Town of Cortland

59 S. Somonauk Rd.
P.O. Box 519
Cortland, IL 60112-0519

Town Hall:
Administration Office 815/756-9041
Town Clerk's Office 815/756-3030
Facsimile 815/756-4583

Operations & Maintenance:
Town Garage 815/756-6469

Police Department:
Non-Emergency 815/756-2558
Facsimile 815/787-2015

Water/Wastewater:
Office 815/756-9684
Emergencies 815/756-1910
Facsimile 815/756-1543

December 21, 2018

TO: Planning Commissioners

FROM: Anna B. Kurtzman, Zoning Administrator ABK

SUBJECT: PC 18-05 (J18-06), 50 W Maple Ave
Request for a Special Use Permit for a Planned Mixed-Use Development with Concept Plan Approval

STAFF ADVISORY REPORT

APPLICANT: Northern Illinois Fence/Complete Fence, Inc

OWNER: Destan Aliu

PROPOSAL: The applicant is requesting:

1. A Special Use Permit for a Planned Mixed Use Development with Concept Plan Approval
2. The Mixed Use component consists of a contractors office/yard and 2 apartment units.

A copy of the application is attached as Group Exhibit A.

SUBJECT PROPERTY:
The 6.5 acre subject property is located on the south side of Maple Avenue, approximately 340 feet west of Somonauk Road. The property is developed with a two story building which was previously used as an elementary school and includes pavement on the south and east side for parking and a playground. There is also a loop drive directly off of Maple Avenue. The property is zoned R-1 (Single-Family Residence District).

HISTORY/CURRENT CONDITIONS:
The Subject property currently has a 2 story building which was used as an elementary school. In 2012 School District 428 sold it to Mr. Aliu and it has remained unused since then. Several reports of vandalism have been reported in recent years. At least one water pipe has been frozen in the past which caused water damage to portions of the basement. No permit to repair/replace this pipe has been applied for/granted. Properties that are immediately adjacent to the subject property (or across the street from) have the following zoning and uses:

Direction	Zoning	Use
North	R-1 Single-family Residence District	Single family residences
South	R-3 Two-family Residence District	Single family residences
East	R-1 Single-family Residence District	Single family residences
West	R-1 Single-family Residence District	Single family residences

STAFF ANALYSIS:

Comprehensive Plan:

The Comprehensive Plan's Future Land Use Map shows this area developing with civic uses, specifically tagged as a future elementary school. It is important to note that the Comprehensive Plan and the associated Future Land Use Map were adopted in 2006 – six years before School District 428 sold the property. It should also be noted that the approval of the applicant's request does not mean that the property couldn't be used as a school again in the future.

PUD process:

The Planned Unit Development process is divided into three stages: Concept Approval, Preliminary Plan Approval and Final Plan Approval. The applicant is, at this time, seeking Concept Approval. There are two key questions associated with Concept Plan Approval - are the proposed uses acceptable at this location and are there issues/concerns that need to be addressed prior to the Town approving a Final Development Plan? Input towards addressing these two questions has been provided below.

Per Section 9-7-5D of the Municipal Code, a minimum of 300 sq ft of common land is to be set aside for each residential unit. The proposed concept plan notes that there would be two residential apartments therefore a total of 600 sq ft of common land needs to be provided. This provision has not been met, however, as there is over 81,000 sq ft of undeveloped land to the west of the building this requirement can be met. If the Planning Commission decides to approve the Concept Plan then it would be appropriate to add a condition stipulating that the Preliminary and Final Plans address this requirement.

Status of Ottawa Street:

The legal description of the property includes a driveway which provides access to a house immediately to the east of the subject property. However, the County's GIS system shows that this driveway is part of Ottawa Street. Upon query to the County's Mapping Department they indicated that they were unable to determine if/when this driveway was dedicated as public right-of-way, however, they included it on the County's maps as public as it has been used as a public street as far as anyone can recall. This information has been confirmed by both the Town's Public Works Director and the Town's Mayor – both indicating that the Town has maintained it for decades.

If the Planning Commission decides to approve the applicant's request staff recommends that a condition be added whereby the status of the driveway be clarified either by a right-of-way dedication or an access easement be established prior to the approval of the Final PUD Plan.

Parking:

The paved areas on the subject property are substandard (the pavement is cracked and vegetation is growing in the cracked areas) and need to be brought up to the Town's standards. Since trucks will be accessing the property the paving standards found in Section 9-5-5C of the Municipal Code should be used in the access ways and any loading areas. The rest of the pavement should adhere to the standards found in Section 9-5-3D of the Zoning Code. Should the Planning Commission recommend approval of the applicant's request a condition be added that the paved area be re-paved prior to the issuance of a Final Certificate of Occupancy.

Section 9-5-6 of the Zoning Code provides standards for determining how much parking should be required based upon the use of the property. There is inadequate information at this time to determine exactly how much parking would be required however, based on what we do know over 29 parking spaces would be required. (Staff has been able to identify at least 7,584 sq ft of commercial/office area with a ratio of 1 parking

space per 300 sq ft [requiring 25 parking spaces]. The required ratio of parking for apartments is 2 spaces if the apartment has 2 bedrooms or less and 3 spaces if the apartment has 3 bedrooms or more. Assuming that the 2 apartments will have 2 bedrooms or less, the required parking would be 4 parking spaces. 4 spaces for residential and 25 spaces for commercial/office = 29 parking spaces. This does not include the warehouse/manufacturing aspects of the property.) As part of the Preliminary Plan the applicant will need to provide more detailed information upon which a determination of the amount of required parking will be determined. The Preliminary Plan will also need to demonstrate how Sections 9-5-3 (parking design standards) will be met.

Given the nature of the business there will be some truck traffic. Compliance with Section 9-5-5 (Design and Location of Off-Street Loading Facilities) will also need to be demonstrated at the time the Preliminary Plan is submitted.

If trucks are to be parked at this site then a Truck Parking Permit is required (Sections 6-2-2 and 9-5-4A3 of the Municipal Code specify that a Truck Parking Permit is needed when trucks are parked in a residentially zoned area). This permit should be acquired prior to the issuance of a Certificate of Occupancy.

Building Code:

The Building Code's list of "uses" is not the same as those within the Zoning Code. The Building Code's list of uses is used to help define how to apply other aspects of the Building Code aimed at keeping people safe. The architect who designed the old school would have designed it under the standards/requirements for an educational facility under the applicable codes at the time of construction (this building was built in stages over decades and different standards would have applied at different times). As the building will no long be used for educational purposes the applicants will need to hire an architect to determine what, if anything, needs to be modified to address the change in uses. The applicant has been informed that this information will need to be provided to the Town as part of the Building Permit application.

