

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT WITH RESPECT TO  
CERTAIN REAL PROPERTY LOCATED WITHIN THE CORPORATE BOUNDARIES  
OF THE CITY OF CREST HILL  
[APPLICATION OF CALIBER COLLISION CENTERS]**

**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**, Caliber Collision Centers, through Caliber Holdings LLC (“Applicant”), has properly filed and presented before the Crest Hill Plan Commission an application seeking the granting of a special use permit for automobile repair facility (the “Application”) for certain property within the city limits of the City of Crest Hill, Will County, Illinois, and located at 1815 Plainfield Road, Crest Hill, Illinois, PIN: 11-04-31-404-009-0000 (the “Property”), as legally described in Exhibit “A” with proper notice thereof given; and

**WHEREAS**, the Property is currently zoned B-3; and

**WHEREAS**, the Property has been used for an auto repair business since 1990’s and at the time the use began, the Crest Hill Zoning Ordinance did not require a special use permit for an auto repair center; and

**WHEREAS**, the Crest Hill Zoning Ordinance was amended in 2000 to make an auto repair business a special use within the B-3 Zoning District, thereby making the use of the Property legal non-conforming; and

**WHEREAS**, the Crest Hill Zoning Ordinance requires that upon sale of the property or the non-conforming, the property or use must be made to conform to the use regulations of the district in which it is located (Crest Hill Zoning Ordinance Section 5.5); and

**WHEREAS**, the owner of the property (and owner the prior auto repair business use) has sold the auto repair business only to Caliber Collision Centers, through Caliber Holdings LLC; and

**WHEREAS**, the Applicant has requested that the zoning be changed to a B-3 special use permit to bring the usage into conformance with the regulations of the B-3 District under the current City of Crest Hill Zoning Ordinance, which requires a special use permit for auto repair in the B-3 District; and

**WHEREAS**, the Crest Hill Plan Commission, by formal vote taken November 9, 2023, recommended approval of the special use permit sought in the Application, with conditions, after holding a Public Hearing, with proper notice thereof given; and

**WHEREAS**, the City Council has examined the November 9, 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 for a special use permit 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 Caliber Collision Centers, through Caliber Holdings LLC to allow a B-3 special use to permit an auto repair business on the property located at 1815 Plainfield Road, Crest Hill, Illinois, PIN: 11-04-31-404-009-0000, as legally described in Exhibit “A”, 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. No exterior repair of motor vehicles shall be permitted; all repairs must take place inside the building.
2. No vehicle sales or rental shall be permitted on the property, unless a special use has been approved, in accordance with Section 12.0.
3. No outdoor storage shall be permitted on the property, including but not limited to, the following items: automotive parts, tires, automotive equipment.
4. Overnight parking of vehicles is permitted outside of the building, but only within the fenced area on the property.
5. No overnight parking of any semitrailers or other storage and/or hauling or moving equipment shall be permitted.
6. Hours of operation are Monday through Friday from 7:30 am to 5:30 pm and a ½ day on Saturday by appointment only.

7. No vehicles shall be allowed on the property with a weight of more than eighteen thousand (18,000) pounds.
8. The area on the adjacent property to the south is limited to *vehicle storage that is associated with the business operations at 1815 Plainfield Road*.
9. The Applicant's execution of the Unconditional Agreement and Consent, attached hereto as Exhibit "C" and which is incorporated herein by reference.

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

**SECTION 4:** This Ordinance shall become effective only upon the attachment of a fully executed Exhibit "C" within 60 days of the passage of this Ordinance. If Exhibit "C" 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 be subject to repeal or revocation of the Special Use Permit due to the Applicant's violation of any of the enumerated conditions in Section 3. In the event that the City Council shall consider repeal or revocation for violation of the Conditions in Section 3, the City will provide the Applicant with written notice of the Meeting at which the repeal or revocation will be considered and shall have an opportunity to be heard on the issue. The decision of the City Council shall be final, and no further appeal shall be allowed.

