



City of Wilmington - 1165 South Water Street - Wilmington, IL 60481

**Agenda – Planning & Zoning Commission
Wilmington City Hall Council Chamber
January 12, 2023 at 5:00 p.m.
In-Person & Via Zoom**

join by video at:

<https://us02web.zoom.us/j/82280515099?pwd=WlphbUlYU3VwSHg3MTk1TINLd3ZBdz09>

join by phone at:

1-312-626- 6799

Meeting ID: 822 8051 5099 / Passcode: 738017

IN ACCORDANCE WITH PUBLIC ACT 101-0640, 5 ILCS 120/7(e), THIS MEETING WILL BE HELD IN-PERSON AND REMOTELY BASED ON THE GUBERNATORIAL DISASTER DECLARATION AND THE MAYOR OF THE CITY OF WILMINGTON DETERMINING THAT A FULL IN-PERSON MEETING IS NOT PRACTICAL OR PRUDENT. MEMBERS OF THE GENERAL PUBLIC WILL BE ABLE TO VIEW AND PARTICIPATE IN THE MEETINGS REMOTELY AS WELL.

1. Call Meeting to Order
2. Roll Call by Clerk
 - Larry Clennon
 - John Tryner
 - Bryan Humphries
 - Ivana Longest
 - Chris Smith
 - Jayson Walinski
 - Mark Duffy
3. Approve the Previous Meeting Minutes
4. Public Hearing to Consider Request by Petitioner Steve Nelson of Nelly's, 110 Bridge Street, Wilmington, IL 60481 for a Conditional Use from 150.62(C)(13) B3-General Commercial to allow for restaurants to include drive-through facilities and Final Site Plan Review of property generally located at 110 Bridge Street in Wilmington, IL (PIN 03-17-25-304-007-0000)
 - a. Introduction to Petition
 - b. Open Public Hearing
 - c. Verification of Notice & Publication
 - d. City Staff Summary
 - e. Oath Issued
 - f. Petitioner's Presentation
 - g. Commissioner Clarification
 - h. Public Comment
 - i. Petitioner Response
 - j. Close Public Hearing
 - k. Motion to take action
5. Public Hearing to Consider Request by Petitioner KAB Group Development LLC, 812 Wildcat Court, Wilmington, IL 60481 for a Map Amendment to R1-Residential Single Family to B3-General Commercial with a Conditional Use for Warehouse and Storage Facilities under 150.62(C)(14) on the combined .89 acres of property located on the northwest corner of School Street in Wilmington, IL (PIN 03-17-26-403-011-0000)
 - a. Introduction to Petition
 - b. Open Public Hearing
 - c. Verification of Notice & Publication
 - d. City Staff Summary
 - e. Oath Issued
 - f. Petitioner's Presentation

*Posting Date:
1/4/2023 2:58 PM jz*

- g. Commissioner Clarification
- h. Public Comment
- i. Petitioner Response
- j. Close Public Hearing
- k. Motion to take action

- 6. Public Comment *(State your full name clearly; limit 3 minutes each per Ordinance 19-06-18-01)*
- 7. Discussion – Trinity 16-unit Residential Building
- 8. Other Pertinent Information
- 9. Adjournment

The next Planning & Zoning meeting is scheduled for February 2, 2023 at 5:00 PM

Minutes to the City of Wilmington
Planning and Zoning Commission Meeting
Wilmington City Hall
1165 South Water Street
Thursday, December 1, 2022, at 5:00 PM

Call to Order

The December 1, 2022 meeting of the Wilmington Planning & Zoning Commission was called to order at 5:03 p.m. by Chairman Bryan Humphries

Roll Call

Upon Roll Call by the Clerk the following members answered "Here" or "Present":

Commissioners Present Humphries, Clennon, Smith, Longest, Walinski, Tryner, Duffy

Quorum

There being a sufficient number of members of the corporate authorities in attendance to constitute a quorum, the meeting was declared in order.

Other Officials in Attendance

Also, in attendance were City Administrator Jeannine Smith, City Attorney Bryan Wellner, and Deputy City Clerk Joie Ziller

Approve the Previous Meeting Minutes

Commissioner Longest made a motion and Commissioner Tryner seconded to approve the November 3, 2022 meeting minutes and have them placed on file.

Upon roll call, the vote was:

AYES: 7 Clennon, Smith, Longest, Walinski, Tryner, Humphries, Duffy

NAYS: 0

Motion passed.

Public Hearing

Commission Chairman Humphries made the introduction regarding tonight's public hearing to Consider Request by Petitioner Commonwealth Edison Company, Three Lincoln Centre, Oakbrook Terrace, IL 60181 for a Map Amendment (150.14) from A1-Agricultural Zoning District to I1-Office, Research and Light Industrial Zoning District and Conditional Use (150.17) to install a 104' tall Antenna Support Structure within an existing electrical substation on approximately twenty-two (22) acres of property located at the intersection of HWY 53 and Coal City Road in Wilmington, IL (#03-17-34-400-004-0000)

Commissioner Clennon made a motion and Commissioner Smith seconded to open the public hearing at 5:07 p.m.

Upon roll call, the vote was:

AYES: 7 Clennon, Smith, Longest, Walinski, Tryner, Humphries, Duffy

NAYS: 0

Motion passed.

Deputy City Clerk Ziller confirmed verification of the Public Notice published in the Free Press Advocate on November 16, 2022.

City Administrator Smith reviewed the Staff Report as presented in the meeting agenda packet.

Will Otter representing the petitioner Commonwealth Edison Company introduced himself and reviewed the proposed project as presented in the agenda packet. In addition, Mr. Otter presented a presentation to the Commission which will be included with the approved minutes from this meeting for future reference.

The Planning & Zoning Commissioners reviewed and discussed the proposal of the petitioner.

No public comments were made related to this public hearing.

Commissioner Longest made a motion and Commissioner Duffy seconded to close the public hearing at 5:24 p.m.

Upon roll call, the vote was:

AYES: 7 Clennon, Smith, Walinski, Longest, Tryner, Humphries, Duffy

NAYS: 0

Motion passed.

There being no further discussion, Commissioner Tryner made a motion and Commissioner Smith seconded to approve the recommendation for the City Council to consider the Map Amendment from A1-Agricultural Zoning District to I1-Office, Research, and Light Industrial Zoning District and Conditional Use (150.17) to install a 104' tall Antenna Support Structure within an existing electrical substation on approximately twenty-two (22) acres of property located at the intersection of HWY 53 and Coal City Road in Wilmington, IL (#03-17-34-400-004-0000)

Upon roll call, the vote was:

AYES: 7 Clennon, Smith, Walinski, Longest, Tryner, Humphries, Duffy

NAYS: 0

Motion passed.

Public Comment

Steve Nelson informed the Commission that he is interested in constructing a drive-thru for Nelly's. Mr. Nelson summarized that the current Nelly's kitchen will be moved to the back of the brewery and that he is also requesting the City to vacate two parking spaces in the municipal parking lot.

Discussion – Rezoning from R1 to R3 at 31951 S. West River Road

Attorney Meents representing the petitioner, Michael DesRochers explained that his client would like the Commission to consider a Map Amendment to change the zoning from R1-Residential Single Family to R3-Residential Two Family at his property located at 31951 S West River Road. The Commission would like to see development plans before making the recommendation for a Map Amendment.

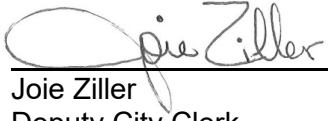
Other Pertinent Information

No other pertinent information was discussed.

Adjournment

A motion to adjourn the meeting was made by Commissioner Clennon and seconded by Commissioner Duffy. Upon voice vote, the motion was carried. The Wilmington Planning & Zoning meeting held on December 1, 2022, adjourned at 5:55 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Joie Ziller". The signature is written in black ink and is positioned above a horizontal line.