Condition of the Building:

Staff is aware that there is mold in the building which will need to be remediated prior to the issuance of a certificate of occupancy. Due to the age of certain parts of the building and the building supplies that were commonly used at the time of construction staff suspects that some parts of the building might have asbestos in them. The architect's report indicated above will need to address this concern, which will be handled at the time a building permit is applied for.

COMMENTS FROM THE PROFESSIONALS:

Director of Water/Wastewater stated: Water and sewer are currently available on site and there are no issues with capacity.

Public Works Superintendent: Pavement exists south of Maple Ave which lines up with the terminus of Ottawa Street. This pavement has been maintained by the Town but if a gate is placed across the pavement then there would be no place to store plowed snow. If a gate is placed across the pavement then he recommends that the Town no longer maintain the pavement and that a shared access easement be established in order to give the adjacent property access to their garage.

Town Engineer's comment: The Engineering Department does not have any significant concerns regarding the Concept Plan presented.

STANDARDS UPON WHICH REVIEW SHOULD BE TAKEN:
The Town's Zoning Code has three different sets of criteria upon which the Planning Commission must use before rending a recommendation to the Town Board. Section 9-7-5 provides the conditions that need to be met prior to approving a Planned Unit Development. As all Planned Unit Developments are Special Use Permits the standards for granting a Special Use Permit must also be examined (Section 9-10-3). Finally, Section 9-9-2B outlines the responsibilities of the Planning Commission. Subsection 4 instructs the Commission that a Findings of Fact report is to be provided to the Town Board for every proposed change in the status of uses, such as special use permits.

Each of these sets of criteria are located on Attachment B. To assist the Commission with reviewing these requirements I have drafted proposed language (which is depicted using an italicized font). The Commission does not have to accept the proposed language and may craft its own language.

PLANNING COMMISSION ACTIONS:
Open the Public Hearing and accept any and all testimony related to the proposal. It is important to note that if one or more Commissioners decide that they have inadequate information to render a decision then they need to request the information prior to closing the public hearing (thus the hearing would be continued to a specific date/time which would be announced during the public hearing). Once the public hearing is closed no additional information may be presented.

The Commission may close the public hearing after all testimony has been presented. After closing the hearing you may discuss the merits of the presented information, establish the Findings of Fact/standards upon which decisions may be made and render a recommendation to the Town Board.

Once the hearing is closed the Planning Commission is to consider the merits of the proposal based upon the facts presented during the hearing. After closing the hearing and having identified the facts associated with the case, the Planning Commission is charged with making a recommendation to the Town Board. This recommendation may be to:

1. approve the request for a Special Use Permit for a Planned Mixed Use Development with the Concept Plan, or

2. approve the request for a Special Use Permit for a Planned Mixed Use Development with the Concept Plan, with conditions or

3. deny the application

If the Planning Commission elects to recommend approval with conditions staff recommends the following conditions:

A. Status of the driveway/Ottawa Street south of Maple Avenue be clarified through the establishment of an access easement being dedicated prior to the approval of the Final Planned Unit Development Plan.

B. A common recreational area for the residents that comply with Section 9-7-5D shall be included with the Preliminary and Final PUD Plans.

C. Current on-site pavement shall be brought up to Town standards per Section 9-5-3D for the parking lot and Section 9-5-5C for the loading and accessway areas prior to the Town issuing a Certificate of Occupancy.

D. The applicant shall acquire a Truck Parking Permit prior to the issuance of a Certificate of Occupancy.

/abk
Attachments
F:\My Documents\W-ZB\Planning Commission\2018\PC18-05 Northern Il Fence\Planning Commission\Word Document\Staff report.docx

Revised 11.30.18

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59 S. Somonauk Rd.
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TOWN OF CORTLAND
THIRD LARGEST TOWN IN ILLINOIS
1865
www.cortlandil.org

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Emergencies 815/756-1910
Facsimile 815/756-1543

PC Number: PC 18-05
Date Filed: 11/27/18

LAND DEVELOPMENT APPLICATION

THE UNDERSIGNED RESPECTFULLY PETITIONS THE TOWN OF CORTLAND TO REVIEW AND CONSIDER GRANTING THE FOLLOWING APPROVAL ON THE LAND HEREIN DESCRIBED.
(Check all that apply)

[ ] Annexation*
[ ] Rezoning from _____ to _____
[X] Special Use Permit for a
- [ ] Planned Residential Development
- [ ] Planned Commercial Development
- [ ] Planned Industrial Development
- [ ] Planned Office Development
- [X] Planned Mixed-Use Development
- [ ] Other _____

[X] Concept Plan
[ ] Preliminary Subdivision Plat
[ ] Preliminary Development Plan *(for Planned Developments)*
[ ] Final Engineering Plan
[ ] Preliminary Engineering
[ ] Final Subdivision Plat
[ ] Final Development Plan *(for Planned Developments)*

PART I. APPLICANT INFORMATION

APPLICANT *(Please Print or Type)*

Name: Kevin Hohe / Northern IL Fence / Comple Fence, Inc.
Address: 320 W Lincoln Hwy Cortland IL 60112
E-mail: KHOHE@CNIFence.com
Phone: (630) 327-9472 *Fax:* (____) ____-____

LAND OWNER *(If different than Applicant)*

Name: Destan D Aliu
Address: 237 S Schuyler St OTTUMWA Iowa 52501
E-mail: _____
Phone: (____) ____-____ *Fax:* (____) ____-____

J-18-6

RECEIVED 11-30-18

pymt rec'd w/original submission

PC Number: PC 18-05

CONTACT PERSON *(If different from Applicant)*

Name: _____

Address: _____

_____

E-mail: _____

Phone: (_____) _____-_____ *Fax:* (_____) _____-_____

IS THE APPLICANT THE OWNER OF THE SUBJECT PROPERTY? YES [ ] NO [X]

(If the Applicant is not the owner of the subject property, a letter from the Owner authorizing the Applicant to file the Land Development Application must be attached to this application.)

IS THE APPLICANT AND/OR OWNER A TRUSTEE OR A BENEFICIARY OF A LAND TRUST? YES [ ] NO [X]

(If the Applicant and/or Owner of the subject property is a Trustee of a land trust or beneficiary(ies) of a land trust, a disclosure statement identifying each beneficiary of such land trust by name and address and defining his/her interest therein shall be verified by the Trustee and shall be attached hereto.)

