

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 HOME ESSENTIALS FURNITURE)**

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, Ibrahim Altamini, owner of Home Essentials Furniture (“Applicant”), has properly filed and presented before the Crest Hill Plan Commission an application seeking the granting of a special use permit for large truck rental (the “Application”) for certain property within the city limits of the City of Crest Hill, Will County, Illinois, and located at 1701 N Larkin, Unit 305, Crest Hill, Illinois, being part of PIN: 11-04-31-404-012-0000 (the “Property”), as legally described in Exhibit “A” with proper notice thereof given; and

WHEREAS, said Property is zoned B-2 under the Crest Hill Zoning Ordinance and the Applicant has requested that the zoning be changed to a B-2 special use permit; and

WHEREAS, the Crest Hill Plan Commission, by formal vote taken May 11, 2023, recommended approval of the special use permit sought in the Application, with certain conditions, after holding a public hearing with proper notice thereof given; and

WHEREAS, the City Council has examined the May 11, 2023, Findings and Decision of the Plan Commission attached hereto 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 Ibrahim Altamini, owner of Home Essentials Furniture, to allow a B-2 special use permit for large truck rental at the property located at 1701 N Larkin, Unit 305, Crest Hill, Illinois, being part of PIN: 11-04-31-404-012-0000 (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. Prohibition of on-site advertisement of the U-Haul Operation
2. Limitation of the total number of trucks to two (2) on-site at one time.
3. All trucks must be parked in the rear of the property, and at no time shall a U-Haul truck associated with the business be located in the front parking lot of the shopping center.

Territory Described. See attached legal description “Exhibit A.”

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

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PASSED THIS 19TH DAY OF JUNE, 2023

	Aye	Nay	Absent	Abstain
Alderman John Vershay	_____	_____	_____	_____
Alderman Scott Dyke	_____	_____	_____	_____
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 19TH DAY OF JUNE, 2023

Raymond R. Soliman, Mayor

ATTEST:

Christine Vershay-Hall, City Clerk

“Exhibit A”

LEGAL DESCRIPTION

PERMANENT INDEX NO: 11-04-31-404-012-0000

LEGAL DESCRIPTION:

PARCEL 1

PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, CITY OF CREST HILL, WILL COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A FOUND PK NAIL AT THE SOUTH QUARTER CORNER OF SECTION 31, TOWNSHIP 36, RANGE 10 EAST, ALSO BEING IN THE CENTERLINE OF THEODORE STREET AND 1320.23 FEET WEST OF THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 10 EAST, AND 1327.58 FEET WEST OF THE INTERSECTION OF THE CENTERLINE OF FA RTE 23 SPUR (LARKIN AVENUE) IN THE VILLAGE OF CREST HILL, WILL COUNTY, ILLINOIS; THENCE NORTH 89°33'26" EAST IN THE CENTERLINE OF THEODORE STREET AND THE SAID SOUTH LINE OF THE SOUTHEAST QUARTER, A DISTANCE OF 300.00 FEET; THENCE NORTH 00°12'37" EAST PARALLEL TO THE WEST LINE OF THE SAID SOUTHEAST QUARTER, A DISTANCE OF 33.00 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF THEODORE STREET AND THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°12'37" EAST, IN THE EAST LINE OF THE EAST 50 FEET OF THE WEST 300 FEET OF THE SOUTHEAST QUARTER OF SECTION 31, OWNED BY CHICAGO TITLE & TRUST CO. AND DESCRIBED AS PARCEL 2 IN DOCUMENT 755510 IN THE OFFICE OF THE RECORDER WILL COUNTY, ILLINOIS, A DISTANCE OF 830.38 FEET TO A FOUND IRON PIN IN THE EASTERLY RIGHT-OF-WAY LINE OF THE E.J.&E. RAILROAD RUNNING SOUTHWESTERLY AND NORTHEASTERLY THROUGH THE SAID SOUTHEAST QUARTER; THENCE NORTH 39°23'05" EAST IN THE SOUTHERLY RIGHT-OF-WAY LINE OF THE E.J.&E. RAILROAD, A DISTANCE OF 592.88 FEET TO A FOUND PIPE, SAID PIPE BEING 382.59 FEET SOUTH OF THE INTERSECTION OF SOUTHERLY RIGHT-OF-WAY LINE OF THE E.J.&E. RAILROAD AND THE CENTERLINE OF US RT. 30 (PLAINFIELD ROAD), ALSO BEING THE SOUTHWESTERLY CORNER OF PROPERTY DESCRIBED IN DOCUMENT 817473 IN THE OFFICE OF THE RECORDER FOR WILL COUNTY KNOWN AS MAZZUCCO CONSTRUCTION CO. THENCE SOUTH 46°48'31" EAST IN THE SOUTHERLY CONSTRUCTION CO. PROPERTY, A DISTANCE OF 129.12 FEET; LINE OF SAID MAZZUCCO THENCE NORTH 43°09'49" EAST IN THE EASTERLY LINE OF SAID MAZZUCCO PROPERTY, A DISTANCE OF 165.10 FEET TO A FOUND PIPE; THENCE SOUTH 46°01'43" EAST IN THE SOUTHERLY LINE OF PROPERTY OWNED BY JLP REALTY AS DESCRIBED IN DOCUMENT 920100583 RECORDED IN THE OFFICE OF THE RECORDER, WILL COUNTY, ILLINOIS, A DISTANCE OF 71.56 FEET TO A FOUND IRON PIN BEING THE SOUTHEASTERLY CORNER OF SAID JLP REALTY PROPERTY; THENCE NORTH 43°57'20" EAST IN THE EASTERLY LINE OF SAID