Joie Ziller
Deputy City Clerk

NOTICE OF PUBLIC HEARING
Planning and Zoning Commission of the City of Wilmington, IL

NOTICE IS HEREBY GIVEN that, on January 12, 2023 at 5:00 p.m. a public hearing will be held by the Planning and Zoning Commission of the City of Wilmington at City Hall located at 1165 S. Water Street, Wilmington, IL for the purpose of receiving and considering testimony and public comment on the request of the petitioner, Steve Nelson of Nelly's, 110 Bridge Street, Wilmington, IL 60481 for a Conditional Use from 150.62(C)(13) B3-General Commercial to allow for restaurants to include drive-through facilities and Final Site Plan Review of property generally located at 110 Bridge Street in Wilmington, IL which property is described as follows:

THT PRT OF THE SW1/4 OF SEC 25, T33N-R9E., LYING E OF THE E LN OF BLK 2 IN ALDEN'S ISLAND ADDITION TO WILMINGTON, LYING S OF THE N LN OF THE S 200 FT OF SD BLK 2 IN ALDEN'S ISLAND ADDITION EXTENDED E, LYING N OF THE N LN OF BALTIMORE ST & LYING W OF THE FOLLOWING DESCRIBED LN: BEG AT A PT ON THE N LN OF SD BALTIMORE ST THT IS MEASURED S 64 DEG 00' W, 263 FT FROM THE SW COR OF BLK 4 IN ORIGINAL TOWN OF WILMINGTON; THC N 30 DEG W TO THE SD N LN OF SD S 200 FT OF BLK 2 IN ALDEN'S ISLAND ADDITION EXTENDED EAST (EX THT PRT TO THE CITY OF WILMINGTON PER R72-032100 DAF: THT PRT OF THE SW1/4 OF SEC 25, T33N-R9E., LYING E OF THE E LN OF BLK 2 IN ALDEN'S ISLAND ADDITION TO WILMINGTON, LYING S OF THE N LN OF THE S 200 FT OF SD BLK 2, IN ALDEN'S ISLAND ADDITION EXTENDED E, LYING N OF THE N LN OF BALTIMORE STREET AS NOW (1968) LOCATED & LYING W OF THE FOLLOWING DESCRIBED LN, BEG AT A PT ON THE N LN OF SD BALTIMORE ST THT IS MEASURED S 64 DEG 00' W, 263 FT FROM THE SW COR OF BLK 4 IN THE ORIGINAL TOWN OF WILMINGTON; THC N 30 DEG W TO THE SD N LN OF THE SD S 200 FT OF BLK 2 IN ALDEN'S ISLAND ADDITON EXTENDED E. SPECIFICULLY EX FROM THE FOREGOING THT PRT THEREOF LYING W'LY OF THE FOLLOWING DESCRIBED LN: BEG AT A PT ON THE N LN OF BALTIMORE ST AS NOW (1968) LOCATED IN THE CITY OF WILMINGTON THT IS MEASURED S 64 DEG 00' W, 278.50 FT FROM THE SW COR OF BLK 4 IN THE ORIGINAL TOWN OF WINCHESTER, NOW WILMINGTON; THC N 45 DEG 43' W TO A LN 200 FT N OF THE S LN OF BLK 2 IN ALDEN'S ISLAND ADDITION TO WILMINGTON) & ALSO THE S 200 FT OF BLK 2 IN ALDEN'S ISLAND ADDITION TO THE CITY OF WILMINGTON IN SD SW1/4 OF SEC 25, T33N-R9E. TOGETHER WITH THT PRT OF THE S 200 FT OF BLK 2 IN ALDEN'S ISLAND ADDITION TO THE CITY OF WILMINGTON IN SECS 25 & 36 IN T33N-R9E. & ALSO THT PRT OF THE SW1/4 OF SD SEC 25, LYING E OF THE E LN OF BLK 2 IN ALDEN'S ISLAND ADDITION TO WILMINGTON, LYING S OF THE N LN OF THE OF THE S 200 FT OF SD BLK 2 IN ALDEN'S ISLAND ADDITION EXTENDED E, LYING N OF THE N LN OF BALTIMORE ST AS NOW (1968) LOCATED, COMM AT A PT ON THE N LN OF BALTIMORE ST THT IS MEASURED S 64 DEG 00' 00" W, 204.14 FT FROM THE SW COR OF BLK 4 IN THE ORIGINAL TOWN OF WILMINGTON; THC N 45 DEG 43' 00" W, 60.09 FT TO THE POB; THC CONT N 45 DEG 43' 00" W, 170 FT; THC S 45 DEG 43' 00" W, 70.02 FT TO THE W'LY LN OF LANDS CONVEYED TO THE CITY OF WILMINGTON BY DOC# R72-032100; THC S 45 DEG 43' 00" E, 170 FT; THC N 45 DEG 43' 00" E, 70.02 FT TO THE POB. DIV/CONSOL PER R2002-185756 NDA

PIN: 03-17-25-304-007-0000

All persons interested in attending are invited to do so and will be given an opportunity to be heard. Pursuant to Section 7(e) of the Illinois Open Meetings Act, 5 ILCS 120/7(e), and guidance provided by legal counsel, the City of Wilmington may conduct all or portions of this meeting by use of telephonic or electronic means without a physical quorum present in the boardroom. Public access to this meeting is available as follows:

Join Zoom meeting by video:

<https://us02web.zoom.us/j/82280515099?pwd=WlphbUJyU3VwSHg3MTk1TINLd3ZBdz09>

Join Zoom meeting by phone:

1 312 626 6799 US

Meeting ID: 822 8051 5099 / Passcode: 738017

All persons interested in attending are invited to do so and will be given an opportunity to be heard. Additional information on such application can be obtained from the City of Wilmington Zoning Administrator at 1165 S. Water Street, Wilmington, IL (815) 476-2175.

City of Wilmington
Will County, Illinois



Planning and Zoning Application Form

Application Request(s)

Check all that apply.

- Annexation Concept Site Plan Map Amendment PUD-Special Use Permit
- Preliminary Plat Final Site Plan Text Amendment
- Final Plat Variance Conditional Use Permit

The undersigned applicant(s) request(s) the corporate authorities of the City of Wilmington to approve the following application for the above checked item(s) in the City of Wilmington and in support of the said application, state(s) as follows:

Property and Request Information

Address of Request 110 Bridge Street

Project Name Nellys Drive Thru PIN 03 172 530 40070000

General Location Nelson's Property Size _____

Present Zoning B3 Previous Zoning _____

Present Land Use Commercial Proposed Land Use _____

Reason for Request/Description of Request: Drive up window For Nellys

Building Permit Submitted? Yes No If yes, for what: Kitchen Build Out

Complete the following Development information if applicable:

Development/Subdivision Name: _____

Type of Development: Residential Commercial Industrial Institutional

Number of Units/Lots (if applicable) _____

Buildings/Improvements on Property to Remain or be Removed? (describe): remain

Floodplain in areas present on the property? Yes No

Professional Fee Agreement Submitted? Yes No

Applicant Information

Applicant/Developer

Owner Contract Purchaser Lessee Agent For:

Steve Nelson
Primary Contact

Nelly
Business Name

110 Bridge Wilmington IL 60481
Address (City, State, Zip)

NELLY 4278 @ Yahoo.COM
Email

815-739-3074
Phone

Fax

Property Owner (if different than applicant)

Name

Email

Address (City, State, Zip)

Phone

Fax

**Project Team
Attorney**

Name

Business Name

Address (City, State, Zip)

Email

Phone

Fax

Engineer

Name

Business Name

Address (City, State, Zip)

Email

Phone

Fax

Project Team (Continued)
Planning/Landscape Architect Consultant

Steve Kelly
Name

Nelly's
Business Name

110 Bridgeway Wilmington IC 60481
Address (City, State, Zip)

NELLY 4278@yahoo.com
Email

815-739-3074
Phone

Fax

Submitted Materials Required

- Legal Description of Property (Hard Copy)
- Legal Description of Property (Emailed Copy)
- Disclosure of Beneficiaries Form - completed
- Non- Refundable Fees (all that apply)
 - Annexation: \$ _____
 - Preliminary Plat: \$ _____
 - Final Plat: \$ _____
 - Concept Site Plan: \$ _____
 - Final Site Plan: \$ _____
 - Variance: \$ _____
 - Map Amendment: \$ _____
 - Text Amendment: \$ _____
 - Conditional Use Permit: \$ _____
 - PUD-Special Use Permit: \$ _____

Amendment request(s) fees are the same as listed above.

