
Village of Beecher

625 Dixie Highway

PO Box 1154

Beecher, Illinois 60401

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www.villageofbeecher.org

President

Marcy Meyer

Clerk

Janett Conner

Administrator

Robert O. Barber

Treasurer

Donna Rooney

Trustees

Jonathon Kypuros

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Benjamin Juzeszyn

Joe Tieri

Roger Stacey

Joseph Gianotti

**MEETING OF THE BEECHER PLANNING AND ZONING COMMISSION
(THE PZC)***Wednesday, July 28, 2021 at 7:00 p.m.**Washington Township Center
30200 Town Center Road***I. PLEDGE TO THE FLAG****II. ROLL CALL****III. CONSIDER APPROVAL OF THE MINUTES OF THE JUNE 24TH MEETING.**

IV. PUBLIC HEARING: CONSIDER EXPLORATORY APPROVAL AND A PRELIMINARY P.U.D. OF THE PROPOSED ILLIANA CROSSROADS BUSINESS PARK OF BEECHER. A motion is needed to open and close the public hearing. The petitioner, Art Van Baren of Dutch American Foods, has secured 109 acres of property south of Church Road, west of Dixie Highway and east of the UP Railroad tracks and is proposing to construct a business park consisting of approximately 61 acres of lots and 48 acres of open space/detention area. Warren Opperman of Joseph A. Schudt Engineers will present the preliminary plan. Pete Iouse of Teska will then comment on how this proposal meets the terms of our comprehensive land use plan. The public will then be able to ask questions and provide comments.

This property is in the Village's TIF District and in the enterprise zone. It is currently zoned R-1 Residential under a preliminary PUD which was approved in 2007 but never constructed. This PUD would zone the property I-1 Limited Industrial. The petitioner is willing to create an association which would maintain the 48 acres of open space with each lot paying into the association for this maintenance. Concerns regarding buffering from neighboring residential, the Beecher Fellowship Baptist Church, turning movements, and traffic control will all be discussed at the workshop. A list of proposed covenants for the subdivision will also be provided.

If approved, this would be the largest commercial/industrial project in the history of the Village. Although many industrial uses could locate here, the first three buildings are all related to food processing which is a very stable industry. This park is designed to attract the smaller industrial user but could accommodate a major user.

V. CONSIDER A RECOMMENDATION TO THE VILLAGE BOARD ON AN EXPLORATORY PROPOSAL AND PRELIMINARY P.U.D. FOR THE PROPOSED ILLIANA CROSSROADS BUSINESS PARK OF BEECHER. This motion can include conditions the Commission would like to see placed on the P.U.D. and will be based on comments taken at the public hearing.

VI. CONSIDER THE APPOINTMENT OF A CHAIRMAN AND VICE-CHARIMAN OF THE COMMISSION FOR THE COMING YEAR.

VII. UPDATES ON PROJECTS IN TOWN

VIII. NEW BUSINESS

IX. ADJOURNMENT - NEXT MEETING SCHEDULED FOR THURSDAY, AUGUST 26TH AT 7:00 P.M.

MINUTES OF THE BEECHER PLANNING AND ZONING COMMISSION

(THE PZC)

Thursday, June 24, 2021 at 7:00 p.m.

Beecher Village Hall

625 Dixie Highway

At 7:01 p.m., Chairman Phil Serviss called the meeting to order.

All present joined in the pledge to the flag.

ROLL CALL. Members present: Commissioners Bouchard, Hearn, Serviss, Tatgenhorst and Weissbohn.

Members absent: Commissioners Heim and Schuitema.

Staff present: Administrator Bob Barber.

Guests: Warren Opperman of Joseph A. Schudt Engineers, Art VanBaren, Sr., Artie VanBaren, Village President Marcy Meyer, Trustee Roger Stacey, Trustee Ben Juzeszyn and Trustee Joe Gianotti.

Administrator Barber introduced new Planning and Zoning Commissioner, David Weissbohn, replacing Ben Juzeszyn, who is now a Village Trustee.

CONSIDER APPROVAL OF THE MINUTES OF THE APRIL 22, 2021 MEETING.

Commissioner Bouchard made a motion to approve the minutes of the April 22, 2021 PZC meeting as written. Commissioner Tatgenhorst seconded the motion.

AYES: Commissioners Bouchard, Hearn, Serviss and Tatgenhorst and Weissbohn.

NAYS: None.

Motion carried.

WORKSHOP: CONSIDER A REQUEST FOR A PUBLIC HEARING FOR CONSIDERATION OF THE PRELIMINARY P.U.D. AND A FINAL P.U.D. FOR PHASE 1 OF THE PROPOSED ILLIANA CROSSROADS BUSINESS PARK OF BEECHER. The petitioner, Art Van Baren of Dutch American Foods, has secured approximately 100 acres of property south of Church Road, west of Dixie Highway, and east of the Union Pacific Railroad tracks and is proposing to construct a business park consisting of approximately 49 one-acre lots and 51 acres of open space/detention area. Warren Opperman of Joseph A. Schudt presented the preliminary plan and a request for a final P.U.D. for the first phase which will be in the northwest corner of the property. Approximately nine of these lots are under contract for three industrial users.

This property is in the Village's TIF District and in the enterprise zone. It is currently zoned R-1 Residential under a preliminary P.U.D. which was approved in 2007 but never constructed. This P.U.D. would zone the property I-1 Limited Industrial. The petitioner is willing to create an association which would maintain the 51 acres of open space with each lot paying into the association for this maintenance. Concerns regarding buffering from neighboring residential, the Beecher Fellowship Baptist Church, turning movements, and traffic control was discussed.

Administrator Barber explained that the P.U.D. would be classified as I-1. Amendments can be

made to the I-1 classification. According to Administrator Barber, there are three steps: Exploratory step, preliminary step and final step. We have to follow the process of this land use. Copies of the Zoning Ordinance pertaining to Planned Developments were provided for review. The planned unit development (PUD) process was explained. One hearing will cover the entire project.

Warren Opperman presented the project to the PZC. Total proposed business park is 109 acres. Trim Creek tributary divides the park. There is approximately 61 acres of actual lot area developable for industrial lot usage. The minimum lot size is a little over one acre. The current industrial park on Dutch American Way is approximately 20 acres.

Commissioner Serviss questioned street size for industrial zones. Street width is 42'. Cul-de-sacs are 130' diameter to allow for trucks to turn. Petitioner will probably expand street diameter and expand cul-de-sacs larger than Village code requirement for industrial areas.

The long street has already been addressed with the Fire Department and the petitioner. The PZC discussed how to evacuate the southernmost lots in the event of a chemical spill, etc.

There will be a 10" main through the industrial park, and it is presumed that the Fire District will require all builders in the development to have sprinkler systems. The Village currently has a major sewer trunk line running north to Church Road.

The Explore pipeline cuts through the west part of development.

The petitioner has provided sufficient water detention areas in their preliminary plan.

The petitioner would consider an additional berm in rear yard setback of southeast industrial lots with plantings, backing up to residential.

Commissioner Serviss asked about rail access to lots along west side of the development. Lots cannot be rail served on east side of railroad tracks.

Commissioner Tatgenhorst asked if trucks would be staging on the street in front of their businesses.

Petitioner is hoping to sell lots from northern section of development to south, rather than leaving spaces in between.

There will be restrictive covenants for the park. Administrator Barber requested that the covenants be submitted in writing.

Art VanBaren, Sr., has met with Pastor D'Andrea from Beecher Fellowship Baptist Church three times. The church is concerned about buildings constructed on eastern section of development blocking the view of his church from Church Road. They discussed the Church purchasing the lots in front of the church. Mr. VanBaren is trying to work things out with the church and Pastor D'Andrea.

Commissioner Serviss asked about night friendly lights in the development that don't send light into the neighborhoods. He requested that all exterior lighting be night friendly, and put in the covenants as a condition.

Commissioner Bouchard asked about types of businesses they are considering for the industrial park. Artie VanBaren stated that current interested parties are looking for storage and warehouse space.

Commissioner Serviss asked if Commissioners had any additional questions for the petitioner. There were none.

Administrator Barber asked if concerns are expressed from Willow Lane residents, would petitioners be willing to hold a second public hearing for the eastern section of the development. It was the consensus to wait and see if residents express any issues at the public hearing for the entire preliminary plan and proceed accordingly.

Administrator Barber explained the next steps of the process and stated that the legal description of the property, a letter requesting PUD, and the list of covenants already agreed to are needed to hold a public hearing.

Commissioner Tatgenhorst made a motion to hold a public hearing for consideration of the preliminary P.U.D. and a final P.U.D. for Phase 1 of the proposed Illiana Crossroads Business Park of Beecher on Wednesday, July 28, 2021, 7 p.m. at the Washington Township Center. Commissioner Bouchard seconded the motion.

AYES: Commissioners Bouchard, Hearn, Serviss, Tatgenhorst and Weissbohn.

NAYS: None.

Motion carried.

Administrator Barber provided updates on Beecher businesses: Buddys is open; Pin & Tonic Bowling Alley has sold; Tony's Pizza is moving to 1111 Dixie Highway; Omega Freight is doing well, no issues; Nantucket Cove sold to Meadowbrook Homes, but no new home permits have been applied for yet; Phillippe Builders is building a home in Hunter's Chase East; and Castletown Homes has buyers for two homes currently being built.

There was nothing new to report regarding the South Suburban Airport. Grain elevator feed sale portion has closed, and not sure if they will take in grain in the fall.

The next scheduled meeting for the Planning and Zoning Commission is Wednesday July 28, 2021 to hold a Public Hearing at 7:00 p.m., at the Washington Township Center.

ADJOURNMENT. Commissioner Bouchard made a motion to adjourn the meeting.

Commissioner Hearn seconded the motion.

AYES: Commissioners Bouchard, Hearn, Serviss, Tatgenhorst and Weissbohn.

NAYS: None.

Motion carried.

Meeting adjourned at 8:13 p.m.

Respectfully submitted,

Patty Meyer
Secretary

6-25-21

Village of Beecher,
Beecher, Ill.

Dear Sirs

Please consider this my request for a planned unit development known as The Illinois Crossroads Business Park at Beecher. This will be a 110 Acre Business Park bounded by Church road to the north, the UP railroad to the west and west of Dixie Hwy. I also want to develop a TIF Agreement for the project as well

Sincerely

Arthur A. DeBane

Village of Beecher

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Todd Kraus

Benjamin Juzeszyn

Joe Tieri

Roger Stacey

Joseph Gianotti

July 6, 2021

Dear Property Owner:

You are receiving this letter since our records indicate that your property may be within 250 feet of a parcel which is being proposed for a planned unit development for an industrial park in the Village of Beecher. This parcel consists of 109 acres and is bounded by Church Road on the north, Dixie Highway and Catalpa Street to the east, Miller Street to the south, and the Union Pacific Railroad tracks to the west. The property is currently zoned R-1 PUD for a development which was approved in 2007 but never occurred and the property has since changed hands several times. It is currently being farmed. The Village placed the west portion of this property in its land use plan as industrial with the east portion being multi-family for senior housing. The Village also placed this property into its TIF District in 2019 and into an enterprise zone in 2017.