JLP REALTY PROPERTY A DISTANCE OF 117.73 FEET;THENCE NORTH 46°50'10" WEST, A DISTANCE OF 20.00 FEET;THENCE NORTH 43°57'20" EAST, A DISTANCE OF 50.00 FEET TO SOUTHERLY RIGHT-OF-WAY LINE OF US RT. 30 (PLAINFIELD ROAD);THENCE SOUTH 46°50'10" EAST IN THE SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 150.00 FEET;THENCE NORTH 44°02'00" EAST, A DISTANCE OF 5.00 FEET IN THE SAID SOUTHERLY RIGHT-OF-WAY LINE;THENCE SOUTH 45°14'37" EAST IN THE SOUTHERLY RIGHT-OF-WAY LINE OF US RT. 30 (PLAINFIELD ROAD), A DISTANCE OF 194.48 FEET TO THE INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF FA RTE 23, SPUR (LARKIN AVENUE), SAID INTERSECTION BEING 50.00 FEET LEFT OF THE CENTERLINE STATIONING ALONG PLAINFIELD ROAD AT STATION 207+64.72;THENCE SOUTHERLY IN THE WESTERLY RIGHT-OF-WAY LINE OF FA RTE 23 SPUR (LARKIN AVENUE) TO A POINT BEING SOUTH 00°09'26" WEST, A DISTANCE OF 198.62 FEET TO A POINT BEING 63.32 FEET LEFT OF THE CENTERLINE OF FA RTE 23 SPUR (LARKIN AVENUE) AT STATION 642+20.00;THENCE SOUTHERLY IN THE SAID WESTERLY RIGHT-OF-WAY LINE SOUTH 04°47'12" WEST, A DISTANCE OF 371.73 FEET TO A POINT BEING 70.00 FEET LEFT OF THE CENTERLINE OF FA RTE 23 SPUR (LARKIN AVENUE) AT STATION 638+59.00;THENCE SOUTHERLY IN THE SAID WESTERLY RIGHT-OF-WAY LINE SOUTH 00°09'26" WEST, A DISTANCE OF 94.00 FEET TO A POINT BEING 70.00 FEET LEFT OF THE CENTERLINE OF FA RTE 23 SPUR (LARKIN AVENUE) AT STATION 637+65.00;THENCE SOUTHERLY IN THE SAID WESTERLY RIGHT-OF-WAY LINE SOUTH 03°25'40" WEST, A DISTANCE OF 175.29 FEET TO A POINT BEING 80.00 FEET LEFT OF THE CENTERLINE OF FA RTE 23 SPUR (LARKIN AVENUE) AT STATION 635+90.00;THENCE SOUTHERLY IN THE SAID WESTERLY RIGHT-OF-WAY LINE SOUTH 00°09'57" WEST, A DISTANCE OF 295.53 FEET (PREVIOUSLY RECORDED AS SOUTH 00°09'26" WEST, A DISTANCE OF 295.00 FEET TO A POINT BEING 80.00 FEET LEFT OF THE CENTERLINE OF FA RTE 23 SPUR (LARKIN AVENUE) AT STATION 632+95.00);THENCE SOUTHWESTERLY IN THE SAID WESTERLY RIGHT-OF-WAY LINE SOUTH 60°04'24" WEST, A DISTANCE OF 58.02 FEET (PREVIOUSLY RECORDED AS SOUTH 59°38'44" WEST 58.32 FEET) TO A POINT IN THE NORTHERLY RIGHT-OF-WAY LINE OF THEODORE STREET, SAID POINT BEING 33.00 FEET LEFT MEASURED AT RIGHT ANGLES TO THE CENTERLINE OF THEODORE STREET AT STATION 35+71.08;THENCE WESTERLY PARALLEL TO AND 33.00 FOOT DISTANT FROM THE CENTERLINE OF THEODORE STREET IN THE NORTHERLY RIGHT-OF-WAY LINE OF THEODORE STREET SOUTH 89°33'26" WEST, A DISTANCE OF 897.21 FEET TO THE POINT OF BEGINNING.EXCEPTING A PARCEL OWNED BY THE CITY OF CREST HILL DESCRIBED IN DOCUMENT R69-19501 RECORDED IN THE OFFICE OF THE RECORDER OF WILL COUNTY MORE PARTICULARLY DESCRIBED AS FOLLOWS:THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE SOUTH LINE OF SAID SECTION 31 AT ITS POINT OF INTERSECTION WITH THE EAST LINE OF THE CHICAGO TITLE