- Variance, Special Use Permit and/or PUD Supplement(s)
- Plat of Survey, to scale and current
- For Variation(s): Marked up Plat of Survey illustrating variation(s)
- Any specific information which may help in the review and approval process

Applicable for new development only:

- Four (4) full-size, folded, collated copies of all applicable plans including but not limited to the following:
 - Site Plan with Complete Site Data, Preliminary/Final Plats, Architectural Elevations (Color and Black-Line)
 - Signs, Photometric Plan with Lighting Specifications, Tree Survey, Landscape Plan
- One (1) copy of the proposed covenants and restrictions
- A detailed description of business, proposed hours of operation, number of employees

Applicant Signatures

The undersigned below hereby certifies that he/she is the owner of the described property and has authorized an agent, which both agree to abide by all ordinances, regulations, and codes of the City of Wilmington as are in full force and effect on the date of the consideration of this application by the Corporate Authorities. The owner or applicant(s) also agree(s) to pay any and all fees, costs, and expenses of the City of Wilmington, including professional fees that are necessary and required to act on this application.

Nelly's Build out
Project Name

Steve Dehn _____
Owner's Name Applicant's Name, if different than owner

Owner's Signature Applicant's Signature

110 Bridge Wilmington NC 28401
Address (City, State, Zip)

7-25-22
Date

Staff Use Only

Applicable Code Sections

Comprehensive Plan

Zoning of Adjacent Properties: North _____ South _____ East _____ West _____

Date Professional Fee Agreement was signed Applicant's Name, if different than owner

Submittal Date Received By

Address (City, State, Zip)

Payment Amount Payment Type

Payment Date



Conditional Use Application Supplement

Nelson's Furniture 7-25-22
Applicant's Name Date
290 Bridge Street Wilmington NC 60481
Address (City, State, Zip)
Drive up Window For Restaurant
Request

Provide justification as to how the request meets the following Standards for Approval as set forth in the City of Wilmington Municipal Code. Additional sheets may be attached, if necessary.

Chapter 150.17 of the Wilmington Code of Ordinances provides that for a requested Conditional Use, the Planning and Zoning Commission shall provide findings of fact setting forth the reasons for the recommendation, and the findings shall set forth with particularity the following:

(a) Proposed use of the property that warrants this application for a conditional use

*Drive up Window For Nelly's
making easier to access Nelly's. You will be able to order
and pay Remotely and Pick up from the window*

(b) If the proposed conditional use is approved, what improvements of construction are planned? (An accurate site plan may be required to establish that the proposed improvement can meet the minimum zoning requirements)

*Moving Nelly's Kitchen to the back of Old School
Brewing to allow a Drive up Window*

(c) Identify the existing uses of the properties within the general area of the property in question

This space is Now part of Nelson's

(d) Identify the existing zoning classification of the properties within the general area of the property in question

Commercial

(e) Describe how the proposed conditional use will not have an adverse effect on the value of adjacent properties. Compare the value of the subject property and nearby properties under the current zoning to their potential value under the proposed zoning.

No Change

(f) Describe how the subject property cannot be reasonably used for any of the uses currently permitted under its current zoning classification. (*Physical and market conditions may be considered.*)

(g) Does the property have appropriate public facilities, such as sewer, water and roads, and other required services?

Yes

(h) How does the proposed conditional use, and ultimately the use of the property, relate to the land use plan of the current City of Wilmington Comprehensive Plan?

Nelly's is already in the complex

(i) Describe how the establishment, maintenance or operation of the conditional use will not be detrimental to, or endanger the public health, safety, and general welfare.

Making it Easier for People to Access Nelly's

(j) Describe how the conditional use will not be injurious to the use and enjoyment of other property in the immediate area for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood?

Should have NO effect

(k) Describe how the establishment of the conditional use will not impede the normal and orderly development and improvement of the adjacent property for uses permitted in the district.

No Effect



Variance Application Supplement

steve nelson

11-30-22

Applicant's Name

Date

110 bridge street wilmington IL 60481

Address (City, State, Zip)

nellys build out

Request

Provide justification as to how the request meets the following Standards for Approval as set forth in the City of Wilmington Municipal Code. Additional sheets may be attached, if necessary.

Chapter 150.12 of the Wilmington Code of Ordinances provides that for a requested Variance, the Planning and Zoning Commission shall provide findings of fact setting forth the reasons for the recommendation, and the findings shall set forth with particularity the following:

(a) Describe the reason for the request drive up window
(b) Describe the proposed use pick up food
(c) How will the proposed variance impact existing and future land use? no impact

(d) How will the proposed variance impact adjacent property values?
no impact

(e) Will the variance negatively impact the general public health, safety, and welfare:

Yes No

Explanation:

(f) Will the variance conflict with existing conditions or public improvements such as schools, sewer/water systems, parks, roads, traffic patterns, etc.:

Yes No

Explanation:

(g) Describe reasons that strict enforcement of the code would involve practical difficulties or impose exceptional hardship
The only reason to move Nelly's kitchen is for the pick up window

(h) Describe how the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the particular district or zone;
We would not have a reason to move the kitchen without a drive up window

(i) Describe how the plight of the owner is due to unique circumstances;
We currently do not have a driveup and with all the new normals with Covid this helps with delivery of food for people still not wanting to come out in public and find it easier to drive up

(j) Describe how the variation, if granted, will not alter the essential character of the locality.
Should have no barring on the look of locality



PLANNING AND ZONING COMMISSION
PETITION FOR VARIANCE

(1) Strict enforcement of the code would involve practical difficulties or impose exceptional hardship;

Yes No Explanation: we would not move the kitchen without the pickup window

(2) The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the particular district or zone;

Yes No Explanation: _____

(3) The plight of the owner is due to unique circumstances;

Yes No Explanation: n/a we are the owners

(4) The variation, if granted, will not alter the essential character of the locality. Adequate evidence was submitted to establish practical difficulties or particular hardship so that, in the judgment of the PZC, a variation is permitted because the evidence sustained the existence of each of the above four conditions.

Yes No Explanation: _____


Required Public Notices

Unless otherwise confirmed below by acknowledgement of intent to complete notices, the City of Wilmington will complete all ordinance required public notice postings no less than 15 days and no more than 30 days prior to the scheduled public hearing. Such notices include the following:

- City shall provide and applicant shall post a sign on the subject property;
- Public Notice in a newspaper of general circulation;
- Written notice with certified return receipt to the owner of the record, as shown on the record of the local real estate tax collector, of all lots lying within 250 feet, exclusive of right-of-ways, of the property line for which the request is sought.

Only if Petitioner chooses to complete written notices. As the petitioner, I would like to complete the required written notices and take full responsibility for the accuracy and timeliness of said notices. Prior to mailing said notices I will confirm with City staff the ordinance required content of the letters, method of sending letters, and required affidavit of notice.

X Steve Nelson
 Applicant's Signature

STATE OF ILLINOIS)
) SS.
COUNTY OF WILL)
The undersigned hereby authorizes the filing of the aforesaid request and understands that the owner or an authorized agent must be present at the public hearing to present the request to the Plan Commission.	
X Steve Nelson OWNER or APPLICANT'S SIGNATURE	NOTARY PUBLIC: Sign: <i>Kathryn R. Maertin</i>  AFFIX STAMP HERE
SUBSCRIBED AND SWORN to before me this <u>1st</u> day of <u>December</u> , 20 <u>22</u> and who has provided the proper identification and who did take an oath.	



CITY REIMBURSEMENT AGREEMENT

This Agreement entered into this 1 day of Sep, 2022, between the City of Wilmington, an Illinois Municipal Corporation (hereinafter referred to as "CITY" and Steve Nelson (hereinafter individually and collectively referred to as "DEVELOPER").

WHEREAS, DEVELOPER proposes to Relocate Nelly's located at and commonly known as Nelly's (hereinafter referred to as "PROJECT"); and

WHEREAS, as a result of the DEVELOPER'S PROJECT, the CITY must have its City, professional staff analyze, review and comment upon and perform other services solely on the CITY'S behalf from the time of the inception of the PROJECT through its completion; and

WHEREAS, the DEVELOPER acknowledges it is responsible to pay the CITY'S cost and expenses for staff services rather than impose the costs and expenses upon the CITY taxpayers and residents.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt of the sufficiency of which is expressly acknowledged by the parties by the execution hereof, it is hereby agreed as follows:

SECTION ONE. PROFESSIONAL FEES. The DEVELOPER will pay the CITY any and all reasonable professional staff fees, costs, and expenses incurred by the CITY as a result of or in conjunction with the DEVELOPER'S PROJECT from the date of this Agreement through the PROJECTS completion as determined by the CITY and/or CITY acceptance of all public improvements associated with the PROJECT, whichever occurs last.

