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**THE VILLAGE OF SUMMIT  
COOK COUNTY, ILLINOIS**

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**ORDINANCE  
NUMBER 22-O-19**

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**AN ORDINANCE AMENDING CHAPTER 14 “ADDITIONAL REGULATIONS OF  
GENERAL APPLICABILITY” OF THE ZONING ORDINANCE OF THE VILLAGE OF  
SUMMIT (TITLE 11 OF THE VILLAGE CODE) TO CREATE TWO OVERLAY  
COMMERCIAL ZONING DISTRICTS**

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**SERGIO RODRIGUEZ, Village President  
COLLEEN LAMBERT, Village Clerk**

**MARVEL PARKER  
KAREN WASKO  
ALECO JULIUS  
SETKI DARDOVSKI  
MAYRA ORTIZ  
ARTHUR LEE SULLIVAN**

**TRUSTEES**

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for Village - 3318 West 95<sup>th</sup> Street - Evergreen Park, Illinois 60805**

**ORDINANCE NUMBER 22-O-19**

**AN ORDINANCE AMENDING CHAPTER 14 “ADDITIONAL REGULATIONS OF GENERAL APPLICABILITY” OF THE ZONING ORDINANCE OF THE VILLAGE OF SUMMIT (TITLE 11 OF THE VILLAGE CODE) TO CREATE TWO OVERLAY COMMERCIAL ZONING DISTRICTS**

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**WHEREAS**, the Village of Summit, Cook County, Illinois (the “*Village*”) is a home rule municipality pursuant to Section 6(a), Article VII of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, the Village may amend the text of the Zoning Ordinance of the Village of Summit from time to time to meet the changing needs of the Village; and

**WHEREAS**, the President and Board of Trustees (the “Corporate Authorities”) find it to be in the best interests of the health, safety, and welfare of its citizenry to amend Chapter 14 “Additional Regulations of General Applicability” of the Zoning Ordinance of the Village of Summit (Title 11 of the Village Code) to create two overlay Commercial Zoning Districts.

**NOW THEREFORE BE IT ORDAINED** by the President and Board of Trustees of the Village of Summit, Cook County, Illinois, by and through its home rule powers, as follows:

**SECTION 1:** That 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:** Chapter 14: Additional Regulations of General Applicability of the Zoning Ordinance of the Village of Summit (Title 11 of the Village Code) is hereby amended by adding the following subsection:

11-14-3 Overlay districts generally.

11-14-3-A Described. Overlay districts deal with special situations or accomplish specific Village goals that cannot be easily or efficiently addressed solely through the use of base districts. As the name implies, overlay districts “overlay” applicable base district classifications to alter some or all of the zoning regulations that apply to particular sites. Overlay districts are shown on the maps in the Official Zoning Map.

17-14-3-B Effect. Overlay district regulations supplement the zoning regulations of the applicable base district. When overlay district standards conflict with applicable base district standards or other regulations of this Zoning Ordinance, the regulations of the overlay district always govern. When no special overlay district standards are specified, the base district standards and all other applicable regulations of this Zoning Ordinance will govern.

**SECTION 3:** Chapter 14: Additional Regulations of General Applicability of the Zoning Ordinance of the Village of Summit (Title 11 of the Village Code) is hereby amended by adding the following subsection:

11-14-4 Archer Avenue/Road Corridor Overlay District.

11-14-4-A Purpose.

11-14-4-A-1 The Archer Avenue/Road Corridor Overlay district (AARCO) regulations supplement the zoning regulations that apply under a property's base zoning district. The general purpose and intent of the AARCO is to help:

a. foster commercial development in the future by allowing only commercial retail stores, commercial establishments, service establishments, and professional offices that generate sales tax revenues, maintain the Village’s property tax base, and allow for convenient locations for the

members of the public in surrounding and nearby neighborhoods to shop, dine, obtain services, and conduct business; and

b. allow only such uses in the future that generate sales tax revenues and that are not exempt from real property or sales taxes except for certain existing public and institutional zoned properties.

11-14-4-A-2 When these overlay district regulations conflict with applicable base district or other regulations of this Zoning Ordinance, the regulations of the overlay district shall govern. When no overlay district regulations are specified, the base district regulations and all other applicable regulations of this Zoning Ordinance govern, unless otherwise more specifically regulated, including, without limitation, by a planned development.

11-14-4-B Boundaries. The overlay district regulations of this Section 11-14-4 apply to all property within an area generally parallel and adjacent to Archer Avenue/Road on both sides from Harlem Avenue (the east Village boundary) moving east to west, and then moving northeast to southwest to the spur of the Baltimore and Ohio Railway (the southwest Village boundary). The boundaries of the AARCO shall include the territory on both sides of Archer Avenue/Road within the Village as follows: for the east-west portion of Archer Avenue/Road, the property on the north and south sides of Archer Avenue/Road up to and including the existing alley(s) parallel to Archer Avenue/Road and the line(s) of the alley(s) extended; for the northeast-southwest portion of Archer Avenue/Road, the property on the northwest and southeast sides of Archer Avenue/Road up to and including the existing alley(s) parallel to Archer Avenue/Road and the line(s) of the alley(s) extended.

11-14-4-C Uses. Existing properties within the AARCO are subject to the use regulations of the base zoning district. However, uses on property in the AARCO established after the effective

date of this ordinance may be only those uses permitted in the C-1 (Corridor Commercial), C-2 (Commercial Service), or MX (Mixed-Use) district classifications, **except as otherwise allowed by the Village Board.**

11-14-4-D Rezoning. Property in the AARCO may not be rezoned to any zoning district classification other than C-1 (Corridor Commercial), C-2 (Commercial Service), or MX (Mixed-Use), provided that this provision is not intended to prohibit approval of planned development (PD) zoning for projects that meet the mandatory or elective PD requirements of Section 11-5-4.

