCE OF 50.00 FEET TO A POINT: THENCE NORTH 00 DEGREES 13 MINUTES 00 SECONDS WEST A DISTANCE OF 125.00 FEET TO A POINT ON THE SOUTH LINE OF THE VACATED ALLEY LYING NORTH OF AND ADJOINING SAID PARCEL; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID SOUTH ALLEY LINE A DISTANCE OF 50.00 FEET TO A POINT; THENCE SOUTH 00 DEGREES 13 MINUTES 00 SECONDS EAST A DISTANCE OF 125.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

THE VACATED 16 FOOT ALLEY LYING SOUTH AND ADJOINING PARCEL 1 AND NORTH AND ADJOINING PARCEL 2.



**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 PLANNING AND ZONING BOARD OF APPEALS (PZBA)
PUBLIC HEARING OF OCTOBER 7, 2021**

Applicant: Island Thyme, LLC
Property: 12720 S. Western Avenue, Blue Island, IL 60406

On October 7, 2021, the Planning and Zoning Board of Appeals (PZBA) voted (6-0) to adopt the following Findings of Fact and recommend to the City Council approval of a special use of the Blue Island Zoning Ordinance of 1971, as amended, for an “Adult-Use Cannabis Dispensing Organization” use within the C-1 Commercial District of the City of Blue Island.

The PZBA found that the Applicant had complied with the requirements of Section 166.025(E)(5) of the Blue Island Code of Ordinances (City Code) regarding adult-use cannabis dispensing organizations. In addition, the PZBA evaluated the following components, which are necessary considerations per Section 166.025(e)(5)(I):

1) Impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.

The PZBA finds that the proposed dispensary will not have a negative impact on the existing or planned uses near 12720 S. Western Avenue. The proposed use is consistent with the commercial uses allowed in the C-1 Commercial District. The proposed use does not conflict with any neighboring non-commercial uses.

2) Proposed structure in which the facility will be located, including co-tenancy (if in a multi-tenant building), total square footage, security installations/security plan, and building code compliance.

The PZBA finds that the proposed dispensary will be the major building tenant in a multi-tenant building located at 12720 S. Western Avenue. The Applicant will occupy 4,641 square feet within the building’s footprint, devoting at least 75% of that space to the dispensing activities, which complies with the state and local laws. The proposed security plan is sufficient. The plans for the proposed dispensary comply with the City’s building code; the Applicant will be required to continue compliance.

Special Use

3) Hours of operation and anticipated number of customers/employees.

The PZBA finds that the dispensary's proposed hours of operation (9:00 a.m. to 9:00 p.m., Monday through Sunday) comply with state and local laws. The anticipated number of customers may reach 100 people per day, with an expected 20 employees working various shifts. Those numbers are sufficient at this point.

4) Anticipated parking demand based on Section 166.029 of this Title and available private parking supply.

The PZBA finds that the Applicant's plan to utilize two parking lots consisting of 46 parking spaces greatly exceeds the minimum parking requirements for this type of business, thus providing sufficient parking. There will also be an overflow parking lot with 18 additional parking spaces. The parking lots must be constructed and revitalized in accordance with applicable city codes.

5) Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.

The PZBA finds that the traffic generated by the proposed dispensary will not have a negative impact on the adjacent roadways or access thereto, based in part on a traffic study commissioned by the Applicant indicating that traffic may increase by only two percent.

6) Site design, including access points and internal site circulation.

The PZBA finds that the Applicant's proposed internal circulation plan and access points as depicted in the application are legally compliant and sufficiently promote safety and security for customers and employees. The Applicant must continue to comply with all sections of the City Code, particularly Chapter 150 (Building Regulations; Construction) and Chapter 163 (Landscaping & Screening).

7) Proposed signage plan.

The PZBA finds that the Applicant's contemplated signage complies with the City Code and does not require any variances. The Applicant must continue to comply with all sections of the City Code regarding signage, including signage in the C-1 District.

8) Compliance with all requirements provided in this Subsection 166.025(E), as applicable.

The PZBA finds that the Applicant has complied and must continue to comply with all other requirements of Subsection 166.025(E).

9) Facilities located in the C-1, C-2 and UTOD Districts shall only be located on lots adjacent to Western Avenue, Old Western Avenue, Ashland Avenue, 119th Street, and 127th Street.

The PZBA finds that the proposed dispensary is located on Western Avenue.

Special Use

10) Other criteria determined to be necessary to assess compliance with Section 166.095 (Special Use Permits) of this Title.

The PZBA finds that the special use should be recommended based on its findings regarding the standards set forth in Section 166.095(F), detailed below.

In accordance with its usual procedure and the additional directive of Section 166.025(E)(5)(I)(10), the PZBA considered the standards for making a special use recommendation to the City Council regarding adult-use cannabis dispensing organizations. The PZBA's findings for Section 166.095(F) are as follows:

1) 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 PZBA finds the former television sales and repair store has been uninhabited for a couple of years, and a new cannabis dispensary use will allow for the property to be revitalized and to bring much needed tax revenues to the city coffers. This new business will be brought up to all applicable codes. A new business will enhance the existing neighborhood.

2) 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 PZBA finds the special use will allow for the existing building to be inhabited again in a productive and meaningful manner. Safety protocols will be employed inside of the building and within the existing parking lots.

3) 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 PZBA finds that the existing building will not be further expanded upon in a physical manner but will be reinforced to comply with the state requirements associated with a cannabis dispensing business. The business will complement the variety of businesses within the neighborhood.

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

The PZBA finds the applicant will continue to use the same utilities, access roads, and existing drainage system for the existing building. The applicant intends to use a plethora parking lots to help mitigate the parking of vehicles associated with the cannabis dispensing business.

5) 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 PZBA finds the applicant will conform to the existing traffic pattern. A traffic report was created, and the report explained that a small, insignificant, amount of new traffic will be

Special Use

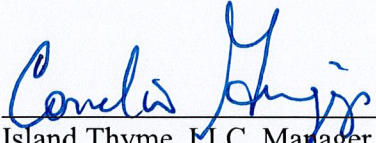
generated, but it would not create a hindrance to the neighborhood businesses and residences.

- 6) 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 Planning and Zoning Board of Appeals.**

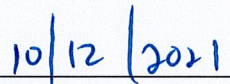
The PZBA finds the special use conforms with the requirements of the city. The applicant will comply with all city ordinances, including those that deal with parking, signage, trash, and property maintenance.

Based on the foregoing, the Planning and Zoning Board of Appeals recommends that the City Council approve a special use for Island Thyme, LLC to operate an "Adult-Use Cannabis Dispensing Organization" at 12720 S. Western Avenue, Blue Island, Illinois 60406.

ACKNOWLEDGMENT BY APPLICANT: THE UNDERSIGNED AUTHORIZED REPRESENTATIVES ACKNOWLEDGE THE CONDITIONS OF THIS ORDINANCE:



Island Thyme, LLC, Manager



Date