For purposes of this Agreement, the CITY'S professional staff includes, but is not limited to, the City Administrator, Finance Director, its attorneys, engineers, land planners, surveyors, traffic and transportation consultants, and any other consultants the CITY determines is necessary to advise it in consultation with this process.

Fees shall include, but not be limited to, all-time associated with reviews, analysis, discussions, meetings, inspections, planning, and other work or services performed on behalf of the CITY in conjunction with the PROJECT.

The CITY'S professional staff fees shall be billed to the DEVELOPER in the amount of fees and expenses incurred by the CITY in conjunction with the Developer's project in the following sums:



SIZE OF DEVELOPMENT	SECURITY DEPOSIT
SINGLE LOT – FIVE ACRES OR LESS	\$500.00
FIVE TO TEN ACRES	\$3,000.00
ELEVEN TO NINETY-NINE ACRES	\$8,000.00
100 ACRES OR MORE	\$10,000.00

[Current Rate Schedule Subject to Change]

SECTION TWO. SECURITY. Concurrent with the execution of the Agreement, the DEVELOPER shall post and maintain, with the CITY, as security for the DEVELOPER'S payment of such professional fees, costs and expenses. The CITY is specifically authorized to apply this security in payment of such fees, costs and expenses in the event the DEVELOPER fails to make timely payments to the CITY as required under this Agreement. The DEVELOPER is obligated to continuously maintain this amount on deposit with the CITY until the PROJECT'S completion.

SECTION THREE. PAYMENT. The CITY shall provide the DEVELOPER with an itemized statement of fees it incurred. The DEVELOPER shall pay the CITY the full amount within thirty (30) days of the date of a statement from the CITY. If the DEVELOPER does not pay the statement in full within the thirty (30) day period, interest shall accrue on the unpaid balance at the rate of eighteen percent (18%) per annum. The CITY may also, following not less than 10 days written notification to the DEVELOPER, direct that all professional staff cease work on the PROJECT and that it be held in abeyance until the Developer pays all outstanding amounts due the CITY in full, and indefinitely hold and take no further action on any professional applications, permits, licenses or other matters until fully paid or otherwise resolved.

SECTION FOUR. COOPERATION. The DEVELOPER shall fully cooperate with the CITY, notice its officials and professional staff with respect to its PROJECT.

SECTION FIVE. REPRESENTATION OF CITY ONLY. The DEVELOPER acknowledges that the CITY'S in-house and professional staff solely represents the CITY and the CITY'S interest and does not represent the DEVELOPER.

SECTION SIX. CONFLICT. If the terms and provisions of this Agreement conflict with any ordinance of the CITY or agreement between the parties, the terms, and provisions of this City Reimbursement Agreement shall supersede, set, and control any other terms and provisions.

SECTION SEVEN. ATTORNEY'S FEES. In the event any suit is brought to enforce or which otherwise affects this Agreement, or any of its provisions, the DEVELOPER, in addition to all other costs, shall pay the CITY'S reasonable attorney's, expert witness fees, costs, and expenses associated with such litigation.

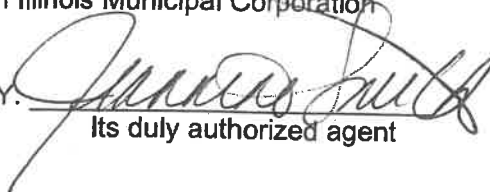
SECTION EIGHT. SEVERABILITY. The invalidity of any paragraph or subparagraph of this City Reimbursement Agreement shall not impair the validity of any other paragraph or subparagraph. If any provision of this Agreement is determined to be unenforceable, such

provision shall be determined severable and the Agreement may be enforced with such provision severed or as modified by such Court.

SECTION NINE. ENTIRE AGREEMENT. This Agreement embodies the entire agreement and understanding between the parties and there are no other agreements, representations, or understandings, oral or written, between the parties with respect to the subject matter of this Agreement. No alteration, modification, amendment, or change of this Agreement shall be valid unless by like instrument.

Dated at Wilmington, Will County, Illinois on the date written above.

CITY OF WILMINGTON,
an Illinois Municipal Corporation

BY: 
Its duly authorized agent

DEVELOPER

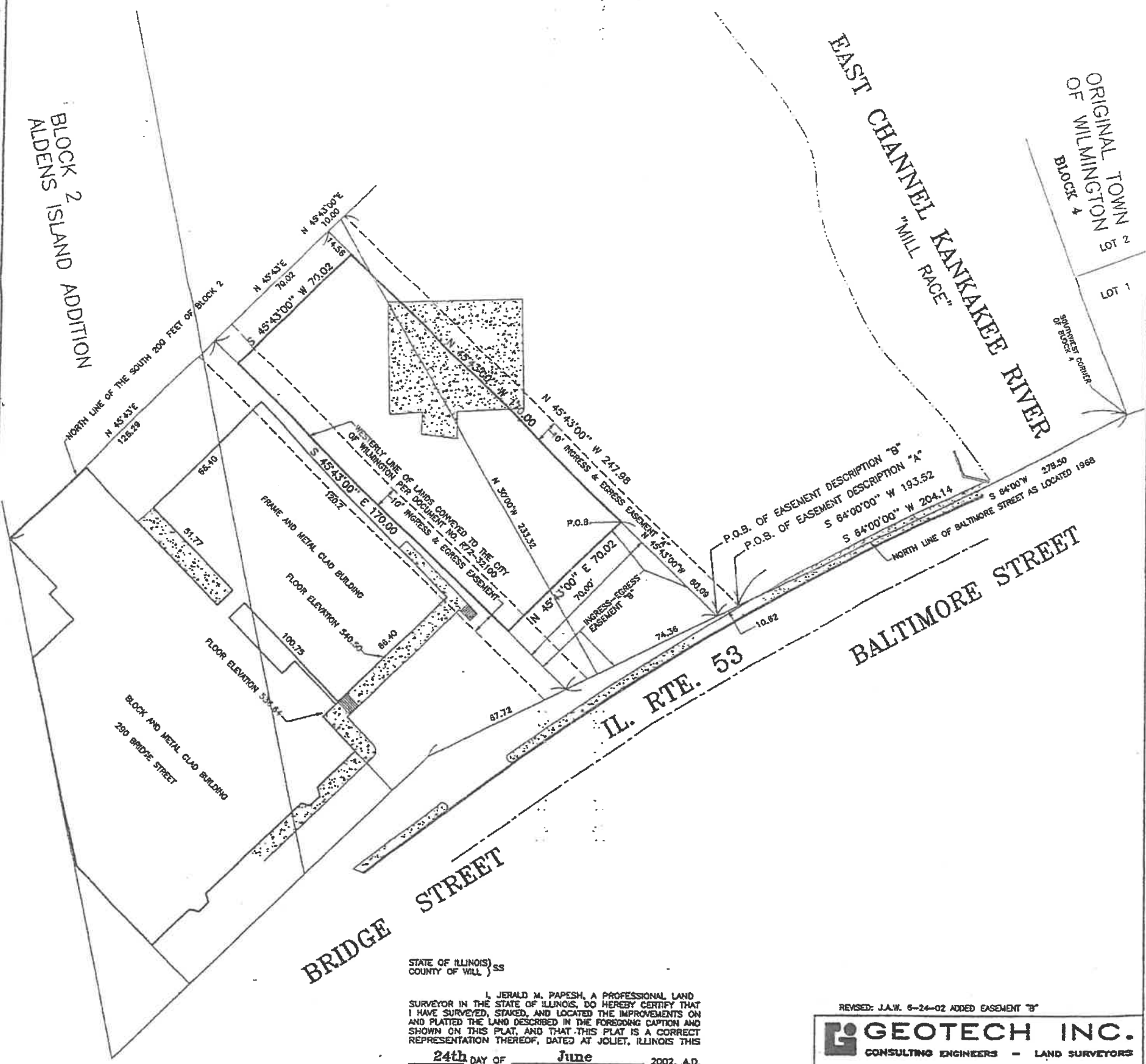
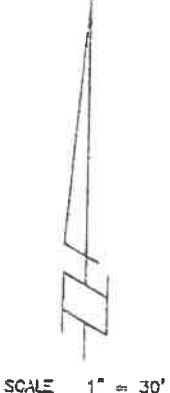
BY: 
Its duly authorized agent

PLAT OF SURVEY

PART OF THE SOUTH 200 FEET OF BLOCK 2, IN ALDEN'S ISLAND ADDITION TO THE CITY OF WILMINGTON, IN SECTIONS 25 AND 36, IN TOWNSHIP 33 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, COMMENCING AT A POINT ON THE NORTH LINE OF BALTIMORE STREET THAT IS MEASURED SOUTH 84 DEGREES 00 MINUTES 00 SECONDS WEST 204.14 FEET FROM THE SOUTHWEST CORNER OF BLOCK 4, IN THE ORIGINAL TOWN OF WILMINGTON; THENCE NORTH 45 DEGREES 43 MINUTES 00 SECONDS WEST 60.09 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 45 DEGREES 43 MINUTES 00 SECONDS WEST 170.00 FEET; THENCE SOUTH 45 DEGREES 43 MINUTES 00 SECONDS WEST 70.02 FEET TO THE WESTERLY LINE OF LANDS CONVEYED TO THE CITY OF WILMINGTON BY DEED RECORDED AS DOCUMENT NO. R72-32100; THENCE SOUTH 45 DEGREES 43 MINUTES 00 SECONDS EAST 170.00 FEET; THENCE NORTH 45 DEGREES 43 MINUTES 00 SECONDS EAST 70.02 FEET TO THE POINT OF BEGINNING, ALL SITUATED IN WILL COUNTY, ILLINOIS.

