



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

**Agenda – Planning & Zoning Commission
Wilmington City Hall Council Chamber
December 1, 2022 at 5:00 p.m.
In-Person & Via Zoom**

join by video at:

<https://us02web.zoom.us/j/86153461026?pwd=Kzh1YndNMjZYVnd5TjRrZ041dFQwQT09>

join by phone at:

1-312-626- 6799

Meeting ID: 861 5346 1026 / Passcode: 471588

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

1. Call Meeting to Order
2. Roll Call by Clerk
 - Larry Clennon
 - John Tryner
 - Bryan Humphries
 - Ivana Longest
 - Chris Smith
 - Jayson Walinski
 - Mark Duffy
3. Approve the Previous Meeting Minutes
4. Public Hearing to Consider Request by Petitioner Commonwealth Edison Company, Three Lincoln Centre, Oakbrook Terrace, IL 60181 for a Map Amendment (150.14) from A1-Agricultural Zoning District to I1-Office, Research and Light Industrial Zoning District and Conditional Use (150.17) to install a 104' tall Antenna Support Structure within an existing electrical substation on approximately twenty-two (22) acres of property located at the intersection of HWY 53 and Coal City Road in Wilmington, IL (#03-17-34-400-004-0000)
 - a. Introduction to Petition
 - b. Open Public Hearing
 - c. Verification of Notice & Publication
 - d. City Staff Summary
 - e. Oath Issued
 - f. Petitioner's Presentation
 - g. Commissioner Clarification
 - h. Public Comment
 - i. Petitioner Response
 - j. Close Public Hearing
 - k. Motion to take action
5. Public Comment (*State your full name clearly; limit 3 minutes each per Ordinance 19-06-18-01*)
6. Discussion – Rezoning from R1 to R3 at 31951 S. West River Road
7. Other Pertinent Information
8. Adjournment

The next Planning & Zoning meeting is scheduled for January 12, 2023 at 5:00 PM

*Posting Date:
11/18/2022 3:02 PM jz*

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

NOTICE IS HEREBY GIVEN that, on December 1, 2022, at 5:00 p.m. a public hearing will be held by the Planning and Zoning Commission of the City of Wilmington at City Hall located at 1165 S. Water Street, Wilmington, IL for the purpose of receiving and considering testimony and public comment on the request of the petitioner, Commonwealth Edison Company, Three Lincoln Centre, Oakbrook Terrace, IL 60181 for a Map Amendment (150.14) from A1-Agricultural Zoning District to I1-Office, Research and Light Industrial Zoning District and Conditional Use (150.17) to install a 104' tall Antenna Support Structure within an existing electrical substation on approximately twenty-two (22) acres of property located at the intersection of HWY 53 and Coal City Road in Wilmington, IL which property is described as follows:

THE S 1304.30 FT OF THE SE1/4 OF SEC. 34, T33N-R9E, LYG NW'LY OF THE N ROW LN OF GM&O RR

PIN #03-17-34-400-004-0000

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

Join Zoom meeting by video:

<https://us02web.zoom.us/j/86153461026?pwd=Kzh1YndNMjZYVnd5TjRxZ041dFQwQT09>

Join Zoom meeting by phone:

1 312 626 6799 US

Meeting ID: 861 5346 1026 / Passcode: 471588

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

City of Wilmington
Will County, Illinois

Minutes to the City of Wilmington
Planning and Zoning Commission Meeting
Wilmington City Hall
1165 South Water Street
Thursday, November 3, 2022, at 5:00 PM

Call to Order

The November 3, 2022 meeting of the Wilmington Planning & Zoning Commission was called to order at 5:12 p.m. by Chairman Bryan Humphries

Roll Call

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

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

Quorum

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

Other Officials in Attendance

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

Approve the Previous Meeting Minutes

Commissioner Clennon made a motion and Commissioner Smith seconded to approve the October 6, 2022 meeting minutes and have them placed on file.

Upon roll call, the vote was:

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

NAYS: 0

Motion passed.

Public Hearing

Commission Chairman Humphries made the introduction regarding tonight's public hearing to consider the request by Petitioner and Contract Purchaser, Love's Travel Stops & Country Stores, Inc., 10601 N. Pennsylvania Avenue, Oklahoma City, OK 73120 for Annexation, Annexation Agreement, Variance from 96.17 Signs in Commercial Districts, Variance from 150.86 Screening between Non-Residential and Residential Zoning Districts, Variance from 150.114 Lighting, Map Amendment to B3-General Commercial, Final Plat and Site Plan Review approximately thirty-two (32) acres of property located on the southwest corner of State Route 53 and N. River Road in Wilmington, IL

Commissioner Smith made a motion and Commissioner Longest seconded to open the public hearing at 5:15 p.m.

Upon roll call, the vote was:

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

NAYS: 0

Motion passed.

Deputy City Clerk Ziller confirmed verification of the Public Notice published in the Free Press Advocate on October 19, 2022.

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

Chad Bruner and Mandy Gauss representing the petitioner Love's Travel Stops & Country Stores, Inc. introduced themselves and reviewed the proposed project as presented in the agenda packet.

The Planning & Zoning Commissioners reviewed and discussed the proposed annexation, variance, and map amendment of the petitioner.

Public Comment #1 – Roy Surdej stated his opposition to the proposed project.

Public Comment #2 – Kim Pavlich stated her opposition to the proposed project.

Public Comment #3 – Barbara Russell stated her opposition to the proposed project.

Public Comment #4 – Derek Russell stated his opposition to the proposed project.

Public Comment #5 – Pam Monson stated her comments on the proposed project.

Public Comment #6 – Dan Lafferty stated his opposition to the proposed project.

Public Comment #7 – Elizabeth Strong stated her comment in favor of the proposed project.

Public Comment #8 – Cindy Filas stated her opposition to the proposed project.

Public Comment #9 – David Beedis stated his opposition to the proposed project.

Public Comment #10 – Michael Sloan stated his opposition to the proposed project.

Public Comment #11 – Judy Majic stated her opposition to the proposed project.

Public Comment #12 – Mr. Farmer stated his opposition to the proposed project.

Public Comment #13 – Linda Bailey stated her opposition to the proposed project.

Public Comment #14 – Mr. Farmer stated his opposition to the proposed project.

Public Comment #15 – Ron Burns stated his opposition to the proposed project.

Public Comment #16 – Linda Lafferty stated her opposition to the proposed project.

Public Comment #17 – Lindsay Farmer stated her opposition to the proposed project.

Public Comment #18 – Mr. Widner stated his opposition to the proposed project.

Public Comment #19 – Ed Koziol stated his opposition to the proposed project.

Public Comment #20 – Brenda Karlson stated her opposition to the proposed project.

Public Comment #21 – Mr. Lenart stated his opposition to the proposed project.

Commissioner Smith made a motion and Commissioner Duffy seconded to close the public hearing at 7:32 p.m.

Upon roll call, the vote was:

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

NAYS: 0

Motion passed.

There being no further discussion, Commissioner Smith made a motion and Commissioner Tryner seconded to approve the recommendation for the City Council to consider an Annexation, Annexation Agreement, Variance from 96.17 Signs in Commercial Districts, Variance from 150.86 Screening between Non-Residential and Residential Zoning Districts, Variance from 150.114 Lighting, Map Amendment to B3-General Commercial, Final Plat and Site Plan Review approximately thirty-two (32) acres of property located on the southwest corner of State Route 53 and N. River Road in Wilmington, IL

Upon roll call, the vote was:

AYES: 0

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

Motion failed.

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

Tabled

Discussion – Concept for Proposed Business at 507 E. Baltimore Street

Administrator Smith referenced her staff report included in the agenda packet and introduced Petitioner Jarrod Briscoe. Mr. Briscoe informed the Commission that the existing building will undergo interior remodeling and minor exterior modifications to accommodate walk-up and drive-thru creamery. A conditional use will need to be granted for drive-up services. The Commissioners voiced that they were in favor of this project. The Petitioners will move forward with engineering plans. Once plans are completed there will be a public hearing before the Planning & Zoning Commission.

Public Comment

No public comment was made.

Other Pertinent Information

City Administrator Smith stated now that the text amendment related to the historical preservation ordinance has passed, the next step is to become a Certified Local Government through the State.

Adjournment

A motion to adjourn the meeting was made by Commissioner Duffy and seconded by Commissioner Tryner. Upon voice vote, the motion was carried. The Wilmington Planning & Zoning meeting held on November 3, 2022, adjourned at 8:03 p.m.

Respectfully submitted,



Joie Ziller
Deputy City Clerk



**CITY OF WILMINGTON
PUBLIC NOTICE**

PLANNING & ZONING

1165 S. Water Street, Wilmington, IL 60481

Date: 12-01-2022 Time: 5 PM

Request: MAP Amendment, COND. Use

Applicant: Commonwealth Edison



Planning and Zoning Application Form

Application Request(s)

Check all that apply.