** Attach an original copy of the annexation petition to this application*

PART II. PROPERTY INFORMATION

ADDRESS OF PROPERTY: 50 W. Maple Ave Cortland IL 60112

PARCEL INDEX NUMBER(S): 0929176003

LEGAL DESCRIPTION: *A LEGAL DESCRIPTION MUST BE ATTACHED TO THIS APPLICATION*

AREA OF PARCEL (*ACRES*): 6

IF SUBDIVIDING, NUMBER OF LOTS BEING CREATED: _____

CURRENT ZONING: R1 **PROPOSED ZONING:** Special Use Permit

RECOMMENDED LAND USE: 1997 For School use.
(Based upon the recommendations of the Cortland Town Plan)

PROPOSED LAND USE: Mixed Use

NAME OF PROPOSED DEVELOPMENT: COMPLETE NORTHERN ILLINOIS CORP. HQ

The subject property is located in which FIRE PROTECTION DISTRICT? The Cortland Fire Protection District

The subject property is located in which SCHOOL DISTRICT? 428

I, KEVIN HOWE, hereby apply for review and approval of this application and represent that the application and requirements thereof and supporting information have been completed in accordance with the Zoning Ordinance and/or Subdivision Ordinance of the Town of Cortland.

Signature of Applicant

11/23/2018
Date

received 11/30/18 jk/dk

STAFF/CONSULTANT REVIEW
REIMBURSEMENT ACKNOWLEDGEMENT

The undersigned hereby acknowledges that he/she is responsible for reimbursing the Town of Cortland for the costs incurred by the Town staff and consultants to review the application attached to this Acknowledgement, including all of the supporting documentation and data, plans, specifications, drawings and other information as required by the applicable sections of the Zoning Ordinance and Subdivision Ordinance of the Town of Cortland.

The undersigned further acknowledges that the Town will charge to the applicant the costs for reviewing the application by the Town's consultants and Town staff at the rate established for each individual by the Town Board and reimbursable expenses incurred for publication, postage and other actual costs associated with this application.

It is further acknowledged that the Town may stay all proceedings thereto until such expenses are reimbursed with the Town in accordance with the Zoning Ordinance and the Subdivision Ordinance.

Signature of Applicant or Authorized Agent — Date: 11/23/18

KEVEN HOWE
Name (Please Print or Type)

Northern IL Fence
Company Name

320 W Lincoln Hwy
Address

Cortland — IL — 60112
City — State — Zip Code

NA
Name of Development

NA
Parcel Index Number(s)

This form must be executed and accompany all Land Development Applications.

No Application will be accepted or processed without this completed form.

received
11/30/18 ja/abk

The following fees must accompany the application. Additional fees as outlined below will be invoiced to the applicant for reimbursement of the Town. Payment for these related expenses is due within thirty (30) days after the date of billing.

PLANNING COMMISSION FEES

PUBLIC HEARINGS

☒ Special Use Permit, $250.

☐ Amendment (e.g. Rezoning), $250.

SUBDIVISIONS

☐ Preliminary Subdivision Plat, $10 per lot ($200 minimum).

OTHER PERMITS

☐ Truck Parking Permit, $50.

☐ Temporary Use Permit, $50

Additional fees to be paid by the applicant on a reimbursement basis, within thirty (30) days after the date of billing:

1. All filing, review and inspection fees in accordance with the schedule of fees established by the Town Board.
2. All costs of court reporter fees, recording fees and attorney fees (including those of the Town Attorney).
3. A traffic analysis performed by a member of the Institute of Transportation Engineers, or approved engineering company, when the Town requests such traffic analysis.
4. Fees for the Town Attorney's review and negotiations in connection with the filing, review, and approval. If the Town Attorney is required to take action to enforce the collection of fees authorized herein, then the applicant shall be responsible for all reasonable attorney fees necessarily incurred in the collection of the fees authorized herein.
5. Fees for any additional professional services requested by the Planning Commission, and at the discretion of the Board of Trustees. If said Commission shall deem it advisable to secure technical advice or services, it may be done upon authority from the Board of Trustees.
6. Reimbursement for Town Staff Review on a time and material basis, unless the application is for a single lot:
   a. For preliminary plan: prior to submittal of the engineering plan.
   b. For engineering plan and final plat: time and material cost of Town staff review.

ZONING BOARD OF APPEALS FEES

PUBLIC HEARINGS

☐ Appeal, $450.

☐ Variance, $450.

Additional fees to be paid by the applicant on a reimbursement basis, within thirty (30) days after the date of billing:

1. All filing, review and inspection fees in accordance with the schedule of fees established by the Town Board.
2. All costs of court reporter fees, recording fees and attorney fees (including those of the Town Attorney).

received
11/30/18 jc/abk

CORTLAND
LAND DEVELOPMENT APPLICATION SCHEDULE – *Revised 3-12-18*

APPLICATION DEADLINE	DEVELOPMENT REVIEW COMMITTEE MEETING	PLANNING COMMISSION DISTRIBUTION	PLANNING COMMISISON MEETING	TOWN ** BOARD MEETING
03.28.18	04.05.18	04.26.18	05.03.18	06.25.18
04.25.18	05.03.18	05.31.18	06.07.18	07.23.18
05.30.18	06.07.18	06.28.18	~~07.05.18~~ Canc/	08.27.18
06.27.18	07.05.18	07.26.18	08.02.18	09.24.18
07.25.18	08.02.18	08.30.18	09.06.18	10.22.18
08.29.18	09.06.18	09.27.18	10.04.18	11.26.18
09.26.18	10.04.18	10.25.18	11.01.18	12.26.18*

* Alternate meeting date due to holiday ** Revised dates

NOTICE TO APPLICANTS

The meeting/application schedule is intended only as a planning device. The Town provides no guarantees that any application submitted by a given deadline will receive final action by the Town Board on any corresponding meeting date. Completeness of applications and the level of compliance with the Town Comprehensive Plan, Zoning Ordinance and/or Subdivision Ordinance and the level of public participation will materially influence the date upon which a final decision is made by the Town Board.

As of this printing the 2019 meeting dates have not been set. The dates listed below are based on expected meeting dates. Please check with the Town before making any submittals based upon the information listed below.

