

ORDINANCE NO. _____

**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, 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, Midwest Industrial Funds (“Applicant”), has properly filed and presented before the Crest Hill Plan Commission an application seeking the granting of a special use permit for the preliminary and final Planned Unit Development (PUD) plans along with a front-yard building setback variation and a rear yard parking setback variation (the “Application”) for certain property within the city limits of the City of Crest Hill, Will County, Illinois, and located at Lot 17 of the Crest Hill Business Park, Crest Hill, Illinois, PIN: 11-04-30-102-012-0000 (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

WHEREAS, the Crest Hill Plan Commission, by formal vote taken June 27, 2024, following public hearing on June 27, 2024, recommended approval of the special use permit and variation sought in the Application, with certain conditions, after holding and closing said Public Hearing, with proper notice thereof given; and

WHEREAS, the City Council has examined the June 27, 2024, Findings and Decision of the Plan Commission hereto attached as Exhibits “B” and “C”, 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 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 “Exhibits B and C” and incorporated by reference herein, as the Findings and Decision of the City Council in relation to the Application for a special use permit and parking variation.

SECTION 3: That a special use permit is hereby granted to Midwest Industrial Funds to allow an M- special use for a preliminary and final Planned Unit Development (PUD) plans and a front-yard setback variation and a rear yard parking setback variation for the property at Lot 17 of the Crest Hill Business Park in Crest Hill, Illinois PIN: 11-04-30-102-012-0000 (the “Property”), as legally described in Exhibit “A”, and 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. Loading Dock Restriction:** The maximum number of loading docks permitted for the speculative industrial warehouse/office building shall not exceed 34 for the PUD. Any increase in the number of loading docks above 34 will require a new public hearing and approval of a PUD amendment.
- 2. Truck Route Monetary Contribution:** Unless otherwise approved by the City Council, MIF Shall make a monetary contribution to the City that the City can use for the design, construction, and/or land acquisition for the City’s planned future truck route extension to Weber Road. The details of this monetary contribution shall be finalized in a Development Agreement reviewed and approved by the City Council.
- 3. Lidice Parkway Driveway Connection:** MIF shall make contact and have meaningful communications with TLC ownership regarding what MIF is prepared to do to obtain TLC’s approval for a driveway connection between the Subject Property and Lidice Parkway. MIF shall summarize the details of these communications in writing for the City Council reference during its consideration and potential approval of the Plan Commission’s recommendation on this Project.
- 4. Final Design Documents Approval:** Approval of the requested Preliminary and Final PUD Special Use Permit is subject to final civil engineering design plan, photometric/electrical plan, and associated platting approval by City staff and consultants.
- 5. Project Signage:** All sign proposals shall comply with applicable sign code regulations of the Crest Hill Sign Code Regulations.
- 6. Compliance with Plans:** The development, maintenance, and operation of the Project shall be in substantial compliance with the plans and documents included in the Project Submittal Checklist dated 6/5/24 attached hereto as Exhibit D, as may be revised to address City staff, City Attorney, and City consultant review comments and City Council Special Use Permit approval conditions.

SECTION 4. This Ordinance shall become effective only upon the attachment of a fully executed Exhibit “E” within 60 days of the passage of this Ordinance. In the event that Exhibit “E” 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 Owner or Applicant.

SECTION 5: This Ordinance shall take effect upon its passage and publication according to law.