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

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

Property and Request Information

Address of Request _____

Project Name _____

PIN _____

General Location _____

Property Size _____

Present Zoning _____

Previous Zoning _____

Present Land Use _____

Proposed Land Use _____

Reason for Request/Description of Request: _____

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

Complete the following Development information if applicable:

Development/Subdivision Name: _____

Type of Development: Residential Commercial Industrial Institutional

Number of Units/Lots (if applicable) _____

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

Floodplain in areas present on the property? Yes No

Professional Fee Agreement Submitted? Yes No

Applicant Information

Applicant/Developer

Owner Contract Purchaser Lessee Agent For:

Primary Contact

Business Name

Address (City, State, Zip)

Email

Phone

Fax

Property Owner (if different than applicant)

Name

Email

Address (City, State, Zip)

Phone

Fax

**Project Team
Attorney**

Name

Business Name

Address (City, State, Zip)

Email

Phone

Fax

Engineer

Name

Business Name

Address (City, State, Zip)

Email

Phone

Fax

Project Team (Continued)
Planning/Landscape Architect Consultant

Name

Business Name

Address (City, State, Zip)

Email

Phone

Fax

Submitted Materials Required

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

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

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

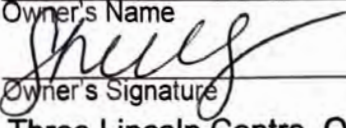
Applicable for new development only:

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

Applicant Signatures

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

ComEd Substation - Antenna Support Structure

Project Name	
Commonwealth Edison Company, c/o Shemeka Wesby	N/A
Owner's Name	Applicant's Name, if different than owner
	
Owner's Signature	Applicant's Signature
Three Lincoln Centre, Oakbrook Terrace, IL 60181	
Address (City, State, Zip)	
November 4 , 2022	
Date	

Staff Use Only

Applicable Code Sections	
Comprehensive Plan	
Zoning of Adjacent Properties: North _____ South _____ East _____ West _____	
Date Professional Fee Agreement was signed	Applicant's Name, if different than owner
Submittal Date	Received By
Address (City, State, Zip)	
Payment Amount	Payment Type
Payment Date	



DISCLOSURE OF BENEFICIARIES

1. PETITIONER:

Name

Business Name

Address (City, State, Zip)

Email

Phone

2. NATURE OF BENEFIT SOUGHT: _____

3. NATURE OF APPLICANT

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

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

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

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

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

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

<u>Shemeka Wesby</u> Name	<u>Director, Real Estate and Facilities</u> Capacity
<u>Three Lincoln Centre, Oakbrook Terrace, IL 60181</u> Address (City, State, Zip)	
<u>shemeka.wesby@comed.com</u> Email	<u>779-231-1498</u> Phone

VERIFICATION

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

BY: 
Signature

Shemeka Wesby
Printed Name

Signed and sworn to before me this
4th day of November, 2022.


NOTARY PUBLIC

(Seal)





CITY REIMBURSEMENT AGREEMENT

This Agreement entered into this _____ day of _____, 20____, between the City of Wilmington, an Illinois Municipal Corporation (hereinafter referred to as "CITY" and _____ (hereinafter individually and collectively referred to as "DEVELOPER").

WHEREAS, DEVELOPER proposes to

_____ located at and commonly known as _____ (hereinafter referred to as "PROJECT"); and

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

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

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

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

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

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

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

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

[Current Rate Schedule Subject to Change]

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

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

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

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

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

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

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

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

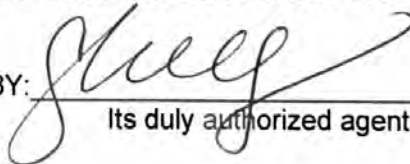
SECTION NINE. ENTIRE AGREEMENT. This Agreement embodies the entire agreement and understanding between the parties and there are no other agreements, representations, or understandings, oral or written, between the parties with respect to the subject matter of this Agreement. No alteration, modification,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

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

CITY OF WILMINGTON,
an Illinois Municipal Corporation

BY: _____
Its duly authorized agent

COMMONWEALTH EDISON COMPANY

BY:  _____
Its duly authorized agent



Map Amendment Application Supplement

Commonwealth Edison Company
Applicant's Name

November 4, 2022
Date

Three Lincoln Centre, Oakbrook Terrace, IL 60181
Address (City, State, Zip)

Rezoning from A-1 to I-1 district
Request

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

[Chapter 150.14](#) of the Wilmington Code of Ordinances provides that for a requested Map Amendment, the Planning and Zoning Commission shall provide findings of fact setting forth the reasons for the recommendation, and the findings shall set forth with particularity the following:

<p>(a) Proposed use of the property that warrants this application for a map amendment</p> <p>For responses to all questions in this Map Amendment Application Supplement, please see the attached "Zoning Request Application Addendum."</p>
<p>(b) If the proposed map amendment is approved, what improvements of construction are planned? (An accurate site plan may be required to establish that the proposed improvement can meet the minimum zoning requirements)</p>
<p>(c) Identify the existing uses of the properties within the general area of the property in question</p>

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

(e) Describe how the proposed rezoning will not have a significant detrimental effect on the long-range development of adjacent properties or on adjacent land uses. Compare the value of the subject property and nearby properties under the current zoning to their potential value under the proposed zoning.

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

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

(h) Describe how the proposed rezoning conforms to the comprehensive plan; or conditions or trends of development have changed in the area of the request, since the adoption of the comprehensive plan, to warrant the need for different types of land uses or densities. Furthermore, the proposed rezoning is appropriate considering the length of time the property has been vacant, as originally zoned, and taking into account the surrounding area's trend of development.

(i) Describe how the proposed rezoning conforms to the intent and purpose of this chapter.

(j) The potential benefits and detriments of the proposed zoning change to the public health, safety and welfare;

(k) The extent to which the proposed amendment is in compliance with and/or deviates from the adopted comprehensive plan;

(l) The suitability of the property in question for the uses permitted under the proposed zoning;



PLANNING AND ZONING COMMISSION
PETITION FOR MAP AMENDMENT

(1) The proposed rezoning conforms to the comprehensive plan; or conditions or trends of development have changed in the area of the request, since the adoption of the comprehensive plan, to warrant the need for different types of land uses or densities. Furthermore, the proposed rezoning is appropriate considering the length of time the property has been vacant, as originally zoned, and taking into account the surrounding area's trend of development.

Yes No Explanation: _____

(2) The proposed rezoning conforms to the intent and purpose of Chapter 150 of the City of Wilmington's Code of Ordinances.

Yes No Explanation: _____

(3) The proposed rezoning will not have a significant detrimental effect on the long-range development of adjacent properties or on adjacent land uses.

Yes No Explanation: _____

(4) Adequate public facilities and services exist or can be provided.

Yes No Explanation: _____


Required Public Notices

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

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

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

x *Shuey*
Applicant's Signature

STATE OF ILLINOIS)
) SS.
COUNTY OF DUPAGE)
The undersigned hereby authorizes the filing of the aforesaid request and understands that the owner or an authorized agent must be present at the public hearing to present the request to the Plan Commission.	
<p>x <u><i>Shuey</i></u> OWNER or APPLICANT'S SIGNATURE</p>	<p>NOTARY PUBLIC: Sign: <u><i>Laurie A Wirtz</i></u></p>
<p>SUBSCRIBED AND SWORN to before me this <u><i>4th</i></u> day of <u>November</u>, 20<u>22</u>, and who has provided the proper identification and who did take an oath.</p>	



Conditional Use Application Supplement

Commonwealth Edison Company
Applicant's Name

November 4, 2022
Date

Three Lincoln Centre, Oakbrook Terrace, IL 60181
Address (City, State, Zip)

Conditional use to install 104' tall antenna support structure
Request

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

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

<p>(a) Proposed use of the property that warrants this application for a conditional use</p> <p>For responses to all questions in this Conditional Use Application Supplement, please see the attached "Zoning Request Application Addendum."</p>
<p>(b) If the proposed conditional use is approved, what improvements of construction are planned? (An accurate site plan may be required to establish that the proposed improvement can meet the minimum zoning requirements)</p>
<p>(c) Identify the existing uses of the properties within the general area of the property in question</p>

<p>(d) Identify the existing zoning classification of the properties within the general area of the property in question</p>
<p>(e) Describe how the proposed conditional use will not have an adverse effect on the value of adjacent properties. Compare the value of the subject property and nearby properties under the current zoning to their potential value under the proposed zoning.</p>
<p>(f) Describe how the subject property cannot be reasonably used for any of the uses currently permitted under its current zoning classification. (<i>Physical and market conditions may be considered.</i>)</p>
<p>(g) Does the property have appropriate public facilities, such as sewer, water and roads, and other required services?</p>
<p>(h) How does the proposed conditional use, and ultimately the use of the property, relate to the land use plan of the current City of Wilmington Comprehensive Plan?</p>
<p>(i) Describe how the establishment, maintenance or operation of the conditional use will not be detrimental to, or endanger the public health, safety, and general welfare.</p>

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

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



PLANNING AND ZONING COMMISSION
PETITION FOR CONDITIONAL USE

(1) The proposed request conforms to the comprehensive plan; or conditions or trends of development have changed in the area of the request, since the adoption of the comprehensive plan, to warrant the need for different types of land uses or densities. Furthermore, the proposed conditional use is appropriate considering the length of time the property has been vacant, as originally zoned, and taking into account the surrounding area's trend of development.

Yes No Explanation: _____

(2) The proposed conditional use conforms to the intent and purpose of Chapter 150 of the City of Wilmington's Code of Ordinances.

Yes No Explanation: _____

(3) The proposed conditional use will not have a significant detrimental effect on the long-range development of adjacent properties or on adjacent land uses.

Yes No Explanation: _____

(4) Adequate public facilities and services exist or can be provided.