AND TRUST COMPANY PROPERTY AS DISCLOSED BY DEED RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF SAID WILL COUNTY, AS DOCUMENT NO. 755510; THENCE NORTHERLY ALONG THE SAID EAST LINE OF THE CHICAGO TITLE AND TRUST COMPANY'S PROPERTY, 863.19 FEET TO A POINT IN THE EASTERLY RIGHT OF WAY LINE OF THE ELGIN, JOLIET AND EASTERN RAILWAY COMPANY, 491.08 FEET; THENCE SOUTHEASTERLY ALONG A LINE FORMING A RIGHT ANGLE TO THE LAST DESCRIBED LINE 40 FEET FOR A PLACE OF BEGINNING; THENCE NORTHEASTERLY ALONG A LINE PARALLEL TO THE EASTERLY RIGHT OF WAY LINE OF THE ELGIN, JOLIET & EASTERN RAILWAY COMPANY, 54.57 FEET; THENCE SOUTHEASTERLY ALONG A LINE FORMING A RIGHT ANGLE TO THE LAST DESCRIBED LINE, 97.31 FEET TO A POINT; THENCE SOUTHWESTERLY ALONG A LINE PARALLEL WITH THE SAID EASTERLY RIGHT-OF-WAY LINE OF SAID RAILROAD COMPANY, 54.57 FEET TO A POINT; THENCE NORTHWESTERLY ALONG A LINE FORMING A RIGHT ANGLE TO THE LAST DESCRIBED LINE, 97.31 FEET TO THE PLACE OF BEGINNING, IN WILL COUNTY, ILLINOIS.

PARCEL I CONTAINING 1,146,165 SQUARE FEET OR 26.312 ACRES MORE OR LESS. NOT INCLUDING THE 5,310 SQUARE FEET OR 0.122 ACRES INCLUDED IN THE EXCEPTION OWNED BY THE CITY OF CREST HILL.

ALSO EXCEPTING OUT:

PARCEL 2

THAT PART OF THE WEST HALF OF THE SOUTHEAST 1/4 OF SECTION 31, TOWNSHIP 36 NORTH RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST 1/4 OF SAID SECTION 31; THENCE S. 89°-33'-26" W. ALONG THE SOUTH LINE OF THE WEST HALF OF THE SOUTHEAST 1/4 OF SAID SECTION 31, A DISTANCE OF 122.56 FEET; THENCE N. 0°-26'-34" W. AT RIGHT ANGLES TO LAST DESCRIBED LINE, A DISTANCE OF 33.00 FEET; THENCE N. 59°-38'-44" E. A DISTANCE OF 58.32 FEET TO A POINT. 80.00 FEET LEFT OF STATION 632+95.00 ON THE SURVEYED CENTERLINE OF F.A. ROUTE 23 SPUR (LARKIN AVENUE); THENCE N. 0°-09'-26" E., A DISTANCE OF 295.00 FEET ALONG A LINE PARALLEL WITH AND 80.00 FEET NORMAL DISTANCE WESTERLY FROM THE SURVEYED CENTERLINE OF F.A. ROUTE 23 SPUR (LARKIN AVENUE) TO A POINT 80.00 FEET LEFT OF STATION 635+90.00; THENCE N. 3°-25'-40" E., A DISTANCE OF 175.29 FEET TO A POINT 70.00 FEET LEFT OF STATION 637+65.00; THENCE N. 0°-09'-26" E. ALONG A LINE WHICH IS PARALLEL WITH THE CENTERLINE OF SAID LARKIN AVENUE, A DISTANCE OF 77.00 FEET TO A PLACE OF BEGINNING, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF SAID LARKIN AVENUE AS DEEDED TO THE DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS, STATE OF ILLINOIS, ACCORDING TO THE DEED RECORDED AS DOCUMENT NO. R74-02851; THENCE CONTINUING N. 00°-09'-26" E. ALONG SAID PARALLEL LINE AND SAID WESTERLY RIGHT-OF-WAY LINE OF LARKIN AVENUE, A DISTANCE OF 17.00 FEET TO A POINT 70.00 FEET LEFT OF STATION 638+59.00; THENCE N. 4°-47'-12" E. ALONG THE WESTERLY LINE OF SAID