EASEMENT DESCRIPTION "A":
 PART OF THE SOUTH 200 FEET OF BLOCK 2, IN ALDEN'S ISLAND ADDITION TO THE CITY OF WILMINGTON, IN SECTIONS 25 AND 36, IN TOWNSHIP 33 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, COMMENCING AT A POINT ON THE NORTH LINE OF BALTIMORE STREET THAT IS MEASURED SOUTH 64 DEGREES 00 MINUTES 00 SECONDS WEST 193.52 FEET FROM THE SOUTHWEST CORNER OF BLOCK 4, IN THE ORIGINAL TOWN OF WILMINGTON TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 84 DEGREES 00 MINUTES 00 SECONDS WEST 10.82 FEET; THENCE NORTH 45 DEGREES 43 MINUTES 00 SECONDS WEST 244.65 FEET TO THE NORTH LINE OF THE SOUTH 200.00 FEET OF AFORESAID BLOCK 2; THENCE NORTH 45 DEGREES 43 MINUTES 00 SECONDS EAST 10.00 FEET ALONG SAID NORTH LINE; THENCE SOUTH 45 DEGREES 43 MINUTES 00 SECONDS EAST 247.98 FEET TO THE POINT OF BEGINNING, ALL SITUATED IN WILL COUNTY, ILLINOIS.

EASEMENT DESCRIPTION "B":
 PART OF THE SOUTH 200 FEET OF BLOCK 2, IN ALDEN'S ISLAND ADDITION TO THE CITY OF WILMINGTON, IN SECTIONS 25 AND 36, IN TOWNSHIP 33 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEGINNING AT A POINT ON THE NORTH LINE OF BALTIMORE STREET THAT IS MEASURED SOUTH 64 DEGREES 00 MINUTES 00 SECONDS WEST 204.14 FEET FROM THE SOUTHWEST CORNER OF BLOCK 4, IN THE ORIGINAL TOWN OF WILMINGTON; THENCE NORTH 45 DEGREES 43 MINUTES 00 SECONDS WEST 60.09 FEET; THENCE SOUTH 45 DEGREES 43 MINUTES 00 SECONDS WEST 70.02 FEET TO THE WESTERLY LINE OF LANDS CONVEYED TO THE CITY OF WILMINGTON BY DEED RECORDED AS DOCUMENT NO. R72-32100; THENCE SOUTH 45 DEGREES 43 MINUTES 00 SECONDS EAST TO THE AFORESAID NORTH LINE OF BALTIMORE STREET; THENCE NORTH 64 DEGREES 00 MINUTES 00 SECONDS EAST 74.36 FEET TO THE POINT OF BEGINNING, ALL SITUATED IN WILL COUNTY, ILLINOIS.



STATE OF ILLINOIS)
 COUNTY OF WILL) SS

I, JERALD M. PAPESH, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF ILLINOIS, DO HEREBY CERTIFY THAT I HAVE SURVEYED, STAKED, AND LOCATED THE IMPROVEMENTS ON AND PLATTED THE LAND DESCRIBED IN THE FOREGOING CAPTION AND SHOWN ON THIS PLAT, AND THAT THIS PLAT IS A CORRECT REPRESENTATION THEREOF, DATED AT JOLIET, ILLINOIS THIS

24th DAY OF June 2002, A.D.

REVISED: J.A.W. 6-24-02 ADDED EASEMENT "B"

GEOTECH INC.
 CONSULTING ENGINEERS - LAND SURVEYORS
 1207 CEDARWOOD DRIVE JOLIET, ILLINOIS 60435 815/730-1010

EROSION CONTROL SPECIFICATIONS

SOIL EROSION CONTROL MEASURES IN ACCORDANCE WITH THE IEPA'S "ILLINOIS URBAN MANUAL" AND THE CITY OF WILMINGTON SOIL EROSION AND SEDIMENT CONTROL ORDINANCE, SHALL BE FOLLOWED AS DIRECTED BY THE OWNER, ENGINEER, OR VILLAGE ENGINEER. ANY SOIL EROSION CONTROL MEASURES IN ADDITION TO THOSE OUTLINED IN THESE PLANS AND WHICH ARE DEEMED NECESSARY BY THE OWNER, ENGINEER, AND/OR COUNTY ENGINEER, SHALL BE IMPLEMENTED IMMEDIATELY BY THE CONTRACTOR.

PERIODIC INSPECTION AND MAINTENANCE OF ALL EROSION CONTROL FACILITIES SHALL BE PROVIDED BY THE OWNER/DEVELOPER TO INSURE THE INTENDED PURPOSE IS ACCOMPLISHED.

STREETS ADJACENT TO THE SITE SHALL BE KEPT FREE OF DIRT, MUD AND DEBRIS AT ALL TIMES.

NO SEDIMENT SHALL BE ALLOWED TO ENTER ANY EXISTING STORM SEWER SYSTEMS OR DRAINAGEWAYS.

IN ACCORDANCE WITH THESE CONSTRUCTION PLANS, TEMPORARY STAKED STRAW BALES SHALL BE INSTALLED AND MAINTAINED AROUND STORM SEWER STRUCTURES AND WALE AREAS UNTIL VEGETATION IS ESTABLISHED AND/OR CONSTRUCTION IS COMPLETE.

TOP SOIL STOCKPILES SHALL BE LOCATED TO AVOID EROSION OF SAID STOCKPILE ONTO OFFSITE AREAS, I.E. THE STOCKPILE SHALL BE LOCATED SO THAT AN ONSITE DRAINAGE SWALE IS LOCATED BETWEEN THE STOCKPILE AND THE DOWNSTREAM OFFSITE PROPERTY. IF A STOCKPILE IS NOT REMOVED OR STABILIZED FOR MORE THAN 60 DAYS, IT IS REQUIRED THAT THE STOCKPILE BE STABILIZED SO AS TO MINIMIZE SOIL EROSION BY BOTH WIND AND WATER, WITHIN 10 DAYS OF PLACEMENT.

ALL STORM SEWER, CATCH BASINS, SUMPS AND SEDIMENT BASINS PROVIDED WITHIN THIS PROJECT ARE TO BE CLEANED AT THE END OF CONSTRUCTION OF THE PROJECT AND PRIOR TO FINAL ACCEPTANCE. CLEANING SHALL ALSO BE REQUIRED DURING THE COURSE OF THE CONSTRUCTION OF THE PROJECT IF IT IS DETERMINED THAT THE SILT AND DEBRIS TRAPS ARE NOT PROPERLY FUNCTIONING AND THAT THEIR PERFORMANCE IS BEING IMPAIRED.