APPLICATION DEADLINE	DEVELOPMENT REVIEW COMMITTEE MEETING	PLANNING COMMISSION DISTRIBUTION	PLANNING COMMISISON MEETING	TOWN BOARD MEETING
10.31.18	11.01.18	11.09.18	12.06.18	01.28.19
11.28.18	12.06.18	12.27.18	- 01.03.19 -	02.25.19
12.26.18	01.03.19	01.31.19	02.07.19	03.25.19

received 11/30/18 ja/cbK

Northern Il Fence/Complete Fence, INC.
320 WEST LINCOLN HIGHWAY
CORTLAND, IL 60112
815-756-3561 phone
815-756-7920 fax

Kevin Hohe
Complete Fence
320. W. Lincoln Hwy
Cortland Il, 60112

November 26 2018

Anna Kurtzman
The City of Cortland
59 S. Somonauk Rd
Cortland IL, 60112

Legal description of the property

Mrs. Kurtzman,

The legal description of the property is: E 1/2 NW 1/4 LYING W OF CROFTS ADDITION & S OF MAPLE ST - SEC 29 - TWP 40N - RANGE 5E

The section we are seeking relief from is

Sections 9-3-7B and 9-3-7G. Per the Town's use matrix we would be classified as a combination of contractors office/yard which are not allowed by right within the R-1 Zoning District. We are also seeking to have two apartments which are not allowed within the R-1 district. We are requesting these uses as part of a mixed use Planned Unit Development.

Respectfully,

Kevin Hohe
President and Managing Partner

Please see the following document for Full Legal description of the property filed on 9/26/2013 with the Dekalb County Recorder of deeds. Page 4 of document.

received
11/30/18 ja/abk

2013012531

QUIT CLAIM DEED
STATUTORY (ILLINOIS)

DOUGLAS J. JOHNSON
RECORDER - DEKALB COUNTY, IL
RECORDED: 9/26/2013 11:46 AM
REC FEE: 41.00 RHSPS FEE: 9.00

PAGES: 4

MAIL TO:

Mr. Destan Aliu
517 Lynwood Circle
Ottumwa, IA 52501

NAME AND ADDRESS OF TAXPAYER & GRANTEE

Mr. Destan Aliu
517 Lynwood Circle
Ottumwa, IA 52501

THE GRANTOR: DESTAN ALIU, a married man, of 517 Lynwood Circle, Ottumwa, Iowa, for and in consideration of Ten and no/100 ($10.00)----------
---Dollars and other good and valuable considerations in hand paid,

CONVEYS AND QUIT CLAIMS to DESTAN ALIU, a married man, of 517 Lynwood Circle, Ottumwa, Iowa, **NESIM GASHI, a widower and not since remarried,** of 5 Jonecaire Place, Stoney Creek, Ontario, L8J1C2, Canada, and **GAZMEND LLESHI, divorced and not since remarried,** of 45 East Timbercheck Drive, Yorkville, Illinois, all interest in the following described Real Estate situated in the Town of Cortland, County of DeKalb and State of Illinois, to-wit:

*60560

See Attached

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Permanent Index Number: 09-29-176-003
Property Address: 50 West Maple Street, Cortland, IL 60112

Dated this 24 day of September, 2013

Destan Aliu

Destan Aliu

Unofficial

received
11/30/18 jalak

STATE OF ILLINOIS)
) ss
COUNTY OF DE KALB)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT, DESTAN ALIU, a married man, whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and notarial seal this 26 day of Sept, 2013.

Ivana K Jenkin
Notary Public

OFFICIAL SEAL
IVANA K JENKIN
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES 04/18/14

Unofficial

NAME AND ADDRESS OF PREPARER:
Michael D. Doyle
SLINGERLAND & CLARK, P.C.
114 West State Street
Sycamore, IL 60178
(815) 895-5141

DE KALB COUNTY – ILLINOIS
TRANSFER STAMP OR EXEMPT
UNDER PROVISIONS OF
PARAGRAPH 31-45, SECTION e
REAL ESTATE TRANSFER TAX
ACT.

9-26-13
Date

Destan Aliu
Buyer, Seller or Representative

received
11/30/18 jalabk

5. THE LAND REFERRED TO IN THIS COMMITMENT IS DESCRIBED AS FOLLOWS:

PARCEL 1: PART OF THE NORTHWEST 1/4 OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 5 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING ON THE QUARTER QUARTER SECTION LINE AT A POINT THAT IS 8.50 CHAINS EAST OF THE CENTER OF THE NORTHWEST 1/4 OF SECTION 29 TOWNSHIP 40 NORTH RANGE 5, RUNNING THENCE EAST SIX CHAINS; THENCE SOUTH 3-1/3 CHAINS, THENCE WEST SIX CHAINS, THENCE NORTH 3-1/3 CHAINS TO THE POINT OF BEGINNING, IN DEKALB COUNTY, ILLINOIS

PARCEL 2: A PART OF THE NORTHWEST 1/4 OF SECTION 29 TOWNSHIP 40 NORTH RANGE 5 EAST OF THE THIRD PRINCIPAL MERIDIAN, DEKALB COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:: BEGINNING AT THE SOUTHEAST CORNER OF SCHOOL PROPERTY DESCRIBED IN A WARRANTY DEED TO THE DEKALB COUNTY RECORDER'S OFFICE, IN BOOK 143 OF DEEDS, PAGE 55, AS DOCUMENT NUMBER 135574; THENCE SOUTHERLY ALONG THE SOUTHERLY EXTENSION OF THE EASTERLY BOUNDARY OF SAID SCHOOL PROPERTY, A DISTANCE OF 176 FEET TO A POINT; THENCE WESTERLY PARALLEL TO SOUTH BOUNDARY OF SAID SCHOOL PROPERTY, A DISTANCE OF 396.0 FEET TO THE POINT OF INTERSECTION OF SAID PARALLEL LINE WITH THE SOUTHERLY EXTENSION OF THE WESTERLY BOUNDARY OF SAID SCHOOL PROPERTY; THENCE NORTHERLY ALONG THE SAID SOUTHERLY EXTENSION OF THE WESTERLY BOUNDARY OF SAID SCHOOL PROPERTY, A DISTANCE OF 176 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE EASTERLY ALONG THE SOUTHERLY BOUNDARY OF SAID SCHOOL PROPERTY, A DISTANCE OF 396.0 FEET TO THE POINT OF BEGINNING.