**SECTION 4:** Chapter 14: Additional Regulations of General Applicability of the Zoning Ordinance of the Village of Summit (Title 11 of the Village Code) is hereby amended by adding the following subsection:

11-14-5 Harlem Avenue Corridor Overlay District.

11-14-5-A Purpose.

11-14-5-A-1 The Harlem Avenue Corridor Overlay district (HACO) regulations supplement the zoning regulations that apply under a property's base zoning district. The general purpose and intent of the HACO is to help:

a. foster commercial development in the future by allowing only commercial retail stores, commercial establishments, service establishments, and professional offices that generate sales tax revenues, maintain the Village's property tax base, and allow for convenient locations for the members of the public in surrounding and nearby neighborhoods to shop, dine, obtain services, and conduct business; and

b. allow only such uses in the future that generate sales tax revenues and that are not exempt from real property or sales taxes except for certain existing public and institutional zoned properties.

11-14-5-A-2 When these overlay district regulations conflict with applicable base district or other regulations of this Zoning Ordinance, the regulations of the overlay district shall govern. When no overlay district regulations are specified, the base district regulations and all other applicable regulations of this Zoning Ordinance govern, unless otherwise more specifically regulated, including, without limitation, by a planned development.

11-14-5-B Boundaries. The overlay district regulations of this Section 11-14-5 apply to all property within an area generally parallel and adjacent to Harlem Avenue on its west side from its northern terminus in the Village at Interstate 55 (at the northeast Village boundary) to its southern terminus in the Village at Argo High School (at the southeast Village boundary). The boundaries of the HACO shall include the territory on the west side of Harlem Avenue within the Village up to and including the existing alley(s) parallel to Harlem Avenue and the line(s) of the alley(s) extended.

11-14-5-C Uses. Existing properties within the HACO are subject to the use regulations of the base zoning district. However, uses on property in the HACO established after the effective date of this ordinance may be only those uses permitted in the C-1 (Corridor Commercial), C-2 (Commercial Service), or MX (Mixed-Use) district classifications, **except as otherwise allowed by the Village Board.**

11-14-5-D Rezonings. Property in the HACO may not be rezoned to any zoning district classification other than C-1 (Corridor Commercial), C-2 (Commercial Service), or MX (Mixed-

Use), provided that this provision is not intended to prohibit approval of planned development (PD) zoning for projects that meet the mandatory or elective PD requirements of Section 11-5-4.

**SECTION 5:** That this Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as provided by law.

**SECTION 6:** That if any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance.

**SECTION 7:** That all ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

*(Intentionally left blank)*

**ADOPTED** by the President and Board of Trustees of the Village of Summit, Cook County, Illinois this 18<sup>th</sup> day of July 2022, pursuant to a roll call vote, as follows:

	YES	NO	ABSTAIN	ABSENT	PRESENT
PARKER	✓				
WASKO				✓	
JULIUS	✓				
DARDOVSKI	✓				
ORTIZ				✓	
SULLIVAN	✓				
PRESIDENT RODRIGUEZ					
TOTAL	4				

**APPROVED** by the President of the Village of Summit, Cook County, Illinois on this 18<sup>th</sup> day of July 2022.



SERGIO RODRIGUEZ  
VILLAGE PRESIDENT

ATTEST:



COLLEEN LAMBERT  
VILLAGE CLERK



**To: President Sergio Rodriguez and the Board of Trustees of the Village of Summit**

**From: Summit Zoning Board of Appeals**

**Date: June 14, 2022**

**Re: Findings and Recommendations on the Proposed Text Amendment to the Zoning Ordinance to Create two Overlay Zoning Districts in the Village of Summit**

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The Summit Zoning Board of Appeals held a duly noticed public hearing on June 7, 2022 at 6:30 P.M. Zoning Board Members present were Chairman McGowan, Secretary Anderson, Member Davila, Member Dinon, and Member Tichacek. Present also were Village Clerk Colleen Lambert and Village Attorney Jayman A. Avery III.

Pursuant to Section 11-15-2 of the Zoning Ordinance, the Zoning Board held a public hearing to consider a Text Amendment to the Zoning Ordinance of the Village of Summit regarding the creation of two Overlay Zoning Districts in the Village of Summit. There were no public comments. At the close of the public hearing, the Board voted (5) yes (0) no to recommend approval of this Text Amendment subject to the conditions contained herein.

The Board considered all relevant factors and determined that the proposed Text Amendment concerns a subject matter not currently authorized under the Zoning Ordinance. The Board found and specifically states that the proposed Text Amendment is in conformity with the Comprehensive Plan of the Village of Summit and is necessary and desirable to meet the challenges of a developing and changing condition and area of regulation.

The Zoning Board of Appeals thus recommends that the Village Board approve the Text Amendment with the following changes to the original draft that are included in the attached draft of the Text Amendment: 1) that "Archer Road" be added to the description of the Archer Avenue/Road corridor in several Sections of the Archer Avenue/Road Corridor Overlay District portion of the Text Amendment (Section 11-14-4).

Respectfully Submitted,

*/S/Jayman A. Avery III*

Village Attorney Jayman A. Avery III on  
behalf of the Zoning Board of Appeals

**ATTORNEY-CLIENT PRIVILEGED COMMUNICATION**