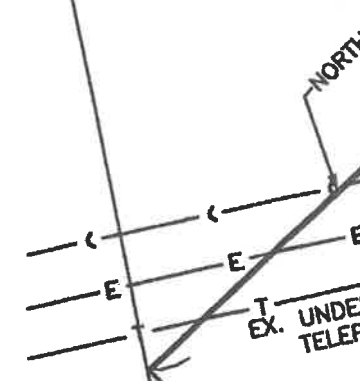
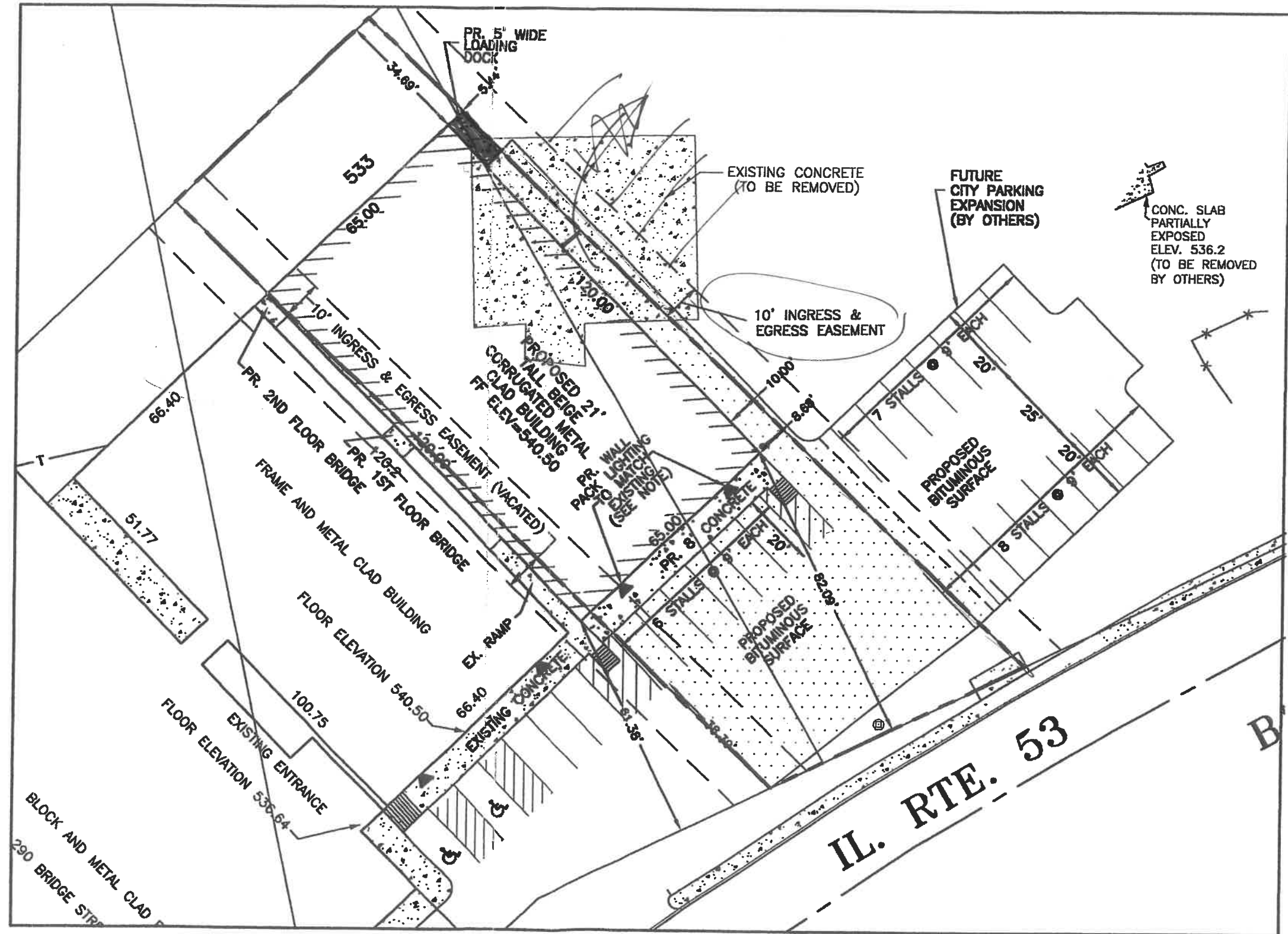
A STABILIZED CONSTRUCTION ENTRANCE FOR MUD AND EROSION CONTROL SHALL BE ESTABLISHED AT THE ONSET OF CONSTRUCTION ACTIVITIES AND SHALL BE MAINTAINED THROUGHOUT THE COURSE OF THE PROJECT. THE CONSTRUCTION ENTRANCE SHALL BE LOCATED GENERALLY AS SHOWN ON THE PLANS AND AT ANY OTHER POINTS WHERE CONSTRUCTION TRAFFIC FREQUENTLY LEAVES THE PUBLIC ROADWAY TO ENTER/EXIT THE SITE.

SEEDING AND MULCHING SHALL BE DONE IN ACCORDANCE WITH SECTIONS 250 AND 251 OF THE IDOT STANDARD SPECIFICATIONS. THE SEED MIXTURE SHALL BE CLASS 1 (LAWN MIXTURE).

PARKING STATISTICS:
 EXISTING SPACES = 7
 PROPOSED SPACES = 21
 TOTAL SPACES = 28

GEOMETRY DETAIL

SCALE 1"=30'



NOTICE OF PUBLIC HEARING
Planning and Zoning Commission of the City of Wilmington, IL

NOTICE IS HEREBY GIVEN that, on January 12, 2023, at 5:00 p.m. a public hearing will be held by the Planning and Zoning Commission of the City of Wilmington at City Hall located at 1165 S. Water Street, Wilmington, IL for the purpose of receiving and considering testimony and public comment on the request of the petitioner, KAB Group Development LLC, 812 Wildcat Court, Wilmington, IL 60481 for a Map Amendment to R1-Residential Single Family to B3-General Commercial with a Conditional Use for Warehouse and Storage Facilities under 150.62(C)(14) on the combined .89 acres of property located on the northwest corner of School Street in Wilmington, IL which property is described as follows:

THE W1/2 LOTS 8 & 9 IN GOODINGS SUB OF BLK 11OF THOMPSONS SUB, A SUB OF PRT OF THE W1/2 SE1/4 SEC 26 T33N-R9E
PIN #03-17-26-403-009-0000

and

THE E1/2 LOT 9 IN GOODINGS SUB OF BLK 11OF THOMPSONS SUB, A SUB OF PRT OF THE W1/2 SE1/4 SEC 26 T33N-R9E
PIN #03-17-26-403-011-0000

All persons interested in attending are invited to do so and will be given an opportunity to be heard. Pursuant to Section 7(e) of the Illinois Open Meetings Act, 5 ILCS 120/7(e), and guidance provided by legal counsel, the City of Wilmington may conduct all or portions of this meeting by use of telephonic or electronic means without a physical quorum present in the boardroom. Public access to this meeting is available as follows:

Join Zoom meeting by video:

<https://us02web.zoom.us/j/82280515099?pwd=WlphbUlyU3VwSHg3MTk1TINld3ZBdz09>

Join Zoom meeting by phone:

1 312 626 6799 US

Meeting ID: 822 8051 5099 / Passcode: 738017

All persons interested in attending are invited to do so and will be given an opportunity to be heard. Additional information on such application can be obtained from the City of Wilmington Zoning Administrator at 1165 S. Water Street, Wilmington, IL (815) 476-2175.

City of Wilmington
Will County, Illinois



Planning and Zoning Application Form

Application Request(s)

Check all that apply.

- | | | | |
|---|--|---|---|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Concept Site Plan | <input type="checkbox"/> Map Amendment | <input type="checkbox"/> PUD-Special Use Permit |
| <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Final Site Plan | <input type="checkbox"/> Text Amendment | |
| <input type="checkbox"/> Final Plat | <input type="checkbox"/> Variance | <input type="checkbox"/> Conditional Use Permit | |

The undersigned applicant(s) request(s) the corporate authorities of the City of Wilmington to approve the following application for the above checked item(s) in the City of Wilmington and in support of the said application, state(s) as follows:

Property and Request Information

Address of Request _____

Project Name _____

PIN _____

General Location _____

Property Size _____

Present Zoning _____

Previous Zoning _____

Present Land Use _____

Proposed Land Use _____

Reason for Request/Description of Request: _____

Building Permit Submitted? Yes No If yes, for what: _____

Complete the following Development information if applicable:

Development/Subdivision Name: _____

Type of Development: Residential Commercial Industrial Institutional

Number of Units/Lots (if applicable) _____

Buildings/Improvements on Property to Remain or be Removed? (describe): _____

Floodplain in areas present on the property? Yes No

Professional Fee Agreement Submitted? Yes No

Applicant Information

Applicant/Developer

Owner Contract Purchaser Lessee Agent For:

Primary Contact _____

Business Name _____

Address (City, State, Zip) _____

Email _____

Phone _____

Fax _____

Property Owner (if different than applicant)

Name _____

Email _____

Address (City, State, Zip) _____

Phone _____

Fax _____

**Project Team
Attorney**

Name _____

Business Name _____

Address (City, State, Zip) _____

Email _____

Phone _____

Fax _____

Engineer

Name _____

Business Name _____

Address (City, State, Zip) _____

Email _____

Phone _____

Fax _____

Project Team (Continued)
Planning/Landscape Architect Consultant

Name

Business Name

Address (City, State, Zip)

Email

Phone

Fax

Submitted Materials Required

- Legal Description of Property (Hard Copy)
- Legal Description of Property (Emailed Copy)
- Disclosure of Beneficiaries Form - completed
- Non- Refundable Fees (all that apply)
 - Annexation: \$ _____
 - Preliminary Plat: \$ _____
 - Final Plat: \$ _____
 - Concept Site Plan: \$ _____
 - Final Site Plan: \$ _____
 - Variance: \$ _____
 - Map Amendment: \$ _____
 - Text Amendment: \$ _____
 - Conditional Use Permit: \$ _____
 - PUD-Special Use Permit: \$ _____

Amendment request(s) fees are the same as listed above.