PARCEL 3: A PART OF THE NORTHWEST 1/4 OF SECTION 29 TOWNSHIP 40 NORTH RANGE 5 EAST OF THE THIRD PRINCIPAL MERIDIAN, DEKALB COUNTY, ILLINOIS DESCRIBED AS FOLLOWS:: BEGINNING AT A POINT WHICH IS 66 FEET SOUTH OF THE SOUTHWEST CORNER OF BLOCK 4 IN THE VILLAGE OF CORTLAND, WHICH POINT IS ALSO THE NORTHWEST CORNER OF SCHOOL LOT DESCRIBED IN WARRANTY DEED RECORDED IN BOOK 50, PAGE 220 AS DOCUMENT NO. 25176 IN DEKALB COUNTY RECORDER'S OFFICE; THENCE WESTERLY PARALLEL WITH THE SOUTH LINE OF BLOCK 3 IN THE VILLAGE OF CORTLAND (ALONG THE SOUTH LINE OF MAPLE STREET) A DISTANCE OF 186.97 FEET; THENCE SOUTHERLY AT AN ANGLE OF 89 DEGREES 51 MINUTES MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, A DISTANCE OF 465.96 FEET TO A POINT; THENCE EASTERLY AT AN ANGLE OF 90 DEGREES 9 MINUTES MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, PARALLEL TO THE SOUTH LINE OF SAID BLOCK 3, A DISTANCE OF 186.97 FEET TO A POINT ON THE WESTERLY LINE OF THE SCHOOL LANDS; THENCE NORTHERLY ALONG THE WESTERLY BOUNDARY OF THE SCHOOL LANDS, A DISTANCE OF 465.96 FEET TO THE POINT OF BEGINNING.

Unofficial

received
11/30/18 jc/kbk

JOHN ACARDO
RECORDER OF DEEDS OF DE KALB COUNTY

AFFIDAVIT – PLAT ACT

Destan Aliua, being duly sworn on oath states that he resides at 517 Lynwood Circle, Ottumwa, IA, and further states that: **(please check the appropriate box)** *52501

A. [X] That the attached deed is not in violation of 765 ILCS 205/1(a), in that the sale or exchange is of an entire tract of land not being a part of a larger tract of land; or

B. [ ] That the attached deed is not in violation of 765 ILCS 205/1(b) for one of the following reasons: **(please circle the appropriate number)**

1. The division or subdivision of land into parcels or tracts of 5 acres or more in size which does not involve any new streets or easements of access;

2. The division is of lots or blocks of less than 1 acre in any recorded subdivision which does not involve any streets or easements of access;

3. The sale or exchange of parcels of land is between owners of adjoining and contiguous land;

4. The conveyance of parcels of land or interests therein for use as a right-of-way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;

5. The conveyance is of land owned by a railroad or other public utility which does not involve any new streets streets or easements of access;

6. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;

7. Conveyance is made to correct descriptions in prior conveyances;

8. The sale or exchange is of parcels or tracts of land following the division into no more than two parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access;

9. The sale is of a single lot of less than 5 acres from a larger tract, and a survey has been made by an Illinois Registered Land Surveyor, and the sale is not a sale of any subsequent lot or lots from the same larger tract of land as determined by the dimensions and configuration of the larger tract on October 1, 1973; and further, local requirements applicable to the subdivision of land have been met.

Affiant further states that __he made this affidavit for the purpose of inducing The Recorder of Deeds of DeKalb County, Illinois to accept the attached for recording.

Destan Aliu

Destan Aliu, Affiant

SUBSCRIBED AND SWORN TO BEFORE ME

this 26 day of Sept, 2013.

Pamela Jo Tate

Notary Public

OFFICIAL SEAL
PAMELA JO TATE
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:04/04/16

Unofficial

received
11/30/18 jc/abk

Professionals in Fencing For Over 30 Years
Residential • Commercial • Industrial

Northern Il Fence/ Complete Fence, INC.

320 WEST LINCOLN HIGHWAY
CORTLAND, IL 60112
815-756-3561 phone
815-756-7920 fax

Kevin Hohe
Complete Fence
320. W. Lincoln Hwy
Cortland Il, 60112

November 26 2018

Anna Kurtzman
The City of Cortland
59 S. Somonauk Rd
Cortland IL, 60112

Regarding 50 W. Maple Ave 9-10-3 conformity

Mrs. Kurtzman,

We are proposing to move our Cortland business to 50 W Maple Street in order to be support the expansion we've experienced and plan to continue. The current structure is abandoned, dangerous and an eye sore for the community. We will maintain and upkeep the building and provide little to no disruption due to the towns current operation. The town of Cortland will benefit from our continued tax revenues as well as an improved image with a socially responsible firm operating at its center rather than an abandoned and vandalized building. If necessary we are prepared to assist in using part of the property as a Park/ community center. Our proposed occupation will affect our neighbors little to none. We are a low traffic operation and will not interfere with any current happenings in the neighborhood. Our site will be cleaner and safer than it is currently. Over time we plan to develop an elegant front landscaping display that will draw people into the neighborhood rather than deter them as the existing building does now.

Respectfully,

Kevin Hohe
President and Managing Partner

received
11/30/18 jc/cbk

PUD - COMPLETE NORTHERN ILLINOIS CORPORATE INC

SITE PLAN DRAWING #1

Complete Northern Illinois Fence
320 W LINCOLN HIGHWAY
Cortland, IL 60112
Office:815-756-3561 Fax:815-756-7920

N
W E
S

SCALE = 1mm ≈ 53.64 FT

KEY:

Property line Boundary indicated by Yellow lines and Corners marked by the following:

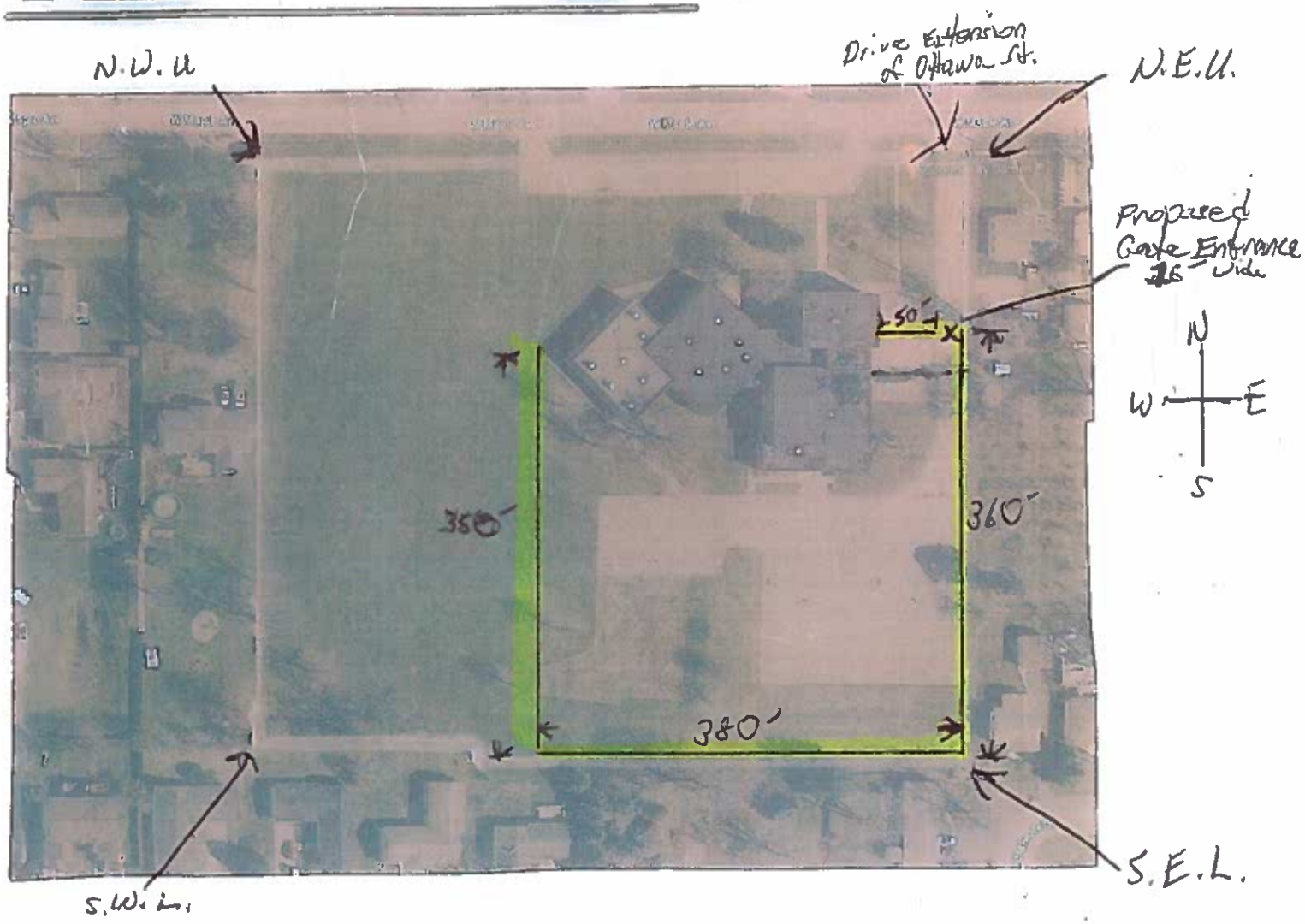
N.W.U. = North West Upper Corner
S.W.L. = South West Lower Corner
S.E.L. = South East Lower Corner
N.E.U. = North East Upper Corner

received
11/30/18 jn/cblk

• Demensions
S.E.L. to POINT 1 (SWL) is approximately 410'; POINT 1 (SWL) to POINT 2 (SWL) approx. 10'; POINT 2 (SWL) to S.W.L. approx. 180'; S.W.L. to N.W.U. approx. 500'; N.W.U. to N.E.U. Approx 590'; NEU to S.E.L. approx 540'

PUD - COMPLETE NORTHERN ILLINOIS CORPORATE PARK
SITE PLAN DRAWING #2

Complete Northern Illinois Fence
320 W LINCOLN HIGHWAY
Cortland, IL 60112
Office: 815-756-3561 Fax: 815-756-7920



KEY:

- Yellow Lines indicate location of Proposed 6' High Maintenance Free Fence.
- Proposed Gate Entrance (1 ONLY) Located on Driveway Marked by letter "X"