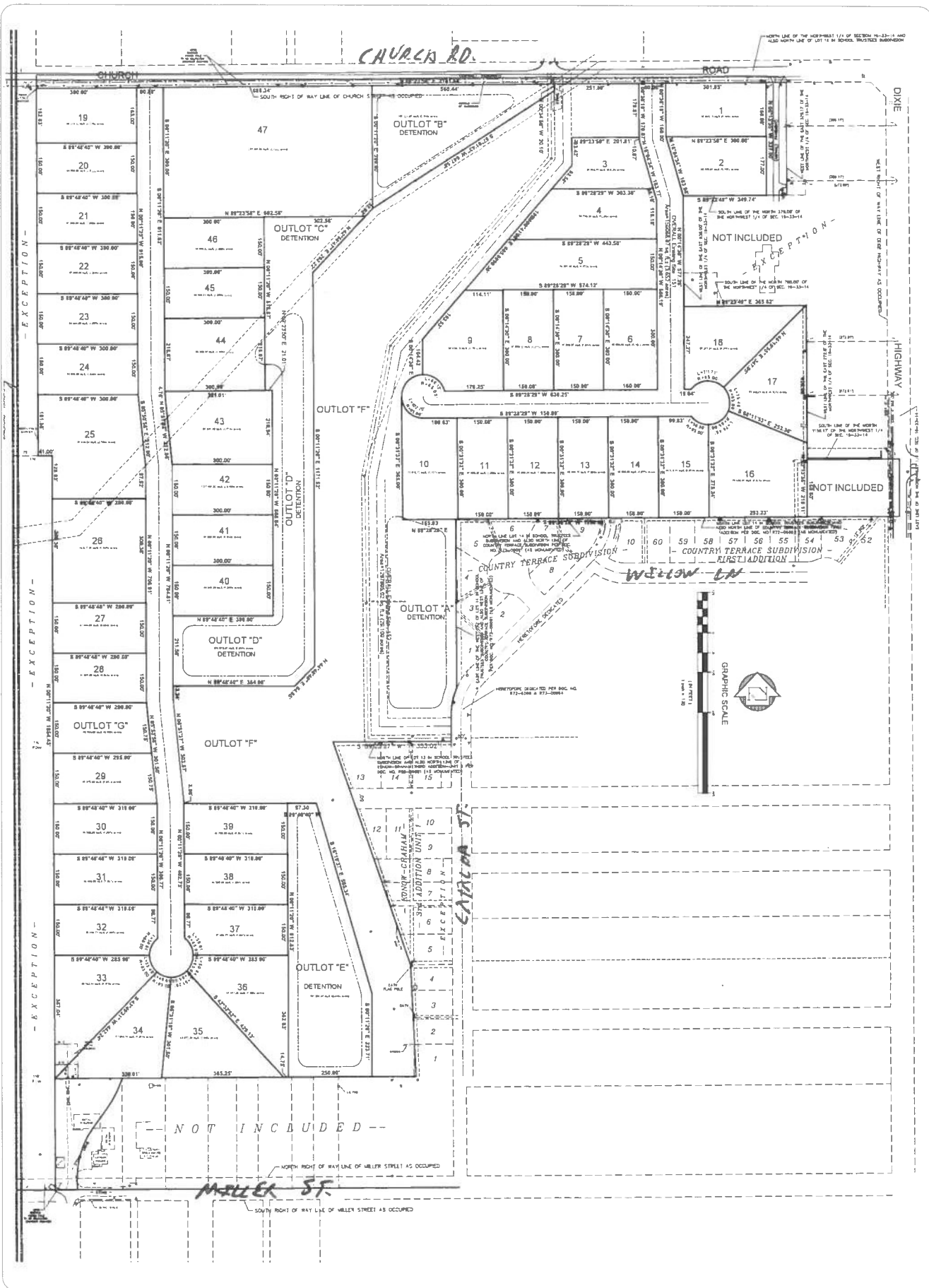
The petitioner, Art Van Baren, wishes to develop and sell 47 industrial lots totaling 61 acres with the remaining 48 acres being water retention and open space. The concept plan is enclosed for your review.

The Planning and Zoning Commission has authorized a public hearing on this concept plan as part of its exploratory proposal and preliminary plan review. ***This public hearing has been scheduled for Wednesday, July 28th, 2021 at 7:00 p.m. at the Washington Township Center, 30200 Town Center Road.*** At this hearing a presentation of the project will be made followed by questions and comments from the public. The Village will also be accepting written comments and questions until 4:30 p.m. on the day of the hearing at the Beecher Village Hall, 625 Dixie Highway, Beecher, IL 60401 or to clerk@villageofbeecher.org. Any written correspondence received will be made part of the public record and read at the meeting.

Robert O. Barber
Village Administrator

UPPER TRACKS

DIXIE HWY



05-043

Date: 11-15-11
 Drawn: J. Schudt
 Checked: J. Schudt
 Date: 11-15-11
 Scale: 1" = 100'
 Project: Beecher, Illinois
 Client: ILLIANA CROSSROADS INDUSTRIAL PARK OF BEECHER

ILLIANA CROSSROADS INDUSTRIAL PARK OF BEECHER

Beecher, Illinois CONCEPT PLAN

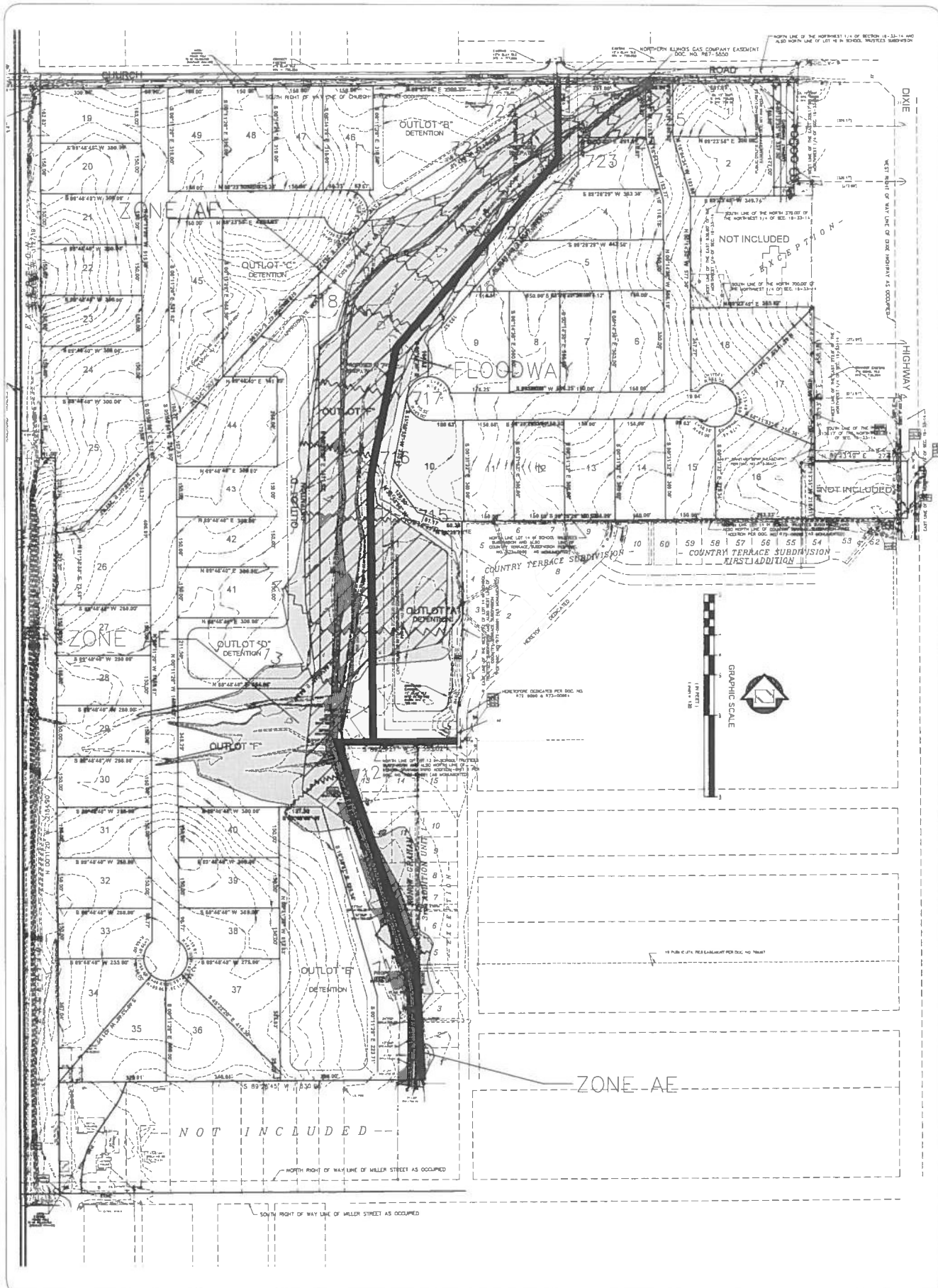
REVISIONS:

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Joseph A. Schudt & Associates
 8455 ENTERPRISE DRIVE MOKENA, IL 60448
 PHONE: 708-720-1000 FAX: 708-720-1065
 WWW.JAS-INC.COM

CIVIL ENGINEERING LAND SURVEYING ENVIRONMENTAL LAND PLANNING GPS SERVICES



Date: 5-28-21
 Scale: 1" = 100'
 Drawn: JAF
 Checked: DMO
 Sheet
 1 of 1
 Job No.: 05-043

DUTCH AMERICAN INDUSTRIAL PARK
 Beecher, Illinois
CONCEPT PLAN

REVISIONS:
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 CIVIL ENGINEERING LAND SURVEYING ENVIRONMENTAL LAND PLANNING GPS SERVICES

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Beecher Planning and Zoning Commission shall conduct a public hearing at 7:00 p.m. on Wednesday, July 28th at the Washington Township Center, 30200 Town Center Road, Beecher, Illinois. The purpose of this hearing is to consider a request for an exploratory proposal and preliminary plan approval for a planned development having I-1 Limited Industrial Zoning for a proposed business park. The parcel consists of 109 acres and is bounded by Church Road on the north, Dixie Highway and Catalpa Street to the east, Miller Street to the south, and the Union Pacific Railroad tracks to the west. The legal description of the parcel is as follows:

THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 33 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, (ALSO DESCRIBED AS PART OF LOTS 15 AND 16), AND THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 16, (ALSO DESCRIBED AS THE WEST 1/2 OF LOT 14), SAID LOTS BEING IN THE SUBDIVISION OF SAID SECTION 16, AS MADE BY TRUSTEES OF SCHOOLS OF SAID TOWNSHIP AND RANGE, EXCEPTING FROM THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 16, THE EAST 328 FEET 2 INCHES OF THE NORTH 328 FEET AND 2 INCHES THEREOF; ALSO EXCEPTING THE SOUTH 830 FEET OF THE NORTH 1158 FEET 2 INCHES OF THE EAST 272 FEET OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 16; AND ALSO EXCEPTING FROM ALL OF SAID LAND THAT PORTION THEREOF CONVEYED TO THE CHICAGO DANVILLE AND VINCENNES RAILROAD COMPANY AND TO THE CHICAGO AND EASTERN ILLINOIS RAILROAD COMPANY; ALSO EXCEPTING THAT PART DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION WITH THE SOUTH LINE OF THE NORTH 328 FEET 2 INCHES OF SAID NORTHWEST 1/4 WITH THE WEST LINE OF THE EAST 272 FEET OF THE NORTHWEST 1/4 OF SECTION 16, THENCE SOUTH ON THE LAST DESCRIBED COURSE 371 FEET AND 10 INCHES TO THE SOUTH LINE OF THE NORTH 700.00 FEET OF SAID NORTHWEST 1/4; THENCE WEST ON THE LAST DESCRIBED LINE 366.00 FEET TO THE WEST LINE OF THE EAST 638.00 FEET OF SAID NORTHWEST 1/4; THENCE NORTH ON THE LAST DESCRIBED LINE 330.00 FEET TO THE SOUTH LINE OF THE NORTH 370 FEET OF SAID NORTHWEST 1/4; THENCE EAST ON THE LAST DESCRIBED LINE 309 FEET 10 INCHES, TO THE WEST LINE OF THE EAST 328 FEET AND 2 INCHES OF SAID NORTHWEST 1/4; THENCE NORTH ON THE LAST DESCRIBED LINE 41 FEET 10 INCHES TO THE SOUTH LINE OF THE NORTH 328 FEET AND 2 INCHES OF SAID NORTHWEST 1/4; THENCE EAST ON THE LAST DESCRIBED LINE 56 FEET AND 2 INCHES TO THE POINT OF BEGINNING, IN WILL COUNTY, ILLINOIS AND ALSO EXCEPTING THEREFROM THAT PART OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 33 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, (ALSO DESCRIBED AS PART OF LOTS 15 AND 16), AND THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 16, (ALSO DESCRIBED AS THE WEST 1/2 OF LOT 14), SAID LOTS BEING IN THE SUBDIVISION OF SAID SECTION 16, AS MADE BY THE TRUSTEES OF SCHOOLS OF SAID TOWNSHIP AND RANGE, BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID LOT 14 IN SCHOOL TRUSTEES SUBDIVISION WITH THE EAST RIGHT OF WAY LINE OF THE CHICAGO AND EASTERN ILLINOIS RAILROAD; THENCE NORTH 00 DEGREES 11 MINUTES 20 SECONDS WEST A DISTANCE OF 861.13 FEET ALONG LAST SAID EAST RIGHT OF WAY LINE; THENCE SOUTH 89 DEGREES 48 MINUTES 40 SECONDS WEST A DISTANCE OF 41.00 FEET ALONG LAST SAID LINE; THENCE NORTH 00 DEGREES 11 MINUTES 20 SECONDS WEST A DISTANCE OF 1127.19 FEET TO THE NORTH LINE OF SAID LOT 16 IN SCHOOL TRUSTEES SUBDIVISION; THENCE NORTH 89 DEGREES 23 MINUTES 50 SECONDS EAST A DISTANCE OF 1600.78 FEET;