Yes No Explanation: _____


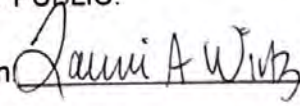
Required Public Notices

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

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

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

X 
 Applicant's Signature

STATE OF ILLINOIS)
) SS.
COUNTY OF DUPAGE)
The undersigned hereby authorizes the filing of the aforesaid request and understands that the owner or an authorized agent must be present at the public hearing to present the request to the Plan Commission.	
<p>X  OWNER or APPLICANT'S SIGNATURE</p>	<p>NOTARY PUBLIC: Sign </p> <div style="border: 1px dashed black; padding: 5px; text-align: center;"> <p>OFFICIAL SEAL LAURIE A WIRTZ NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES: 07/09/23</p> </div>
<p>SUBSCRIBED AND SWORN to before me this <u>4th</u> day of <u>November</u>, 20<u>22</u>, and who has provided the proper identification and who did take an oath.</p>	

City of Wilmington – Zoning Request Application Addendum

Introduction and Summary of Approvals Requested

In order to enhance ComEd’s provision of reliable electrical service in the City of Wilmington (the “City”) and surrounding areas, ComEd intends to install at its Wilmington substation situated at 23600 Coal City Road (the “Substation”) a 104-foot essential services antenna support structure (called more formally by ComEd a smart grid distribution automation device monitoring support structure, the “Structure”) within the Substation (the “Project”). The Substation property is located in the A-1 zoning district. The Substation is an existing special use within the A-1 zoning district.

Relative to implementation of the Project (based on City input during pre-application discussions), ComEd is requesting the following:

- the Substation property be rezoned from the A-1 to the I-1 district (the “Map Amendment”); and
- a conditional use be approved under Section 150.63(D)(5) of the City Zoning Ordinance (the “Ordinance”) to allow for installation of a 100-foot Structure (which will hold five monitoring antennae) to which will be attached an approximately 4-foot-long lightning rod at the top (the “Conditional Use”, and collectively with the Map Amendment, the “Zoning Requests”).

As a regulated public utility and given that the Structure relates to core aspects of the electrical grid, ComEd respectfully suggests that the City’s land use authority may not apply to the company’s implementation of the Structure at its Substation. Nonetheless, ComEd is voluntarily submitting the Zoning Requests in an effort to work on its project cooperatively with the City.

Project Narrative

1. Structure’s role in and contribution to ComEd’s Distribution Automation Network

The Structure is part of the company’s wide-ranging implementation of its multi-year “smart grid” initiative. The smart grid initiative fulfills regulatory commitments made by ComEd under two recently-enacted Illinois laws, and includes an upgrading of the existing electrical distribution communication system with newer technology and infrastructure, as further explained in the letter attached to this application from one of the Project’s key senior managers.

The Structure will be a key aspect of this smart grid infrastructure and technological upgrade. Key resulting community benefits will be improved reliability of the electrical grid (through the reduction of electrical outages and the duration of outages), and increased voltage efficiencies along each distribution line, resulting in smoother electrical grid operations.

ComEd’s new technology and infrastructure involves the creation of a ComEd-only radiofrequency (“RF”) network in which sensors and monitoring devices being installed within distribution circuits and/or on distribution poles communicate in real time with antennae support facilities like the Structure. The sensors and devices control and monitor equipment within the

distribution lines such as line reclosures, cap banks and switches which are important for reliability and “voltage optimization” -- meaning, promotion as much as possible of a steady voltage through a particular distribution circuit (given that voltage on a distribution line tends to become less strong as the distance on the line increases from a particular substation). The Structure will only communicate with ComEd’s electrical devices/equipment on the electrical grid system. It will not be used for any commercial communication services (e.g., 5G or any other cellular telephone technologies).

The benefit of the new wireless technology can be explained with reference to a lightning strike and its impact on a distribution line. With “legacy” technology, a lightning strike to a distribution line would likely cause removal of a larger portion of a distribution circuit -- and the customers served by such circuit -- until ComEd crews could determine the precise location of the strike and re-route power around the affected area. By contrast, once the newer wireless technology is deployed in a particular area, the sensors in the distribution circuit -- including at the top of a distribution pole -- will communicate the fault to receiving antennae on the Structure, which directly links to IT infrastructure tied into ComEd’s centralized command and control center. ComEd immediately learns the precise area of the fault and can efficiently dispatch crews to the fault location. Further, the proposed Structure’s antennae can direct receiving equipment on the distribution lines how to switch power around the fault.

The efficacy of the new technology depends on clear, clean wireless communication and strong security given the criticality of the electrical grid to the nation’s infrastructure system. Existing electrical substations have been selected for locations of the antenna support structures since they offer necessary security, along with the indispensable link to the company’s high-speed existing IT backbone network. The necessary IT equipment accompanying the Structure will be housed in an existing substation control building, so no new equipment enclosure is required, thereby minimizing any external “footprint” resulting from the upgraded technology. And electrical substations are already locations which contain pre-existing taller electrical infrastructure (and/or community expectations for such taller infrastructure), mitigating visual concerns.

The request for the Conditional Use (increasing the maximum permitted height from 45 feet to 104 feet to the top of the lightning rod) is related to the need for five receiving and transmitting antennae on the Structure (each antenna mount is a very thin two inches in diameter, just under 5 feet long and installed only 3 feet from the Structure) to support existing and to-be-newly-added monitoring and sensing devices in Wilmington-area distribution circuits.

The existing sensors and monitoring devices in the Wilmington area operating on ComEd’s RF network. The devices are currently communicating wirelessly to antennae located at a training center in Reed Township. The training center was until early 2022 owned by Exelon Generation Company, LLC, an affiliate of ComEd’s parent company (Exelon). At that time, the affiliate became separated from Exelon and is now a third-party entity called Constellation Energy Corporation. This separation requires the removal and relocation of the antennae away from the training center since appropriate security cannot be maintained at a third party-owned property. The Structure would take the place of the training center antennae location and avoid the creation of a sudden gap in the “mesh” design of the sensor/monitoring device system. Without the Structure, there would not be optimum RF coverage for sensors and monitoring devices within the

City. This condition will only be aggravated as additional devices are installed within Wilmington-area distribution circuits over the next two years.

The five antennae proposed for the Structure are needed for proper RF capacity, since a reduced number of antennae on the Structure installed at lower heights would result in an overburdened and less effective wireless communication system (resulting in numerous “dropped” or “blocked” calls to use cellular telephone analogies) or “garbled” communications related to foliage interference. For proper system functioning, the lowest antenna should be installed at a minimum height of 35 feet to avoid foliage blockage. Each additional antenna must be installed a minimum of 15 feet away vertically to avoid technological interference. It is this required minimum spacing and the need for five antennae for effective network functioning which forms the basis for the Structure’s 100-foot height. A reduced number of antennae, for example, on a Structure with an “as of right” height of 45 feet, is not enough to allow for seamless functioning of the Wilmington-area wireless technology imbedded in (or to be imbedded in) the distribution circuits and on distribution poles.

Delving further into key technical details of the system, ComEd has engineered the Structure and its height in a manner which allows for seamless smart grid coverage of the electrical distribution network. Each antenna on the Structure has a capacity of approximately 40-50 sensing devices per antenna. ComEd considered the impact of installing at the Substation a Structure of less overall height -- and by extension fewer antennae -- yet has concluded that device communication would become compromised due to overcapacity of the antennae to be installed. This, in turn, leads to a gap in radiofrequency coverage since the support structures and their attached antennae are generally evenly spaced to allow for effective coverage. A height reduced from 100 feet (5 antennae) essentially precludes regional effectiveness of ComEd’s smart grid distribution automation network.

ComEd is careful and judicious in its selection of locations for new support structures. To the greatest extent feasible, ComEd installs its antennae on ComEd existing taller structures (other than transmission towers where such installation is not feasible), such as taller rooftops or existing taller microwave towers. New structures are placed at substations which have physical space within the existing footprint (so that a physical expansion of the outer substation footprint can be avoided), space within an existing substation control building (so that development of a new equipment enclosure is obviated) and a secure link to the ComEd IT backbone. The Substation meets all of these criteria.

2. Depiction of similar existing Structures

Please see Technical Appendix for a depiction of similar structures which have been installed in the Chicago metropolitan area by ComEd and for additional detail in particular on how the Structure and antennae will function in accordance with FCC and FAA regulations.

3. Site Plan and renderings

As can be noted on the attached Site Plan, the proposed Structure will be situated within the Substation approximately 15 feet east of the existing substation control building on the western side of the Substation. The Structure’s base will be set back over 500 feet from the northern

property line, approximately 158 feet east of the western property line, over 700 feet west of the eastern property line abutting the railroad tracks along Highway 53 and over 750 feet from the southern property line along Coal City Road.

The proposed Structure has been carefully placed within the Substation so as to maintain the required close distance to the substation control building in which the electronic equipment will be housed. This location minimizes signal degradation while also avoiding impacts to either existing substation electrical equipment or areas set aside for future equipment expansion (so that the Substation continues to maintain adequate space to serve growth in the area's electrical demand without the need for additional property acquisition for construction of an entirely new substation).

The proposed Structure should have limited impact on surrounding property. To start, the Structure is located as near to the geographical center of the Substation's zoning lot as possible, mitigating its visual impact as much as possible from each direction. The Substation itself is relatively remotely located within the City, almost two miles southwest of downtown Wilmington on Highway 53, surrounded on all sides by vegetation, light industrial uses and/or farmland. There is one mixed-use property to the Substation's southwest which has its views of the Substation screened by mature landscaping, and there do not appear to be any other adjacent properties used wholly for residential purposes. Otherwise, the Substation is surrounded by Agricultural and Industrial zoning lots in addition to certain unincorporated properties. The mature vegetation along the southern and eastern edges of the Substation property will combine with the Structure's significant setbacks to mitigate the visual impact of the Structure when viewed from Coal City Road and Highway 53. The Structure will not be any more noticeable than other tall pieces of electrical infrastructure in the area of the Substation, and the fact that it is silent, unlit and unmanned means that it will not create any additional impact on neighboring properties.

Standards for Map Amendment

Map Amendment Application Supplement (a): Proposed use of the property that warrants this application for a map amendment.