**[Left Intentionally Blank]**

PASSED THIS 4<sup>TH</sup> DAY OF DECEMBER, 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 4<sup>TH</sup> DAY OF DECEMBER, 2023

---

Raymond R. Soliman, Mayor

ATTEST:

---

Christine Vershay-Hall, City Clerk

Exhibit "A"

LEGAL DESCRIPTION

PIN:11-04-31-404-009-0000

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHP 36 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE SOUTHEASTERLY RIGHT OF WAY LINE OF THE ELGIN, JOLIET AND EASTERN RAILROAD, AT ITS POINT OF INTERSECTION WITH THE CENTER LINE OF U.S. HIGHWAY ROUTE NO. 30 (LINCOLN HIGHWAY) THENCE SOUTHEASTERLY ALONG SAID CENTERLINE OF SAID HIGHWAY 155.45 FEET, THENCE SOUTHWESTERLY ALONG A LINE AT A RIGHT ANGLE TO THE SAID CENTERLINE OF SAID HIGHWAY 382.9 FEET TO A POINT, THENCE NORTHEASTERLY ALONG A LINE 129.12 FEET TO A POINT IN THE SAID SOUTHEASTERLY RIGHT OF WAY LINE OF SAID RAILROAD, THAT IS 383.58 FEET SOUTHWESTERLY (MEASURED ALONG THE SAID SOUTHEASTERLY RIGHT OF WAY OF SAID RAILROAD) FROM THE POINT OF BEGINNING, THENCE NORTHEASTERLY ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE OF SAID RAILROAD, 383.58 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PART CONVEYED TO THE STATE OF ILLINOIS FOR THE BENEFIT OF THE DEPARTMENT OF TRANSPORTATION BY THE INSTRUMENT RECORDED AS DOCUMENT NUMBER R74-2855, IN WILL COUNTY, ILLNOIS.

Exhibit “B”

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

IN RE:	)	
	)	
The application Caliber Collision Centers	)	
(Caliber Holdings, LLC)	)	No. SU-23-5-11-1
	)	
	)	
For a special use permit.	)	

**FINDINGS AND DECISION OF THE  
PLAN COMMISSION AS TO CASE NO. SU-23-5-11-1  
THE APPLICATION OF CALIBER COLLISION CENTERS (CALIBER HOLDINGS, LLC  
FOR A SPECIAL USE AT 1815 PLAINFIELD ROAD**

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 November 9, 2023, being fully advised in the premises, THE COMMISSION DOES MAKE THE FOLLOWING FINDINGS:

A. That the applicant, Caliber Collision Centers (Caliber Holdings, LLC) is the new owner of the business use which will be occupying 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-3 special use for the property described in the application, located at 1815 Plainfield Road, Crest Hill, Illinois, PIN: 11-04-31-404-009-0000 (the “Property”), as legally described in Exhibit “A”;

C. That the Property is currently zoned B-3;

D. That the application seeks approval of a special use to allow an auto repair facility on the Property;

E. That the proposed use by the applicant is not allowed on the Property as currently zoned;

F. That the Property is currently zoned as a Business use, with only other Business 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 to order, the applicant presented evidence and arguments in support of his 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).

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 Caliber Collision Centers (Caliber Holdings, LLC) to allow a B-3 special use for an auto repair facility in accordance with the application the property located at 1815 Plainfield Road, Crest Hill, Illinois, PIN: 11-04-31-404-009-0000, as legally described in Exhibit "A", in a B-3 zoning district is recommended to be approved by the City Council and is supported by the evidence adduced;
2. The following conditions were placed on the special use permit:
  - a) No exterior repair of motor vehicles shall be permitted; all repairs must take place inside the building.
  - b) No vehicles sales or rental shall be permitted on the property, unless a special use has been approved, in accordance with Section 12.0.
  - c) No outdoor storage shall be permitted on the property, including, but not limited to, the following items: automotive parts, tires, automotive equipment.
  - d) Overnight parking of vehicles is permitted outside of the building, within the fenced area on the property.
  - e) No overnight parking of any semitrailers or other storage and/or hauling or moving requirement shall be permitted.
  - f) Hours of operation are Monday thru Friday, 7:30 am to 5:30 pm and a ½ day on Saturday by appointment only.
  - g) No vehicles shall be allowed on the property with a weight of over eighteen thousand (18,000) pounds.
  - h) The area on the adjacent property to the south is limited to *vehicle storage only, associated with the operations at 1815 Plainfield Road.*
3. It is therefore the recommendation of the City of Crest Hill Plan Commission that the application for the special use be granted and approved by the City Council upon the specified conditions.

***[Left Intentionally Blank]***

Adopted by the Plan Commission of the City of Crest Hill, Illinois, this 9<sup>th</sup> Day of November, 2023  
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>          </u>	<u>          </u>	<u>X</u>	<u>          </u>
Commissioner Jan Plettau	<u>X</u>	<u>          </u>	<u>          </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, Chairperson

Attest:

\_\_\_\_\_  
Christine Vershay-Hall, City Clerk