

EXHIBIT A

ORDINANCE NO. _____

AN ORDINANCE EXTENDING ORDINANCE 1990, AN ORDINANCE GRANTING A SPECIAL USE PERMIT AND SETBACK VARIATIONS WITH RESPECT TO CERTAIN REAL PROPERTY LOCATED WITHIN THE CORPORATE BOUNDARIES OF CREST HILL [APPLICATION OF MIDWEST INDUSTRIAL FUNDS]

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, on July 15, 2024, the Crest Hill City Council approved and passed Ordinance 1990, An Ordinance Granting A Special Use Permit And Setback Variations With Respect To Certain Real Property Located Within The Corporate Boundaries Of Crest Hill (Application of Midwest Industrial Funds); and

WHEREAS, Ordinance 1990 provides that if the Property is not acquired within one (1) year of the execution of the Ordinance, there shall be no obligation to move forward with the Project and obligations and agreements with respect to the Special Use Permit for the PUD and the obligations in the Development Agreement shall terminate; and

WHEREAS, Midwest Industrial Funds has not been able to acquire fee simple title to the Property due to litigation to which Midwest Industrial Funds is not a party and through no fault of Midwest Industrial Funds; and

WHEREAS, Midwest Industrial Funds is still actively seeking to acquire ownership of the Property and to move forward with the Project; and

WHEREAS, Section 12.7-9 of the City of Crest Hill Zoning Ordinance requires that the special use development begin within one year of the City Council’s Approval, as follows:

In any case where a special use has been granted, and where no special use development has taken place within one (1) year of granting thereof, then without further action by either the Plan Commission or the City Council, said special use variation shall become null and void, unless the property owner/applicant submits a formal request in writing seeking an extension. Written request for extension must be submitted thirty (30) days prior to expiration date; and

WHEREAS, absent the acquisition of fee simple title to the Property by July 15, 2025, the Special Use Permit and Setback Variances granted to Midwest Industrial Funds by Ordinance 1990 will become null and void without further action by the Crest Hill City Council; and

WHEREAS, Midwest Industrial Funds has kept the City Attorney up to date with respect to the ongoing attempts by Midwest Industrial Funds to acquire the property, and on May 2, 2025, Midwest Industrial Funds submitted a written formal request for a twenty-four (24) month

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extension of the Special Use Permit and Setback Variances granted by Ordinance 1990, as authorized by Section 12.7-9 of the Crest Hill Zoning Ordinance; and

WHEREAS, said written formal request for extension was submitted more than thirty (30) days prior to the expiration date; and

WHEREAS, the City Council at its June 9, 2025, work session meeting heard arguments for the extension as presented by representatives of Midwest Industrial Funds, including representations that there were no changes to the Special Use Permit and Setback Variances being sought at this time; and

WHEREAS, based on the arguments heard and the recommendations from City Staff, the City Council has determined that the request for a twenty-four (24) month extension should be granted; 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 extends the Special Use Permit for a PUD and Setback Variances granted to Midwest Industrial Funds by Ordinance 1990 for a period of twenty-four (24) months, to and including July 15, 2027.

SECTION 3: This Ordinance shall take effect upon its passage and publication according to law.

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PASSED THIS 16TH DAY OF JUNE, 2025.

	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	_____	_____	_____	_____

Christine Vershay-Hall, City Clerk

APPROVED THIS 16TH DAY OF JUNE, 2025.

Raymond R. Soliman, Mayor

ATTEST:

Christine Vershay-Hall, City Clerk