ComEd's proposed installation of the Structure within the Substation warrants the Map Amendment because the maximum structure height permitted in the Substation's current A-1 district is 35 feet (without an apparent path under the Zoning Ordinance to seek approval of a taller structure), whereas the maximum structure height permitted in the proposed I-1 district is 100 feet assuming a conditional use approval is obtained. Since the Structure will be 100 feet tall, rezoning the Substation property to the I-1 district to allow for consideration of an additional-height conditional use will accommodate its installation.

Map Amendment Application Supplement (b): If the proposed map amendment is approved, what improvements of construction are planned? (An accurate site plan may be required to establish that the proposed improvement can meet the minimum zoning requirements).

ComEd plans only to install the Structure at the Substation property, with no other improvements currently planned. After the proposed rezoning, ComEd plans to continue to operate the subject portion of its property (only about 3 of the 22 acres) as a substation.

Map Amendment Application Supplement (c): Identify the existing uses of the properties within the general area of the property in question.

The Substation property is largely surrounded by agricultural and light industrial properties. A mixed-use property which appears to include a light industrial use is located directly to the Substation's southwest. To the Substation's east are railroad tracks and Highway 53, with light industrial properties across Highway 53 – specific uses appear to include a lumber business and a well and septic system servicing business. Land to the Substation's south on the southern side of Coal City Road is forested and currently undeveloped. Finally, the northern side of the Substation property borders the southern edge of the Hitts Siding Prairie Nature Reserve, but the fenced-in area of the Substation is more than 250 feet from this preserve, and the Structure will be located 500 feet from it.

Map Amendment Application Supplement (d): Identify the existing zoning classification of the properties within the general area of the property in question.

If rezoned to the I-1 district, ComEd's Substation property will be adjacent to both I-1 and I-2 districts located just east of Highway 53. The properties directly to the Substation property's west and north are zoned A-1. Since the Substation is located near the southwestern edge of the City, many other properties in its vicinity (especially to the west and the south) are located in unincorporated Will County.

Map Amendment Application Supplement (e): Describe how the proposed rezoning will not have a significant detrimental effect on the long-range development of adjacent properties or on adjacent land uses. Compare the value of the subject property and nearby properties under the current zoning to their potential value under the proposed zoning.

The proposed Map Amendment will not have a detrimental effect (or any effect) on adjacent properties for the foreseeable future because ComEd has no current plans to use the Substation property for any use other than its current use as a substation.

The sole purpose of the rezoning is to allow a regulatory path for approval of a 104-foot thin, unlit antenna support structure which is not unlike the taller transmission infrastructure which exists at the Substation property today.

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

ComEd is unable to install the Structure at the Substation property while it is zoned in the A-1 district given the very limited 35-foot height maximum in this district. Without the Structure as proposed, ComEd's provision of reliable electricity to the City will be significantly hindered due to a gap in ComEd's RF network which will occur in and around Wilmington.

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

The Substation property has adequate public facilities for its current substation use, which use will not change after the proposed Map Amendment.

Map Amendment Application Supplement (h): Describe how the proposed rezoning conforms to the comprehensive plan; or conditions or trends of development have changed in the area of the request, since the adoption of the comprehensive plan, to warrant the need for different types of land uses or densities. Furthermore, the proposed rezoning is appropriate considering the length of time the property has been vacant, as originally zoned, and taking into account the surrounding area's trend of development.

Goal #6 of the City's comprehensive plan states, "A community's quality of life depends in no small measure on its infrastructure. ... The goal will be to improve the infrastructure when feasible and to provide continuous maintenance." By rezoning the Substation property to allow for installation of the Structure to improve the reliability and functioning of the City's electrical grid, the City will be proactively implementing Goal #6.

Map Amendment Application Supplement (i): Describe how the proposed rezoning conforms to the intent and purpose of Chapter 150 of the City of Wilmington's Code of Ordinances.

In Section 150.02, "Purpose and Intent," the Ordinance states that one of its goals is to "ensure the adequate provision of public transportation, streets, highways, sewers, water mains, schools, recreation areas and other public facilities." The proposed Map Amendment to allow for installation of the Structure will help ComEd maintain high-quality provision of electric service to the City's residents.

Map Amendment Application Supplement (j): Describe the potential benefits and detriments of the proposed zoning change to the public health, safety and welfare.

ComEd's proposed Map Amendment to facilitate installation of the Structure will not be detrimental to public health, safety or welfare. The antennae on the Structure have a very low (1 watt or less) output power, and operate only intermittently and in compliance with all applicable federal regulations. In this manner, ComEd's Structure operates in a manner protective of public health and safety.

Map Amendment Application Supplement (k): Describe the extent to which the proposed amendment is in compliance with and/or deviates from the adopted comprehensive plan.

The City's comprehensive plan notes that the Substation property is currently used for Utility purposes. After rezoning, the Substation will continue to be used for Utility purposes. Although the City's 2008 future land use map contemplates that the Substation property will be used for Open Space, the Substation property's long-standing and continued use as a substation -- especially with the addition of the Structure -- accords with the City's goal of improving infrastructure to serve the City's continued development. Moreover, the Substation itself is currently a small fraction of the land in the Substation property, and no undeveloped area of the property is proposed to be changed in connection with installation of the Structure.

Map Amendment Application Supplement (l): Describe the suitability of the property in question for the uses permitted under the proposed zoning.

The Substation property is, of course, suitable for ComEd's planned continued use as a Substation and the rezoning will not change that. The rezoning to allow for installation of a taller structure is consistent with the taller utility structures which already exist in and around the property.

Standards for Conditional Use

Conditional Use Application Supplement (a): Proposed use of the property that warrants this application for a conditional use.

ComEd's proposed installation of the Structure within the Substation warrants the Conditional Use because the maximum structure height permitted in the Substation's proposed I-1 district is 45 feet without conditional use approval. Since the Structure will be 100 feet tall, granting the Conditional Use will accommodate its installation.

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

ComEd plans only to install the Structure at the Substation property, with no other improvements currently planned.

Conditional Use Application Supplement (c): Identify the existing uses of the properties within the general area of the property in question.

The Substation property is largely surrounded by agricultural and light industrial properties. A mixed-use property which appears to include a light industrial use is located directly to the Substation's southwest. To the Substation's east are railroad tracks and Highway 53, with light industrial properties across Highway 53 – specific uses appear to include a lumber business and a well and septic system servicing business. Land to the Substation's south on the southern side of Coal City Road is forested and currently undeveloped. Finally, the northern side of the Substation property borders the southern edge of the Hitts Siding Prairie Nature Reserve, but the Structure will be located 500 feet from it.

Conditional Use Application Supplement (d): Identify the existing zoning classification of the properties within the general area of the property in question.

On the east side of ComEd's Substation property are both I-1 and I-2 districts located just east of Highway 53. The properties directly to the Substation property's west and north are zoned A-1. Since the Substation is located near the southwestern edge of the City, many other properties in its vicinity (especially to the west and the south) are located in unincorporated Will County.

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

ComEd's proposed Conditional Use will not have an adverse effect on adjacent property values. The Structure will be compatible with similar structures in the general vicinity. Its gray color will match the existing Substation electrical equipment and other taller nearby electrical infrastructure (as an example, there is a distribution pole of just under 75 feet in height a short distance west of the proposed Structure, suggesting that the Structure will easily blend in with the

existing equipment). It will be unlit and all associated electronics equipment will be housed inside an existing building, minimizing any new external facilities within the Substation.

Further, the proposed Structure will not be hazardous or disturbing to existing uses in the vicinity because it will function as an integral, but unmanned part of the Substation, just like any other piece of taller electrical infrastructure. The base of the Structure will be screened from properties on all sides by existing mature foliage and, moreover, will be located a significant distance from all property lines and abutting roads. Other than the Structure, no additional adjustments to the Substation are proposed in connection with the Structure itself, thus minimizing any external effects.

Finally, the Structure will be noiseless and, because its related electronics will be housed within the existing substation control building, will not need to be accompanied by any additional fencing or equipment enclosure. The essential nature and functioning of the Substation will remain unchanged once the Structure is implemented.

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

Without receiving approval for this Conditional Use, ComEd will not be able to use its Substation (in lieu of a nearby previous Exelon Generation training center which can no longer host the necessary antennae) to effectively operate its distribution automation device monitoring system in and around the City. For proper system functioning, the lowest of the five antennae on the Structure should be installed at a minimum height of 35 feet to avoid foliage blockage. Each additional antenna must be installed a minimum of 15 feet away vertically to avoid technological interference. It is this required minimum spacing and the need for five antennae for effective network functioning which forms the basis for the Structure's 100-foot height. A reduced number of antennae, for example, on a Structure with an "as of right" height of 45 feet, is not enough to allow for seamless functioning of the Wilmington-area wireless technology imbedded in (or to be imbedded in) the distribution circuits and on distribution poles.

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

The Substation property has adequate public facilities for its current substation use, which use will not change after installation of the unmanned Structure.

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

Goal #6 of the City's comprehensive plan states, "A community's quality of life depends in no small measure on its infrastructure. ... The goal will be to improve the infrastructure when feasible and to provide continuous maintenance." By approving the Conditional Use for installation of the Structure to improve the City's electrical grid, the City will be proactively implementing Goal #6.

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

ComEd's proposed Conditional Use for installation of the Structure will not be detrimental to public health, safety or welfare. The antennae on the Structure have a very low (1 watt or less) output power operate only intermittently and in compliance with all applicable federal regulations. This will allow ComEd's Structure to operate in a manner protective of public health and safety.