THENCE SOUTH 00 DEGREES 13 MINUTES 35 SECONDS EAST A DISTANCE OF 679.50 FEET;
THENCE SOUTH 89 DEGREES 48 MINUTES 12 SECONDS WEST A DISTANCE OF 168.42 FEET;
THENCE SOUTH 64 DEGREES 06 MINUTES 21 SECONDS WEST A DISTANCE OF 177.87 FEET;
THENCE SOUTH 37 DEGREES 03 MINUTES 03 SECONDS WEST A DISTANCE OF 331.28 FEET;
THENCE SOUTH 18 DEGREES 26 MINUTES 00 SECONDS WEST A DISTANCE OF 159.89 FEET;
THENCE SOUTH 36 DEGREES 58 MINUTES 56 SECONDS EAST A DISTANCE OF 162.76 FEET;
THENCE SOUTH 70 DEGREES 45 MINUTES 55 SECONDS EAST A DISTANCE OF 81.17 FEET;
THENCE NORTH 89 DEGREES 28 MINUTES 28 SECONDS EAST A DISTANCE OF 53.52 FEET;
THENCE SOUTH 00 DEGREES 12 MINUTES 19 SECONDS EAST A DISTANCE OF 505.29 FEET TO A
POINT OF CURVE; THENCE SOUTHERLY ON A CURVE CONVEX TO THE WEST HAVING A RADIUS
OF 200.00 FEET AND AN ARC DISTANCE OF 83.06 FEET; THENCE SOUTH 00 DEGREES 12 MINUTES
19 SECONDS EAST A DISTANCE OF 76.95 FEET; THENCE SOUTH 89 DEGREES 25 MINUTES 27
SECONDS WEST A DISTANCE OF 1190.75 FEET TO THE POINT OF BEGINNING, AND ALSO
EXCEPTING THEREFROM THAT PART CONVEYED BY DEED R2009-035711, DESCRIBED AS
FOLLOWS: BEGINNING AT THE INTERSECTION OF THE EAST LINE OF THE NORTHWEST 1/4 OF
SAID SECTION 16 WITH THE SOUTH LINE OF LOT 15 IN SAID SUBDIVISION OF SECTION 16;
THENCE SOUTH 89 DEGREES 28 MINUTES 28 SECONDS WEST 272.00 FEET ALONG SAID SOUTH
LINE TO THE WEST LINE OF THE EAST 272.00 FEET OF THE NORTHWEST 1/4 OF SAID SECTION
16' THENCE NORTH 00 DEGREES 13 MINUTES 35 SECONDS WEST 169.59 FEET ALONG LAST SAID
WEST LINE TO THE SOUTH LINE OF THE NORTH 1158.17 FEET OF SAID NORTHWEST 1/4;
THENCE NORTH 89 DEGREES 23 MINUTES 49 SECONDS EAST 272.01 FEET ALONG SAID LAST LINE
TO THE EAST LINE OF SAID NORTHWEST 1/4; THENCE SOUTH 00 DEGREES 13 MINUTES 35
SECONDS EAST 169.96 FEET ALONG LAST SAID EAST LINE TO THE POINT OF BEGINNING, ALL
IN WILL COUNTY, ILLINOIS.

AND ALSO

THAT PART OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 33 NORTH,
RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, (ALSO DESCRIBED AS PART OF LOTS 15
AND 16), AND THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 16,
(ALSO DESCRIBED AS THE WEST 1/4 OF LOT 14), SAID LOTS BEING IN THE SUBDIVISION OF SAID
SECTION 16, AS MADE BY THE TRUSTEES OF SCHOOLS OF SAID TOWNSHIP AND RANGE,
BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID LOT 14 IN SCHOOL TRUSTEES
SUBDIVISION WITH THE EAST RIGHT OF WAY LINE OF THE CHICAGO AND EASTERN ILLINOIS
RAILROAD; THENCE NORTH 00 DEGREES 11 MINUTES 20 SECONDS WEST A DISTANCE OF 861.13
FEET ALONG LAST SAID EAST RIGHT OF WAY LINE; THENCE SOUTH 89 DEGREES 48 MINUTES
40 SECONDS WEST A DISTANCE OF 41.00 FEET ALONG LAST SAID LINE; THENCE NORTH 00
DEGREES 11 MINUTES 20 SECONDS WEST A DISTANCE OF 1127.19 FEET TO THE NORTH LINE OF
SAID LOT 16 IN SCHOOL TRUSTEE SUBDIVISION; THENCE NORTH 89 DEGREES 23 MINUTES 50
SECONDS EAST A DISTANCE OF 1600.78 FEET TO A NORTHWEST CORNER OF PROPERTY
DESCRIBED IN A DEED RECORDED AS DOCUMENT NUMBER R2012-070105; THENCE SOUTH 00
DEGREES 13 MINUTES 35 SECONDS EAST, ALONG THE WEST LINE OF PROPERTY DESCRIBED IN
SAID DEED R2012-070105, A DISTANCE OF 679.50 FEET; THENCE SOUTH 89 DEGREES 48 MINUTES
12 SECONDS WEST, ALONG THE WEST LINE OF PROPERTY DESCRIBED IN SAID DEED R2012-
070105, A DISTANCE OF 168.42 FEET; THENCE SOUTH 64 DEGREES 06 MINUTES 21 SECONDS
WEST, ALONG THE WEST LINE OF PROPERTY DESCRIBED IN SAID DEED R2012-070105, A
DISTANCE OF 177.87 FEET; THENCE SOUTH 37 DEGREES 03 MINUTES 03 SECONDS WEST, ALONG
THE WEST LINE OF PROPERTY DESCRIBED IN SAID DEED R2012-070105, A DISTANCE OF 331.28
FEET; THENCE SOUTH 18 DEGREES 26 MINUTES 00 SECONDS WEST, ALONG THE WEST LINE OF
PROPERTY DESCRIBED IN SAID DEED R2012-070105, A DISTANCE OF 159.89 FEET; THENCE
SOUTH 36 DEGREES 58 MINUTES 56 SECONDS EAST, ALONG THE WEST LINE OF PROPERTY
DESCRIBED IN SAID DEED R2012-070105, A DISTANCE OF 162.76 FEET; THENCE SOUTH 70
DEGREES 45 MINUTES 55 SECONDS EAST, ALONG THE WEST LINE OF PROPERTY DESCRIBED IN
SAID DEED R2012-070105, A DISTANCE OF 81.17 FEET; THENCE NORTH 89 DEGREES 28 MINUTES
28 SECONDS EAST, ALONG THE WEST LINE OF PROPERTY DESCRIBED IN SAID DEED R2012-
070105, A DISTANCE OF 53.52 FEET TO THE NORTHWEST CORNER OF COUNTRY TERRACE

SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT NUMBER R72-6091; THENCE SOUTH 00 DEGREES 12 MINUTES 19 SECONDS EAST, ALONG THE WEST LINE OF SAID SUBDIVISION, A DISTANCE OF 505.29 FEET TO A POINT OF A CURVE, BEING THE WESTERLY LINE OF CATALPA STREET; THENCE SOUTHERLY, ALONG SAID WESTERLY LINE, ON A CURVE CONVEX TO THE WEST HAVING A RADIUS OF 200.00 FEET AND AN ARC DISTANCE OF 83.06 FEET; THENCE SOUTH 00 DEGREES 12 MINUTES 19 SECONDS EAST, ALONG SAID WESTERLY LINE, 76.95 FEET TO THE NORTHEAST CORNER OF CHUCK ON IK'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT NUMBER R2011-72066; THENCE SOUTH 89 DEGREES 25 MINUTES 27 SECONDS WEST, ALONG THE NORTH LINE OF CHUCK ON IK'S SUBDIVISION AND THE SOUTH LINE OF AFORESAID LOT 14, A DISTANCE OF 1190.75 FEET TO THE POINT OF BEGINNING (EXCEPT THAT PART, IF ANY, FALLING IN LAND CONVEYED TO THE CHICAGO DANVILLE AND VINCENNES RAILROAD COMPANY AND TO THE CHICAGO AND EASTERN ILLINOIS RAILROAD COMPANY), IN WILL COUNTY, ILLINOIS.

AND ALSO

THAT PART OF LOT 13 AND THE NORTH 1/2 OF LOT 12 IN SCHOOL TRUSTEE'S SUBDIVISION OF SECTION 16, TOWNSHIP 33 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, WILL COUNTY, ILLINOIS, LYING WEST OF THE WEST LINE OF KONOW-GRAHAM'S THIRD ADDITION AND LYING EAST OF THE EAST RIGHT OF WAY LINE OF THE CHICAGO AND EASTERN ILLINOIS RAILROAD COMPANY, IN WILL COUNTY, ILLINOIS.

The petitioner, Art Van Baren, wishes to develop and sell 47 industrial lots totaling 61 acres with the remaining 48 acres being water retention and open space. At the hearing a presentation of the project will be made followed by questions and comments from the public. The Village will also be accepting written comments and questions until 4:30 p.m. on the day of the hearing at the Beecher Village Hall, 625 Dixie Highway, Beecher, IL 60401 or to clerk@villageofbeecher.org. Any written correspondence received will be made part of the public record and read at the meeting. Copies of the concept plan are available for review on the Village website www.villageofbeecher.org or at the Village Hall. All residents are invited and encouraged to attend the public hearing and shall be given an opportunity to be heard.

Phil Serviss
Chairman
Beecher Planning and Zoning Commission

VILLAGE OF BEECHER – ZONING ORDINANCE

Board of Trustees. The Village Clerk shall transmit the recommendations of the Planning and Zoning Commission to the Village Board and the Zoning Administrator. The application shall include at a minimum:

- a. legal description and common address of subject property;
 - b. current plat of survey locating lot lines and all existing structures;
 - c. existing zoning of subject property and within one hundred feet (100’);
 - d. proposed zoning and land use;
 - e. ownership or disclosure of beneficial interest; and
 - f. other information as may be required by the Planning and Zoning Commission to make a recommendation on the request.
4. **Hearing.** Within ninety (90) days of receipt by the Zoning Administrator of all required application information and payment of any required fees, the Planning and Zoning Commission shall hold a public hearing on such application at a time and place as shall be established by legal notice of hearing by the Chairperson. The hearing shall be conducted and a transcript of the proceedings shall be preserved in accordance with rules prescribed by the Planning and Zoning Commission.
5. **Notice of Hearing.** Notice of the time and place of the hearing shall be published not less than once in a local newspaper not more than thirty (30) nor less than fifteen (15) days before such hearing. The applicant shall mail notice to all owners of property within two hundred fifty (250) feet, exclusive of public right-of-way, from the boundaries of subject property by certified mail, return receipt requested; evidence of mailing such notices shall be by the petitioner submitting a certificate listing the names and addresses of all owners of property within said two hundred fifty (250) feet and affidavit that the notice was mailed in compliance with the provisions hereof to said owners. Such notices shall be mailed not less than fifteen (15) days prior to the public hearing date. Proof of mailing shall be submitted to the Zoning Administrator not less than seven (7) days prior to the scheduled hearing date. If the foregoing requirements providing for mailed notice of hearing and publication are not complied with in the time frame set forth, the public hearing shall be cancelled and the applicant shall be required to pay an additional filing fee if the hearing is to be rescheduled.
6. **Findings of Fact and Recommendation.** The Planning and Zoning Commission shall make written findings of fact and shall submit same together with its recommendation to the Village Board within sixty (60) days following the date of public hearing on each application, unless said application is withdrawn or tabled by the petitioner. Where the purpose and effect of the proposed amendment is to change the zoning classification of a particular property, the Planning and Zoning Commission shall make findings based upon the evidence presented to it in each specific case with respect to the following:
- a. compatibility with surrounding land uses and the general area;
 - b. the zoning classification of property within the general area of the property in question;
 - c. the suitability of the subject property to the uses permitted under the existing zoning classification;
 - d. the trend of development, if any, in the general area of the subject property including recent changes, if any, which have taken place in its zoning classification;
 - e. the relationship of the existing zoning classification to the Official Comprehensive Plan of Beecher, adopted April 26, 2005; and

SECTION 9.00

INDUSTRIAL DISTRICTS

9.01 PURPOSE AND INTENT

The regulations for the industrial districts are intended to provide for the establishment of a full range of industrial and related activities and to govern their operations in a manner that will not have a deleterious effect on agricultural, residential and business areas. The regulations are designed to provide for the grouping together of industries that are compatible to one another and that are not objectionable to the community as a whole. It is further intended that the lands designated for industrial purposes will be preserved for industry and related uses and shall prohibit the intrusion of residential and other non-compatible uses into the district.

9.02 GENERAL REQUIREMENTS

Unless otherwise provided in the regulations of this Ordinance, the following provisions shall apply to all Industrial Districts:

1. All activities and operations shall be within completely enclosed buildings, or may be out doors if completely screened by a solid wall or uniformly painted solid fence not less than eight feet (8') in height, and if there is no open storage at a greater height than that of the enclosing fence, except that off-street parking and off-street loading and unloading spaces may be located in accordance with requirements set forth in Section 10.00.
2. Any use established in a Industrial District hereafter shall be operated in such a manner as to comply with applicable Performance Standards as hereinafter set forth governing noise, smoke, particulate matter, toxic or noxious matter, odors, fire and explosive hazards, or vibration, glare or heat; and no use already established on the effective date of this Ordinance shall be so altered or modified as to conflict with such applicable Performance Standards.