[Left Intentionally Blank]

PASSED THIS 15th DAY OF JULY, 2024

	Aye	Nay	Absent	Abstain
Alderwoman Jennifer Methvin	_____	_____	_____	_____
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 15TH DAY OF JULY, 2024

Raymond R. Soliman, Mayor

ATTEST:

Christine Vershay-Hall, City Clerk

“Exhibit A”

LEGAL DESCRIPTION

PERMANENT INDEX NO: 11-04-30-102-012-0000

LEGAL DESCRIPTION

LOT 17, IN CREST HILL INDUSTRIAL PARK PUD PHASE 7, BEING A SUBDIVISION OF PART OF THE NORTHWEST ¼ OF SECTION 30, TOWNSHIP 35 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 27, 2016 AS DOCUMENT R2016-103997, IN WILL COUNTY, ILLINOIS

“Exhibit B”

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

IN RE:)
)
The application Midwest Industrial Funds) No. PUD-24-2-6-1
)
)
For a special use permit and front-yard setback)
variation and rear yard parking setback variation)

**FINDINGS AND DECISION OF THE
PLAN COMMISSION AS TO CASE NO. PUD-24-2-6-1
THE APPLICATION OF MIDWEST INDUSTRIAL FUNDS FOR A SPECIAL USE AT LOT 17
OF THE CREST HILL BUSINESS PARK**

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 27, 2024 being fully advised in the premises, THE COMMISSION DOES MAKE THE FOLLOWING FINDINGS:

A. That the applicant, Midwest Industrial Funds is the occupant of the real estate, upon approval of the special use, as described in the application. The property owner has signed off on the application.

B. That the application seeks an M-1 special use for the property described in the application, at Lot 17 of the Crest Hill Business Park, PIN: 11-04-30-102-012-0000 (the “Property”), as legally 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 the preliminary and final Planned Unit Development (PUD) plans along with a front-yard building setback variation and a rear yard parking setback variation 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 industrial use, with industrial 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 opened and called to order on June 27, 2024, the applicant presented evidence and arguments in support of its application on that date. 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 Midwest Industrial Funds to allow an M-1 special use for the preliminary and final Planned Unit Development (PUD) plans with the reviewed plans on the property at Lot 17 of the Crest Hill Business Park, Crest Hill, Illinois, PIN: 11-04-30-102-012-0000 (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. The following conditions were placed on the special use permit:
 - **Loading Dock Restriction:** The maximum number of loading docks permitted for the speculative industrial warehouse/office building shall not exceed 34 for the PUD. Any increase in the number of loading docks above 34 will require a new public hearing and approval of a PUD amendment.
 - **Truck Route Monetary Contribution:** Unless otherwise approved by the City Council, MIF Shall make a monetary contribution the City that the City can use for the design, construction, and/or land acquisition for the City's planned future truck route extension to Weber Road. The details of this monetary contribution shall be finalized in a Development Agreement reviewed and approved by the City Council.
 - **Lidice Parkway Driveway Connection:** MIF shall make contact and have meaningful communications with TLC ownership regarding what MIF is prepared to do to obtain TLC's approval for a driveway connection between the Subject Property and Lidice Parkway. MIF shall summarize the details of these communications in writing for the City Council reference during its consideration and potential approval of the Plan Commission's recommendation on this Project.
 - **Final Design Documents Approval:** Approval of the requested Preliminary and Final PUD Special Use Permit is subject to final civil engineering design plan, photometric/electrical plan, and associated platting approval by City staff and consultants.
 - **Project Signage:** All sign proposals shall comply with applicable sign code regulations of the Crest Hill Sign Code Regulations.

- **Compliance with Plans:** The development, maintenance, and operation of the Project shall be in substantial compliance with the plans and documents included in the Project Submittal Checklist dated 6/5/24, as may be revised to address City staff, City Attorney, and City consultant review comments and City Council Special Use Permit approval conditions.
3. 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 27th Day of June 2024 upon the following voice vote:

	Aye	Nay	Absent	Abstain
Commissioner Carol Slabozeski	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Commissioner John Stanton	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Commissioner Ken Carroll	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Commissioner Jan Plettau	<u> </u>	<u> </u>	<u> X </u>	<u> </u>
Commissioner Bill Thomas	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Commissioner Jeff Thomas	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Commissioner Angelo Deserio	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Approved:

Bill Thomas, Chairman

Attest:

Christine Vershay-Hall, City Clerk

“Exhibit C”