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

The Structure will not affect the use or value of adjacent properties because, to the extent it is visible at all, it will appear similar to any other tall piece of electrical infrastructure. ComEd's Substation has operated in this location for many years, and the largely agricultural and industrial neighboring uses are well-accustomed to its existence -- adding an unlit, noiseless, thin gray Structure to the Substation will not affect these neighboring property values. If anything, by offering an efficient and low-impact, low-power use of radiofrequency to help improve grid reliability, minimize outages and stabilize distribution line voltage flows, the Structure may help to improve property values both on adjacent parcels and throughout the City.

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

Approval of the Conditional Use and installation of the Structure will not impede the normal development of adjacent properties around the Substation, which are accustomed to the taller pieces of electrical infrastructure in the vicinity. Rather, the Conditional Use could *positively* impact future land use in the City in two ways. First, by installing the Structure at its proposed location within the Substation, ComEd will preserve space within the Substation for future installation of any necessary electrical infrastructure to support the City's growing power needs (mitigating ComEd's future need to acquire additional property for another substation), plus ComEd will not need to try to locate the Structure on newly acquired property within the City (to which secure IT infrastructure would need to be brought) to fill the gap within its RF network. Second, as the Structure will facilitate more reliable and stable electricity in the City as part of ComEd's smart grid initiative, the Structure can positively impact future land use by supporting the City's electricity infrastructure.

Structure -- Technical Appendix

Depiction of similar existing Structures

Similar 104-foot Smart Grid Distribution Automation Device Monitoring support structures can be found at ComEd's Willow Springs substation and its substation in Pleasant Hills (near West Chicago).

Willow Springs

The Willow Springs substation carries the common address of 8600 Willow Spring Road in Willow Springs, but it is actually located on the south side of an industrial access road (leading to Valvoline's Willow Springs facility) across the street from a Speedway gas station and just south of the Tri-State Fire Protection District station which is situated at 8259 Willow Springs Road in Willow Springs.

A picture of the structure as located at the Willow Springs substation is set forth below.



The structure is located to the rear of the substation control building. Note that if one visits the Willow Springs substation, one will see a cellular telephone facility outside the boundaries of the substation but adjacent to it. Know that, as noted earlier, neither ComEd's proposed Structure nor any portion of the Substation property will be used for personal wireless service (5G or

otherwise) or any other commercial communications function other than the Structure and other ComEd-only grid-related monitoring and functioning communications.

Pleasant Hills

The Pleasant Hills substation is located on the east side of Pleasant Hill Road just south of the Great Western Trail and St. Charles Road and a short distance south of North Avenue. The substation is north of Geneva Road, north of the Village of Winfield and south of the Village of Carol Stream. (The address assigned to the substation for property tax purposes is 1N701 Pleasant Hill Road, Winfield. Our experience is that this address does not show up on common mapping applications such as Google Maps. The street address of the business to the north is 26W115 St. Charles Road in Carol Stream to provide a Google-friendly geographic reference point.)

A picture of the structure as located at the Pleasant Hill substation is set forth below.



The structure in the Pleasant Hills substation is located on the north side of the substation just west of the substation control building. Like in Willow Springs, there is a cellular telephone facility outside of the substation itself. Again, by contrast, a cellular telephone facility does not exist at the Substation and is not proposed whatsoever.

Technical, Regulatory and Permitting Information

The antennae proposed for use on the Structure will operate in the frequency range of 902-928 MHz with a center frequency of 915 MHz. These frequencies are a small part of the designated industrial, scientific and medical (“ISM”) radio bands. The FCC opened these ISM frequency bands for wireless communications in 1985. Parties using this frequency range in the manner of ComEd are not generally required to obtain use, structure or antenna licenses from the FCC (and are not so required in ComEd’s specific situation), but must comply with Federal Communications Commission (“FCC”) regulations (47 CFR Part 15) on how the frequencies are used, including the maximum output power of the antennae on the Structure. The output power of the ComEd antennae will be extremely low, at 1 watt or less. Further, the antennae will only operate intermittently and will not continuously transmit. By observing these two key operating criteria, along with compliance with all of the other applicable federal regulations, ComEd’s Structure will operate in a manner protective of public health and safety, in that RF emissions are highly attenuated.

Other wireless devices operate in the frequency range of 902-928 MHz, with a center frequency of 915 MHz -- most notably, ComEd’s smart meters. The Structure will not be used for smart meter functions. Although certain household wireless equipment operates at 915 MHz, most notably certain cordless phones, baby monitors, and wireless home security systems, most household wireless equipment now operates within the 2.4-GHz frequency band.

Like any system which chooses to operate with the ISM radio bands, ComEd’s Smart Grid Distribution Automation Device Monitoring System must tolerate the potential for occasional interference from other wireless devices in use. At the same time, ComEd has engineered its system to minimize any potential interference through incorporation of specific technical features such as signal encryption and security which, like the smart meter system using the same frequency range, have a now-proven record of safe, effective, reliable operation without material impact to existing household wireless devices. In addition to these specific technical features, in accordance with FCC regulations and as a technique to ensure minimal interference, the electronic equipment used in the Distribution Automation Device Monitoring System utilize a protocol called “frequency hopping” within subchannels spread evenly across the frequency range of 902-928 MHz. Such “frequency hopping” allows for efficient use of the full range of the allowable spectrum while minimizing interference risk.

The FCC is not required to review the specific siting of the proposed Structure. Instead, parties such as ComEd may use the frequency range involved in the antennae on the Structure without a specific license granted by the FCC so that as compliance with the detailed ISM radio band regulations (47 CFR Part 15) is maintained. In addition, in terms of compliance with the federal National Environmental Policy Act (to which the FCC is subject), the FCC has delegated to each applicant the responsibility of determining whether a proposed structure is “categorically excluded” from environmental review under the National Environmental Policy Act (“NEPA”) when there is minimal or no impact on the environment, or whether an Environmental Assessment needs to be prepared.

FCC rules categorically exclude all actions -- including ComEd’s proposed Structure -- from detailed environmental review unless such a structure: (a) is located in a wilderness area or wildlife preserve; (b) might affect threatened or endangered species or their habitat; (c) might

affect properties included in or eligible for inclusion in the National Register of Historic Places or Indian religious or cultural sites; (d) will be located in a floodplain; (e) involve construction involving significant changes in surface features, such as effects on wetlands, water, ground disturbances, deforestations, etc.; (f) structures of over 450 feet potentially affecting migratory birds; or (g) structures involving high-intensity lighting in a residential area or those which would cause RF radiation in excess of FCC-established limits.

ComEd, through its consultant team, determined that the placement of the Structure within an existing developed substation will have none of these impacts and therefore that the proposed Structure is appropriately categorically excluded from NEPA review.

The proposed Structure will not be required to have a beacon and/or designated paint. This is because ComEd received a determination from the Federal Aviation Administration (“FAA”) as of July 28, 2022 that its Structure will not be a hazard to air navigation and thus no lighting or special markings are required. ComEd’s Structure will not be illuminated in any way or painted any special color.

ComEd will be applying for a building permit from the City for the Structure. No additional known governmental permits are necessary. ComEd will secure any additional necessary permits which may be identified during the building permit process.



November 4, 2022

BY ELECTRONIC DELIVERY

Ms. Jeannine Smith
City of Wilmington
City Administrator
1165 South Water Street
Wilmington, IL 60481

Dear Ms. Smith:

This letter concerns ComEd's need to build an antenna support structure (the "Structure") at the TSS 149 Wilmington substation, which is located in the City of Wilmington (the "City") at 23600 Coal City Road (the "Substation"). The Structure is part of our company's wide-ranging implementation of a multi-year "Smart Grid" initiative. We are required to install it per our Franchise Agreement and by regulatory commitments to the State of Illinois (the "State").

The Structure will be 100 feet tall (plus a 4-foot lightning rod on top) and hold five antennae which will communicate with sensors on distribution lines and circuits throughout the Wilmington area in order to increase network reliability, improve responsiveness of the electric grid and even out voltage flows through these circuits, as well as to provide opportunity for implementation over time of additional distribution intelligence applications while minimizing need for additional structures of a similar type. The Structure and its antennae will be used exclusively by ComEd (with no third-party commercial users such as by cell phone companies, etc.) to aid in the functioning of our distribution system. The Structure is unlit, grey in color, and will blend in with similarly colored existing vertical structures in and around the Substation.

As explained more fully below, our company is building the Structure in order to fulfill our obligations under both (i) ComEd's Franchise Agreement with the City to construct, operate and maintain an electric system within the City (the "Franchise Agreement")¹ and (ii) recent State laws requiring ComEd to make "Smart Grid electric system upgrades" to help modernize and expand Illinois' electric grid.

ComEd's Obligations under the Franchise Agreement

The Franchise Agreement grants ComEd "the right, permission and authority to construct, operate and maintain in and through the City its Electric System..."²

Further, the Franchise Agreement states that "...[ComEd] shall investigate, develop and incorporate technological advances into its equipment and service in its sole discretion and

¹ City of Wilmington, Will County, Illinois. Ordinance No. 1144, "An Ordinance Authorizing Commonwealth Edison Company to Use the Public Ways and Other Public Property in Conjunction with its Construction, Operation and Maintenance of an Electric System in and through the City of Wilmington, Will County, Illinois." April 7, 1992.

² Franchise Agreement, 3.1.

subject to order of [any governmental body or forum vested by law with authority to do the act or make the order, rule or regulation involved].”³ Section 2.2 of the Franchise Agreement explains that the word "shall", as used in the Franchise Agreement, signifies a "mandatory" instruction. Further, the Illinois General Assembly (the “General Assembly”) arguably constitutes a “competent authority” within the meaning of the Franchise Agreement.