LARKIN AVENUE, A DISTANCE OF 158.19 FEET; THENCE S. 88°-49'-10" W., A DISTANCE OF 142.37 FEET; THENCE S. 13°-30'-00" W., A DISTANCE OF 167.75 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ALONG AN ARC OF A CIRCLE, CONVEX TO THE SOUTHWEST, HAVING A RADIUS OF 10.0 FEET, THE CHORD THEREOF HAVING A BEARING OF S. 38°-50'-30" E, AND A LENGTH OF 15.83 FEET, AN ARC DISTANCE OF 18.27 FEET TO A POINT OF TANGENCY; THENCE N. 88°-38'-48" E., A DISTANCE OF 158.36 FEET TO THE PLACE OF BEGINNING, IN WILL COUNTY, ILLINOIS. CONTAINING 27,229 SQUARE FEET OR 0.625 ACRES MORE OR LESS. ALSO EXCEPTING OUT:

PARCEL 3

BEING PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 36 NORTH RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, CITY OF CREST HILL, WILL COUNTY, ILLINOIS. DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SAID WEST HALF; THENCE SOUTH 89 DEGREES 33 MINUTES 26 SECONDS WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, ALSO BEING THE CENTERLINE OF THEODORE STREET, 361.72 FEET;

THENCE NORTH 00 DEGREES 26 MINUTES 34 SECONDS WEST, 33.00 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF THEODORE STREET;

THENCE CONTINUING NORTH 00 DEGREES 26 MINUTES 34 SECONDS WEST, 75.54 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 33 MINUTES 26 SECONDS WEST PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER 137.00 FEET

THENCE NORTH 00 DEGREES 26 MINUTES 34 SECONDS WEST 86.00 FEET; THENCE NORTH 89 DEGREES 33 MINUTES 26 SECONDS EAST, 137.00 FEET; THENCE SOUTH 00 DEGREES 26 MINUTES 34 SECONDS EAST 86.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 11,782 SQUARE FEET OR 0.270 ACRES MORE OR LESS.

“Exhibit B”

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

IN RE:)
)
The application Ibrahim Altamini, owner of) No. SU-23-2-5-1
Home Essentials Furniture)
)
For a special use permit.)

**FINDINGS AND DECISION OF THE
PLAN COMMISSION AS TO CASE NO. SU-23-2-5-1
THE APPLICATION OF IBRAHIM ALTAMINI,
OWNER OF HOME ESSENTIALS FURNITURE.
FOR A SPECIAL USE AT 1701 N LARKIN, UNIT 305**

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 May 11, 2023, being fully advised in the premises, THE COMMISSION DOES MAKE THE FOLLOWING FINDINGS:

A. That the applicant, Ibrahim Altamini, owner of Home Essentials Furniture. 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 a B-2 special use for the property described in the application, located at 1701 N Larkin Ave, Unit 305, Crest Hill, Illinois, being part of PIN: 11-04-31-404-012-0000 (the “Property”), as legally described in Exhibit “A” ;

C. That the Property is currently zoned B-2;

D. That the application seeks approval of a special use to allow the rental of large trucks 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 commercial use, with commercial 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 after the Public Hearing was called to order, the applicant presented evidence and arguments in support of the application, and 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 Home Essentials Furniture to allow a B-2 special use to permit the rental of large trucks in accordance with the reviewed plans at the property located at 1701 N Larkin, Unit 305 in Crest Hill, Illinois, being part of PIN: 11-04-31-404-012-0000 (the "Property"), as legally described in Exhibit "A", in a B-2 zoning district was recommended to be approved and is supported by the evidence adduced;
2. The foregoing Findings and Recommendation is subject to the following conditions being placed on the special use permit:
 - a. Prohibition of on-site advertisement of the U-Haul Operation.
 - b. Limitation of the total number of trucks to two (2) on-site at one time.
 - c. All trucks must be parked in the rear of the property, and at no time shall a U-Haul truck associated with the business be located in the front parking lot of the shopping center.
3. It is therefore the recommendation of the City of Crest Hill Plan Commission that the application for the special use be granted subject to the enumerated conditions.

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Adopted by the Plan Commission of the City of Crest Hill, Illinois, this 11th Day of May 2023 upon the following voice vote:

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

Approved:

Bill Thomas, Chairman

Attest:

Christine Vershay-Hall, City Clerk