

Ordinance 2025-76

An Ordinance Granting a Special Permit for a Residential Planned Development (Northbrook Row – 1825 Shermer Road) (Plan Commission Docket No. 24-06)

Passed by the Board of Trustees, 11/11/2025
Printed and Published 11/12/2025

Printed and Published in Pamphlet Form
by Authority of the
President and Board of Trustees
VILLAGE OF NORTHBROOK
COOK COUNTY, ILLINOIS

I hereby certify that this document
was properly published on the date
stated above.

/s/ Derek Gau
Village Clerk

Ordinance 2025-76

BE IT ORDAINED by the Board of Trustees of the Village of Northbrook, County of Cook and State of Illinois, THAT:

An Ordinance Granting a Special Permit for a Residential Planned Development (Northbrook Row – 1825 Shermer Road) (Plan Commission Docket No. 24-06)

shall be, and is hereby, adopted as follows:

Section 1. BACKGROUND

1825 Shermer Road LLC, an affiliate of Lexington Homes ("**Applicant**"), is the owner of the property located at 1825 Shermer Road, Northbrook, IL ("**Property**"). The Applicant desires to develop the Property as a planned development consisting of 53 townhome residences ("**Planned Development**").

The Applicant has submitted an application to the Village requesting, among other relief, a special permit for a planned development and site plan approval ("**Requested Relief**"). The Property is currently located within the Village's I-1 Restricted Industrial District.

On November 11, 2025 the Board of Trustees of the Village ("**Corporate Authorities**") adopted Ordinance No. 25-75, rezoning the Property to the RLC Residential and Limited Commercial District, contingent upon the approval of a Final Planned Development Plan and Final Plat of Subdivision, and execution of a Subdivision and Development Agreement with the Village. The Corporate Authorities have determined that granting the Applicant the Requested Relief in accordance with the terms of this Ordinance is in the best interest of the Village and its residents.

The Architectural Control Commission ("**ACC**") reviewed the plans for the proposed construction of the Planned Development and recommended approval during its regular meeting on September 11, 2025.

The Board of Trustees hereby finds that it is in the best interest of the Village and the public to grant the Requested Relief in accordance with the Northbrook Zoning Code (1988), as amended ("**Zoning Code**"), and pursuant to the Village's home rule powers.

Section 2. DESCRIPTION PROPERTY

The Property consists of approximately 4.69 acres and is legally described in **Exhibit A**, attached to and, by this reference, made a part of this Ordinance.

Section 3. PUBLIC HEARING

A public hearing to consider the Requested Relief was duly advertised on September 18, 2025 in the *Northbrook Star* and was held at the Plan Commission's regular meetings on October 7, 2025 and October 21, 2025. On October 21, 2025, the Plan Commission formally adopted Resolution No. 25-PC-22 recommending approval of the Requested Relief.

Section 4. SPECIAL PERMIT FOR PLANNED DEVELOPMENT

Subject to and contingent upon the conditions, restrictions, and provisions set forth in Section 5 of this Ordinance, a Special Permit shall be, and is hereby, granted to the Applicant for a Residential Planned Development (SIC No. 9820.00) consisting of 53 townhome units in accordance with and pursuant to Sections 11-602 and 11-603 of the Zoning Code and the home rule powers of the Village of Northbrook.

Section 5. CONDITIONS

The special permit granted in Section 4 of this Ordinance shall be and is expressly conditioned upon the following. The special permit granted in Section 4 shall not be deemed or interpreted as authorizing or entitling the development or the improvement of the Property in any manner whatsoever unless and until the conditions set forth in Sections 5.A through 5.C are satisfied:

A. Approval of Development Concept Plan. Adoption by the Corporate Authorities, after the adoption of this Ordinance, of a Resolution approving the Development Concept Plan for the Planned Development.

B. Approval of Final Plan. Adoption by the Corporate Authorities of a Resolution approving a Final Plan for the Planned Development ("**Final Plan**") in accordance with and pursuant to Paragraph 11-603 D4 of the Zoning Code.

C. Execution of Subdivision and Development Agreement. Execution by the Applicant, or its successor entities or direct affiliates, upon approval of the Final Plan, of a subdivision and development agreement prepared by the Village and approved by the Village Attorney providing for the use and development of the Property in accordance with the Final Plan and other specified conditions and restrictions set forth in the subdivision and development agreement ("**Development Agreement**").

D. Compliance with Approvals. Development, use, and maintenance of the Property being in substantial compliance with the Final Plan and the Development Agreement, except for minor changes and site work approved by the Director of Development and Planning Services or the Village Engineer (for matters within their respective permitting authorities) in accordance with all applicable Village standards.

