

ORDINANCE NO. _____

**AN ORDINANCE APPROVING A SPECIAL USE FOR A FUELING STATION AND
VARIATIONS FROM THE CREST HILL ZONING ORDINANCE AND CODE OF
ORDINANCES WITH RESPECT TO CERTAIN REAL PROPERTY LOCATED AT
2350 PLAINFIELD ROAD IN CREST HILL, ILLINOIS
(APPLICATION OF AHMED MOSIN, OF 2350 PROPERTY LLC)**

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, Ahmed Mosin, of 2350 Property LLC (the “Applicant”) is the owner of the real property located at 2350 Plainfield Road in the City of Crest Hill, Illinois, bearing PIN 11-04-31-101-035-0000, 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 a Special Use permit for a fueling station business, and six (6) Variations from the Crest Hill Zoning Ordinance and Crest Hill Code of Ordinances (the “Application”); and

WHEREAS, the Crest Hill Plan Commission, after proper notice thereof given, conducted Public Hearings on the Application on September 10, 2026 and October 8, 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 Special Use and Variations outlined in Exhibit 2 of attached Exhibit A at its October 8, 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 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 nine (9) conditions for approval and the application documents referenced in the October 8, 2026, Community Development Department Staff Report attached hereto as Exhibit 3 of attached Exhibit A (the "Staff Report"); and

WHEREAS, the City Council has reviewed the October 8, 2026, Findings and Decision of the Plan Commission ("Exhibit A") 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 nine (9) conditions for approval and application documents as 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 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 nine (9) conditions for approval and application documents as referenced in the October 8, 2026, Community Development Staff Report for Plan Commission Cases SU-26-10-9-3, and V-26-8-9-2:

1. The Applicant shall obtain a permit for the project and start work within six (6) months of City Council approval.
2. The fence adjacent to the residential homes shall be replaced with a solid 8-foot fence. All future maintenance of the fence shall be the responsibility of the gas station property and shall be maintained to keep a consistent appearance across the fence with matching materials and colors.
3. None of the existing landscape buffer shall be removed as part of the project.
4. There shall be no outside storage of goods.
5. No separate diesel fueling pumps shall be permitted or advertised to large semi-trucks.
6. Overgrowth foliage (trees and bushes) along the buffer near the property's exit at Sycamore Street shall be trimmed back and maintained to ensure proper and safe visibility when entering and exiting.
7. Stop signs and solid stop bars meeting MUTCD requirements shall be placed at the exits in proper locations before entering the public right-of-way. These shall be shown on the final engineering plans prior to final permit approval.
8. Any landscape removed or damaged by AT&T or other utilities shall be replaced with comparable landscape buffering within the designated buffer area.
9. Dumpster location shall be revised to be further north where there is an open landscape area, if feasible.
10. Noise ordinance and reduction signage shall be added per the direction of Community Development staff and the Police Department as directed to limit noise coming from vehicles (loud radios, engines, etc.)

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.

PASSED THIS 2ND DAY OF NOVEMBER, 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	_____	_____	_____	_____

Christine Vershay-Hall, City Clerk

APPROVED THIS 2ND DAY OF NOVEMBER, 2026.

Raymond R Soliman, Mayor

ATTEST:

Christine Vershay-Hall, City Clerk

EXHIBIT A

FINDINGS AND DECISION OF THE PLAN COMMISSION AS TO CASES SU-26-10-9-3, AND V-26-8-9-2, THE APPLICATIONS OF AHMED MOSIN, OF 2350 PROPERTY LLC, FOR A SPECIAL USE PERMIT FOR A FUELING STATION AND VARIATIONS FROM THE CREST HILL ZONING ORDINANCE AND CODE OF ORDINANCES ON PROPERTY LOCATED AT 2350 PLAINFIELD ROAD 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 in opposition to the application at the regularly scheduled meetings held on September 10, 2026, and October 8, 2026, being fully advised on the premises, THE COMMISSION DOES MAKE THE FOLLOWING FINDINGS:

A. That the applicant, Ahmed Mosin, of 2350 Property LLC, is the owner of the real property located at 2350 Plainfield Road in the City of Crest Hill, Illinois, bearing PIN 11-04-31-101-035-0000;

B. That the Application seeks approval of a Special Use permit for a fueling station business, and Variations from the Crest Hill Zoning Ordinance and Code of Ordinances for the property described in the application, commonly known as 2350 Plainfield Road in Crest Hill, Illinois (the “Property”), with PIN 11-04-31-101-035-0000, which is legally described in Exhibit A-1, attached hereto and incorporated herein by reference;

C. That the Application seeks approval of Variations from the Crest Hill Zoning Ordinance and Code of Ordinances to reduce building, parking, sign, and landscape setbacks and other landscape waivers for a fueling station business;

D. That the Property is zoned B-2;

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 September 10, 2026 and continued to October 8, 2026, and the applicant presented evidence and arguments in support of its application at said meetings;

