

ORDINANCE NO. _____

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT WITH RESPECT TO CERTAIN
REAL PROPERTY LOCATED WITHIN THE CORPORATE BOUNDARIES OF CREST HILL
(APPLICATION OF MIF CREST HILL BUSINESS PARK)**

WHEREAS, the Illinois Municipal Code, 65 ILCS 5/11-3.1.1 (the “Code”) authorizes the corporate authorities of any municipality to enact ordinances to provide for the classification of special uses, including, but not limited to, public and quasi-public uses affected with the public interest, uses which may have a unique, special, or unusual impact upon the use or enjoyment of neighboring property, and planned developments; and

WHEREAS, the Code states that a special use shall be permitted only upon evidence that such use meets standards, established for such classification in the ordinances, and the granting of permission may be subject to conditions reasonably necessary to meet such standards; and

WHEREAS, the City of Crest Hill (“City”) has enacted said ordinance in Section 12.7 of the Crest Hill Zoning Ordinance, specifying the requirements for special use permits; and

WHEREAS, MIF Crest Hill Business Park (“Applicant”), has properly filed and prosecuted before the Crest Hill Plan Commission an application seeking the granting of a special use permit for a planned unit development (the “Application”) for certain property within the city limits of the City of Crest Hill, Will County, Illinois, located at the southwest corner of Lidice Parkway and Enterprise Blvd., Crest Hill, Illinois, being part of PIN: 11-04-30-102-002-0000 (the “Property”), as legally described in Exhibit “A” with proper notice thereof given; and

WHEREAS, said Property is zoned M-1 under the Crest Hill Zoning Ordinance and the Applicant has requested that the zoning be changed to a M-1 special use permit; and

WHEREAS, the Crest Hill Plan Commission, by formal vote taken June 21, 2023, recommended approval of the special use permit sought in the Application after holding a public hearing, with proper notice thereof given; and

WHEREAS, the City Council has examined the June 21, 2023, Findings and Decision of the Plan Commission hereto attached as Exhibit “B” 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 interest of the City that the Recommendation of the Plan Commission be accepted, and the Application be granted.

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 accepts, adopts, and ratifies the Findings and Decision of the Plan Commission, attached hereto as “Exhibit B”, and incorporated by reference herein, as the Findings and Decision of the City Council in relation to the Application for a special use permit.

SECTION 3: That a special use permit is hereby granted to MIF Crest Hill Business Park to allow an M-1 special use for a planned unit development to develop the property at the southwest corner of Lidice Parkway and Enterprise Blvd, in Crest Hill, Illinois, being part of PIN: 11-04-30-102-002-0000 (the "Property"), as legally described in Exhibit "A", in accordance with reviewed plans and the definitions of the zoning classifications currently in use in the Crest Hill Zoning Ordinance, hereinafter described and subject to the following conditions:

1. The maximum number of loading docks permitted for the speculative industrial warehouse/office building shall not exceed 112 and the maximum number of trailer parking stalls for the speculative industrial warehouse/office building shall not exceed 151 for the PUD. Any increase in the number of loading docks above 112 will require a new public hearing and a new approval for an amendment to the PUD.
2. Submission and approval of a Landscape Plan by the City: Evergreen trees shall be a minimum of 8' in height and deciduous shade trees shall be a minimum of 2.5" caliper at the time of planting. Additional landscaping and/or earth berming shall be provided on the southwest side of the property facing the residential properties for additional screening and buffering.
3. Finalization, approval, and execution of a cost sharing agreement between the applicant and the City.
4. Improvements to Lidice Parkway as indicated on the preliminary engineering plans, which will be finalized during final engineering review and approval.
5. Final approval of the PUD is subject to final civil engineering plan, photometric, landscape plan and plat of dedication approvals.
6. The building height shall not exceed that as permitted in the M-1 Zoning District.
7. All sign proposals shall comply with applicable sign code regulations of the Crest Hill Code of Ordinances.
8. Compliance with Plans: The development, maintenance, and operation of the Property shall be in substantial compliance with the plans and documents as submitted and those attached as Exhibit "C", except for minor changes approved by the Community & Economic Development Director or his or her designee.
9. The Applicant may assign the approvals and the aforementioned cost-sharing agreement so long as the assignee shall agree in writing to carry out all of the foregoing conditions and to carry out and observe all of the Applicant's obligations and agreements contained in the cost-sharing agreement.
10. In the event that Midwest Industrial Funds, or its assignee, does not acquire the property or obtain a Building Permit for the Project, within one year of the execution of this Ordinance, there shall be no obligation to move forward with the Project and the obligations and agreements with respect to the Special Use Permit for the Planned Unit Development and the obligations to make the one-time contribution for roadway improvements and pay the reduced tap-on fee shall terminate. Upon the written request of Midwest Industrial Funds for an extension of the one-year time limitation imposed in this Section, the City Council, in its sole discretion, may extend the period in which to acquire the property or obtain a Building Permit.