E. Affordable Housing. The Planned Development must be developed, operated, and maintained in accordance with and in compliance with the requirements of Part III of Article IX of the Zoning Code, entitled "Affordable Housing in New Developments," ("**Affordable Housing Requirements**"), including specifically:

1. Developing and offering eight affordable townhome units, one at Tier I and seven at Tier II, within the Planned Development as required by Section 9-304 of the Affordable Housing Requirements and as set forth in the Affordable Housing Compliance Plan approved by the Village for the Planned Development ("**Affordable Units**").
2. Marketing and management of the Affordable Units in accordance with the Affordable Housing Compliance Plan approved by the Village for the Planned Development, which Plan shall be incorporated into a restrictive covenant, in a form acceptable to the Village Attorney, to be recorded against the Property prior to the issuance of a certificate of occupancy for any townhome within the Planned Development ("**Affordable Housing Covenant**").

Section 6. FAILURE TO COMPLY WITH CONDITIONS

Upon failure or refusal of the Applicant or its successors in interest to the Property to comply with any or all of the conditions, restrictions or provisions of this Ordinance, the special permit granted in Section 4 of this Ordinance shall, at the sole discretion of the Corporate Authorities, by ordinance duly adopted, be revoked and become null and void; provided, however, that the Corporate Authorities may not so

revoke the special permit unless it shall first provide the Applicant, or its successors in interest to the Property, with two months advance written notice of the reasons for revocation, an opportunity to be heard at a regular meeting of the Corporate Authorities; and provided further that the Applicant or its successors in interest shall have 30 days after written notice of the reasons for revocation to cure the non-compliance or commence and diligently pursue appropriate measures to remedy the non-compliance if such non-compliance cannot be cured within said 30 days. In the event of revocation, the development and use of the Property shall be governed solely by the regulations of the RLC Residential and Limited Commercial District, as the same may, from time to time, be amended. Further, in the event of such revocation of the special permit, the Village Manager and Village Attorney are hereby authorized and directed to bring such zoning enforcement action as may be appropriate under the circumstances. The Applicant acknowledges on behalf of itself and its successors in interest to the Property that public notices and hearings have been held with respect to the adoption of this Ordinance, has considered the possibility of the revocation provided for in this Section, and agrees not to challenge any such revocation on the grounds of any procedural infirmity or any denial of any procedural right, provided that the notice and opportunity to cure required by this Section is given.

Section 7. AMENDMENT TO SPECIAL PERMIT

Any amendment to the special permit granted in Section 4 of this Ordinance that may be requested after the effective date of this Ordinance may be granted only pursuant to the procedures, and subject to the standards and limitations, provided in the Zoning Code for amendment of special permit uses.

Section 8. EFFECTIVE DATE

This Ordinance shall be effective only upon the occurrence of all of the following events:

- A. passage by the Corporate Authorities by a majority vote in the manner required by law;
- B. publication in pamphlet form in the manner required by law; and
- C. the effective date of an Ordinance Rezoning the Property at 1825 Shermer Road and Amending the District Zoning Map (1825 Shermer Road) (Plan Commission Docket No. PCD-24-06).

Adopted: 11/11/25

RESULT:	ADOPTED [4 – 0]
MOVER:	Johannah Hebl, Trustee
SECONDER:	Joy Ebhomielen, Trustee
AYES:	Israel, Hebl, Ebhomielen, Cassidy
NAYES:	None
ABSTAIN:	Kathryn Ciesla, President
ABSENT:	Heather Ross, Trustee and Michelle Kohler, Trustee

/s/ Kathryn Ciesla
Village President

ATTEST:

/s/ Derek Gau
Village Clerk

EXHIBIT A

CURRENT LEGAL DESCRIPTION

PARCEL 1:

LOT 2 (EXCEPT THE WEST 17 FEET DEDICATED FOR PUBLIC RIGHT OF WAY RECORDED AS DOCUMENT 22068921 ON SEPTEMBER 29, 1972) AND LOT 3 IN STANLEY SUBDIVISION IN THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS ON FEBRUARY 15, 1956 AS DOCUMENT LR1650762, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

NON-EXCLUSIVE, PERPETUAL EASEMENT FOR THE BENEFIT OF PARCEL 1 AS GRANTED IN GRANT OF STORMWATER DRAINAGE EASEMENT AND AGREEMENT RECORDED SEPTEMBER 26, 2003 AS DOCUMENT 0326945070 FOR THE RIGHT TO CONNECT TO AND USE THE STORMWATER MANAGEMENT FACILITIES FOR THE FLOW OF RUN-OFF WATER OVER AND UPON A PORTION OF LOTS 77, 78, 79, 80, 81, 82, 85, 88, 93 AND 94 IN SHERMER PLACE SUBDIVISION DESCRIBED ON EXHIBIT 'A' ATTACHED THERETO.

PERMANENT INDEX NUMBER: 04-15-102-002-0000 and 04-15-102-003-0000

Commonly known as 1825 Shermer Road, Northbrook, Illinois 60062