

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE APPROVING A SPECIAL USE FOR AN AUTOMOBILE SALES AND/OR LEASING BUSINESS AND AN AUTOMOBILE BODY REPAIRING/ PAINTING BUSINESS, AND VARIATIONS FROM THE CREST HILL ZONING ORDINANCE WITH RESPECT TO CERTAIN REAL PROPERTY LOCATED AT 1923 N. BROADWAY STREET IN CREST HILL, ILLINOIS (APPLICATION OF FRANCISCO MARTINEZ TREJO)**

**WHEREAS**, the Illinois Municipal Code, 65 ILCS 5/11-13-5 (the “Code”) authorizes the corporate authorities to vary the application of its local zoning requirements “in harmony with their general purpose and intent and in accordance with general or specific rules therein contained in cases where there are practical difficulties or particular hardship in the way of carrying out the strict letter of any of those regulations relating to the use, construction, or alteration of buildings or structures or the use of land;” and

**WHEREAS**, the Code states that special use and variation requests shall be permitted only upon the finding of certain requirements listed in the Code; and

**WHEREAS**, the City has enacted procedures, requirements, and standards for Special Use in Section 12.7-6 of the Crest Hill Zoning Ordinance; and

**WHEREAS**, the City of Crest Hill (“City”) has enacted procedures, requirements, and standards for Variations from its zoning requirements in Section 12.6-2 of the Crest Hill Zoning Ordinance; and

**WHEREAS**, Francisco Martinez Trejo (the “Applicant”) is the owner of the real property located at 1923 N Broadway Street in the City of Crest Hill, Illinois, bearing PIN 11-04-33-402-014-0000 which is legally described in Exhibit 1 of the attached Exhibit A (the “Property”); and

**WHEREAS**, the Applicant has filed an application requesting approval of an amended Special Use for an Automobile Sales and/or Leasing business and an Automobile Body Repairing/Painting business, and Variations from Section 11.8 Schedule of Parking Requirements of the Crest Hill Zoning Ordinance to decrease required parking spaces for both Automobile Sales and/or Leasing business and Automobile Body Repairing/Painting business (the “Application”); and

**WHEREAS**, Ordinance 1499 was passed by the Crest Hill City Council on August 3, 2009, approving a Special Use to operate an Automobile Sales and/or Leasing business and an Automobile Body Repairing business on the Property; and

**WHEREAS**, the Crest Hill Plan Commission, after proper notice thereof given, conducted a public hearing on the Application on April 9, 2026; and

**WHEREAS**, based on the evidence presented at the public hearing and upon making the following findings, which are more fully detailed in the Findings and Decision attached hereto as Exhibit A, the Plan Commission recommended unanimous but conditional approval of the requested amended Special Use and Variations outlined in Exhibit 2 of attached Exhibit A at its April 9, 2026, meeting:

- A. The Special Use, and Variations are in harmony with the general purpose and intent of the Zoning Ordinance; and
- B. The establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, or general welfare, and 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; and
- C. The plight of the Applicant is due to unique circumstances and thus strict enforcement of the Crest Hill Zoning Ordinance would result in practical difficulties or impose exceptional hardships due to the special and unusual conditions that are not generally found on other properties in the same zoning district; and
- D. The Property cannot yield a reasonable return for the proposed commercial uses if permitted to be used only under the conditions allowed by the Zoning Ordinance; and
- E. The Special Use, and Variations, if granted, will not alter the essential character of the locality and will not be a substantial detriment to adjacent properties; and

**WHEREAS**, the Plan Commission's recommendation to approve the amended Special Use and Variations listed in Exhibit 2 of attached Exhibit A was made subject to the project being implemented in substantial conformance with the ten (10) conditions for approval and the application documents referenced in the April 9, 2026, Community Development Department Staff Report attached hereto as Exhibit 3 of attached Exhibit A (the "Staff Report"); and

**WHEREAS**, the City Council has examined the April 9, 2026, Findings and Decision of the Plan Commission and has considered the presentations and arguments of the Applicant in a regularly scheduled open meeting; and

**WHEREAS**, the City Council finds that it is in the best interests of the City that the recommendation of the Plan Commission be adopted and that the Application be granted subject to the project being implemented in substantial conformance with the ten (10) conditions for approval and application documents referenced in the Staff Report; and

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Crest Hill, Will County, Illinois, as follows:

**SECTION 1:** The Preambles of this Ordinance are incorporated herein by reference.

**SECTION 2:** That the City Council hereby adopts and ratifies the Findings and Decision of the Plan Commission, attached hereto and incorporated by reference herein as Exhibit A, as the findings and decision of the City Council in relation to the Application.

