

ORDINANCE NO. O-25-02

AN ORDINANCE APPROVING A SPECIAL USE PERMIT TO ALLOW A SIT DOWN RESTAURANT AT 1209 B, N. ELMHURST RD., PROSPECT HEIGHTS, IL

WHEREAS, the City of Prospect Heights Zoning Ordinance requires a Special Use Permit to operate a sit down restaurant in the B-1 Retail Business Zoning District; and

WHEREAS, Maria Gonzalez, Tacos Los Gallillos, (Petitioner), has filed an application for a sit-down restaurant to be located at 1209 Unit B, N. Elmhurst Road, Prospect Heights, Illinois (the “Property”); and

WHEREAS, the Plan Zoning Board of Appeals (PZBA) held a public hearing on January 29, 2025 regarding said application; and

WHEREAS, the PZBA has found the application meets the standards for a special use and voted 5-0 to recommend approval of the special use to the City Council; and

WHEREAS, the Mayor and City Council have reviewed the documents pertinent to the application and the recommendations of the PZBA, concurs with the findings of the PZBA and finds that the standards for special use have been met;

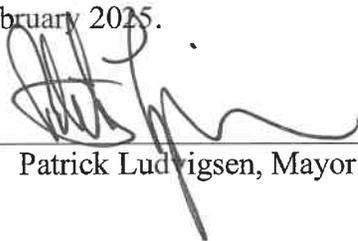
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PROSPECT HEIGHTS, COOK COUNTY, ILLINOIS as follows:

SECTION ONE. The City Council hereby finds and determines that the facts and conditions set forth in the preamble hereto are true, correct and appropriate and hereby adopt same as part of this Ordinance.

SECTION TWO. That a Special Use Permit is hereby granted for a sit-down restaurant on the Property and shall run with the use and not with the land.

SECTION THREE. That this Ordinance shall be in full force and effect from and after its passage and approval as required by law.

PASSED and **APPROVED** this 24th day of February 2025.



Patrick Ludvigsen, Mayor

ATTEST:



Lloyd Austin, Deputy Clerk

AYES: Cameron, Anderson, Morgan-Adams, Dast, Dolick

NAYS: None

ABSENT: None

Published in pamphlet form: February 25th, 2025





City of Prospect Heights

Department of Building & Zoning
 8 North Elmhurst Road, Prospect Heights Illinois, 60070-6070
 Office: 847/398-6070 x 211-FAX: 847/590-1854
www.prospect-heights.il.us

MEMORANDUM

Date: February 3, 2025

To: Mayor Ludvigsen and City Council

Cc: Joe Wade, City Administrator

From: Daniel A. Peterson, Director of Building & Development

Subject: ZBA Case No. #25- 01SU - Special Use for a Sit-Down Restaurant
 1209 B. N. Elmhurst Road, Prospect Heights, IL – Tacos Los Gallillos

ISSUE: Consideration of an Ordinance #O-25-02 approving a Special Use Permit for a Sit-Down Restaurant at 1209 Unit B, N. Elmhurst Road, Prospect Heights, IL 60070

BACKGROUND:

The PZBA held public hearings on January 29, 2025, to hear ZBA Case #25-01SU, an application for a Special Use Permit to allow a sit-down restaurant in the B1 Retail Business Zoning District. Maria Gonzalez, owner of Tacos Los Gallillos, lease holder of the unit and applicant presented the application and provided testimony as to the nature of the business and their plans for use of the vacant retail space. The applicant and her architect Jim Tinaglia provided testimony that they plan to operate a sit-down restaurant serving Mexican food. The applicant stated that she will not be seeking a liquor license.

The Plan Zoning Board of Appeals voted 5-0 to recommend approval of the Special Use Permit. Staff concur with the recommendation.

Applicant has requested a waiver of first reading. Staff concurs with the request.

RECOMMENDATION: Waive first reading and approve Ordinance #O-25-02 granting a Special Use Permit for a Sit Down Restaurant at 1209 Unit B, N. Elmhurst Rd., Prospect Heights, IL.