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 Special Use permit for a fueling station 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 Ahmed Mosin, of 2350 Property LLC, for a Special Use permit for a fueling station business, and Variations as listed in attached Exhibit A-2 for the Property located at 2350 Plainfield Road in Crest Hill, Illinois with PIN 11-04-31-101-035-0000 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 Special Use permit for a fueling station business, and the Variations request be approved subject to the project being implemented in substantial conformance with the following nine (9) conditions for approval and application documents referenced in the October 8, 2026, Community Development Staff Report for this request, as follows:

1. The Applicant shall obtain a permit for the project and start work within six (6) months of City Council approval.
2. The fence adjacent to the residential homes shall be replaced with a solid 8-foot fence. All future maintenance of the fence shall be the responsibility of the gas station property and shall be maintained to keep a consistent appearance across the fence with matching materials and colors.
3. None of the existing landscape buffer shall be removed as part of the project.
4. There shall be no outside storage of goods.
5. No separate diesel fueling pumps shall be permitted or advertised to large semi-trucks.
6. Overgrowth foliage (trees and bushes) along the buffer near the property's exit at Sycamore Street shall be trimmed back and maintained to ensure proper and safe visibility when entering and exiting.
7. Stop signs and solid stop bars meeting MUTCD requirements shall be placed at the exits in proper locations before entering the public right-of-way. These shall be shown on the final engineering plans prior to final permit approval.
8. Any landscape removed or damaged by AT&T or other utilities shall be replaced with comparable landscape buffering within the designated buffer area.
9. Dumpster location shall be revised to be further north where there is an open landscape area, if feasible.
10. Noise ordinance and reduction signage shall be added per the direction of Community Development staff and the Police Department as directed to limit noise coming from vehicles (loud radios, engines, etc.)

Adopted by the Plan Commission of the City of Crest Hill, Illinois, this 8th Day of October, 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 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: 2350 PLAINFIELD ROAD, CREST HILL, IL, 60403

PERMANENT INDEX NO: 11-04-31-101-035-0000

LEGAL DESCRIPTION:

LOTS 344, 345, 346, 347, AND 348 IN RICHLAND, BEING A SUBDIVISION OF PART OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 10 EAST, (EXCEPT THAT PART TAKEN FOR THE ROAD WIDENING PER 86ED12 AND EXCEPTING THAT PART TAKEN FOR ROAD WIDENING PER R2003-075262), EAST OF THE THIRD PRINCIPAL MERIDIAN IN WILL COUNTY, ILLINOIS.

EXHIBIT A-2

2350 PLAINFIELD ROAD - LIST OF REQUESTED VARIATIONS

1. Crest Hill Zoning Ordinance Table 2: Zoning Districts and Standards, Nonresidential Districts for:
 - a. A reduced minimum lot size to .79-acre instead of 1 acre.
 - b. A reduced minimum front yard setback to 12 feet instead of 30 feet.
 - c. A reduced minimum corner side yard setback to be 5.47 feet instead of 30 feet.
2. A Variation from Section 11.5 of the Zoning Ordinance to allow a front yard landscape setback for parking and drive aisles of 0 feet.
3. A Variation from Section 11.6 of the Zoning Ordinance to allow for an increased driveway width to remain at 41.14 feet instead of the maximum of 40 feet and no internal parking lot landscape islands.
4. A Variation from Section 15.12 of the Crest Hill Code of Ordinances to reduce the minimum ground sign setback to 4-6 feet instead of the minimum of 10 feet. *The setback reduction variation was clarified at public hearing to be from any property line to ensure options for the best visibility, not just the location as shown on the plans.*

EXHIBIT A-3

October 8, 2026 Community Development Department Staff Report

EXHIBIT A-4

UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, AHMED MOSIN, OF 2350 PROPERTY LLC, ("Owner") is the owner of the real property located at 2350 Plainfield Road in the City of Crest Hill, Illinois, bearing PIN 11-04-31-101-035-0000 (the "Subject Property") and has applied for and been granted a Special Use permit for a fueling station business, and certain Variations from the City of Crest Hill Zoning Ordinance and Code of Ordinances; and

WHEREAS, Ordinance No. _____, approved and passed by the Crest Hill City Council on November 2, 2026, ("the **Ordinance**"), approved a Special Use permit for a fueling station business, and certain Variations from the City of Crest Hill Zoning Ordinance and Code of Ordinances, subject to nine (9) 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 AHMED MOSIN, OF 2350 PROPERTY LLC, 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, AHMED MOSIN, OF 2350 PROPERTY LLC, does hereby agree, warrant, and covenant as follows:

1. That he is the legal owner of the Subject Property and has the authority to act on behalf of the 2350 Property, LLC.
2. That he, and on behalf of 2350 Property, LLC and its members, managers, principals, owners, successors and assigns hereby unconditionally agrees to, accepts, consents to, and will abide by all terms, conditions, limitations, restrictions, and provisions of the Ordinance.
3. That he, and on behalf of 2350 Property, LLC, and its members, managers, principals, owners, successors and assigns, 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, and on behalf of 2350 Property, LLC, and its members, managers, principals, owners, successors and assigns 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, and on behalf of 2350 Property, LLC, and its members, managers, principals, owners, successors and assigns 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.

OWNER: AHMED MOSIN, OF 2350 PROPERTY LLC

By: _____

Its: _____

SUBSCRIBED and **SWORN** to before me

this _____ day of _____, 2026.

Notary Public