- Variance, Special Use Permit and/or PUD Supplement(s)
- Plat of Survey, to scale and current
- For Variation(s): Marked up Plat of Survey illustrating variation(s)
- Any specific information which may help in the review and approval process

Applicable for new development only:

- Four (4) full-size, folded, collated copies of all applicable plans including but not limited to the following:
 - Site Plan with Complete Site Data, Preliminary/Final Plats, Architectural Elevations (Color and Black-Line)
 - Signs, Photometric Plan with Lighting Specifications, Tree Survey, Landscape Plan
- One (1) copy of the proposed covenants and restrictions
- A detailed description of business, proposed hours of operation, number of employees

Applicant Signatures

The undersigned below hereby certifies that he/she is the owner of the described property and has authorized an agent, which both agree to abide by all ordinances, regulations, and codes of the City of Wilmington as are in full force and effect on the date of the consideration of this application by the Corporate Authorities. The owner or applicant(s) also agree(s) to pay any and all fees, costs, and expenses of the City of Wilmington, including professional fees that are necessary and required to act on this application.

Project Name _____

Owner's Name _____

Applicant's Name, if different than owner _____

Owner's Signature F. De Verno _____

Applicant's Signature _____

Address (City, State, Zip) _____

Date _____

Staff Use Only

Applicable Code Sections _____

Comprehensive Plan _____

Zoning of Adjacent Properties: North _____ South _____ East _____ West _____

Date Professional Fee Agreement was signed _____

Applicant's Name, if different than owner _____

Submittal Date _____

Received By _____

Address (City, State, Zip) _____

Payment Amount _____

Payment Type _____

Payment Date _____



DISCLOSURE OF BENEFICIARIES

1. PETITIONER:

Name

Business Name

Address (City, State, Zip)

Email

Phone

2. NATURE OF BENEFIT SOUGHT: _____

3. NATURE OF APPLICANT

- Natural Person Corporation Land Trust/ Trustee Trust/Trustee
- Partnership Joint Venture Limited Liability Company

4. If the applicant is an entity other than described in Section 3, please state the nature and characteristics of the applicant: _____

5. If your answer to Section 3 is anything other than (a) please identify every owner and beneficiary having any interest, real or personal, in such property, and every member, shareholder, limited partner, or general partner entitled to receive more than 7.5% of the total distributable income of any limited liability company, corporation, or limited partnership having interest in the property. However, if the interest, stock, or shares in a limited liability company, corporation, or general partnership is publicly traded and there is no readily known individual having greater than 7.5% interest, then a statement to such effect should be attached hereto.

	<u>NAME</u>	<u>ADDRESS</u>	<u>INTEREST</u>
a.	_____	_____	_____
b.	_____	_____	_____
c.	_____	_____	_____
d.	_____	_____	_____

NOTE: If your answer to Section 5 identifies an entity other than a natural person, then the same disclosure must be made for each entity.

6. PERSON MAKING THE DISCLOSURE ON BEHALF OF THE PETITIONER:

Name

Capacity

Address (City, State, Zip)

Email

Phone

VERIFICATION

I, _____, being first duly sworn under oath, depose and state that I am the person making this disclosure on behalf of the petitioner, that I am duly authorized to make this disclosure, that I have read the above and foregoing Disclosure of Beneficiaries, and that the statements contained herein are true in both substance and fact. I,

_____, being first duly sworn under oath, depose and state that I am the person making this disclosure on behalf of the petitioner, that I am duly authorized to make this disclosure, that I have read the above and foregoing Disclosure.

BY: _____
Signature

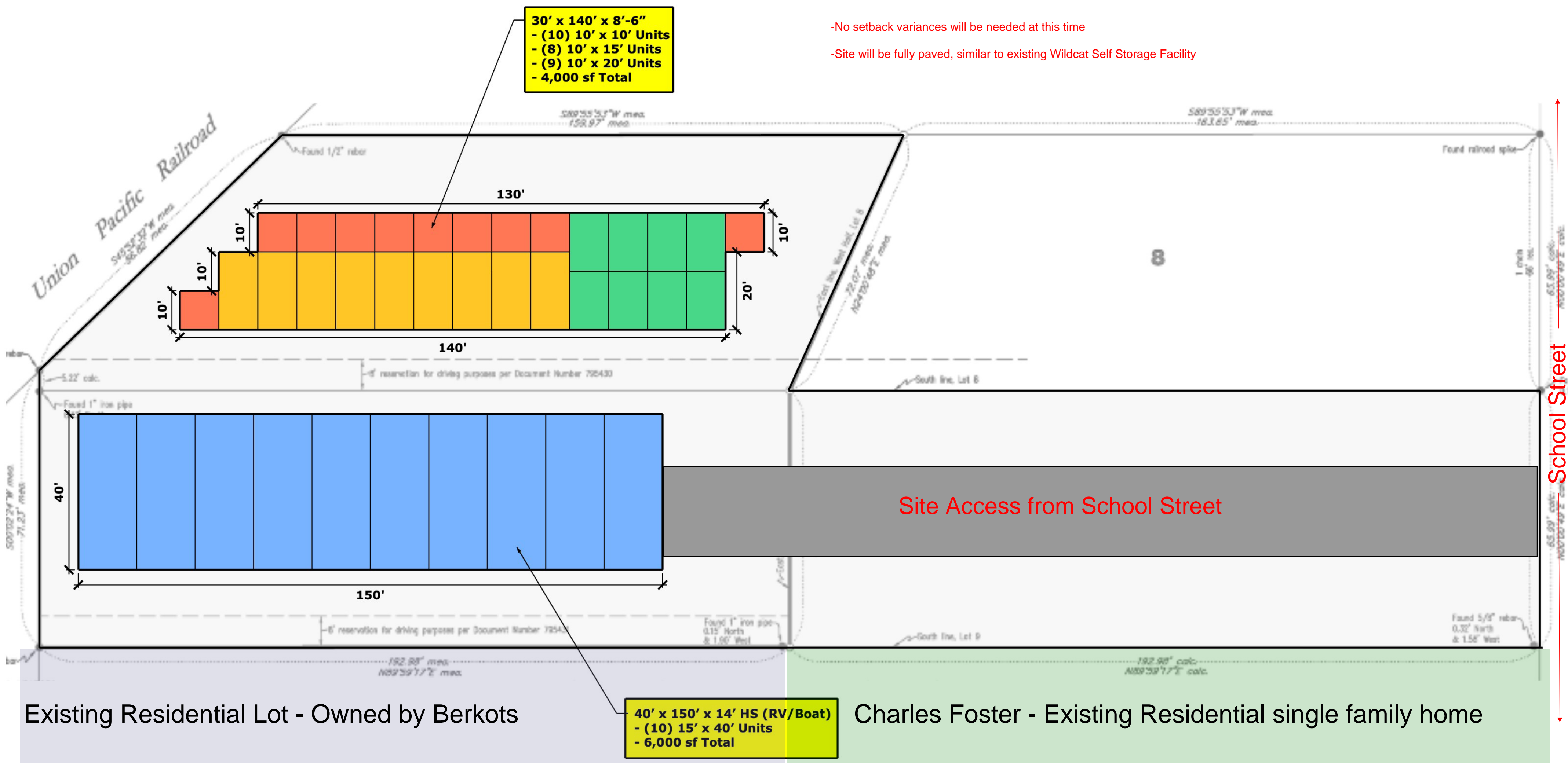


Printed Name

Signed and sworn to before me this
____ day of _____, 20____.