9.03 DEFINITIONS FOR PERFORMANCE STANDARDS IN ADDITION TO THE GENERAL DEFINITIONS IN SECTION 3.02

ACTIVE TO INTENSE BURNING: A rate of combustion exhibited by material that burns with a high degree of activity and is consumed rapidly. Examples: sawdust, powdered magnesium, pyroxylin, etc.

AMPLITUDE: The maximum displacement of the earth from the normal rest position. Amplitude is usually reported as inches or mils.

CANDLE: The luminous intensity of one standard candle.

dB_A: A limit for describing sound levels measured using an A-weighting network. This network modifies the measured sound pressure level at the various frequencies to account for differences in the sensitivity of the human ear to sounds of different frequency.

VILLAGE OF BEECHER – ZONING ORDINANCE

DECIBEL: (abbreviated dB): A unit which describes the sound pressure level or intensity of sound. The sound pressure level in decibels is twenty (20) times the logarithm to the base ten, of the ratio of the pressure of the sound to a reference pressure of 0.0002 micro bar.

DETONATION: A violent and sudden explosion resulting from the instantaneous reaction of a mixture, compound or substance.

DISCRETE IMPULSES: A ground transmitted vibration stemming from a source where specific pulses do not exceed sixty (60) per minute (or one per second).

EQUIVALENT OPACITY: The optical density of a smoke plume corresponding to the shade of the Ringlemann chart.

FLASH POINT: The lowest temperature at which the vapor above a flammable liquid will momentarily burn under prescribed conditions. The closed cup flash point tester shall be authoritative and the test shall be run in accordance with the appropriate ASTM (American Society for Testing & Materials) method.

FOOT CANDLE: The unit of illumination. The illumination on a surface one (1) square foot in area on which there is a uniform distribution of light having a candle power or one candela.

FOOT LAMBERT: A unit of brightness equal to the brightness of a uniform diffusing surface which emits or reflects one lumen per square foot.

FREQUENCY: The number of times that a displacement completely repeats itself in one second of time. Frequency may be designated in cycles per second (cps) or Hertz (Hz).

GLARE: A sensation of brightness within the visual field which causes annoyance, discomfort, or loss in visual performance and visibility.

ILLUMINATION. The density of luminous energy falling upon a surface, usually measured in foot-candles.

IMPACT: An earth borne vibration generally produced by two (2) or more objects striking each other so as to cause separate and distinct pulses.

IMPACT NOISE: Relatively short duration noises generally produced by the striking of two (2) or more objects so as to be heard as separate distinct noises.

IMPACT NOISE ANALYZER: An instrument which measures the peak sound pressure of an impact noise and meets the applicable standards of the American National Standards Institute or the International Electro Technical Commission.

INCOMBUSTIBLE: Incapable of burning and propagating a flame when exposed to a temperature of 1200°F for five (5) minutes.

VILLAGE OF BEECHER – ZONING ORDINANCE

INTRINSICALLY BRIGHT SOURCES: A source of light of extremely high intensity.

MODERATE BURNING: A degree of combustion where the material is difficult to ignite and burns in a controlled fashion. Examples: lumber, hardboard, low fire spread plastics, rubbers, etc.

NOISE: A subjective description of an undesirable or unwanted Sound. See definition of “Sound”.

ODOR INTENSITY: A measurement which describes the strength of an odorous compound in air. Odor intensities are given in odor units per cubic foot and are measured in accordance with ASTM Test Method D 1391-57 or in an equivalent manner.

ODOROUS MATTER: Material suspended in the atmosphere that produce an olfactory response in normal human beings.

PARTICLE VELOCITY: A characteristic of vibration that depends on both displacement and frequency. If not directly measured, it can be computed by multiplying the frequency by the amplitude times the factor 6.28. The particle velocity will be in inches per second when the frequency is expressed in cycles per second and the amplitude in inches.

PARTICULATE MATTER: Airborne material except uncombined water which exists in a finely divided form as a liquid or solid at standard conditions.

PHOTOMETER: An instrument for measuring the intensity of light.

RINGLEMANN CHART: The chart published and described in the U.S. Bureau of Mines information Circular 7718 and upon which are illustrated graduated shades of gray for use in estimating the light obscuring power of smoke.

RINGLEMANN NUMBER: The shade identified on the Ringlemann chart which varies from 0 (clear) to 5 (opaque).

SEISMOGRAPH: An instrument which measures vibration characteristics simultaneously in three (3) mutually perpendicular planes. The seismograph may measure displacement and frequency, particle velocity, or acceleration.

SMOKE: The visible effluent from any activity, operation, or source containing air contaminants but not including water vapor or mist.

SOUND: Rapid fluctuations of atmospheric pressure which are audible to persons.

SOUND LEVEL METER: An instrument to measure the overall sound pressure level. It shall comply with the applicable specifications of the American National Standards Institute (ANSI S1.4-1971).

VILLAGE OF BEECHER – ZONING ORDINANCE

STANDARD TEMPERATURE AND PRESSURE: 60°F and 14.7 pounds per square inch, absolute.

STEADY STATE: A vibration which is continuous, as from a fan, compressor, or motor.

THRESHOLD LIMIT VALUE: The maximum allowable concentration permitted for an industrial worker for eight (8) hours exposure per day, five (5) days per week, as adopted by the American Conference of Governmental Industrial Hygienists.

TOXIC MATTER: Material which is capable of causing injury to living organisms by chemical means when present in relatively small amounts.

VIBRATION: A reciprocating movement transmitted through the earth, both in horizontal and vertical planes.

WATT: A unit of electrical power.

9.04 PERFORMANCE STANDARDS

Any use established in the I-1 Limited Industrial District after the effective date of this Ordinance shall be so operated as to comply with these Performance Standards governing (1) noise; (2) vibration; (3) air pollution; (4) fire and explosion hazards; and (5) glare, as set forth hereinafter.

Uses already established on the effective date of this Ordinance shall be permitted to be altered, enlarged, expanded or modified, provided that the additions or changes comply with the Performance Standards.

1. Noise

For the purpose of measuring the intensity and frequency of sound, noise shall be measured with a sound level meter and impact noise analyzer, meeting the applicable standards of the American National Standards Institute (ANSI S1.4-1971 and ANSI S1.11-1966). The instrument shall be set to the A-weighted response and the meter to the slow response.

Maximum Permitted Sound Levels

Noises shall not exceed the maximum permitted sound level of 60dBA, measured at the adjacent lot line, except that in any residential zone, the weighted sound level shall not exceed 55dBA during the hours of 7:00 a.m. to 9:00 p.m. and shall not exceed 45dBA during the hours of 9:00 p.m. to 7:00 a.m.; however, these levels may be exceeded by 10dBA for a single period no longer than fifteen (15) minutes in anyone day. Measurements may be made at points of maximum noise intensity. See Section 9.04 Definitions.

For impact noise levels, the maximum sound levels described above increased by 20dB shall apply. For purposes of this Ordinance, impact noise shall be considered to be those noises whose peak values, as measured on the impact noise analyzer are more than 6dB higher than the values indicated on the sound level meter.

VILLAGE OF BEECHER – ZONING ORDINANCE

Noises not under the direct control of an industrial operation (such as motor vehicles, excavation equipment or other independent transportation facilities) are excluded from the above limitations.

2. Vibration

In the 1-1 Limited Industrial District, no activity or operation shall cause or create earth borne vibrations in excess of the displacement values given below. Ground-transmitted vibrations shall be measured with a seismograph or complement of instruments capable of recording vibration displacement, particle velocity, or acceleration and frequency simultaneously in three (3) mutually perpendicular directions. Measurements may be made at points of maximum vibration intensity.

Vibration Level Restrictions

The maximum peak permitted particle velocities, measured at the adjacent lot line or any point along a residential district boundary line, shall not exceed 0.05 inches per second. In any residential zone the peak particle velocity shall not exceed 0.02 inches per second during the hours of 7:00 a.m. to 9:00 p.m. and shall not exceed 0.01 inches per second during the hours of 9:00 p.m. to 7:00 a.m.

The maximum particle velocity shall be the maximum vector sum of three (3) mutually perpendicular components recorded simultaneously. Particle velocity may also be expressed as 6.28 times the displacement in inches multiplied by frequency in cycles per second.

For the purpose of this Ordinance, steady state vibrations are vibrations which are continuous, or vibrations in discrete impulses more frequent than sixty (60) per minute. Discrete impulses which do not exceed sixty (60) per minute shall be considered impact vibrations. Impact vibrations shall be limited to values no more than twice as high as those specified for the maximum peak particle velocities permitted above.

3. Air Pollution

In all zoning districts, any activity, operation, or device which causes or tends to cause air pollution shall comply with the Illinois Air Pollution Control Regulations and the Performance Standards governing smoke, steam, particulate matter, toxic matter, and odor as herein set forth.

- a. Smoke. No visible smoke from any source of air pollution (including all stacks, chimneys, processes and devices) shall be permitted except once during an eight (8) hour period when smoke up to Ringlemann No.2 may be permitted for an aggregate of three (3) minutes.
- b. Steam. No emission of visible steam (except as the direct result of a combustion process) shall be permitted from any stacks, chimneys, processes, and devices. For the purpose of this regulation, visible steam is defined as a plume of condensed water vapor droplets having an equivalent opacity of sixty (60) percent or greater.
- c. Particulate Matter. The total emission of particulate matter from all stacks, vents, chimneys, flues and openings of all sources of air pollution on a lot shall not exceed one (1.0) pound per hour per acre of lot.

VILLAGE OF BEECHER – ZONING ORDINANCE

The emission of suspended particulate matter (windblown emissions) from all stacks, vents, chimneys, flues, openings, storage piles, fugitive sources, and open sources on a lot shall not exceed fifty (50) micrograms per cubic meter, measured across lot lines over a twenty- four (24) hour period. Suspended particulate matter shall be measured at ground level or habitable elevation, whichever is more restrictive. The limitations shall apply to the contribution by the sources on a lot, over and above background levels.

- d. Toxic Matter. The emission of toxic matter from all stacks, vents, chimneys, flues, openings, storage piles, fugitive sources and open sources on a lot shall not exceed two and one-half (2.5) percent of TLV, measured across lot lines or district boundary lines. Measurement shall be taken at ground level or habitable elevation and shall be a twenty-four (24) hour sample. Threshold Limit Values (TLV) of toxic materials adopted by the American Conference of Governmental Industrial Hygienists shall be employed except when air quality standards for such toxic materials have been adopted by the State of Illinois, in which case the latter shall apply. If a toxic material is not listed, the applicant shall satisfy the Zoning Administrator that the proposed levels will be safe to the general population.

4. Fire and Explosion Hazards

Any activity involving the manufacture, utilization, or storage of flammable, combustible and/or explosive materials shall be conducted in accordance with the regulations herein set forth.

- a. Detonable Materials. Activities involving the storage, utilization, or manufacture of materials or products which decompose by detonation are permitted up to five (5) pounds inventory of such materials and an excess of five (5) points is prohibited.

Such materials may include, but are not limited to, all primary explosives such as lead azide, lead styphnate, fulminates and tetracene; all high explosives such as TNT, RDX, HMX, PETN and picric acid, propellants and components thereof such as nitrocellulose, black powder, boron hydrides, hydrazine and its derivatives; pyrotechnics and fireworks such as magnesium powder, potassium chlorate and potassium nitrate, blasting explosives such as dynamite and nitroglycerine, unstable organic compounds such as acetylides, tetrazoles and ozonides; strong unstable oxidizing agents such as perchloric acid, perchlorates, chlorates, and hydrogen peroxide in concentrations greater than 35 percent (35%), and nuclear fuels, fissionable materials and products and reactor elements such as Uranium 235 and Plutonium 239.

- b. Flammable Solids. In the 1-1 Limited Industrial District, the storage, utilization, or manufacture of solid materials or products ranging from incombustible to moderate burning is permitted.

The storage, utilization, or manufacture of solid materials or products ranging from active burning to intense burning is permitted, provided either of the following conditions is met:

- (1) said materials or products shall be stored, utilized, or manufactured within completely enclosed buildings having no less than two (2) hour fire resistant exterior walls and protected with an automatic fire extinguishing system; or
- (2) said material, if stored outdoors, will be no less than fifty feet (50') to the nearest lot line.

- c. Flammable Liquids and Gases. The storage, utilization, or manufacture of flammable liquids shall be permitted in accordance with the following table, except that the storage of finished products in original sealed containers of fifty-five (55) gallons or less shall be unrestricted.

VILLAGE OF BEECHER – ZONING ORDINANCE

Spacing and location of storage tanks shall conform to the current Flammable and Combustible Liquids Code of the National Fire Protection Association, Code NFPA-30 or successor code.