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MEMORANDUM

Date: January 3, 2025

To: Maciej Kempa – Chairman
Plan/Zoning Board Commissioners

From: Daniel A. Peterson, Director of Building & Development

Subject: ZBA Case No. 25-01 SU – 1209 N. Rand Rd. Unit B, Prospect Heights, IL
Special Use Permit for a sit-down restaurant

Please be advised that a Special Use Permit is required for a sit-down restaurant in the B-1 Retail District. The PZBA will conduct a Special Meeting to hold a public hearing on Wednesday January 29, 2025, to hear ZBA Case No. 25-01 SU.

The applicants, Maria Gonzalez, Tacos Los Gallillos, (Applicant) the lease tenant of 1209 N. Elmhurst Rd. Unit A. They are seeking approval for a sit-down restaurant build-out of a vacant 1,050 ± sq. ft. retail space. The parking classification per code is Class #16. Based upon the requirement for off-street parking, the restaurant would require 7 parking spaces. The existing parking lots in the front and side of the property appear to be adequate to accommodate the required parking demand of the center.

The applicants have indicated that they will not be seeking a liquor license.

Thank you.



FOR OFFICE USE ONLY:
 FEE PAID _____
 DATE _____
 RECV'D BY _____
 CASE # _____
 MEETING DATE _____

**PLAN/ZONING BOARD OF APPEALS
 APPLICATION**

Special use (\$400)
 Variation (\$150)
 Text Amendment (\$300)

Map Amendment (Refer to Ord. 0-03-18)
 Subdivision/PUD (Refer to Ord. 0-03-18)
 Lot Consolidation (Refer to Ord. 0-03-18)
 Appearance Review

In addition to the application fee a refundable deposit not <\$500 nor >\$5,000 shall be required for all zoning applications to offset the direct costs of the application incurred by the City. If costs exceed the available escrow balance applicant will be required to replenish account. If balance remains the money will be refunded or applied to any building permit cost. (Refer to Ord. 0-18-06: 5-10-7(D))

APPLICANT: Maria Gonzalez
 ADDRESS: 216 E. Wayne Place
Wheeling IL 60090

PHONE: (847) 732-5410

E-MAIL: Scorpy_1983@yahoo.com

ADDRESS OF SUBJECT PROPERTY: 1209 B N Elmhurst Rd

PROPERTY IS LOCATED IN THE BI - Retail District ZONING DISTRICT.

APPLICABLE SECTION OF ORDINANCE: 5-7-2C

DESCRIPTION OF REQUEST: _____

Are there any covenants, conditions, restrictions or floodplain issues concerning type of improvements, setbacks, area or height requirements, occupancy or use limitations, etc. placed on the property and now of record: YES _____ NO

If yes, please describe: _____

Has the property been the subject of previous or pending administrative legislative or court action: YES _____ NO If yes, give details: _____

The follow items MUST be submitted at time of filling:

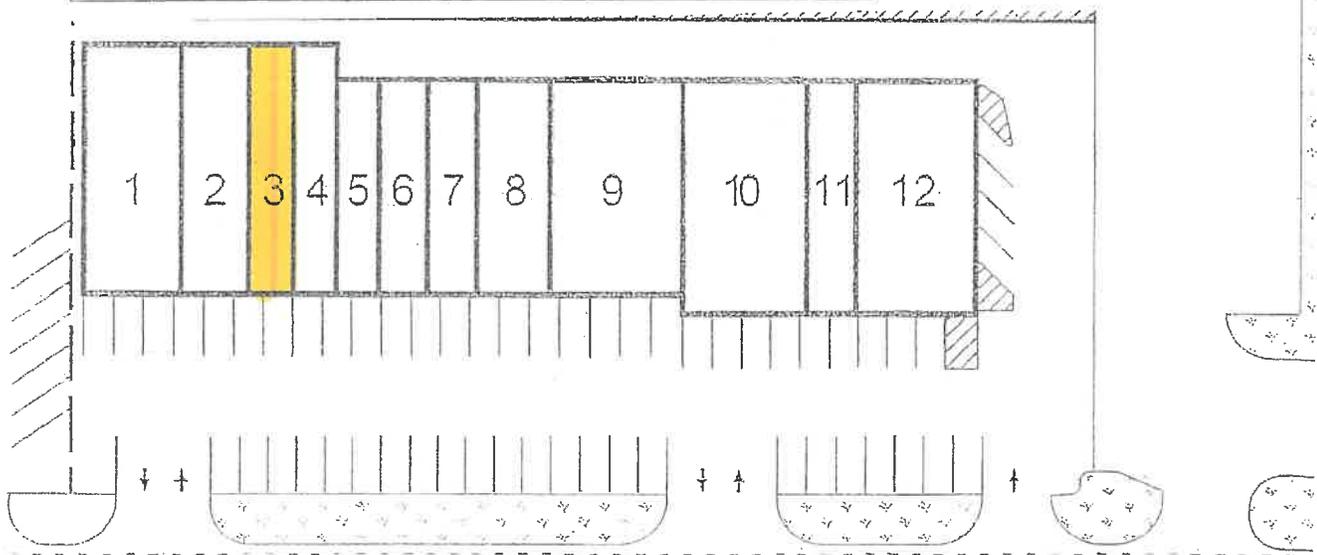
1. Application (12 copies)
2. Plat of Survey (12 copies) - must be drawn to scale and indicate the location of the proposed addition or construction and must contain the legal description of the property, along with additional information to support the application. (12 copies) *Note - please include one copy for file no longer than 11x17.
3. Proof of Ownership (1 copy)
4. Letter indicating Hardship (for variations only 12 copies)
5. Application Fee (cash or check made payable to: City of Prospect Heights)
6. Notice to Property Owners (1 copy) - will be supplied to you by the City of Prospect Heights.
7. List of Property Owners (1 copy) for Notice to Property Owners mailing - will be supplied to you by the City of Prospect Heights.

12/5/24
 Date:

Maria Gonzalez
 Signature of Applicant



Unit #	Address	sq. ft.	Type of business
1201A - 1213 N. Elmhurst Rd.			
1	1213	1,750	Vacant
2	1211	1,400	Papa John's Pizza
3	1209B	1,050	Mexican Restaurant
4	1209A	1,050	Subway
5	1207B	750	Love Boba Tea
6	1207A	1,050	Vacant
7	1205B	900	Z's Salon
8	1203		
9	1203	3900	Convenient Food and Beer
10	1201D	2,275	Spice Mantra, Indian Rest.
11	1201C	975	Vacant
12	1201B	975	T-Mobile
13	1201A	1,050	Stellas Gaming





Business Plan
Tacos Los Gallillos

Prepared by:

Ruben Delacruz, Maria Gonzalez

1209B N Elmhurst Road Prospect Heights, Illinois 60070

-Summary

Tacos Los Gallillos (referred to from hereon in as the "Company") is intended to be established as LLC at 1209B N Elmhurst Road, Prospect Heights, Illinois 60070 with the expectation of rapid expansion in the food industry. Ruben Delacruz has been in the industry for over 25 years. He is the chef at a Mexican restaurant and his love for what he does is what impulse us to start our own restaurant.

-Business Description

The Company shall be formed as LLC under Illinois state laws and headed by Ruben Delacruz and Maria Gonzalez. The restaurant will be operating seven days a week from 9.00am-8:30pm; serving delicious, traditional, home-style meal favorites.

-Business Mission

Our mission is to Provide the warm and friendly service expected from a family-style restaurant creating an informal, comfortable environment which will make the customers satisfied and want to return again!

-Industry Overview Summary

Research shows that consumers in this industry primarily focus on the following factors when making purchasing decisions:

- Delicious Food
- Good Customer Service
- A variety of menu offerings with a reasonably priced to establish credibility, but not so high as to limit customers.

-Business Goal

Repeat business. Every customer who comes in once should want to return, and recommend us

-Marketing Summary

The Company's major target markets are as follows

Good food, Variety, Good Customer Service

-Promotional Strategy

The Company will promote sales using the following methods

Online advertising, direct Mailings and print ads

-Services

First-rate service is intended to be the focus of the Company and of the brand's success. All clients are to receive upright, one-on-one, timely service in all capacities, be their transactions, conflicts or complaints. This service is expected to create a loyal brand following and return business.