ComEd’s installation of the Structure is a critical infrastructure investment necessary to support ComEd’s continued investment in Illinois’ Smart Grid system pursuant to State law and its obligations to serve customers, including those in the City of Wilmington, using technological advances incorporated into its equipment and service. In developing and incorporating Smart Grid electric system upgrades such as the Structure and the sensors in the distribution lines it supports, ComEd is leveraging new technology in order to improve the electric grid in numerous aspects, as directed by the Franchise Agreement. These improvements, including installation of the Structure, will give ComEd the ability to “operate and maintain” the electric system in a more reliable, responsive manner which will benefit the City and surrounding communities. The specific benefits for the City arising from these technological advances are explained in the section below.

ComEd’s Obligations under State Law

In addition to fulfilling obligations under the Franchise Agreement, our company is building the Structure to comply with our obligations under two recent State laws: the 2011 Energy Infrastructure Modernization Act (“EIMA”)⁴ and the 2016 Future Energy Jobs Act (“FEJA”).⁵ Both laws require ComEd to make ongoing Smart Grid investments to “build the grid of the future,”⁶ relying on infrastructure such as the Structure for network and grid support.

Through passage of EIMA, the General Assembly encouraged and enabled the State’s largest electric utility companies, including ComEd, to invest in modernizing and expanding Illinois’ century-old electric grid.⁷ As a “participating utility” pursuant to EIMA⁸, ComEd has formally committed in filings with the Illinois Commerce Commission (“ICC”) -- ComEd’s State regulating entity -- to modernize Illinois’ electricity transmission and distribution infrastructure by investing in continued Smart Grid electric system upgrades through, at minimum, the end of 2022.⁹

Consistent with its State law obligations, ComEd’s Smart Grid upgrade investment obligations have included installing “monitoring and communications devices that enable Smart

³ Franchise Agreement, 6.1.

⁴ Energy Infrastructure Modernization Act, Public Acts 97-0616 & 97-0646.

⁵ Future Energy Jobs Act, Public Act 99-0906.

⁶ Future Energy Jobs Act, Public Act 99-0906, Sec. 1(a).

⁷ See, Future Energy Jobs Act, *supra* note 7 (discussing the legislative purpose and effect of EIMA).

⁸ “Participating utility” means an electric utility or a combination utility serving more than 1,000,000 customers in Illinois that voluntarily commits to undertake the infrastructure investment program obligations described in section (b)(1)(B) of EIMA (quoted in footnote 10 below). See 220 ILCS 5/16-108.5(b).

⁹ See 220 ILCS 5/16-108.5(b)(1)(B). (“[B]eginning no later than January 1, 2012... the participating utility shall...over a 10-year period, invest an estimated \$1,300,000,000 to upgrade and modernize its transmission and distribution infrastructure and in Smart Grid electric system upgrades, **including, but not limited to...(ii) distribution automation...**”).

Grid functions, ***including, but not limited to, distribution automation.***¹⁰ (emphasis added). When issues arise on distribution lines (for example, a lightning strike), distribution automation technology utilizes wireless sensors and monitoring devices on the lines to detect the issue's precise location. This precision cuts down on response time, while also automatically re-routing power to minimize the number of customers impacted.

The Structure provides support for ComEd's distribution automation technology by strengthening a ComEd-only highly secure wireless communication system (called by ComEd the "DA Mesh Network"). The DA Mesh Network facilitates radio communication between the Structure and others like it situated throughout ComEd's service territory at secure locations such as the Substation (which are linked to ComEd's IT backbone), and thousands of wireless sensing devices located throughout the electric grid on distribution lines and poles.

During the time that our company worked to build out the DA Mesh Network in the years following the enactment of EIMA in 2011, the General Assembly passed FEJA in 2016, which reiterated and expanded the State legislature's requirement that ComEd invest in Smart Grid technology. In the preamble to FEJA, the General Assembly declared that "...Illinois should continue in its efforts to build the grid of the future using the smart grid..."¹¹ and went on to declare that the State's "...existing energy efficiency standard should be updated to ensure that customers continue to realize increased value, [and] to incorporate and optimize measures enabled by the smart grid, ***including voltage optimization measures...***"¹² (emphasis added).

ComEd is now leveraging the DA Mesh Network in order to support voltage optimization measures, which help ComEd achieve statutorily-required energy efficiency savings benchmarks through the end of 2030.¹³ Voltage optimization technology also uses wireless devices on distribution poles linked to the same Structure (and others like it) to control capacitor banks along the distribution circuits. These capacitor banks are a type of electrical infrastructure that promote steady voltage flow through ComEd's lines. Communication between the Structure, wireless devices, and capacitor banks ultimately reduces electricity consumption by devices at the customer end through "right-sizing" voltage as it flows through the distribution lines from a substation.

The dramatic increase in the number of wireless monitoring and sensing devices installed within the distribution circuits to support our company's voltage optimization obligations are placing an increased strain on the capacity of the DA Mesh Network. So too are the growing number of new distribution automation devices which use the same DA Mesh Network (such as

¹⁰ 220 ILCS 5/16-108.6(a). ("Smart Grid electric system upgrades' means any of the following: (1) metering devices, sensors, control devices, and other devices integrated with and attached to an electric utility system that are capable of engaging in Smart Grid functions; (2) other monitoring and communications devices that enable Smart Grid functions, including, but not limited to, distribution automation...").

¹¹ Future Energy Jobs Act, Public Act 99-0906, Sec. 1(a).

¹² Future Energy Jobs Act, Public Act 99-0906, Sec. 1(a)(2); see also, 20 ILCS 3855/1-10 ("Energy efficiency' includes voltage optimization measures that optimize the voltage at points on the electric distribution voltage system and thereby reduce electricity consumption by electric customers' end use devices.").

¹³ 220 ILCS 5/8-103B(b-20).

the more-precise fault indicator radio sensors which ComEd began installing in 2019, described earlier in this section).

By installing the Structure in the Substation and identical antenna support structures in similar substations and other secure locations throughout the ComEd service territory, ComEd is creating a seamless “mesh” radio network. This investment will enhance grid reliability by improving fault identification and response capabilities, and will boost grid efficiency by promoting a steadier flow of electricity through the regional grid. In this way, our company is meeting current network demand and preparing for the future demands of ever-evolving Smart Grid technology. Installing the Structure to enhance the DA Mesh Network reflects ComEd’s commitment to the use of updated technology, consistent with the EIMA and FEJA laws, with the ultimate goal of bringing more reliable and resilient electric service to our customers in the City.

If you have any questions, please contact me at (443) 979-0630 or Jeremiah.Newman@exeloncorp.com.

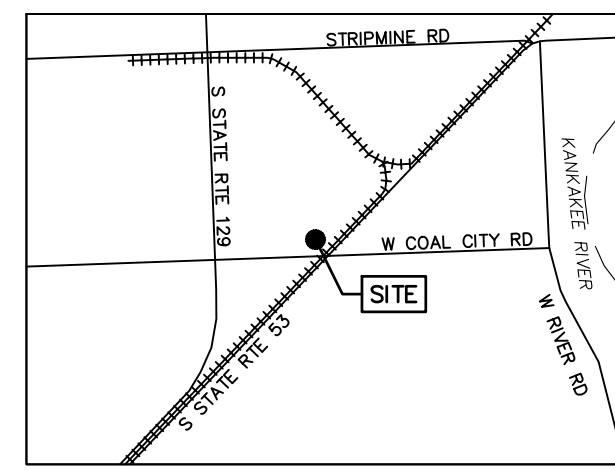
Respectfully,

Jeremiah Newman

A handwritten signature of Jeremiah Newman in black ink, enclosed in a light gray rectangular box.

ComEd Wilmington Substation – 23600 Coal City Road – Legal Description

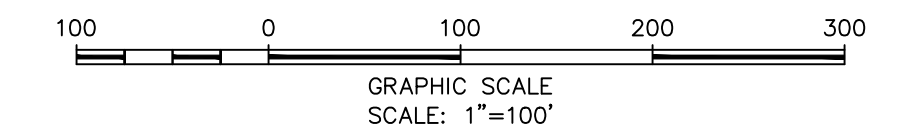
THE SOUTH 1304.30 FEET, AS MEASURED ALONG THE WEST LINE THEREOF, OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 33 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN WHICH LIES NORTHWESTERLY OF THE RIGHT OF WAY OF THE GULF MOBILE AND OHIO RAILROAD (FORMERLY THE CHICAGO AND ALTON RAILROAD COMPANY), WILL COUNTY, ILLINOIS.