A dike or drainage area shall be provided for all above-ground tanks in conformance with Code NFPA-30. The dike area or drainage area shall be no less than two (2) times the largest dimension of the dike area or drainage area from the nearest property line. For below-ground tanks, the specified distance shall be two (2) times the largest lateral tank dimension. (For example for a rectangular dike or tank, the largest dimension is measured along the diagonal).

Flash Point. Closed CUD Tester	Total Capacity of Flammable Materials Permitted in Gallons*	
	Above Ground	Below Ground
140°F or higher	50,000	100,000
Above 73°F but below 140°F	25,000	100,000
Below 73°F	5,000	100,000

*When flammable gases are stored, utilized, or manufactured and measured in cubic feet, the quantity in cubic feet at standard temperature and pressure permitted shall not exceed thirty times the quantities listed above. Tank spacing and diking shall conform to the applicable NFPA Code except as noted above.

5. Glare

Any operation or activity permitted within the Business and Industrial districts which produces glare at night shall be conducted so that direct and indirect illumination from the source of light on the lot shall not cause illumination in excess of one-half foot (½') candle when measured in a residence district at the lot line. Flickering or intense sources of light shall be controlled or shielded so as not to cause a nuisance across lot lines.

Illumination levels shall be measured with a photoelectric photometer, having a spectral response similar to that of the human eye, following the standard spectral luminous efficiency curve adopted by the International Commission on Illumination.

Uses in the I-I Limited Industrial District shall be governed by the Category A standards, and uses in all business districts shall be governed by the Category B standards. Uses subject to Category A and B Performance Standards shall limit the use of light sources and illuminated surfaces within five hundred feet (500') of, and visible in, a residential district to comply with the light intensities indicated below.

<u>Source</u>	<u>Maximum Intensity of Light Sources</u>	
	<u>Category A</u>	<u>Category B</u>
Bare incandescent bulbs	15 watts	40 watts
Illuminated buildings	15 foot candles	30 foot candles

VILLAGE OF BEECHER – ZONING ORDINANCE

Back lighted or luminous background signs foot lamberts	150 foot lamberts	250
Outdoor illuminated signs and poster panels candles	25 foot candles	50 foot
Any other unshielded sources intrinsic brightness	50 candles / sq.cm.	50 candles / sq.cm.

9.05 I-1 LIMITED INDUSTRIAL DISTRICT

The I-1 Limited Industrial District is intended to provide lands for development by industrial firms that have high standards of performance and that can locate in close proximity to residential and business districts without adversely affecting such areas. The district regulations are designed to permit the operations of most manufacturing, wholesaling and warehousing activities with adequate protection to adjacent uses and sufficient control of external effects to be compatible with neighboring uses.

1. Permitted Uses

The following uses are permitted:

- a. Any establishment the principal use of which is manufacturing, fabricating, processing, assembling, disassembling, repairing, cleaning, servicing, testing and storing of materials, products, and goods, provided operations conforming with the Performance Standards and other requirements applicable to an I-1 District.
- b. Agriculture.
- c. Bakeries.
- d. Building material sales, storage and millwork, but not including ready-mix concrete plants.
- e. Cameras and other photographic equipment and supplies.
- f. Carpet and rug cleaning.
- g. Contractors' offices and shops.
- h. Greenhouses, wholesale, without restriction as to gross floor area, provided heating plant operations conform with applicable Performance Standards set forth in this Section under General Requirements.
- i. Laundries.
- j. Machinery sales.
- k. Monument establishments, including accessory open sales lots.
- l. Offices.
- m. Orthopedic and medical appliances, such as artificial limbs, braces, supports and stretchers.
- n. Parking lots and storage garages.
- o. Pharmaceutical products, compounding only.
- p. Printing and publishing establishments.
- q. Public open space.
- r. Public utility and/or service uses:
 - (1) Essential services including fully automated gas regulating stations, telephone exchanges, and electric sub-stations.
 - (2) Railroad passenger stations when not located on railroad property.
 - (3) Sewage treatment plants.
 - (4) Waterworks, reservoirs, pumping stations, filtration plants, and wells. /'

VILLAGE OF BEECHER – ZONING ORDINANCE

- (5) Telephone exchanges, microwave relay towers, and telephone transmission equipment buildings.
- (6) Water filtration plants, pumping stations, reservoirs, and sewage treatment plants - public.
- (7) Other public or private utility service uses.
- s. Repair of household or office machinery or equipment.
- t. Research laboratories.
- u. Schools, commercial or trade.
- v. Service businesses, for the convenience of persons and firms in the industrial district, such as, but not limited to, automobile service stations, motels, meeting halls, office buildings and restaurants.
- w. Signs. See Section 11.00.
- x. Temporary buildings. See Section 4.25.
- y. Training centers, engineering or sales.
- z. Warehouses.
- aa. Wholesale business, excluding a building, the principal use of which is for a storage warehouse.
- bb. Accessory uses.
- 2. Special Uses. The following uses may be allowed by Special Use Permit in accordance with the provisions of Section 12.00:
 - a. Automobile service stations, where the retail sale of gasoline and oil for motor vehicles, including minor services customarily incidental thereto may be conducted out-of-doors. Lubricating and working facilities including auto laundries are permitted only if in a completely enclosed building.
 - b. Creamery and bottling plants.
 - c. Frozen food lockers.
 - d. Fuel and ice retail sales and storage.
 - e. Drug stores.
 - f. Dwelling units for watchmen and operating personnel and their families when the nature of operations require such personnel to reside on the premises where they are employed.
 - g. Garage, Public.
 - h. Heliports and Helipads.
 - i. Any other manufacturing establishment that can be operated in compliance with the Performance Standards listed below without creating objectionable noise, odor, dust, smoke, gas fumes and vapor; and any use compatible with the use and occupancy of adjoining properties.
 - j. Motor Freight Terminals if the following conditions are complied with:
 - (1) Shall be under unified ownership and control;
 - (2) The zoning lot on which the Motor Freight Terminal is located shall be located not closer than two hundred feet (200') to any Residential or Business zoned district;
 - (3) No dormitories, lodging or sleeping quarter facilities, no sleeping on premises, or in vehicles on the premises;
 - (4) Scales, if provided, for weighing trucks shall be located on the same zoning lot;
 - (5) Parking of vehicles and trucks shall be in compliance with Section 10.00, Off-Street Loading and Off-Street Parking of this Ordinance. Concrete shall be provided in accordance with

VILLAGE OF BEECHER – ZONING ORDINANCE

Village Ordinances and engineering specifications designed for the parking or storage of trailers;

- (6) The number of vehicles with engines operating at one (1) time shall be restricted reasonably, so as not to emit a concentration of noxious fumes to endanger public health and welfare. Reference to Section 9.04.3(5) and the American Society for Testing and Materials (ASTM) Method DI 391-57 standard;
- (7) Exterior lighting shall be controlled, so as to shine away from adjacent properties;
- (8) Landscaping including but not limited to fencing and berming shall be provided to create a buffer to adjacent properties of not less than eighty percent (80%) opacity;
- (9) The number of vehicles including trucks and trailers shall be in compliance with Section 10.00;
- (10) No parking or standing of trucks shall be permitted on public streets; the weight of trucks using public streets shall be within the weight limits of all public streets on which the trucks would traverse;
- (11) Semi-trailers shall be limited to the Design Vehicle Dimensions established by the Illinois Department of Transportation (IDOT) and no tanker trailers shall be permitted other than for delivery of fuel to the premises only;
- (12) The number of truck loading berths located on the zoning lot shall be in compliance with Section 10.00; and
- (13) The number of locations and width of entrances to, and exits from, the zoning lot shall be determined by Village codes and ordinances and/or Village engineering standards.

k. Mini-Warehouse.

Mini-warehouse if the following conditions are complied with:

- (1) The zoning lot on which the warehouse is located shall be located not closer than one hundred fifty feet (150') to any Residence or Business Zoned district;
 - (2) The number of truck loading berths located on the zoning lot shall be in compliance with Section 10.00;
 - (3) The number of locations and width of entrances to, and exits from, the zoning lot shall be determined by Village codes and ordinances and/or Village engineering standards;
 - (4) Scales, if provided, for weighing trucks shall be located on the same zoning lot.
 - (5) Parking of vehicles and trucks shall be in compliance with Section 10.00, Off-Street Loading and Off-Street Parking;
 - (6) Exterior lighting shall be controlled, so as to shine away from adjacent properties;
 - (7) There shall be no major motor vehicles maintenance or major engine overhauling on the zoning lot; and
 - (8) No parking or standing of trucks shall be permitted on public streets, the weight of trucks using public streets shall be within the weight limits of all public streets on which the trucks would traverse.
 - l. Planned developments, industrial, provided a planned development is on a tract of land not less than five (5) acres in area and under unified ownership or control. See Section 12.13.
- m. Radio and television towers.
- n. Warehouse and storage not including motor freight terminals.
- o. Child Care Center. When included as a secondary use in the principal building and to be licensed by the State of Illinois under the Illinois Child Care Act of 1969 (Ill. Rev. State. Ch. 23, Sec. 2211 et seq.) or other applicable statute. The premises on which such center is to be located shall include an outdoor play area of seventy (70) square feet for each child in the

VILLAGE OF BEECHER – ZONING ORDINANCE

play area at anyone time and such play area shall be fenced and screened from view from adjoining properties.

3. Conditions of Use.

All Permitted Uses are subject to the following conditions:

- a. Any production, processing, cleaning, servicing, testing and repair or storage of goods, materials or products shall conform with the Performance Standards set forth herein.
- b. All business, production, servicing, and processing shall take place within completely enclosed buildings unless otherwise specified. Within one hundred fifty feet (150') of a Residence District, all storage shall be in completely enclosed buildings or structures, and storage located elsewhere in this district may be open to the sky but shall be enclosed by solid walls or fences (including solid doors or gates thereto) not less than six feet (6') high, but in no case lower in height than the enclosed storage and shall be suitably landscaped. However, open off-street loading facilities and open off-street parking of motor vehicles displaying Class "B" or less license plates may be unenclosed throughout the district, except for such screening of parking and loading facilities as may be required under the provisions of Section 10.00.
- c. Uses established on the effective date of this Ordinance and by its provisions rendered non-conforming shall be permitted to continue, subject to the regulations of Section 5.00.
- d. Uses established after the effective date of this Ordinance shall conform fully to the Performance Standards hereinbefore set forth for the district.

4. Floor Area Ratio:

The floor area ratio shall not exceed zero point five (0.5)

5. Minimum Lot Size:

Every industry established hereafter erected shall be located on a lot having an area of not less than twenty thousand (20,000) square feet, and a width at the established building line of not less than one hundred feet (100').

6. Yard Requirements:

Yards shall be provided in accordance with the following regulations:

- a. Front Yard. There shall be a front yard of not less than forty feet (40'), including a minimum twenty feet (20') green/landscape space between the right-of-way and parking areas.
- b. Side Yard. There shall be provided two (2) side yards having a combined width of forty five feet (45') and neither side yard shall be less than twenty feet (20').
- c. Rear Yard. There shall be provided a rear yard of not less than fifty feet (50'). That portion of a rear yard abutting a residence district shall not be less than one hundred fifty feet (150').

7. Off-Street Parking and Loading

Off-street parking and loading facilities shall be provided as required or permitted in Section 10.00

8. Building Height

The height of any building or structure shall not exceed two and one-half (2½) stories or forty feet (40'), whichever is lower.

SECTION 9.06 O-R OFFICE RESEARCH DISTRICT

The O-R Office Research District is intended to provide and maintain a park-like setting for uses on large lots. The Office Research District shall be restricted to offices, accessory uses, limited business services, and industrial non-manufacturing type uses.

frontage proposed to be altered, is filed with the Clerk of the Village or if the Planning and Zoning Commission has recommended against such Special Use, the Special Use shall not be passed, except by a favorable vote of two-thirds (2/3) of the Corporate Authorities.

- c. If an application for a proposed Special Use is not acted upon finally by the corporate authorities within ninety (90) days of the date the Board receives the Planning and Zoning Commission's recommendations, and such time is not extended by mutual consent of the Village Board and petitioner, it shall be deemed to have been denied.
10. Effect of Denial of Special Use. No application for Special Use which has been denied by the Village Board shall be resubmitted for a period of one (1) year from the date of the order of denial except on the grounds of new evidence or proof of change of conditions found to be valid by the Planning and Zoning Commission and the Village Board.
11. Repeal of Special Use. In any case where a Special Use has been granted, and where no development has taken place within two (2) years, the Planning and Zoning Commission may recommend to the Village Board that such zoning be affirmed or repealed to its most appropriate zoned district classification in accordance with the procedures under this Ordinance.