NOTARY PUBLIC

(Seal)



30' x 140' x 8'-6"
 - (10) 10' x 10' Units
 - (8) 10' x 15' Units
 - (9) 10' x 20' Units
 - 4,000 sf Total

-No setback variances will be needed at this time
 -Site will be fully paved, similar to existing Wildcat Self Storage Facility

Existing Residential Lot - Owned by Berkots

40' x 150' x 14' HS (RV/Boat)
 - (10) 15' x 40' Units
 - 6,000 sf Total

Charles Foster - Existing Residential single family home

Site Access from School Street

School Street

10.04.22

Anne Kearns Realtor, representing Trinity Services

773.230.7555

Question on feasibility regarding 16 unit residential building on property after removing existing structure. Residents would be special needs. They would have full time care givers there.

Property is currently Zoned B3 Commercial

Lot is 1.6 Acres

Small portion of property is in flood hazard area

Property is adjacent to residential zoning on northerly boundary

Would require R5 Zoning to conform

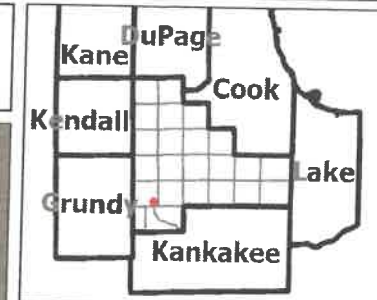
My thoughts to her

Have an initial discussion with the City Administrator regarding this. Discuss the possibility of a first look in front of Planning and Zoning. No action to be taken, just comments on feasibility of project.

A handwritten signature in black ink, appearing to be 'Pak' or similar, written in a cursive style.



240 W Baltimore



- Legend**
- Parcels
 - Roadways**
 - Federal
 - State
 - County
 - Local and Private
 - Townships



Disclaimer of Warranties and Accuracy of Data: Although the data developed by Will County for its maps, websites, and Geographic Information System has been produced and processed from sources believed to be reliable, no warranty, expressed or implied, is made regarding accuracy, adequacy, completeness, legality, reliability or usefulness of any information. This disclaimer applies to both isolated and aggregate uses of the information. The County and elected officials provide this information on an "as is" basis. All warranties of any kind, express or implied, including but not limited to the implied warranties of merchantability, fitness for a particular purpose, freedom from contamination by computer viruses or hackers and non-infringement of proprietary rights are disclaimed. Changes may be periodically made to the information herein; these changes may or may not be incorporated in any new version of the publication. If you have obtained information from any of the County web pages from a source other than the County pages, be aware that electronic data can be altered subsequent to original distribution. Data can also quickly become out of date. It is recommended that careful attention be paid to the contents of any data, and that the originator of the data or information be contacted with any questions regarding appropriate use. Please direct any questions or issues via email to gis@willcountyillinois.com.

Notes
B3 Commercial Zoning

- (A) Purpose and intent. The B-3 General Commercial District is intended to accommodate retail and wholesale commercial activities which are adjacent to arterial streets and serves the population of the city and its surrounding areas.
- (B) Permitted land uses and developments.
 - (1) Any use permitted in the B-2 Light Commercial District;
 - (2) Accessory uses;
 - (3) Amusement establishments including, but not limited to, bowling alleys, pool halls, dance halls, skating rinks, video arcades and banquet facilities;
 - (4) Animal hospitals;
 - (5) Automobile service stations, repair facilities and car washes when used in conjunction with the automobile service station;
 - (6) Automobile, truck and recreational vehicle sales and rental;
 - (7) Bars, taverns and package liquor stores;
 - (8) Boat showrooms, sales and repairs;
 - (9) Electrical showrooms and shops;
 - (10) Farm implement, feed and seed stores;
 - (11) Garages for storage, repair and servicing of motor vehicles, including body repair, painting and engine rebuilding;
 - (12) Greenhouses, nurseries, garden supply, tool and seed stores;
 - (13) Hospitals;
 - (14) Hotels and motels;
 - (15) Motor vehicle sales;
 - (16) Newspaper offices;
 - (17) Parking lots and parking structures as a principal use;
 - (18) Pawnshops;
 - (19) Plumbing and heating service and equipment stores;
 - (20) Printing and publishing establishments;
 - (21) Taxidermists;
 - (22) Tire stores, sales and service;
 - (23) Union halls, hiring halls and trade association offices/meeting rooms.
- (C) Conditional land uses and developments.
 - (1) B-2 permitted and conditional uses which include drive-through facilities;
 - (2) Amusement parks, including but not limited to permanent carnivals, kiddie parks and other similar outdoor amusements;
 - (3) Building contractor's office and material storage;
 - (4) Building material and products, sales, storage and accessory manufacturing of building components;
 - (5) Bus and train stations;
 - (6) Cartage and express facilities;
 - (7) Car washes;
 - (8) Financial institutions, with drive-through facilities;
 - (9) Kennels;
 - (10) Outdoor storage in accordance with [Section 150.85](#) of this chapter;
 - (11) Planned unit developments;
 - (12) Public utility and governmental service uses on lots having areas, widths, yards and other conditions as approved by the city council. Including, but not limited to:
 - (a) Electrical substations and booster stations,
 - (b) Filtration plan, pumping station, well and water reservoir,
 - (c) Sewage treatment plant,
 - (d) Telephone exchange and microwave relay tower,
 - (e) Other government and utility uses;
 - (13) Restaurants which include drive-through facilities;
 - (14) Self-storage warehouse establishments;
 - (15) Stadiums and arenas, convention, civic and exhibition centers;
 - (16) Theaters, outdoor and drive-in;
 - (17) Warehouse and storage facilities;
 - (18) Farming;
 - (19) Campgrounds with on-site potable water and toilet facilities;
 - (20) Accessory wind devices used primarily for generation of electricity for on-site use with a rated capacity of not more than 100 kilowatts (kW), such as a wind turbine, wind charger, or windmill ("wind device"). A wind device may be mounted on the roof or side of a structure provided it does not exceed 15 feet in height above the highest point of the structure, or ground-mounted on a pole or tower not exceeding 70 feet in height. Only one wind device is permitted on a zoning lot. A ground-mounted wind device must be located on a zoning lot of at least five acres, and be set back at least 125 percent of its height from all zoning lot lines. The noise level of a wind device shall not exceed 60 A-weighted decibels (dBA) as measured at the nearest zoning lot line, except during short-term events such as utility outages and severe windstorms;
 - (21) Mobile home parks on no more than 80 acres of land that is adjacent to land used for campgrounds, forest preserves, hunting preserves and/or clubs or private recreation facilities, subject to development and operation in compliance with [chapter 161](#) of the City Code; and
 - (22) Residential uses consistent with R-3 District standards on land that is adjacent to land used for campgrounds, forest preserves, hunting preserves and/or clubs or private recreation facilities, subject to development in accordance with a residential planned unit development plan approved in accordance with article 6 of the zoning ordinance.
- (D) Bulk and density requirements.
 - (1) Minimum lot area. No minimum lot area is established in this district. However, lot dimensions shall be sufficient to meet the remaining density and dimensional regulations.
 - (2) Minimum lot width. No minimum lot width is required.
 - (3) Building setback requirements.
 - (a) Front yard. No principal building shall be allowed within 40 feet of any lot line or street right-of-way line.
 - (b) Side yard. None required except per subsection (D)(3)(e) of this section.
 - (c) Rear yard. None required except per subsection (D)(3)(e) of this section.
 - (d) Exception. Building setback requirements described above for side and rear yards adjacent to a railroad or a railroad siding shall not be applicable.
 - (e) Adjacency to a residential district. Where a side yard or rear yard in this district abuts a residential zoning district, no principal building shall be allowed within 30 feet of the residential lot line.
 - (4) Maximum site coverage. Site coverage shall not exceed 70%.
 - (5) Building height limitations. No building shall exceed three stories or 45 feet in height.
- (E) Other development regulations.
 - (1) [Section 150.110](#) et seq. (Off-Street Parking and Loading).
 - (2) [Section 150.120](#) et seq. (Signs).

Ord. 1324, passed 1-4-00; Am. Ord. 10-02-16-01, passed 2-16-10)

1.6 A - 16 units -