TORTAS

CARNE ASADA (SKIRT STEAK)	\$ 8.50
POLLO (CHICKEN)	\$ 8.00
CARNITAS (FRIED PORK IN LARD)	\$ 8.00
PICADILLO (GROUND BEEF)	\$ 8.00
PASTOR (PORK IN PINEAPPLE JUICE)	\$ 8.00
MACHACA (STEAK & EGG)	\$ 8.50
CHORIZO (MEXICAN SAUSAGE)	\$ 8.00
LENGUA (TONGUE)	\$ 9.50
CHILE RELLENO (STUFFED PEPPER)	\$ 8.50
TILAPIA/CAMARON (FISH OR SHRIMP)	\$ 8.99
JAMON (HAM)	\$ 7.25
MILANEZA (BREADED CUTLET)	\$ 8.50
CHICHARRON (PORK RIND IN SAUCE)	\$ 8.00
VEGGIE	\$ 8.00

MENU

LOS GALLILLOS

DESAYUNO

HUEVOS CON CHORIZO	\$ 9.99
3 SCRAMBLED EGGS W/ MEXICAN SAUSAGE	
HUEVOS CON JAMON	\$ 9.99
3 SCRAMBLED EGGS WITH HAM	
CHILAQUILES	\$ 9.99
3 SCRAMBLED EGGS WITH TORTILLA CHIPS IN RED OR GREEN SALSA	
HUEVOS RANCHEROS	\$ 9.99
4 EGGS ON FRIED CORN TORTILLA COVERED IN SALSA	
HUEVOS A LA MEXICANA	\$ 9.99
4 SCRAMBLED EGGS WITH TOMATOES, ONIONS AND SALSA	
OMELETTE	\$ 9.99
filled with cut up tomatoes, onions, jalapeños	

TACOS

CARNE ASADA (SKIRT STEAK)	\$ 3.79
POLLO (CHICKEN)	\$ 3.50
CARNITAS (FRIED PORK IN LARD)	\$ 3.50
PICADILLO (GROUND BEEF)	\$ 3.50
PASTOR (PORK IN PINEAPPLE JUICE)	\$ 3.50
MACHACA (STEAK & EGG)	\$ 3.50
CHORIZO (MEXICAN SAUSAGE)	\$ 3.50
LENGUA (TONGUE)	\$ 4.00
CHILE RELLENO (STUFFED PEPPER)	\$ 3.75
TILAPIA/CAMARON (FISH OR SHRIMP)	\$ 3.79
CHICHARRON (PORK RIND IN SAUCE)	\$ 3.50
TACO VEGGIE	\$ 3.50

SIDES

ARROZ (RICE)	\$ 2.49
FRIOLES (BEANS)	\$ 2.49
COMBO (RICE & BEANS)	\$ 3.99
CHIPS & SALSA (RED OR GREEN)	\$ 4.99
GUACAMOLE (PRICE VARIES)	\$ 7.99
AVOCADO	\$ 0.75
CHILES TOREADOS (FRIED PEPPERS)	\$ 0.75
CREMA (SOUR CREAM)	\$ 0.75
PICO DE GALLO	\$ 5.99

BURRITOS

CARNE ASADA (SKIRT STEAK)	\$ 8.50
POLLO (CHICKEN)	\$ 8.00
CARNITAS (FRIED PORK IN LARD)	\$ 8.00
PICADILLO (GROUND BEEF)	\$ 8.00
PASTOR (PORK IN PINEAPPLE JUICE)	\$ 8.00
MACHACA (STEAK & EGG)	\$ 8.50
CHORIZO (MEXICAN SAUSAGE)	\$ 8.00
LENGUA (TONGUE)	\$ 9.99
CHILE RELLENO (STUFFED PEPPER)	\$ 8.50
TALAPIA/CAMARON (FISH OR SHRIMP)	\$ 8.50
VEGGIE	\$ 8.00