12.12 PLANNED DEVELOPMENT - (PD)

1. Purpose and Intent.

Planned developments (PD's), also known as Planned Unit Developments, are intended to allow greater design flexibility than is permitted by the standard district regulations. They are also substantially different from other special uses so that specific and additional standards and exceptions are necessary to regulate these developments. Therefore, the regulations contained in this Section are established to facilitate and encourage the construction of imaginative and coordinated small-to-large scale developments and to provide relief from the subdivision and zoning requirements which are designed for conventional developments. These regulations are further established to provide for developments incorporating a single type or variety of related uses, which are planned and developed as a unit; to assure adequate open space for recreation and other community purposes; to protect residential areas from undue traffic congestion; to encourage the most efficient use of land, which will result in more economic networks of utilities, streets, and other facilities; and thus to promote the general welfare of the community.

The objective of a Planned Development is therefore not simply to allow exceptions to otherwise applicable regulations; it is instead to encourage a higher level of design and amenity than is available under the usual land development requirements. It is the intent of the Village to suspend the application of detailed zoning and subdivision standards as provided herein only when such amenity is achieved. In this way the Village may grant the developer a desirable flexibility and at the same time not only protect but enhance the welfare of the residents and other users of a development as well as the rest of the community.

2. Standards and General Requirements.

No Planned Development shall be authorized by the Village Board unless the following standards and general requirements are met or improved amenities and/or design standards are demonstrated and accepted:

a. General Provisions.

VILLAGE OF BEECHER – ZONING ORDINANCE

- (1) The site of the proposed Planned Development is not less than twenty (20) acres in area and is under single ownership and/or unified control. Where the applicant can demonstrate that the characteristics of the land are suitable to be planned and developed as a unit and in a manner consistent with the purpose and intent of this Ordinance and with the Comprehensive Plan of the Village, the Planning and Zoning Commission may consider projects with less acreage.
- (2) Conservation Design, as provided in the Village Subdivision Ordinance, or elements of Conservation Design, is strongly encouraged for all Planned Developments. Applicants shall present the Village with Planned Developments incorporating Conservation Design principles and components or give evidence of reasons not to address these principles and components.
- (3) The Planned Development will not substantially injure or damage the use value and enjoyment of the surrounding property nor hinder or prevent the development of surrounding property in accordance with the land use plan of the Village.
- (4) The uses permitted in the development are necessary or desirable and that the need for such uses has been clearly demonstrated by the developer.
- (5) The proposed development will not impose an undue burden on public facilities and services, such as sewer and water systems, and police and fire protection.
- (6) The proposed development can be substantially completed within the period of time specified in the schedule of development submitted by the developer.
- (7) The street system serving the Planned Development is adequate to carry the traffic that will be imposed upon the streets by the proposed development, and that the streets and driveways on the site of the Planned Development will be adequate to serve the residents or occupants of the proposed development.
- (8) When a Planned Development proposes the use of private streets, common driveways, private recreation facilities or common open space, the developer shall provide and submit as part of the application the method and arrangement whereby these private facilities shall be operated and maintained.
- (9) The General Development Plan shall contain such proposed covenants, easements and other provisions relating to the bulk, location and density of residential buildings, non-residential uses and structures and public facilities as are necessary for the welfare of the Planned Development and the Village. Enforcement of covenants, conditions and restrictions shall be the responsibility of the Home Owners Association.
- (10) The developer shall provide and record easements and covenants, and shall make such other arrangements as furnishing a performance bond, escrow deposit, or other financial guarantees as may be reasonably required to assure performance in accordance with the General Development Plan and to protect the public interest in the event of abandonment of said plan before completion.
- (11) Any exceptions or modifications of the zoning, subdivision, or other regulations that would otherwise be applicable to the site are warranted by the design of the proposed development plan, and the amenities incorporated in it are consistent with the general interest of the public.
 - b. Permitted Uses.
 - (1) Dwelling units in detached, semi-detached, attached, clustered, or multi- storied structures, or combination thereof.

VILLAGE OF BEECHER – ZONING ORDINANCE

- (2) Commercial uses, where such uses are scaled primarily to serve the residents of the PD, such as retail sales, personal service stores, professional offices, and banking facilities.
- (3) Schools, public and private recreational facilities, and institutional uses.
- (4) Offices.
- (5) Day care centers.
- (6) Industrial Planned Development in areas so indicated on the Zoning Map and/or

Comprehensive Land-Use Plan

c. Residential Density and Standards.

- (1) The density of residential Planned Development shall not exceed the density allowed in the district in which the PD is located. In such instances, however, where the land is not annexed to the Village and no zoning classification has been assigned, the Planning and Zoning Commission shall determine what the appropriate zoning and density should be and forward its recommendations to the Village Board.

The Planning and Zoning Commission, in making this determination, shall take into consideration (1) the physical characteristics of the site; (2) the location, design and type of dwelling units proposed; (3) the amount, location and proposed use of common open space; and (4) the provision of unique design features, such as golf courses, lakes, swimming pools, underground parking and other similar features which require unusually high development cost and which achieve an especially attractive and stable development.

- (2) Non-residential or business type uses may be included as part of a Planned Residential Development when the Planning and Zoning Commission finds that (1) such business uses are beneficial to the overall planned development and will not be injurious to adjacent or neighboring properties, (2) such uses are not available within reasonable proximity of the subject area, (3) are gauged primarily for the service and convenience of the residents of the subject area, and (4) are designed as a unit of limited size and made an integral part of the proposed Planned Development.
- (3) Combination of business and multiple family residential uses in one building may be permitted in a building provided that (1) the business uses are limited to personal services and convenience type uses intended solely for the purpose of serving those residing in the multiple family complex, and (2) no businesses are permitted on the same floor or above a floor used for residential purposes.
- (4) Ten percent (10%) of the gross land area of a Residential Planned Development, or a minimum of seven hundred fifty (750) square feet per dwelling unit, whichever is greater, shall be developed for recreational open space; except that in multiple family areas the minimum square feet per dwelling unit shall be computed on the basis of two hundred (200) square feet for each one (1) bedroom unit, three hundred fifty (350) square feet for each two (2) bedroom unit, and five hundred fifty (550) square feet for each three (3) or more bedroom unit. This requirement shall be exclusive of other park and open space requirements required by this Ordinance and other Village Ordinances.

When private common open space is provided within a Planned Development, such open space shall not be computed as part of the required minimum lot area, or any required yard, of any other structure. Open spaces proposed for either dedication to the public or common ownership by the residents of the Planned Residential Development shall be retained as open space for park and recreational use for the life of the Planned Development. A variety of open space and recreational areas is encouraged, including children's informal play in close

VILLAGE OF BEECHER – ZONING ORDINANCE

proximity to individual dwelling units according to the concentration of dwellings, formal parks, picnic area, playgrounds, areas of formal recreational activities such as tennis, swimming, golf, and other related activities.

- (5) All Planned Developments shall conform to the requirements and specifications of the Village of Beecher Subdivision Ordinance.

d. Site and Structure Requirements.

- (1) Where feasible, natural features such as streams, rock outcrops, marshlands, topsoil, trees and shrubs shall be preserved and incorporated in the landscaping of the development. See Section 4.30.
- (2) The developer shall provide all necessary water and sewer facilities, storm drainage, and all other on-site improvements as may be required, making reasonable provisions for utility service connections with adjoining properties in other ownership. Such proposed improvements shall comply with Village standards and shall be subject to review and approval by the appropriate authorities.
- (3) Non-residential uses within a Planned Development shall be located so as to be amenable to nearby residential uses. Such uses, including parking and loading areas, shall be adequately screened and buffered where adjacent to existing residential development.
- (4) Parking requirements shall conform to Section 10.00.
- (5) The pedestrian circulation system and its related walkways shall be insulated as completely as possible from the street system in order to provide separation of pedestrian and vehicular movements. This shall include, when deemed necessary by the Planning and Zoning Commission, pedestrian underpasses or overpasses in the vicinity of schools, playgrounds, local shopping areas and other neighborhood uses which generate a considerable amount of pedestrian traffic.
- (6) Each Residential Planned Development shall provide for the visual and acoustical privacy of each dwelling unit. Fences, walks and landscaping shall be provided for the protection and aesthetic enhancement of property and the privacy of its occupants, screening of objectionable views or uses, and reduction of noise.
- (7) All streets within a Planned Development shall be dedicated public streets except as otherwise recommended by the Planning and Zoning Commission and approved by the Village Board.
- (8) Along the exterior boundaries not adjoining a street, there shall be a minimum setback of forty feet (40') plus one (1) foot for each additional foot that the building increases in height over thirty-five (35) feet.
- (9) Not more than five (5) dwelling units shall be permitted in a single family attached building. "Single family attached building" is defined as a building containing two (2) or more single family dwelling units joined at one (1) or more points by one (1) or more party walls or common facilities, not including the walls of an enclosed court yard or similar area.
- (10) No dwelling unit shall be situated so as to face the rear of another dwelling unit unless adequate landscaping provided to effectively create a visual separation.
- (11) When two (2) or more buildings which contain single family attached dwellings, or two (2) or more multiple family dwelling buildings, or combinations thereof, the distance between the building walls shall be as required in Section 7.07.7 of this Ordinance, unless otherwise recommended by the Planning and Zoning Commission and approved by the Village Board.

VILLAGE OF BEECHER – ZONING ORDINANCE

(12) A twenty (20) foot wide buffer approved by the Planning and Zoning Commission shall be provided so as to constitute the visual screening of all parking areas and outdoor activity areas from adjacent property and of rights-of-way at ground level. Where a buffer already exists on the adjacent property line, or where parking areas or similar activity areas adjoin each other on adjacent properties, the buffer requirements may be waived by the Planning and Zoning Commission

(13) All developments shall be reviewed by the Village Engineer for compliance with this and all other Village Ordinances prior to recommendation from the Planning and Zoning Commission and approval by the Village Board. The cost of said review shall be paid by the applicant upon receipt of invoice.

e. Visual Environment Provisions.

In all Planned Developments, the following visual environmental provisions shall apply:

(1) Reflecting the impacts the development will have on the Village, the petitioner shall also provide for community enhancement through donations to on-site and off-site community improvements, landscaping, park facilities, and other community projects. The Planning and Zoning Commission shall record these community improvements.

(2) All yard areas shall be landscaped, screened and fenced with mature sized planting and shrubbery and approved fencing material in accordance with the plans approved by the Planning and Zoning Commission. See Section 4.30.

f. Common Property.

Common property in a PD is a parcel or parcels of land together with improvements thereon, the use and enjoyment of which are shared by the owner occupants of the individual building sites. Where such property exists, the landowner shall provide for and establish an organization for the ownership and maintenance of any common property. Such organization shall not be dissolved nor shall it dispose of any common property by sale or otherwise. Individual landowners in the PD may not use any portion of common property to increase their lot size in order to qualify for uses under this Ordinance.

In reviewing the organization for the ownership and maintenance of any common property, the Planning and Zoning Commission shall consider the following:

(1) Time when organization is to be created;

(2) Mandatory or automatic nature of membership in the organization by residents;

(3) The permanence of common property safeguards;

(4) The liability of the organization for insurance, taxes, and maintenance of all facilities;

(5) Provision for pro rata sharing of costs and assessments;

(6) The capacity of a Home Owners Association (HOA) to administer common facilities; and

(7) All Planned Developments which include common maintenance areas shall establish a Special Service Area which will permit the Village to maintain common property under control of the HOA in the event of the default of the HOA. The SSA shall be recorded with the Final Plat.

2. Application Procedure and Approval Process.

A Planned Development shall be granted as a special use in accord with the following procedures and may depart from the normal procedure, standards, and other requirements of the other sections of this Ordinance. Applications shall be made on forms provided by the Village and shall be accompanied by the required plats and documents. An appropriate filing

VILLAGE OF BEECHER – ZONING ORDINANCE

fee, established by the Village Board, in the form of a certified check payable to the Village shall be presented to the Village Administrator prior to beginning the following process:

- a. Pre-application Conference. Prior to official submittal of an application for consideration of a planned development, the developer shall meet informally with the Village staff, including appropriate consultants, for a preliminary discussion as to the scope and nature of the proposed development, the types of uses proposed, and the approximate land allocations contemplated for each of the uses to determine the Village's capacity to serve the proposed development.
- b. Initiation of Exploratory Application. Following the preliminary consultation with the Village staff, the developer shall submit in writing a request for a special use permit for a planned development. The letter shall be addressed to the Village President requesting that the proposed development be placed on the agenda of the Village Board for preliminary discussion. The Village Board shall consider the proposed development at its next regular meeting, or at a special meeting which may be set for the specific purpose of allowing the developer to make a presentation of the plans. The Village Board may refer the proposed development to the Planning and Zoning Commission, with or without recommendations. Referral to the Planning and Zoning Commission does not indicate endorsement of the proposal.
- c. Exploratory Proposal. Formal application for approval of a Planned Development shall first be presented in the form of an exploratory proposal, and shall be filed with the Village Clerk, who shall transmit same, including all documents relating thereto, to the Planning and Zoning Commission.