Territory Described. See attached legal description "Exhibit A."

SECTION 4: This Ordinance shall take effect upon its passage and publication according to law.

PASSED THIS 17th DAY OF July 2023.

	Aye	Nay	Absent	Abstain
Alderman John Vershay	_____	_____	_____	_____
Alderman Scott Dyke	_____	_____	_____	_____
Alderwoman Claudia Gazal	_____	_____	_____	_____
Alderman Mark Cipiti	_____	_____	_____	_____
Alderperson Tina Oberlin	_____	_____	_____	_____
Alderman Darrell Jefferson	_____	_____	_____	_____
Alderman Nate Albert	_____	_____	_____	_____
Alderman Joe Kubal	_____	_____	_____	_____
Mayor Ray Soliman	_____	_____	_____	_____

Christine Vershay-Hall, City Clerk

APPROVED THIS 17th DAY OF July, 2023.

Raymond R Soliman, Mayor

ATTEST:

Christine Vershay-Hall, City Clerk

“Exhibit A”

LEGAL DESCRIPTION

PERMANENT INDEX NO: 11-04-30-102-002-0000

LEGAL DESCRIPTION: Lot 2 Crest Hill Industrial Park Planned Unit Development – Phase I, A Part of the North ½ of Section 30, Township 36 North, Range 10 East of the Third Principal Meridian, According to the Plat thereof Recorded December 17, 2003 As Document Number R2003-304665, in Will County, Illinois.

“Exhibit B”

BEFORE THE PLAN COMMISSION
OF THE CITY OF CREST HILL, ILLINOIS

IN RE:)
)
The application MIF Crest Hill Business Park.) No. PUD-23-1-6-1
)
For a special use permit.)

**FINDINGS AND DECISION OF THE
PLAN COMMISSION AS TO CASE NO. PUD-23-1-6-1
THE APPLICATION OF MIF CREST HILL BUSINESS PARK
FOR A SPECIAL USE AT LIDICE PARKWAY AND ENTERPRISE BLVD**

THIS APPLICATION, coming before for a decision by the Plan Commission, and the Plan Commission having heard the evidence in support and opposition to the application at a regularly scheduled meeting held on June 21, 2023, being fully advised in the premises, THE COMMISSION DOES MAKE THE FOLLOWING FINDINGS:

A. That the applicant, MIF Crest Hill Business Park, is the contract purchaser of the real estate, upon approval of the PUD, as described in the application. The property owner has signed off on the application.

B. That the application seeks a M-1 special use for the property described in the application, located at the southwest corner of Lidice Parkway and Enterprise Blvd, Crest Hill, Illinois, being part of PIN: 11-04-30-102-002 (the “Property”), as described in Exhibit “A”

C. That the Property is currently zoned M-1

D. That the application seeks approval of a special use to allow a planned unit development on the property;

E. That the proposed use is not allowed on the property as currently zoned;

F. That the property described in the application is currently zoned as a manufacturing use, with commercial and manufacturing uses adjacent thereto;

G. That the application for the special use was properly submitted and notice of the application and the public hearing were properly published;

H. That no interested parties filed their appearances herein;

I. That the public hearing was called into order, the applicant allowed to present its evidence and arguments in support of its application, and that the public hearing was duly transcribed by a certified shorthand reporter of the State of Illinois;

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

K. That the proposed special use, as considered under section 12.7 of the zoning code, meets the standards for the granting of the special use under section 12.7-6 as the proposed development meets all of the criteria set forth in subsections 10.6 and 12.7-6(1), (2), (3), (4), (5) and (6); the Plan Commission noting that subsection 12.7-6(7) is inapplicable.

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 uses, as follows:

1. That the application of MIF Crest Hill Business Park to allow an M-1 special use for a planned unit development to develop the property in accordance with the reviewed plans at the property at the southwest corner of Lidice Parkway and Enterprise Blvd, in Crest Hill, Illinois, being part of PIN: 11-04-30-102-002 (the "Property"), as legally described in Exhibit "A", in a M-1 zoning district was recommended to be approved and 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 special use be granted.

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Adopted by the Plan Commission of the City of Crest Hill, Illinois, this 21st Day of June, 2023
upon the following voice vote:

	Aye	Nay	Absent	Abstain
Commissioner Bill Thomas	_____	_____	_____	_____
Commissioner Ken Carroll	_____	_____	_____	_____
Commissioner Cheryl Slabozeski	_____	_____	_____	_____
Commissioner Angelo Deserio	_____	_____	_____	_____
Commissioner Jan Plettau	_____	_____	_____	_____
Commissioner Jeff Peterson	_____	_____	_____	_____
Commissioner John Stanton	_____	_____	_____	_____

Approved:

Bill Thomas, Chairman

Attest:

Christine Vershay-Hall, City Clerk

EXHIBIT “C”