DRINKS

AGUAS FRESCAS	Md. \$3.50
horchata, tamarindo and Jamaica	Lg. \$4.50
MEXICAN GLASS BOTTLES	\$ 3.29
Coke, Jarritos	
POP CANS	\$ 1.49
Coke, Diet Coke, Pepsi, Diet Pepsi, Sprite, Dr. Pepper	
PLASTIC BOTTLE DRINKS	\$ 2.99
Snapple, Squirt, Sunkist, Diet Coke, Pepsi, Mountain Dew	
BOTTLE WATER	\$ 1.49
GATORADE	\$ 2.99

DINNERS

(served with side of rice and beans or French fries)

FAJITAS	\$ 13.99
chicken, steak, shrimp or mixed	Shrimp \$ 15.99
with sautéed peppers and onion	Mix \$ 15.99

TINGA	\$ 12.49
chicken w/ sautéed onion in chipotle sauce	

ENCHILADAS (3)	\$ 12.99
tortilla rolled around chicken, covered in sauce	Steak \$ 14.99

CHILE RELLENO	\$ 13.99
pepper stuffed with cheese covered in savory tomato sauce	

BISTEC A LA MEXICANA	\$ 13.99
steak strips mixed with jalapeños, onion and tomato	

FILETE DE PESCADO	\$ 12.99
tilapia covered in sautéed tomatoes, onions, cilantro, and lime juice	

QUESADILLA DINNER	\$ 11.99
plain or filled with chicken or steak	Meat \$13.50

FLAUTA DINNER	\$ 12.99
flute shaped fried tacos filled with chicken or potato w/ cheese	

CHIMICHANGA	\$ 12.99
fried burrito	

CAMARONES A LA DIABLA	\$ 15.99
shrimp cooked in spicy sauce made out of dried peppers and tomatoes	

MACHACA DINNER	\$ 13.99
steak and egg	

SPECIALS

(side of rice and beans or French fries and one pop can)

\$ 11.99	
TACO DINNER (2)	• steak..... \$12.25
	• chicken
	• fried pork
	• ground beef
	• sausage
	• pastor
	• chicharron
TORTA DINNER	
BURRITO DINNER	

EXTRAS

TAMALES	\$ 2.50
steamed corn dough wrapped in corn husk, filled with chicken/pork mixed in red or green salsa	

SOPES	\$ 3.99
fried corn dough topped with steak, chicken, pastor, chorizo or tinga	Steak \$4.50

SOPA	Md. \$4.99
mexican homemade soup	Lg. \$5.99

COCKTAIL	\$ 13.99
cooked shrimp in sweet/spicy tomato juice topped with tomato, onion, cilantro and avocado	

QUESADILLA	Lg. \$4.99
plain, chicken, or steak	Meat \$6.50

PAPAS SUPRENE	\$ 11.99
french fries topped with melted cheddar cheese, steak/chicken or pastor, cilantro, onion, tomato, guacamole and sour cream	

PAPAS (french fries)	\$ 3.50
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PAPAS CON QUESO	\$ 4.50
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NACHOS	\$ 4.99
corn chips topped with melted cheese	