The purpose of the exploratory proposal is to establish a frame of reference for the Village to consider the merits of a proposed Planned Development as it relates to the Comprehensive Plan and to afford a basis for determining whether or not the Village would look favorably toward a zoning of the property to accommodate a Planned Development of the general nature being proposed.

- (1) Submission Requirements. Sixteen (16) copies of the exploratory proposal shall accompany the application. The Village Clerk shall forward eight (8) copies of the application and eight (8) copies of the Preliminary Plan to the Planning and Zoning Commission not less than seven (7) days prior to the meeting at which it is to consider the matter; one (1) copy to be retained by the Village Clerk for filing, and one (1) copy each to the Village Administrator, Village Engineer and Village Planner. Copies shall also be distributed to the Police Department, Fire Protection District, School District and other appropriate jurisdictional authorities.

The exploratory proposal for a Planned Development shall be submitted and shall comprise, but not necessarily be limited to, the following:

- (a) A written explanation of the general character of the project and the manner in which it is planned to take advantage of the flexibility of these regulations.
- (b) A legal description of the property proposed to be developed.
- (c) A plan of the proposed Planned Development sufficient in detail and scope to afford the Planning and Zoning Commission and Village Board an opportunity to make a determination as to whether the Village is favorably or unfavorably disposed as to the granting of the necessary zoning certificate for a special use for a Planned Development. The Village Board, when approving the exploratory proposal, shall not be bound by the location of anything

VILLAGE OF BEECHER – ZONING ORDINANCE

shown on such a plan if, when placed on a plat of survey there is any conflict or difference.
The plan shall indicate:

- 1) The approximate residential density proposed for the entire project and, if the project is to be comprised of well defined areas of varying types of residential development, the approximate density for each such area.
 - 2) The proposed height and bulk of buildings. However, the approval of the exploratory proposal by the Village Board shall not preclude their right to pass judgment on the specific location of buildings when the Preliminary Plan is approved.
 - 3) The approximate percentage of the project land area to be covered by buildings, streets and other impervious surfaces.
 - 4) The approximate number of dwelling units proposed for the project.
 - 5) Traffic circulation features within and adjacent to the project.
 - 6) Areas designated for permanent open space, whether to be dedicated to the public or to be privately maintained.
 - 7) Amenities to be provided within the proposed project.
 - 8) Existing zoning of the project site and adjacent properties.
 - 9) Generalized plan for utilities which will serve the project.
 - 10) Land uses and structures within two hundred feet (200') of the project.
- (d) Petitioner shall provide the Village Administrator proof of ownership or proof of other financial interest in the affected property. This information shall remain confidential.
- (2) Review Procedure for an Exploratory Proposal.

Within forty-five (45) days of receipt of written application, including necessary materials and information in 2.c.(1)(c) of this section, by the Planning and Zoning Commission of an Exploratory Proposal, the Planning and Zoning Commission shall conduct a public hearing on the proposition of whether or not a special use for a Planned Development may be granted for the subject property.

No later than at the next regular meeting of the Planning and Zoning Commission following the public hearing, the Planning and Zoning Commission shall act to recommend to the Village Board that it (a) take action indicating a favorable disposition toward zoning the subject property for a Planned Development of the nature being proposed, subject to approval of the Preliminary Plan for the project, or (b) reject the proposal. In either case, the Planning and Zoning Commission shall set forth the reasons for its recommendation, and may, in the event of a favorable recommendation, specify particular items and conditions which should be incorporated in subsequent plan submittal.

Upon receipt of the Planning and Zoning Commission's recommendation, the Village Board shall act by resolution to either (a) reject the proposal, or (b) accept the proposal. The acceptance may be contingent and if so shall specifically state what additions or deletions from the proposed development as submitted shall be made in the Preliminary Plan. Any such conditions may include but are not limited to allowable density, bulk of buildings, provisions for permanent open space, and ratios of dwelling unit types to be included in the project.

The Village Board approval shall lapse unless within one (1) year from approval of the Preliminary Proposal, a Preliminary Plan for the Planned Development is filed as required in this Section; provided, however, that in the absence of a Preliminary Plan submittal, such one (1) year period may be extended for a specified period upon written request from the owner or developer and approval by the Village Board.

VILLAGE OF BEECHER – ZONING ORDINANCE

- d. Preliminary Plan. Following a favorable resolution relative to the Exploratory Proposal, a Preliminary Plan of the proposed Planned Development shall be submitted to the Planning and Zoning Commission for review and approval. The owner or developer shall provide the Planning and Zoning Commission with sixteen (16) copies for review purposes. In its review, the Planning and Zoning Commission shall submit copies of the plan to the Village's planner, engineer, and to the appropriate school, park and fire districts providing required public facilities and services for review and comment. Comments and recommendations shall be returned to the Planning and Zoning Commission within thirty (30) days unless said period is extended by the Commission. If said comments and recommendations are not received within the designated time period, it will be construed to mean approval by the non-Village agencies.
- (1) Submission Requirements.
- The submission of Preliminary Plan approval shall include, but not necessarily be limited to, the following information prepared by a professional land planner, architect, or engineer:
- (a) An accurate boundary line survey showing bearings and distances, a legal description of the property, satisfactory evidence of ownership and a location map showing the relationship of the proposed planned development to adjacent properties and to the Village of Beecher.
 - (b) A site plan of the proposed development showing the location and arrangement of all proposed land uses, residential lots, and buildings, including the height and number of floors of all buildings, both above and below finished grade; the building setbacks from the development boundaries and adjacent buildings, streets, roads, alleys and other public ways; the proposed traffic circulation pattern including the location and width of all streets, driveways and entrances to parking areas; all proposed off-street parking and loading areas; all proposed open space areas including common open space, dedicated open space and developed recreational open space. The Preliminary Plan may be drawn in a freehand sketch form, provided it accurately depicts the detail and character of the proposed development.
 - (c) A plan or statement detailing the exact manner of improving developed recreational open space, and all covenants, restrictions and conditions pertaining to the use, maintenance and operation of common open spaces.
 - (d) A statement in tabular form of the anticipated residential density and the total number of dwelling units, the bedroom breakdown, the percentage of the tract which is to be occupied by structures and other impervious surfaces, and in the case of commercial uses, the total gross leasable floor area of all commercial uses and the off-street parking and loading.
 - (e) Topographic data including existing contours at vertical intervals of not more than two (2) feet; and locations of water courses, flood plains, marshes, wooded areas and isolated trees having a diameter of one (1) foot or more. These contours shall extend to a minimum one hundred feet (100') beyond the boundaries of the proposed development.
 - (f) Subsurface soil conditions.
 - (g) Existing streets, including street names, adjoining subject property.
 - (h) Utilities on and adjacent to subject property, including location and size of existing water mains, sanitary and storm sewers, culverts, drain pipes, and public utility easements.
 - (i) The names of adjoining subdivisions or the names of record owners of adjoining parcels of unsubdivided land.
 - (j) Name of the proposed development (if available), of the owner(s) and developer, and the designer of the preliminary site plan

VILLAGE OF BEECHER – ZONING ORDINANCE

- (k) A preliminary outline of proposed protective covenants, including provision for the organization and financing of a property owner's association, where appropriate.
- (l) Preliminary engineering information regarding water and sanitary sewer services, storm drainage – including preliminary calculations for ponds, and grading.

(2) Approval of Preliminary Plans.

Within ninety (90) days of receipt of the Preliminary Plan and the accompanying documentation, the Planning and Zoning Commission shall take action on the Preliminary Plan. The action shall be in the form of a written recommendation to the Village Board approving, approving with modification, or disapproving the plan and indicating the reasons therefore.

The Village Board shall thereafter approve, approve with modifications, or disapprove the Development Plan upon determination that said plan complies with the standards herein set forth. In the case of approval, or approval with modification, the Village Board shall pass an ordinance granting the special use and indicate their approval upon the plan. The Village Board may require such special conditions as they may deem necessary to insure conformance with the intent of all Comprehensive Plan elements and the stated purposes of the Planned Development Ordinance. If the Preliminary Plan is disapproved, the Village Board shall indicate the reasons for such findings. The Village Board may refer it back to the Planning and Zoning Commission for further study and recommendation to the Village Board.

- e. Final Plat. Upon the approval of the Preliminary Plan by the Village Board, a final development plat may be submitted for all the land included in the proposed Planned Development, or for a phase or unit thereof. Such plat shall be submitted to the Planning and Zoning Commission within one (1) year after approval of the Preliminary Plan, and shall be in substantial compliance with the Preliminary Plan as approved.

(1) Submission Requirements.

The owner or developer shall submit twenty (20) copies of the Final Plat, which shall incorporate any revisions or other features that may have been recommended by the Planning and Zoning Commission and/or the Village Board at the time Preliminary Plan approval was granted. The submission for Final Plat approval shall substantially conform to the approved Preliminary Plan and include:

- (a) A detailed engineering site plan prepared at a scale of not less than 1" = 100' showing the physical layout and design of all streets, easements, rights-of-way, lots, blocks, common open space, all off-street parking and loading areas, and the exact location of structures and uses.
- (b) The plat shall show all radii, internal angles, points of curvatures, tangent bearings, and length of acres; location, dimensions and purpose for all dedicated rights-of way and easements; all block and lot numbers and lines, with accurate dimensions in feet and hundredths; names of all streets; and the location of all buildings (except for single-family detached residences) and setback lines accurately dimensioned.
- (c) The description and location of all survey monuments erected in the Planned Development; the scale shown graphically; and the date and north point.
- (d) All parcels of land to be dedicated for public use or reserved for the use of all property owners with the purpose indicated.
- (e) Preliminary building plans, including floor plans and exterior elevations.

VILLAGE OF BEECHER – ZONING ORDINANCE

- (f) Storm drainage and engineering plans for sanitary sewer and water lines, including easements for underground utilities.
- (g) Proposed lighting system for streets, public areas and common open space.
- (h) A general landscape planting plan and grading plan. (See Section 4.30).
- (i) Estimates of cost of installation of all proposed improvements, confirmed by a registered Illinois engineer.
- (j) Final drafts of legal agreements and documents including copies of any easements, deeds of dedication and other legal documents necessary for the transfer of land and improvements to public and common ownership, restrictive covenants, and a copy of the Articles of Incorporation of the property owner's association, if any.
- (k) An accurate legal description and boundary line survey of the area proposed for development in the application for final plan, approval, plus satisfactory evidence of ownership.
- (l) Final construction schedule, indicating the estimated date scheduled by the applicant for final completion of construction work on required public facilities, land improvements, and on all buildings and private facilities within the proposed Planned Development, other than single family dwellings to be erected on separate lots.
- (m) A completion bond in sum sufficient to cover the full cost of required public facilities and land improvements; or in lieu of a bond, a deposit of cash; or other negotiable securities or guarantee acceptable to the Village Board, all as required by ordinance. If a surety bond, or other guarantee is posted, it shall comply with ordinance, and be in such form as approved by the Village Attorney; the amount of such deposit or bond shall be based upon the confirmed estimate of cost herein above provided for and in an amount as required by ordinance.
- (n) Record of all necessary approvals and/or certificates from the Illinois Department of Transportation, Illinois Environmental Protection Agency, Illinois State Historical Preservation Office and all other federal, state and local agencies with jurisdictions.
- (o) Letter of approval from the Village engineer.
- (2) Approval of Final Plat.

Upon receipt of all the plans and documents required for final approval, the Planning and Zoning Commission shall review the Final Plat and transmit its findings and recommendations to the Village Board within sixty (60) days after the meeting or meetings at which such final plan is considered. The Final Plat shall conform substantially to the Preliminary Plan as approved, and, if desired by the developer, it may be submitted in stages with each stage reflecting the approved Preliminary Plan which is proposed to be recorded and developed.

After receipt of the Final Plat from the Planning and Zoning Commission, the Village Board shall, within thirty (30) days, approve, approve with modification, or disapprove the Final Plat and shall pass an ordinance authorizing the Planned Development as a special use. If the Final Plat is disapproved, the Village Board shall indicate the reasons and refer it back to the Planning and Zoning Commission.

No building permit shall be issued until the final Planned Development plat and supporting documents have been recorded with the Will County Recorder of Deeds, and proof of filing is provided to the Village.

- f. Changes or Deviations. No changes or deviations may be made to the approved final development plat during the construction of the Planned Development without the approval of the Village Board. Any deviation without the necessary approval shall serve automatically

to revoke the original approval and to void future action pursuant to the Planned Development.