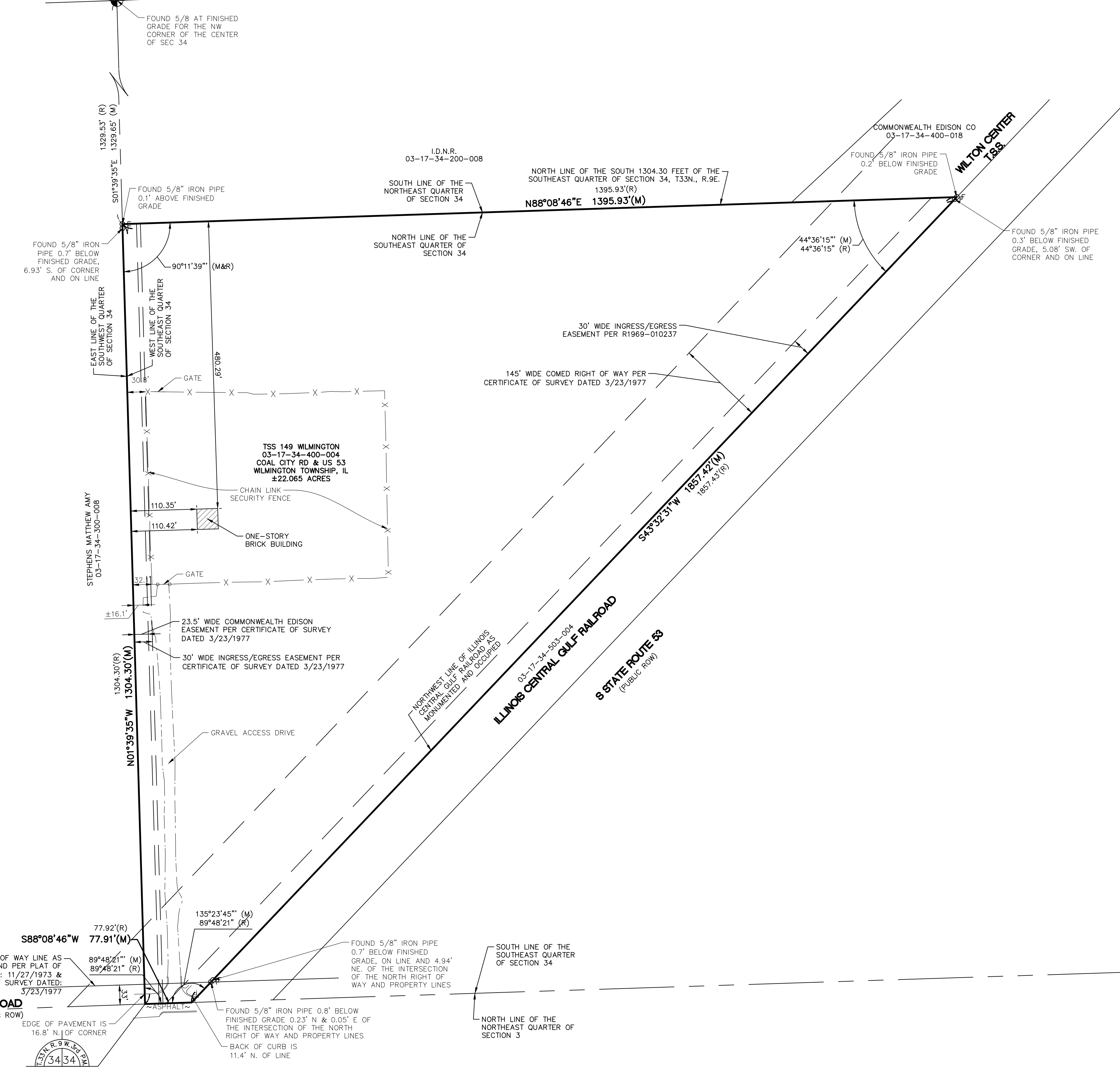
VICINITY MAP
NOT TO SCALE

BOUNDARY SURVEY OF TSS 149 - WILMINGTON

PART OF SECTION 34, TOWNSHIP 33 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN WILL COUNTY, ILLINOIS



BASIS OF BEARING:
ILLINOIS STATE PLANE
EAST ZONE (NAD83)
2011 ADJUSTMENT



LEGEND

(R)	RECORD
(M)	MEASURED
○ F	FOUND SURVEY MONUMENT
○	EXISTING MANHOLE/CATCH BASIN
—	EXISTING CULVERT
○ U.P.	EXISTING UTILITY POLE
—	EXISTING GUY WIRE
○	EXISTING FENCE POST
—	BOUNDARY LINE
—	BOUNDARY ADJACENT / ROW LINE
—	EXISTING EASEMENT LINE
— STM — STM —	UNDERGROUND STORM LINE
— OHE — OHE —	OVERHEAD ELECTRIC LINE
— X — X —	EXISTING FENCE
—	EXISTING EDGE OF GRAVEL
▨	EXISTING BUILDING

LEGAL DESCRIPTION PER PLAT OF SURVEY DATED: NOVEMBER 27, 1973 & CERTIFICATE OF SURVEY DATED: MARCH 23, 1977

THE SOUTH 1304.30 FEET, AS MEASURED ALONG THE WEST LINE THEREOF, OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 33 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN WHICH LIES NORTHWESTERLY OF THE RIGHT OF WAY OF THE GULF MOBILE AND OHIO RAILROAD (FORMERLY THE CHICAGO AND ALTER RAILROAD COMPANY), WILL COUNTY, ILLINOIS.

GENERAL NOTES

- COMPARE ALL DISTANCES AND POINTS IN FIELD AND REPORT ANY DISCREPANCIES IN SAME TO SURVEYOR AT ONCE.
- UTILITIES SHOWN HEREON ARE BY VISIBLE LOCATION OF ABOVE GROUND STRUCTURES. UNDERGROUND UTILITIES MAY EXIST THAT ARE NOT SHOWN HEREON.
- CALL 811 ("COMMON GROUND ALLIANCE" NATIONAL UNDERGROUND UTILITY LOCATOR SERVICE) FOR FIELD LOCATION OF UNDERGROUND UTILITY LINES PRIOR TO ANY DIGGING OR CONSTRUCTION.
- NO DIMENSIONS SHOULD BE ASSUMED BY SCALING.
- FIELD WORK WAS COMPLETED 6/3/2022
- ELECTRIC INFRASTRUCTURE/FACILITIES AND OTHER UTILITIES NOT LOCATED AS A PART OF THIS SURVEY.

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS

I, KYLE ALLRED, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THIS PLAT OF SURVEY OF THE HEREON DESCRIBED PROPERTY HAS BEEN PREPARED UNDER MY SUPERVISION AND THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION THEREOF. ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMALS THEREOF.

DATED THIS 15TH OF JUNE, 2022

Kyle Allred
KYLE ALLRED
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-3994
ATWELL, LLC
MY LICENSE EXPIRES 11/30/2022



"THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY"

comed
NICHOLAS L. RUETTIGER, PLS
COMED
LAND SURVEYING ADMINISTRATOR
1 LINCOLN CENTRE-13th FLOOR
OAKBROOK TERRACE, IL 60181
CELL: (615)295-9643

PREPARED BY:
ATWELL
2250 EAST DIEHL ROAD, SUITE 300
NAPERVILLE, IL 60563
PHONE: (630)577-0800
FAX: (630)577-0900
DESIGN FIRM #184-005876

NO.	DATE	REVISIONS DESCRIPTION

NO.	DATE	REVISIONS DESCRIPTION

APPROVED BY: KOA
CHECKED BY: TB
BOUNDARY SURVEY - TSS 149 - WILMINGTON
COMED #22-334, W.O. #17526538, CONTRACT #01279553
OFFICE: NAPERVILLE, IL FIELD: WP CAD: SEA CONTRACT NO.: 01279553 WORK ORDER NO.: 17526538 SHEET NO.: 1 OF 1
PROJECT NO.: 22003090 DRAWING NO.: 22003090PL-01 DATE: 2022-06-15 SCALE: 1" = 100'

149E-SKETCH

6

5

4

3

2

1

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A

COAL CITY ROAD

CONTROL BUILDING
34'-0" (W) X
35'-0" (L) X
16'-0" (H)

GRAVEL ACCESS DRIVE

ANTENNA
SUPPORT
STRUCTURE
(25.75" DIA.
BASE)

50'-5"

768'-7"

SOUTH LOT LINE

GATE

ROADWAY

158'-5"

GATE

ELECTRICAL
SUBSTATION
EQUIPMENT

NORTH LOT LINE

CHAIN-LINK
SECURITY
FENCE

719'-10"

EAST LOT LINE

LLINOIS CENTRAL GULF RAILROAD

6 STATE ROUTE 89
(PUBLIC ROW)

LEGEND

(R)	RECORD
(M)	MEASURED
o	FOUND SURVEY MONUMENT
o	EXISTING MANHOLE/CATCH BASIN
o	EXISTING CULVERT
o	EXISTING UTILITY POLE
o	EXISTING GUY WIRE
o	EXISTING FENCE POST
o	BOUNDARY LINE
o	BOUNDARY ADJACENT / ROW LINE
o	EXISTING EASEMENT LINE
o	UNDERGROUND STORM LINE
o	OVERHEAD ELECTRIC LINE
o	EXISTING FENCE
o	EXISTING EDGE OF GRAVEL
o	EXISTING BUILDING

REV	DATE	DESCRIPTION	TECH.	ENG.
1				
ComEd Commonwealth Edison Co. Chicago, Illinois Transmission and Distribution Operations				
SITE PLAN 23600 COAL CITY WILMINGTON, IL				
TSS 149			WILMINGTON DC	
SCALE NONE			DATE 06-17-22	
DRAWN BY				
ENG. BY				
149E-SKETCH				

THIS MATERIAL IS THE PROPERTY OF COMED AND CONTAINS CONFIDENTIAL INFORMATION WHICH MUST NOT BE DUPLICATED, USED OR DISCLOSED OTHER THAN AS EXPRESSLY AUTHORIZED BY COMED.

