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

**ORDINANCE
NUMBER 2021-048**

**AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK
COUNTY, ILLINOIS, GRANTING A SPECIAL USE
PERMITTING JESSICA BLANCO/EL CORTEZ FOOD
SERVICES TO OPERATE WITHIN THE UPTOWN-TRANSIT
ORIENTED DEVELOPMENT (U-TOD) DISTRICT
(13414 OLDE 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- 048

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GRANTING A SPECIAL USE PERMITTING JESSICA BLANCO/EL CORTEZ FOOD
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DEVELOPMENT (U-TOD) DISTRICT
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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 Jessica Blanco/El Cortez Food Services (the “Applicant”) to allow within the Uptown-Transit Oriented Development (“U-TOD”) District an “artisanal” manufacturing business to make tortillas (the “Proposed Special Use”) on the property located at 13414 Olde 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 person’s 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 be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
4. 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.

5. 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.
6. 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;
7. 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
8. 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 U-TOD District.

Section 4. A special use, subject to the conditions set forth below, is hereby granted and issued to Jessica Blanco/El Cortez Food Services for an "artisanal" tortilla manufacturing use in the U-TOD District located at 13414 Olde 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 26th day of October, 2021, pursuant to roll call as follows:

	YES	NO	ABSENT	PRESENT	ABSTAIN
Alderman JOHNSON			X		
Alderman FAHRENWALD	X				
Alderman RITA	X				
Alderman MONTOYA	X				
Alderman MCGEE	X				
Alderman CARR	X				
Alderman ROLL	X				
Mayor BILOTTO					
	6		1		

APPROVED by the Mayor on October 26, 2021.

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

ATTESTED and Filed in my office this
26th day of October, 2021.

RAEANN CANELO-ZYLMAN, CITY CLERK

PUBLISHED in pamphlet form this
26th day of October, 2021.

RAEANN CANELO-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 26, 2021** the Corporate Authorities of such municipality passed and approved Ordinance No. **2021 - 048** Entitled:

AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS, GRANTING A SPECIAL USE PERMITTING JESSICA BLANCO/EL CORTEZ FOOD SERVICES TO OPERATE WITHIN THE UPTOWN-TRANSIT ORIENTED DEVELOPMENT (U-TOD) DISTRICT (13414 OLDE WESTERN AVENUE)

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

The pamphlet form of Ordinance No. **2021 - 048** including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance posted in the municipal building commencing on **October 26, 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 **26th** day of **October, 2021**.

CORPORATE SEAL

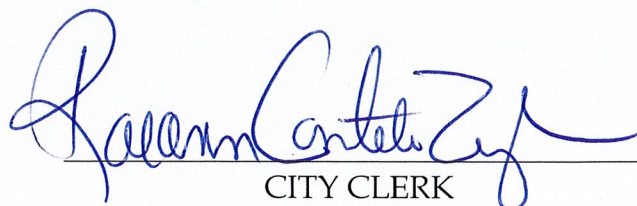

CITY CLERK

Exhibit A

Legal Description

ADDRESS: 13414 Olde Western Avenue, Blue Island, Illinois
PIN: 24-36-432-025

THE SOUTH 50 FEET OF THE NORTH 100 FEET OF THE EASTERLY 135 FEET OF LOT 6
IN BLOCK 21 IN ROBINSON'S ADDITION TO BLUE ISLAND AS PER MAP RECORDED
IN BOOK 133 OF MAPS, PAGE 97, BLUE ISLAND, IN SECTION 36, TOWNSHIP 37 NORTH,
RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

**ACKNOWLEDGMENT BY APPLICANT: THE UNDERSIGNED ACKNOWLEDGES
THE CONDITIONS OF THIS ORDINANCE:**

Jessica Blanco
El Cortez Food Services

Date



**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: Jessica Blanco/El Cortez Food Services
Property: 13414 Olde Western Avenue, Blue Island, IL 60406

On October 7, 2021, the Planning and Zoning Board of Appeals 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 “artisanal” tortilla manufacturing use within the Uptown-Transit Oriented Development (U-TOD) District of the City of Blue Island.

The PZBA considered the standards for making a special use recommendation pursuant to Section 166.095(F) and found as follows:

- 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 PZBA finds the additional zoning use will enhance the vitality of the existing business, and it will complement the existing sit-down restaurant. This new tortilla making business will be brought up to all applicable codes.

- 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 PZBA finds the special use will allow for the older building to be utilized in a better manner. The applicant wants create a niche tortilla making business that will allow for the business to create and deliver a viable food item for most Mexican-American restaurants to use in their meal preparations within the surrounding area.

- 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 PZBA finds that the existing building will not be further expanded upon in a physical manner. The applicant will have ample parking for its delivery trucks or vans, and will not add any additional vehicles onto city streets.

Special Use

- d) 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 an existing parking lot for its tortilla making business that it also shares with its sit-down restaurant.

- 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 PZBA finds the applicant will conform to the existing traffic pattern and will use an existing shared parking lot for its delivery trucks or vans.

- 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 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 that deals with parking, 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 Jessica Blanco/El Cortez Food Services to operate an "artisanal" tortilla manufacturing company at 13414 Olde Western Avenue, Blue Island, Illinois 60406.