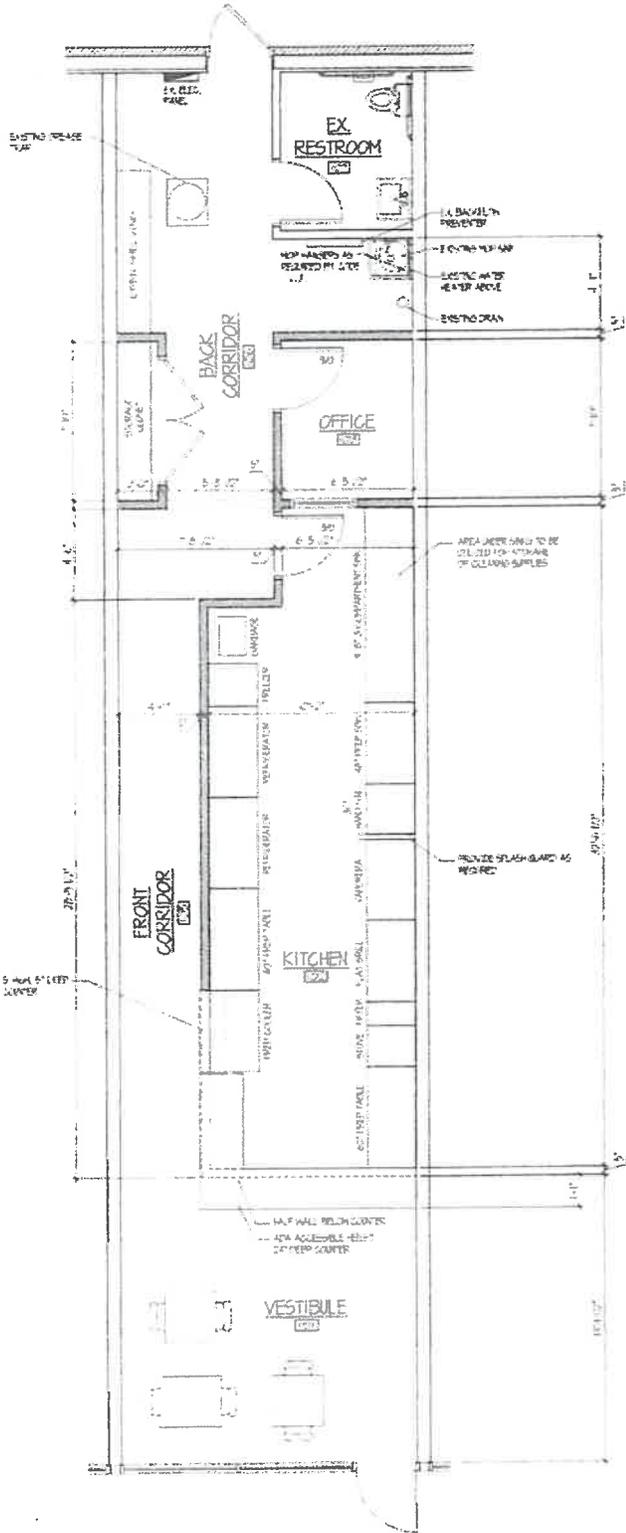
HOT CHEETOS CON QUESO	\$ 4.50
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DORITOS CON QUESO	\$ 4.50
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ELOTES	\$ 4.50
corn in a cup	

CHURROS	\$ 3.00
plain, vanilla, chocolate, strawberry	

tabbles[®]
EXHIBIT
7
 25-4 SU



TRAVELA ARCHITECTURE
 514 N. NORTH STREET, SUITE 100
 ARLINGTON, VIRGINIA 22201
 PHONE: 703.253.0002
 FAX: 703.253.0003
 WWW.TRAVELA.COM



MARIA GONZALEZ
 2156 AARON PLACE
 ARLINGTON, VA 22202

RESTAURANT BUILD-OUT
 2550 E. HUNTERS ROAD
 PROSPECT HEIGHTS, VA 22070

PROPOSED FLOOR PLANS

NO.	DATE	BY	CHKD

PROJECT NO. **424824**

SHEET NO. **2P**

PROPOSED ARCHITECTURAL FLOOR PLAN

SCALE: 1/4" = 1'-0"





Zoning Review

Date: December 30, 2024
 Reviewer: Daniel A. Peterson, Director of Building & Development
 Applicant: City of Prospect Heights
 Subject Property: 1209 B N. Elmhurst Rd., Prospect heights, IL 60070
 Application: ZBA 25-01 SU
 Special Use Permit for Sit Down Restaurant in the B-2A General Commercial District
 Project: Maria Gonzalez, Los Gallos Mexican Restaurant

Documents Reviewed:

- A. Application prepared by Maria Gonzalez
- B. Plat of Survey dated 1987
- C. Business Plan, menu, floor plan

Applicable Zoning Code Sections: Special Uses: 5-10-9 and 5-7-2 C

Current Zoning: B-1
 Proposed: B-1

Current Use: Vacant Retail Space
 Proposed: Sit Down Restaurant
 Unit Area ±: 1,050 ± sq. ft.

Parking: Class 16. Ten (10) spaces per 700 sf. = 7 spaces required.