However, at any time following approval of development plans, including the issuance of permits for any part thereof, the applicant may petition for review in detail of the previously approved plan, stating reasons therefore. Such reasons may be based on such considerations as, but not limited to, changing social or economic conditions, suggested improvements to layout or design features, or unforeseen difficulties or advantages, such as site conditions, market conditions or statutory changes, which may mutually affect the interests of the applicant and the Village. The Planning and Zoning Commission, upon finding that such petition and reasons are reasonable and valid, may reconsider the design of the Planned Development. A self-imposed hardship shall not be a valid reason for change.

If the proposed change or deviation is considered minor and will not change the concept or intent of the development, the Village Board may approve the change without referring it back to the Planning and Zoning Commission or going through the Preliminary Plan process again. However, if the proposed change is a substantial deviation from plans so approved, the applicant shall be referred back to the Planning and Zoning Commission and the procedure and conditions herein required for original submittal shall be followed in full.

A substantial deviation shall be defined as any change which includes increases in density, height of buildings, reductions in the amount of proposed open space, changes in the development schedule, or changes in the final governing agreements, provisions, or covenants, or other changes which change the concept or intent of the development. Any other changes which do not change the concept or intent of the development shall be deemed minor changes.

3. Performance Guarantees for Planned Development.

As a condition of final approval, the Village Board shall require the posting of such performance guarantees as it deems necessary to insure the installation of the improvements. Said performance guarantee shall be for a period of time to be determined by the Village Board. The amount of the performance guarantee may be reduced by the Village as portions of the required improvements have been completed.

The Planned Development project shall be developed only according to the approved and recorded Final Plat and all supporting data. The recorded Final Plat and all conditions imposed as a part of any Planned Development shall run with the land and shall not lapse or be waived as a result of a subsequent change in tenancy or ownership of any or all of said area; however, nothing herein shall be construed to limit the right of the developer, successors or assigns, to sell property in said Planned Development, except for such conditions imposed upon said common areas.

If construction on the proposed Planned Development, or stage or unit of said development last approved, has not begun within one (1) year from the date the Final Plat was approved by the Village Board, the Board may initiate proceedings to rezone the Planned Development parcel to its original zone or zones, and the authorization of final approval shall become null and void and all rights there under shall lapse. Upon written application, filed prior to the termination of the one (1) year time limit, the Village Board may authorize a single extension of the time limit for a further period of not more than twelve (12) months without a public notice.

4. Recording Procedure.

Within thirty (30) days following the approval of the Final Plat for all or any portion of a Planned Development or prior to the issuance of any building permit, the applicant shall record or cause the recordation of said approved plat with the Will County Recorder of Deeds and shall provide proof of said filing to the Village.

Upon approval of the final plan, the approved Planned Development shall be delineated and designated by number on the zoning district map. A file, available for inspection by the public, shall be maintained by the Village Clerk for each Planned Development so designated. The file shall contain a record of the approved development plan and all conditions and use exceptions authorized therein.

12.13 FEES

The Village Board shall establish by Ordinance a schedule of fees, charges, escrows and expenses required for development review, building permits, zoning certificates, certificates of occupancy, variations, special use permits, temporary use permits, amendments, planned development approvals and other matters pertaining to this Ordinance.

Until all such required fees have been paid, no application for any of the above shall be deemed to have been filed and no action shall be taken on such application. All fees shall be paid to the Village Clerk and none shall in any event be refunded.



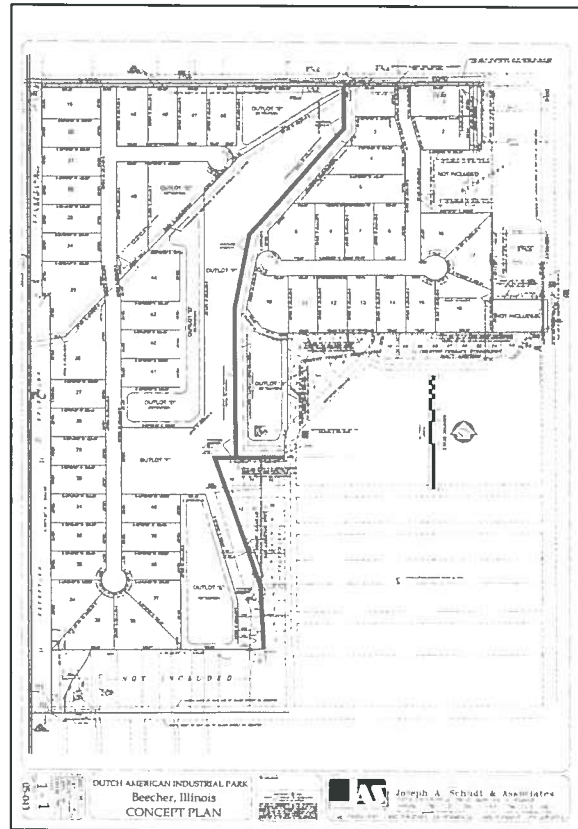
To: Robert Barber, Village Manager

From: Pete Iosue, AICP, Senior Planner
Benito Garcia, LEED AP BD+C, Associate Planner

Date: July 14, 2021

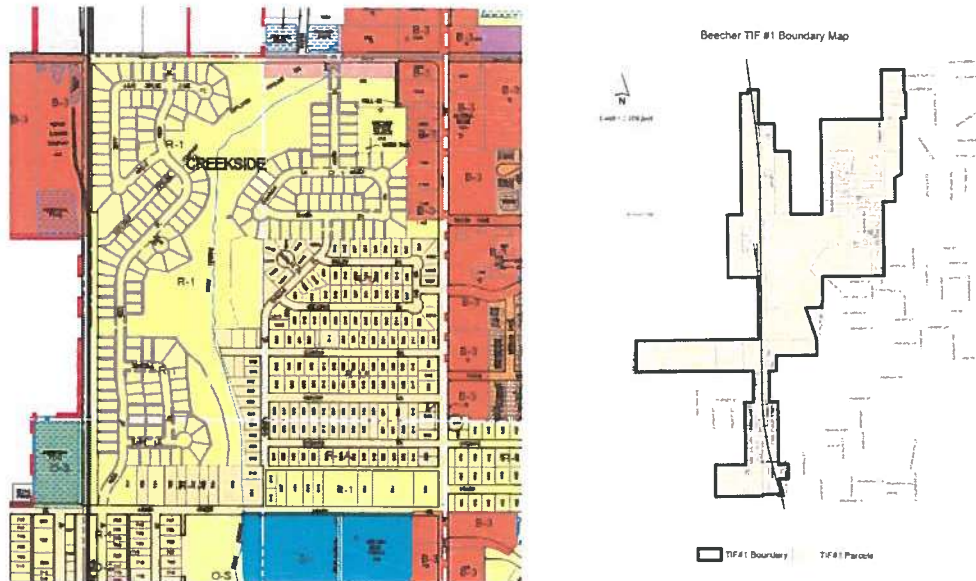
RE: Village of Beecher – Request for Preliminary P.U.D. for Dutch American Foods Business Park

Dutch American Foods is proposing an industrial park in the Village of Beecher, Illinois, that will include approximately forty-nine (49) one (1) acre industrial lots and fifty-one (51) acres of open space/water detention area. The site is located south of Church Road, west of Dixie Highway and east of the Union Pacific Railroad right-of-way. Several lots are already currently under contract for three potential users. A Preliminary Plat was prepared by Joseph A. Schudt Engineers and dated May 28, 2021 (below).



Aerial Location Map and Preliminary P.U.D.

The subject property was previously zoned to R-1 Residential for an anticipated residential subdivision in 2007, which was never developed. The petitioner is proposing to rezone the property to industrial (I-1) and develop the property as a planned development (PD). The subject property lies within the Lincoln 394 Enterprise Zone, as well as the Beecher Tax Increment Financing (TIF) District #1.



Zoning Map and TIF District Map

Planned Development Requirements

Planned Developments (PD) are regulated through the Village of Beecher Zoning Ordinance, Section 12.12. Planned Developments are intended to:

"...allow greater design flexibility than is permitted by the standard district regulations. They are also substantially different from other special uses so that specific and additional standards and exceptions are necessary to regulate these developments."

Several standards and general requirements for planned developments are outlined in the zoning ordinance, including:

1. *The site of the proposed Planned Development is not less than twenty (20) acres in area and is under single ownership and/or unified control.*

The proposed PD is approximately one hundred (100) acres in size and is under a single ownership.

2. *Conservation Design, as provided in the Village Subdivision Ordinance, or elements of Conservation Design, is strongly encouraged for all Planned Developments.*

There is a creek/wetland running north-south through the subject property. The proposed subdivision was designed around the wetland, including approximately fifty-one (51) acres of open space/water retention area to preserve this feature.

3. *The PD will not substantially injure or damage the use value and enjoyment of the surrounding property nor hinder or prevent the development of surrounding property in accordance with the land use plan of the Village.*

The Village recently approved a Comprehensive Plan in 2019. This area was evaluated extensively in the plan and was anticipated for a mix of industrial (west of the creek) and senior housing (east of the creek). A number of concept plans to this end were also included in the Comprehensive Plan.

Since the adoption of the Comprehensive Plan, the Village has actively marketed the site for senior housing but has been unsuccessful in generating interest in the site for such a use.



Future Land Use Map

The proposed industrial park is generally consistent with the Comprehensive Plan, which calls for significant industrial development in this area of the Village. However, appropriate screening and buffering of the existing residential neighborhood to the southeast should be provided to protect the residents. Discussions with the applicant regarding screening with fencing, trees, berming, etc. are currently underway.

4. *The uses permitted in the development are necessary or desirable and that the need for such uses has been clearly demonstrated by the developer.*

The applicant has suggested that the proposed industrial park will greatly benefit his business, by providing industrial development sites for complimentary food-related businesses. The proposed industrial park would be the largest industrial development in the history of the Village and could generate significant employment opportunities. The recently approved Enterprise Zone and Tax Increment Financing District were adopted precisely to attract such a development.

5. *The proposed development will not impose an undue burden on public facilities and services, such as sewer and water systems, and police and fire protection.*

The preliminary plan was reviewed by Village staff and Teska. A meeting was held on June 17, 2021 to review the plan. All relevant issues were discussed and addressed. There were a number of requests made by the fire department, which have since been resolved.

6. *The proposed development can be substantially completed within the period of time specified in the schedule of development submitted by the developer.*

No definitive schedule is available yet, however, the petitioner has stated that construction of the project will occur in phases. Project scheduling should be clarified prior to approval of a final plat.

7. *The street system serving the PD is adequate to carry the traffic that will be imposed upon the streets by the proposed development, and that the streets and driveways on the site of the Planned Development will be adequate to serve the residents or occupants of the proposed development.*

The subject property is served by Church Rd to the north, a local street that experiences an average traffic count of 2,175. Dixie Highway to the east, an arterial, with an average traffic volume of 8,600. The Village Engineer should comment on the adequacy of the proposed street layout, particularly as it relates to truck circulation throughout the site.

8. *When a Planned Development proposes the use of private streets, common driveways, private recreation facilities or common open space, the developer shall provide and submit as part of the application the method and arrangement whereby these private facilities shall be operated and maintained.*

The petitioner has indicated that an association would be established and should provide details as to the maintenance and operation of the proposed common open spaces prior to final approval of the plat.

9. *The General Development Plan shall contain such proposed covenants, easements and other provisions relating to the bulk, location and density of residential buildings, non-residential uses and structures and public facilities as are necessary for the welfare of the Planned Development and the Village.*

All necessary easements are provided on the plat and are being reviewed by the Village.

10. *The developer shall provide and record easements and covenants and shall make such other arrangements as furnishing a performance bond, escrow deposit, or other financial guarantees as may be reasonably required to assure performance in accordance with the General Development Plan and to protect the public interest in the event of abandonment of said plan before completion.*

Requirements for financial guarantees relating to performance should be negotiated between the Village and petitioner prior to final approval.

11. *Any exceptions or modifications of the zoning, subdivision, or other regulations that would otherwise be applicable to the site are warranted by the design of the proposed development plan, and the amenities incorporated in it are consistent with the general interest of the public.*

The subject property is intended to be developed as industrial, which is in conflict with the zoning ordinance but generally consistent with the comprehensive plan. Minor deviations from the subdivision ordinance are also required, such as the length of cul-de-sacs, which are required to accommodate development without disturbing the existing wetlands. Such deviations from the subdivision ordinance have been reviewed by staff and the fire department.

Recommendation

The proposed preliminary plat of PD for the Dutch American Business Park generally meets the requirements as established in Section 12.12 Planned Developments in the Village of Beecher Zoning Ordinance. As the proposed industrial park is adjacent to an existing residential subdivision to the southeast, adequate screening and buffering should be provided. In addition, details relating to maintenance of common open spaces, scheduling of proposed development phases, and requirements for performance related financial guarantees should be determined prior to final approval.

If the Plan Commission agrees with the findings of this report, then it is recommended that the Plan Commission adopt this report as its Preliminary Findings of Fact.