**SECTION 3:** The amended Special Use and requested Variations listed in Exhibit 2 of the attached Exhibit A are hereby granted and approved subject to the project being implemented in substantial conformance with the following ten (10) conditions for approval and application documents referenced in the April 9, 2026, Community Development Staff Report for Plan Commission Case #SU-26-4-4-2, and Case #V-26-4-4-2:

1. The applicant shall apply for a building permit for interior renovation for the Automobile Body Repairing/Painting business within thirty (30) days following the approval of the amended Special Use permit.
2. The applicant shall complete all proposed interior and exterior improvements in accordance with the plans as presented, within seven (7) months following the approval of the amended Special Use permit.
3. For the Automobile Sales and/or Leasing business, a maximum of three (3) motor vehicles shall be permitted for display in the striped parking area of the northeast parking lot, facing Broadway Street. Motor vehicles for retail sale may remain in such parking spaces after the regular business hours of the Automobile Sales and/or Leasing business.
4. The west side of the northeast parking lot shall be limited to customer and employee parking and shall not have motor vehicles parked thereon after the regular business hours of the Automobile Sales and/or Leasing business.
5. The northwest parking lot shall have a maximum of five (5) parking spaces designated/striped for the parking of automobiles associated with the Automobile Body Repairing/Painting business.
6. There shall be no off-street parking other than as specified in the Conditions for Approval.
7. There shall be no tarped motor vehicles located in any of the designated parking areas or upon any outside location on the Subject Property.
8. There shall be no outside repair of motor vehicles on the Subject Property.
9. Hours of operation for the Automobile Body Repairing/Painting business shall be limited to Monday – Friday 9:00 AM – 7:00 PM, Saturday 9:00 AM – 6:00 PM, and Sunday closed.
10. Hours of operation for the Automobile Sales and/or Leasing business shall be limited to Monday- Saturday 9:00am-6:00pm and Sunday closed.

**SECTION 4:** This Ordinance shall become effective only upon the Applicant executing and submitting to the City the Unconditional Agreement and Consent attached hereto as Exhibit 4 of the attached Exhibit A, within 60 days of the passage of this Ordinance. If the Unconditional Agreement and Consent is not executed within 60 days, this Ordinance shall have no force and effect and shall be subject to repeal by the City Council without further notice or hearing due to the Applicant.

**SECTION 5:** The City Clerk is hereby authorized and directed to record a copy of this Ordinance against the Subject Property, and further to annotate the amended Special Use permit granted hereby on the Crest Hill Official Zoning Map.

**SECTION 6:** This Ordinance shall take effect upon its passage according to law.

*[Left Intentionally Blank]*

PASSED THIS 4<sup>TH</sup> DAY OF MAY, 2026

	Aye	Nay	Absent	Abstain
Alderman Scott Dyke	_____	_____	_____	_____
Alderman Angelo Deserio	_____	_____	_____	_____
Alderwoman Claudia Gazal	_____	_____	_____	_____
Alderman Darrell Jefferson	_____	_____	_____	_____
Alderperson Tina Oberlin	_____	_____	_____	_____
Alderman Mark Cipiti	_____	_____	_____	_____
Alderman Nate Albert	_____	_____	_____	_____
Alderman Joe Kubal	_____	_____	_____	_____
Mayor Raymond R. Soliman	_____	_____	_____	_____

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Christine Vershay-Hall, City Clerk

APPROVED THIS 4<sup>TH</sup> DAY OF MAY, 2026.