5-10-9: SPECIAL USES:

A. Authorization: The locations, construction, extension, or structural alteration of any use for which a special use permit is required pursuant to the provisions of this title may be authorized by a permit issued by the corporate authorities, subject to the standards set forth herein, and such conditions as may be imposed pursuant to this chapter. Prior to such authorization, a public hearing shall be held and a published notice shall be given, in the manner prescribed for amendments by this title.

B. Application For Special Use: Any person owning or having interest in the subject property may file an application to use such land for one or more of the special uses provided for in this title in the zoning district in which the land is situated.

Response: The applicants, Maria Gonzalez and her husband have a lease interest in the space and have the right to apply for the Special Use Permit to operate a sit down restaurant. They are occupying a space that was vacated after the fire in 2023.

C. Notice Of Hearing: The same procedure for notice of hearing as required for variations (subsection 5-10-8D of this chapter) shall be followed for special use. (Ord. 0-77-27, 7-18-1977)

Response: Notice was published and has met the notice requirements.

D. Notice To Property Owners: The petitioner for a special use permit shall notify all property owners within three hundred fifty feet (350'), excluding public land and rights of way, but in no event more than four hundred fifty feet (450'), in each direction of the petitioner's property lines, by certified mail or individual notice executed by said property owners, of the date, hour and location of the public hearing and the special use requested. Such notice shall be in the same form as the published public notice and shall be mailed or delivered and executed not less than fifteen (15) and not more than thirty (30) days prior to the date of the public hearing. The owners to be notified are such persons or entities which appear in the authentic tax records of Cook County. Proof of notification shall be submitted by the petitioner to the plan/zoning board of appeals no later than the day of the public hearing. (Ord. 0-06-35, 8-21-2006)

Response: Notice has been mailed to the property owners with three hundred fifty (350') of the subject property as required. Certified mail white receipts proof of mailing received from applicant.

E. Standards: No special use shall be recommended by the plan/zoning board of appeals unless said board shall find: (Ord. 0-77-27, 7-18-1977; amd. Ord. 0-03-35, 9-15-2003)

1. That the establishment, maintenance or operation of the special use will not be unreasonably detrimental to or endanger the public health, safety, morals, comfort or general welfare.

Response: The applicant is proposing a open sit down restaurant serving Mexican family restaurant and carry-out. See business plan and exhibits that includes the proposed floor plan and menu. The restaurant will staff 4-5 employees.

2. That the special use will not be injurious to the use and enjoyment of other property in the community for the purposes already permitted, nor diminish and impair property values within the community.

Response: A special use for a sit down restaurant is consistent with similar restaurants in the B-1 Retail Business District and will not diminish or impair property values with the community.

3. That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

Response: The proposed special use is consistent with a special use on the lot and is in keeping with the City's master plan.

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

Response: The special use is for an existing vacant space and all improvements are currently provided. Applicants will complete a full remodel with commercial kitchen equipment.

5. That adequate measures have been or will be taken to provide ingress or egress so designed to minimize traffic congestion in the public streets. (Ord. 0-77-27, 7-18-1977)

Response: Complies. There is adequate space on the property to accommodate the parking needs of the proposed restaurant and the existing uses on the property.

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 plan/zoning board of appeals. (Ord. 0-77-27, 7-18-1977; amd. Ord. 0-03-35, 9-15-2003)

Response: The special use application conforms to the applicable regulations of the B-1 Retail Business District.

7. That the area described in the petition does not lie wholly or partly in floodplain, as defined by the flood control ordinances of the city; or, if it does lie wholly or partly within the floodplain, that adequate provisions for storage, runoff control and floodwater retention, as appropriate, have been made.

Response: The property does not lie within a floodplain.

F. Conditions And Standards: Prior to granting any special use, the board may recommend, and the city council shall stipulate, such conditions and restrictions upon the establishment, location, construction, maintenance and operation of the special use as deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified herein, or as may be from time to time required. (Ord. 0-77-27, 7-18-1977)

Conclusion:

The application meets the standards of a special use for as a sit down restaurant. The applicant is not seeking a liquor license.

Staff supports the request.