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

IN RE:)
)
The application Midwest Industrial Funds) No. PUD-24-2-6-1
)
)
For a special use permit and front-yard setback)
variation and rear yard parking setback variation)

**FINDINGS AND DECISION OF THE
PLAN COMMISSION AS TO CASE NO. PUD-24-2-6-1
THE APPLICATION OF MIDWEST INDUSTRIAL FUNDS FOR A FRONT-YARD SETBACK
VARIATION AND REAR YARD PARKING VARIATION AT LOT 17 OF THE CREST HILL
BUSINESS PARK**

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 27, 2024 being fully advised in the premises, THE COMMISSION DOES MAKE THE FOLLOWING FINDINGS:

B. That the applicant, Midwest Industrial Funds is the occupant of the real estate, upon approval of the variation, as described in the application. The property owner has signed off on the application.

B. That the application seeks a variation for use for the property described in the application, at Lot 17 of the Crest Hill Business Park, Crest Hill PIN: 11-04-30-102-012-0000 (the “Property”), as legally described in Exhibit “A”

C. That the Property is currently zoned M-1;

D. That the application seeks approval a Front-Yard Building setback variation from Section 7.4, specifically the reduction of the required 30-foot front yard setback requirement to 15-feet;

E. That the application seeks approval of a Rear Yard Parking setback variation from Section 11.5-2, specifically the reduction of the required 5-foot rear yard setback requirement to 0-feet;

E. That the proposed uses would not be allowed without the variation;

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

G. That the application for the variations 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 opened and called to order on June 27, 2024, the applicant presented evidence and arguments in support of its application on June 27, 2024. 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 variation was considered under section 12.6 of the zoning code, meets the standards for the granting of the variation under Section 12.7-6 as the proposed development meets all of the criteria set forth in the code.

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 variations, as follows:

1. That the application of Midwest Industrial Funds for a variations in accordance with the reviewed plans on the property at Lot 17 of the Crest Hill Business Park, Crest Hill Illinois, PIN: 11-04-30-102-012-0000 (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, subject to the conditions identified in the Findings and Decision of the Plan Commission with respect to the Special Use Application filed by the applicant, considered and approved contemporaneously with the application for the parking variance;
2. It is therefore the recommendation of the City of Crest Hill Plan Commission that the application for the front yard parking setback variance from 30-feet to 15-feet be granted along with a rear yard parking setback variation from the required 5-foot rear yard setback requirement to 0-feet.

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Adopted by the Plan Commission of the City of Crest Hill, Illinois, this 27th Day of June, 2024
upon the following voice vote:

	Aye	Nay	Absent	Abstain
Commissioner Carol Slabozeski	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Commissioner John Stanton	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Commissioner Ken Carroll	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Commissioner Jan Plettau	<u> </u>	<u> </u>	<u> X </u>	<u> </u>
Commissioner Bill Thomas	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Commissioner Jeff Thomas	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Commissioner Angelo Deserio	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Approved:

Bill Thomas, Chairman

Attest:

Christine Vershay-Hall, City Clerk

“Exhibit D”

MIF - CH 8.8 AC PROPOSED DEVELOPMENT

PC SUBMITTAL CHECKLIST

DATE: 06/05/24

#	REQUIRED	Dated
0	Application	5/14/2024
1	Project Narrative	5/20/2024
2	Final Architectural Plans	6/4/2024
3	Final Topography	5/7/2024
4	Final Plat of Survey	5/30/2024
5	Prelim Engineering Plans	6/4/2024
6	Prelim Storm Report	5/21/2024
7	Final PE Calculation	5/20/2024
8	Prelim Landscape Plan	6/5/2024
9	Final PUD Plan	6/4/2024
10	Final Traffic Report	3/25/2024
11	Final Truck Turn Analysis	6/4/2024
12	Final Photometric Plan	5/21/2024
13	PUD Comment Reponses	6/5/2024
14	PUD Engineering Comment Reponses	6/4/2024