* Estimated fence length 1,040' linear feet

1mm ≅ approximately 53.64 feet

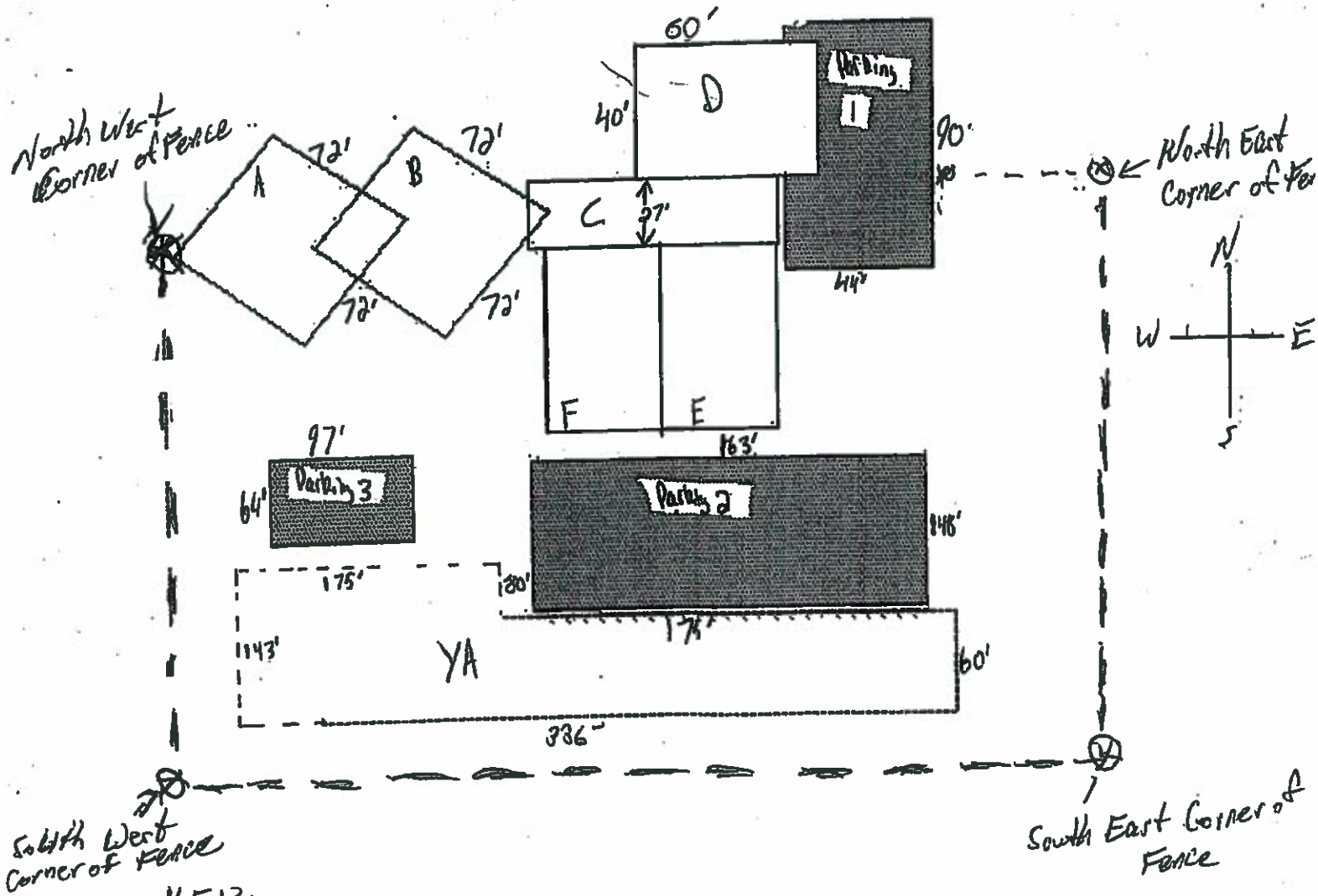
received
11/30/18 j.kbk

PUD - Complete Northern Illinois Corporate Use

SITE PLAN - DRAWING #3

Complete Northern Illinois Fence
320 W LINCOLN HIGHWAY
Cortland, IL 60112
Office: 815-756-3561 Fax: 815-756-7920

* PLEASE NOTE THAT THIS DRAWING FOCUS ON THE AREAS OF THE PROPERTY WITHIN THE FENCE LINE OF DRAWING #2 AND THE EXISTING STRUCTURES



KEY:

BUILDINGS & USEAGE

A. COMMERCIAL OFFICE SPACE
B. Metal, Wood & PVC SHOP
C. SHOWROOM / CUSTOMER ENTRANCE
D. LOWER FLOOR - OFFICES
UPPER FLOOR - 2 APARTMENTS
E. GARAGE FOR TRUCKS
F. MATERIAL STORAGE

Outdoor Areas

YA - Outdoor storage

received
11/30/18 jalabA

Complete Northern Illinois Fence
320 W. Lincoln Hwy
Cortland, IL 60112
Office: 815-756-3561 Fax: 815-756-7920

November 29, 2018

Town of Cortland
RE:Concept Plan for Northern Illinois Fence / Complete Fence, Inc.

a. General Information:

i. Proposed Name – Complete Northern Illinois Corporate HQ
ii. Location Map - See Attached
iii. No change in acreage and change in zoning to special use permit.
iv. No change in number of lots (remaining at 1)
v. See attached list of Names and addresses of adjoining properties
vi. All adjacent properties are zoned R1
vii. Contact information of owners is
   a. Kevin Hohe – cell phone #630-327-9472
   b. Rich Guess – cell phone #708-369-9646

b. Existing Conditions

i. No change to existing
ii. No changes to the existing structures.
iii. No change in current topographic data.
iv. No change current property land
v. No change to existing natural features
vi. No change to existing infrastructure
vii. No change to existing infrastructure
viii. No change to existing elevations of real property.
ix. No change to existing
No change to existing

c. Proposed Development/Improvements

i. No change to any existing lots, parks, or common areas with the exception of adding a 6' high maintenance Free fence to be placed around the property as indicated in the attached drawing titled "Maintenance Fence Location"
ii. No change to existing
iii. No change to existing

Thank you

Kevin Hohe
Northern Illinois Fence/Complete Fence, Inc.
630-327-9472

received
11/30/18 jr/cbk

RE: CONCEPT PLAN

ATTACHMENT # (1)

Location Map - 50 W. Maple Ave., Cortland, IL 60112

received
11/30/18 jcb/k

Complete Northern Illinois Fence
320 W. Lincoln Hwy
Cortland, IL 60112
Office: 815-756-3561 Fax: 815-756-7920

RE: Item a. v. – Names / Addresses of adjoining properties for Concept Plan for

Complete Northern Illinois Corp. HQ

Adjoining properties and Names – all properties located within the city limits of Cortland

Edgar Perez – 110 W. Maple Ave.
Ronald Johnson – 100 W. Maple Ave.
Robert Helmold – 142 S. West St.
Lubica Kmetova – 150 S. West St.
Karen Green – 175 S. Halwood St.
Andrew/Kathern Argyilan – 35 W. South Ave.
Anthony Klingberg – 61 W. George St.
Saul Montoya – 71 W. George St.
Mark Sawyer – 83 W. George St.
James/Jeffrey/Lizebeth Lowe – 91 W. George St.
Steven Martin – 151 S. Somomauk

received
11/30/18 jc/[illegible]

Northern IL Fence/Complete Fence, Inc.
320 WEST LINCOLN HIGHWAY
CORTLAND, IL 60112
Ph 815-756-3561
Fax 815-756-7920

December 7, 2018

RE: Corrected Legal Description for 50 W Maple Ave., Cortland, IL 60112

Please see the attached legal description which is an amendment to be used in lieu of the legal description provided at the time the application was submitted

Thank you.

Sincerely,

Kevin Hohe
President and Managing Partner

received
12/7/18 03K

EXHIBIT A

LEGAL DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 5 EAST OF THE THIRD PRINCIPAL MERIDIAN, DEKALB COUNTY, ILLINOIS DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS 66 FEET SOUTH OF THE SOUTHWEST CORNER OF BLOCK 4 IN THE VILLAGE OF CORTLAND, WHICH POINT IS ALSO THE NORTHWEST CORNER OF SCHOOL LOT DESCRIBED IN WARRANTY DEED RECORDED IN BOOK 50, PAGE 220, AS DOCUMENT NO. 25176 IN DEKALB COUNTY RECORDER'S OFFICE; THENCE WESTERLY, PARALLEL WITH THE SOUTH LINE OF BLOCK 3 IN THE VILLAGE OF CORTLAND (ALONG THE SOUTH LINE OF MAPLE STREET), A DISTANCE OF 186.97 FEET; THENCE SOUTHERLY, AT AN ANGLE OF 89 DEGREES 51 MINUTES, MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 465.96 FEET TO A NORTH LINE OF BRIARWOOD ACRES FIRST ADDITION; THENCE EASTERLY, AT AN ANGLE OF 90 DEGREES 09 MINUTES, MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, ALONG SAID NORTH LINE, 186.97 FEET TO A NORTHEAST CORNER OF SAID BRIARWOOD ACRES FIRST ADDITION; THENCE SOUTHERLY ALONG AN EASTERLY LINE OF SAID BRIARWOOD ACRES FIRST ADDITION, 29.04 FEET; THENCE EASTERLY, ON A NORTH LINE OF SAID BRIARWOOD ACRES FIRST ADDITION, 396.0 FEET TO THE WEST LINE OF BLOCK 10 OF CROFF'S ADDITION; THENCE NORTHERLY, ALONG SAID WEST LINE, 495 FEET TO THE SOUTH LINE OF MAPLE STREET; THENCE WESTERLY, ALONG SAID SOUTH LINE, 396.0 FEET TO THE POINT OF BEGINNING, ALL IN THE TOWN OF CORTLAND, DEKALB COUNTY, ILLINOIS.