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Raymond R Soliman, Mayor

ATTEST:

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Christine Vershay-Hall, City Clerk

## EXHIBIT A

**FINDINGS AND DECISION OF THE  
PLAN COMMISSION AS TO CASE NO. SU-26-4-4-2, AND CASE NO. V-26-4-4-2  
APPLICATION OF FRANCISCO MARTINEZ TREJO FOR AN AMENDED SPECIAL USE  
PERMIT FOR AN AUTOMOBILE SALES AND/OR LEASING BUSINESS AND AN  
AUTOMOBILE BODY REPAIRING/PAINTING BUSINESS, AND VARIATIONS FROM THE  
CREST HILL ZONING ORDINANCE ON PROPERTY LOCATED AT 1923 N. BROADWAY  
STREET IN THE CITY OF CREST HILL, ILLINOIS.**

THIS APPLICATION, coming before the Plan Commission for hearing and decision, and the Plan Commission having heard the evidence in support and opposition to the application at a regularly scheduled meeting held on April 9, 2026, being fully advised on the premises, THE COMMISSION DOES MAKE THE FOLLOWING FINDINGS:

A. That the applicant, Francisco Martinez Trejo is the owner of the real property located at 1923 N. Broadway Street in the City of Crest Hill, Illinois, bearing PIN 11-04-33-402-014-0000;

B. That the Application seeks approval of an amended Special Use permit for an Automobile Sales and/or Leasing business and an Automobile Body Repairing/Painting business, and Variations from the Crest Hill Zoning Ordinance for the property described in the application, commonly known as 1923 N. Broadway Street in Crest Hill, Illinois (the "Property"), with PIN 11-04-33-402-014-0000, which is legally described in Exhibit A-1, attached hereto and incorporated herein by reference;

C. That the Application seeks approval of Variations from Section 11.8 Schedule of Parking Requirements of the Crest Hill Zoning Ordinance to decrease required parking spaces for both Automobile Sales and/or Leasing business and Automobile Body Repairing/Painting business;

D. That the Property is zoned B-3;

E. That the Application was properly submitted and notice of the Application and the public hearing were properly made;

F. That no interested parties filed their written appearance herein;

G. That the public hearing was opened and called to order on April 9, 2026, and the applicant presented evidence and arguments in support of its application on April 9, 2026;

H. That the rules adopted by the Plan Commission for the conduct of public hearings by the Plan Commission were duly followed and observed;

I. That the proposed amended Special Use permit for an Automobile Sales and/or Leasing business and an Automobile Body Repairing/Painting business, and requested Variations request as considered under section 12.7 of the Zoning Ordinance, meet the six (6) standards for Special Use under section 12.7-6, and the three (3) standards for the granting of a Variation under Section 12.6-2 as well as the supplemental considerations set forth in subsections 12.6-2(1)-(8) of the Zoning Ordinance;

**THEREFORE, IT IS THE DECISION OF THE PLAN COMMISSION OF THE CITY OF CREST HILL, ILLINOIS, BASED UPON THE EVIDENCE HEARD BY SAME AND ARGUMENTS AND SUGGESTIONS HEARD AT THE PUBLIC HEARING, AND HAVING DULY CONSIDERED THE MANDATES AND STANDARDS AS SET FORTH IN THE CITY OF CREST HILL, ILLINOIS ZONING ORDINANCE FOR THE GRANTING OF SPECIAL USE PERMIT AND VARIATIONS AS FOLLOWS:**

1. That the approval of the application of Francisco Martinez Trejo for an amended Special Use permit for an Automobile Sales and/or Leasing business and an Automobile Body Repairing/Painting business, and Variations as listed in attached Exhibit A-2 for the Property located at 1923 N Broadway Street in Crest Hill, Illinois with PIN 11-04-33-402-014-0000 is supported by the evidence adduced;

2. It is therefore the recommendation of the City of Crest Hill Plan Commission that the application for the amended Special Use permit for an Automobile Sales and/or Leasing business and an Automobile Body Repairing/Painting business, and Variations request be granted subject to the project being implemented in substantial conformance with the following ten (10) conditions for approval and application documents referenced in the April 9, 2026, Community Development Staff Report for this request, as follows:

1. The applicant shall apply for a building permit for interior renovation for the Automobile Body Repairing/Painting business within thirty (30) days following the approval of the amended Special Use permit.
2. The applicant shall complete all proposed interior and exterior improvements in accordance with the plans as presented, within seven (7) months following the approval of the amended Special Use permit.
3. For the Automobile Sales and/or Leasing business, a maximum of three (3) motor vehicles shall be permitted for display in the striped parking area of the northeast parking lot, facing Broadway Street. Motor vehicles for retail sale may remain in such parking spaces after the regular business hours of the Automobile Sales and/or Leasing business.
4. The west side of the northeast parking lot shall be limited to customer and employee parking and shall not have motor vehicles parked thereon after the regular business hours of the Automobile Sales and/or Leasing business.
5. The northwest parking lot shall have a maximum of five (5) parking spaces designated/striped for the parking of automobiles associated with the Automobile Body Repairing/Painting business.
6. There shall be no off-street parking other than as specified in the Conditions for Approval.
7. There shall be no tarped motor vehicles located in any of the designated parking areas or upon any outside location on the Subject Property.
8. There shall be no outside repair of motor vehicles on the Subject Property.
9. Hours of operation for the Automobile Body Repairing/Painting business shall be limited to Monday – Friday 9:00 AM – 7:00 PM, Saturday 9:00 AM – 6:00 PM, and Sunday closed.

10. Hours of operation for the Automobile Sales and/or Leasing business shall be limited to Monday- Saturday 9:00am-6:00pm and Sunday closed.

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Adopted by the Plan Commission of the City of Crest Hill, Illinois, this 9<sup>th</sup> Day of April, 2026 upon the following voice vote:

	Aye	Nay	Absent	Abstain
Commissioner Bill Thomas	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Commissioner Ken Carroll	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Commissioner Cheryl Slabozeski	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Commissioner Gordon Butler	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Commissioner Marty Flynn	<u>      </u>	<u>      </u>	<u>  X  </u>	<u>      </u>
Commissioner Jeff Peterson	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>
Commissioner John Stanton	<u>  X  </u>	<u>      </u>	<u>      </u>	<u>      </u>

Approved:

\_\_\_\_\_  
Bill Thomas, Chairman

Attest:

\_\_\_\_\_  
Christine Vershay-Hall, City Clerk

## EXHIBIT A-1

### LEGAL DESCRIPTION

PROPERTY ADDRESS: 1923 N. BROADWAY STREET, CREST HILL, IL, 60403

PERMANENT INDEX NO: 11-04-33-402-014-0000

#### LEGAL DESCRIPTION:

LOT 61, EXCEPT THAT PART DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 61, THENCE ON AN ASSUMED BEARING OF SOUTH 05 DEGREES 31 MINUTES 20 SECONDS WEST 9.27 FEET, ALONG THE EASTERLY LINE OF SAID LOT 61, TO A 5/8" REBAR WITH AN ALLIED CAP STAMPED "STATE OF ILLINOIS DIVISION OF HIGHWAYS RIGHT-OF-WAY CORNER IPLS 2017", THENCE NORTH 44 DEGREES 08 MINUTES 35 SECONDS WEST 13.22 FEET, TO A 5/8" REBAR WITH AN ALLIED CAP STAMPED "STATE OF ILLINOIS DIVISION OF HIGHWAYS RIGHT-OF-WAY CORNER IPLS 2017", THENCE SOUTH 88 DEGREES 32 MINUTES 58 SECONDS EAST 10.10 FEET, ALONG SAID NORTHERLY LINE OF LOT 61, TO THE POINT OF BEGINNING, AN ALL OF LOTS 62 AND 63 IN STERN PARK, A SUBDIVISION OF PART OF THE SOUTH HALF OF SECTION 33, TOWNSHIP 36 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 30, 1916, AS DOCUMENT NO. 299218, IN WILL COUNTY, ILLINOIS.