Unofficial Copy

received
12/7/18 03K

STANDARDS/FINDINGS OF FACT FOR:
Northern Illinois Fence/Complete Fence Inc (50 W Maple Ave)

9-9-2: MATTERS ENTRUSTED TO PLANNING COMMISSION:

Section 9-9-2 of the Zoning Code outlines the responsibilities of the Planning Commission. Subsection 4 indicates that, "within a reasonable time after the public hearing, the planning commission shall submit its advisory report to the town board of trustees. The report shall state the planning commission's recommendations regarding adoption of the proposed amendment, and its reasons therefor. If the effect of the proposed amendment would be to alter district boundaries or to change the status of any use, the planning commission shall include in its advisory report findings of fact concerning each of the following matters:"

A. Existing use(s) and zoning of the property in question.
   The Subject Property is zoned R-1, Single-Family Residence and is improved with a building which previously was used as an elementary school. The property also has pavement for associated parking and a playground. The building has not be used since it was purchased by its current owner (2012).

B. Existing use(s) and zoning of other lots in the vicinity of the property in question.
   The properties to the north, east and west are zoned R-1 (Single-family Residence District) and the properties to the south are zoned R-3 (Two-Family Residence District). All of the adjacent properties are developed with single-family residential buildings.

C. Suitability of the property in question for uses already permitted under existing regulations.
   The Town's permitted use matrix primarily allows single-family detached housing within the R-1 Zoning District. Short of demolishing the existing building it is unlikely that the property will develop with single-family detached houses.

D. Suitability of the property in question for the proposed use.
   The 6.5 acre subject property, combined with the existing improvements, can accommodate the proposed contractors office/yard and apartments. It is anticipated that relatively minor improvements will need to be made externally from the building (ie, pavement improvements, screening from residential properties, etc). No public improvements are anticipated to accommodate the proposed uses.

E. The trend of development in the vicinity of the property in question, including changes (if any) which may have occurred since the property was initially zoned or last rezoned.
   The area has been zoned and, other than the elementary school, has developed with single-family housing since the Town initiated zoning.

F. The effect the proposed amendment would have on implementation of this Municipality's Comprehensive Plan.
   The Comprehensive Plan's Future Land Use map depicts this site as an elementary school. By keeping the building intact a school could eventually be re-established here.

9-10-3: STANDARDS (for granting a Special Use Permit):

Per Section 9-10-3 of the Town's Municipal Code, the following set of standards must be met before a Special Use Permit (or an amendment to such a permit) may be approved.

A. The proposed structure or use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of the public and will contribute to the general welfare of the neighborhood or community;

   Keeping this company within the Town is desirable as the taxes generated by the business helps to fund governmental functions thus contributing to the welfare of the community. The applicant has indicated a need to expand their business and that their current facility is too small to accommodate this need. This is one of the few properties within the Town which are large enough to provide for this expansion however none of them have the proper zoning.

B. The proposed structure or use will not have a substantial adverse effect upon the adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare; and

   While there would be a slight increase in traffic along one block of Maple Avenue it should not create an adverse impact on the neighborhood. Staff has indicated that there is sufficient capacity to provide water and wastewater facilities to/from this site.

C. The proposed structure or use will be designed, arranged and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations.

   The proposed improvements to the site will not adversely impact the development or residentially uses within the neighborhood.

9-7-5: CONDITIONS OF APPROVAL (of a Planned Unit Development)

Per Section 9-7-5 of the Town's Municipal Code, the following criteria must be met before the development plan may be approved.

The development plan shall not be approved except under the following conditions:

A. Assurance shall be required from the developer that the project will be used for the specified purposes, and the planning commission shall require a trust indenture restricting the area to such uses.

   The applicant is seeking concept plan approval at this time. Trust indentures, if deemed necessary, would be accessed at the of Final Plan approval.

B. All residential planned unit developments shall make provision by trust indenture for common land, and commercial planned unit developments may make provision for common land, and a trust indenture shall be required.

   Trust indentures for common land is not appropriate at this time as no common land is contemplated.

C. An acceptable site plan shall be presented, showing the area to be developed for buildings; the location, size and number of buildings; the areas and/or structures to be developed for common use; the areas and/or structures to be developed for parking; the location of pedestrian and

vehicular circulation and the point of ingress and egress, including access streets where required; the provisions of spaces for loading; and adjustments to be made in relation to abutting land uses and zoning districts.

An acceptable site plan for Concept Plan approval has been provided.

D. At least three hundred (300) square feet of area per residential family unit shall be set aside and maintained for recreation area, under the common ownership of the owners of the area covered by the development plan.

This provision has not been met.

E. A statement of financial responsibility shall be filed with the zoning administrator to ensure construction of the planned unit development, including landscaping, in accordance with the plans and requirements of this chapter. (Note: Final plan acceptance shall be contingent upon meeting all financial requirements outlined in the subdivision ordinance.)

This statement shall be required at the time the Final Plan is approved.

F. Applications for approval of planned unit developments designed in accordance with the provisions of this chapter shall be accompanied by all of the necessary legal documentation relating to the conveyance of common areas as provided for in subsection 9-7-6D of this chapter.

The conveyance of any common land would occur at the time of Final Plan approval.

G. Reasonable additional requirements as to landscaping, lighting, screening, accessway and building setbacks may be imposed by the Planning Commission for the protection of adjacent residential property.

The applicant has provided a plan to screen the building and its operations via a fence. The building and access to the property are already in place. No external lighting has been proposed.