## EXHIBIT A-2

### 1923 N. BROADWAY STREET - LIST OF REQUESTED VARIATIONS

#### **Crest Hill Zoning Ordinance, Section 11.8 Schedule of Parking Requirements, Sub-Section 11.8-2 Retail and Service Uses:**

n. Automobile Sales and/or Leasing: One (1) parking space shall be provided for each three hundred (300) square feet of floor area, *i.e.*, *5 parking spaces. 3 parking spaces (including one ADA parking) are proposed for the Automobile Sales and/or Leasing business (excluding three parking spaces for the vehicle display).*

o. Automobile Body Repairing/Painting: Four (4) parking spaces shall be provided for each service bay, plus one (1) space per employee for the work shift with the largest number of employees. *i.e.*, *14 parking spaces. 6 parking spaces (including one ADA parking) are proposed for the Automobile Body Repairing/Painting business.*

## EXHIBIT A-3

April 9, 2026 Community Development Department Staff Report

## EXHIBIT A-4

### UNCONDITIONAL AGREEMENT AND CONSENT

TO: The City of Crest Hill, Illinois ("**City**");

**WHEREAS**, FRANCISCO MARTINEZ TREJO is the owner of the real property located at 1923 N. Broadway Street in the City of Crest Hill, Illinois, bearing PIN 11-04-33-402-014-0000 (the "Subject Property") and has applied for and been granted an amended Special Use permit for an Automobile Sales and/or Leasing business and an Automobile Body Repairing/Painting business, and certain Variations from the City of Crest Hill Zoning Ordinance; and

**WHEREAS**, Ordinance No. \_\_\_\_\_, approved and passed by the Crest Hill City Council on May 4, 2026, ("the **Ordinance**"), approved an amended Special Use permit for an Automobile Sales and/or Leasing business and an Automobile Body Repairing/Painting business, and certain Variations from the City of Crest Hill Zoning Ordinance, subject to ten (10) conditions; and

**WHEREAS**, Section 4 of the Ordinance provides, among other things, that the Ordinance shall not take effect, and subject to repeal unless and until FRANCISCO MARTINEZ TREJO has executed, within 60 days following the passage of the Ordinance, this Unconditional Agreement and Consent to accept and abide by all the terms, conditions, and limitations set forth in the Ordinance.

**NOW, THEREFORE**, FRANCISCO MARTINEZ TREJO does hereby agree, warrant and covenant as follows:

1. That he is the legal owner of the Subject Property.
2. That he hereby unconditionally agrees to, accepts, consents to, and will abide by all terms, conditions, limitations, restrictions, and provisions of the Ordinance.
3. That he acknowledges that all required public notices and hearings have been properly given and held with respect to the application process and passage of the Ordinance, understands and has considered the possibility of revocation or repeal of the Ordinance as a result of violation of its terms or failure to abide by the conditions set forth in the Ordinance, and agrees, covenants and warrants that he will not challenge any such revocation on the basis of any procedural infirmity or a denial of any procedural right, provided that the City will provide the Owner with written notice of the City's intent to Repeal or Revoke the Ordinance.
4. That he acknowledges and agrees that the City shall not be in any way liable for any damages or injuries that may be sustained as a result of the City's granting of the Special Use permit and Variations or its passage of the Ordinance, and that the City's approvals do not, and will not, in any way be deemed to insure him against damage or injury of any kind at any time.
5. That he hereby agrees to release, defend, indemnify and hold harmless the City of Crest Hill, its corporate authorities, elected and appointed officials, officers, employees, agents, representatives, and attorneys from any and all claims that may, at any time, be asserted against

them in connection with (a) the City's review and approval of any plans and issuance of any permits, (b) the City's passage of the Ordinance, and (c) the maintenance and use of the Property as authorized by the Ordinance.

*[Signature page to follow]*

**OWNER: FRANCISCO MARTINEZ TREJO**

By: \_\_\_\_\_

Its: \_\_\_\_\_

**SUBSCRIBED** and **SWORN** to before me

this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_

\_\_\_\_\_  
Notary Public