7

6

5

4

3

2

1



Existing Fence

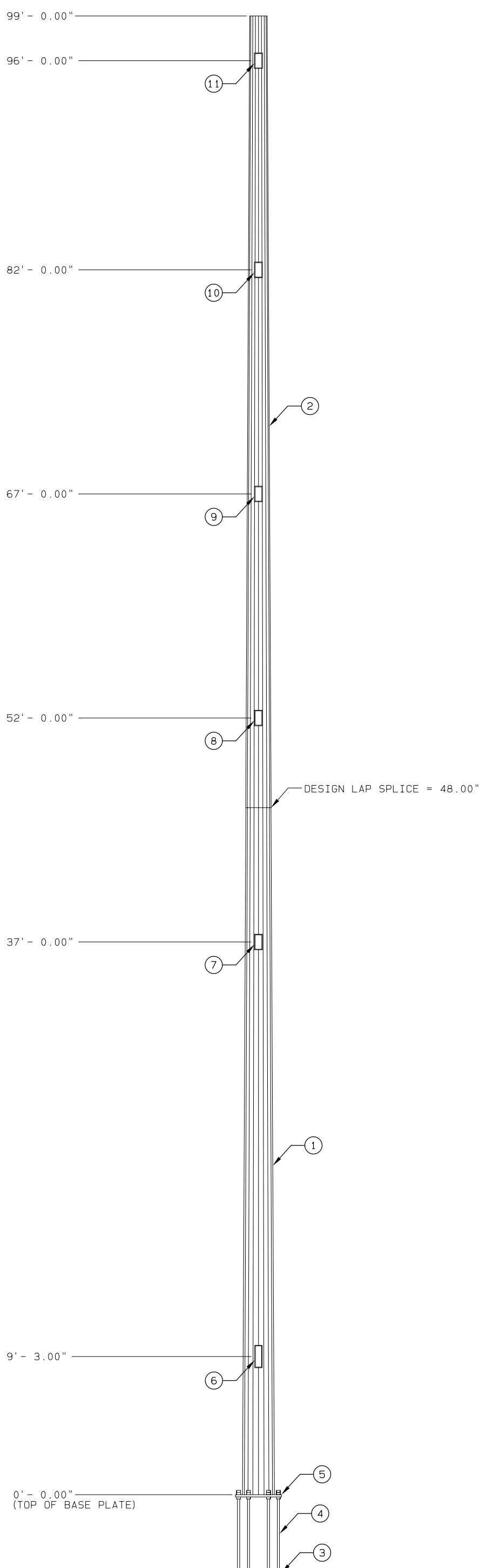
Proposed Antenna Structure

Coal City Rd

53

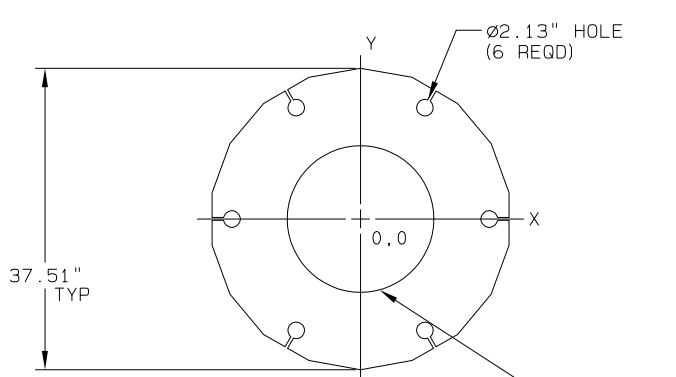
Merryman Septic & Well

ComEd Wilmington Substation
23600 Coal City Road



ITEM ID	NO. REQD	FEATURES	UNIT WEIGHT (LBS)	WEIGHT (LBS)
1	1	SECTION A VALMONT S-22 0.219" THK (A572 GR65)	2,639	2,639
2	1	SECTION B VALMONT S-22 0.188" THK (A572 GR65)	1,817	1,817
3	1	BOTTOM CAGE PLATE	66	66
4	6	1.75" ANCHOR BOLT, LENGTH=5.50' A615 GR75	62	369
5	1	BASE PLATE VALMONT S-56 1.750" THK (A572 GR50)	370	370
	1	TOP CAGE PLATE (REMOVE BEFORE SETTING POLE)	87	87
	1	SAFETY CLIMBING CABLE (LENGTH = 89.00')	83	83
	3	GROUNDING LUG	2	6
		GALVANIZING	155	155
	70	STEP AND CLIP (VALMONT STANDARD)	1	35
6	2	HAND HOLE STD (6" x 18")	18	36
7	1	HAND HOLE STD (6" x 12")	22	22
8	1	HAND HOLE STD (6" x 12")	22	22
9	1	HAND HOLE STD (6" x 12")	22	22
10	1	HAND HOLE STD (6" x 12")	22	22
11	1	HAND HOLE STD (6" x 12")	22	22
	1	POLE CAP	12	12

HOLE COORDS (INCHES)	
X-COORD	Y-COORD
16.00	0.00
8.00	13.86



- NOTES:
1. BASE PLATE THICKNESS = 1.750"
 2. BASE PLATE ALLOWABLE STRESS (KSI) = 50
 3. ANGLES ARE MEASURED CLOCKWISE FROM 0 DEGREES
 4. BOLT CIRCLE DIAMETER = 32.00"
 5. CAGE TEMPLATE DIAMETER = 35.50"

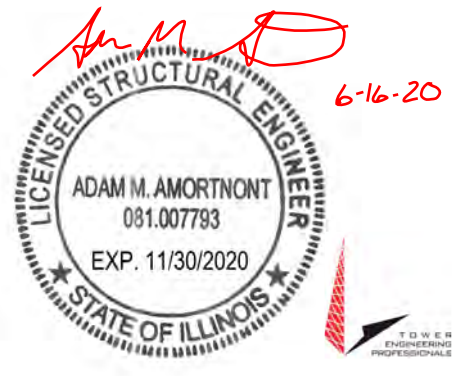
BASE PLATE / ANCHORAGE CHARACTERISTICS

NOTES:

1. FACTORED REACTIONS FOR FOUNDATION DESIGN.
 MOMENT = 6.795 IN-KIPS
 SHEAR = 9.761 #
 VERTICAL = 6.915 #
2. GALVANIZED PER ASTM A-123.
3. DESIGN CRITERIA: ANSI/TIA 222-G ADDENDUM 2
4. THIS STRUCTURE HAS BEEN DESIGNED FOR THE FOLLOWING LOADING:
 EXPOSURE CATEGORY = C
 STRUCTURE CLASSIFICATION = 3
 TOPOGRAPHY CATEGORY = 1
 WIND LOAD CASES ARE BASED ON 3 SECOND GUST AND 100 YEAR WIND RETURN PERIOD
 A. CASE 1: WIND = 110 MPH WIND SPEED
 B. CASE 2: WIND = 60 MPH ICE AND WIND SPEED
 DESIGN ICE THICKNESS = 1.00 INCH
 C. CASE 3: WIND = 75 MPH WIND SPEED
 D. EQUIPMENT

DESCRIPTION	ABP MTG HT. (FT)	ABP CENTROID HT. (FT)	WITHOUT ICE EPA WT (FT**2) (LBS)	WITH ICE EPA WT (FT**2) (LBS)
2-WHIP (3" X 5')	99.00	101.50	5.10	60
2-24" STANDOFF	99.00	99.00	4.60	58
2-WHIP (3" X 5')	84.00	86.50	5.10	60
2-24" STANDOFF	84.00	84.00	4.60	58
2-WHIP (3" X 5')	69.00	71.50	5.10	60
2-24" STANDOFF	69.00	69.00	4.60	58
2-WHIP (3" X 5')	54.00	56.50	5.10	60
2-24" STANDOFF	54.00	54.00	4.60	58
2-WHIP (3" X 5')	39.00	41.50	5.10	60
2-24" STANDOFF	39.00	39.00	4.60	58
1-5/8" X 10' LIGHTNING ROD	99.00	103.00	0.63	23

5. FEEDLINES ARE PLACED INTERIOR TO POLE SHAFT (UNLESS NOTED OTHERWISE).
6. TOTAL POLE HEIGHT IS 100 FT AGL.
7. ELEVATIONS ARE MEASURED FROM TOP OF BASE PLATE (APPROX. 1 FT AGL).
8. 18 SIDED SHAFT
9. SITES UNKNOWN AND ASSUMED BASIC DESIGN CRITERIA USED. A LICENSED STRUCTURAL ENGINEER IN THE STATE OF IL SHALL REVIEW SITE SPECIFIC DESIGN CRITERIA PRIOR TO ACCEPTANCE.



SECTION INFORMATION					
ITEM ID	LENGTH	BASE OD	TOP OD	THK	MATL
1	50' - 0.00"	25.75"	19.63"	0.219"	A572 65 KSI
2	53' - 0.00"	20.49"	14.00"	0.188"	A572 65 KSI

ORDER	PROJECT	FILE ID	SCALE	DATE	ENGR
479893	COMED 99.0' POLE, SITE: BUDGETARY 2020, IL	479893-P2	NONE	06/11/20	NAR1



ORDINANCE NO. DRAFT

AN ORDINANCE APPROVING A MAP AMENDMENT FROM A1 - AGRICULTURAL TO I1 – OFFICE, RESEARCH, AND LIGHT INDUSTRIAL AND A CONDITIONAL USE TO PROVIDE FOR A 104 FOOT TALL ANTENNA SUPPORT STRUCTURE FOR PROPERTY LOCATED AT 23600 COAL CITY ROAD, WILMINGTON, IL 60481 (PIN 03-17-34-400-004-0000)

WHEREAS, the City of Wilmington, pursuant to the Illinois Municipal Code, 65 ILCS 5/11-13-1, has established zoning standards and controls within the City of Wilmington, Will County, Illinois; and

WHEREAS, Commonwealth Edison Company (“ComEd”) has filed a petition requesting a map amendment and conditional use for the property commonly described as 23600 Coal City Road, Wilmington, IL 60481 and further described in Exhibit A (hereinafter referred to as “Subject Property”); and

WHEREAS, the appropriate notices were given and a public hearing was held upon said petition for a map amendment and conditional use by the Planning and Zoning Commission (the “PZC”) of the City of Wilmington, Illinois on December 1, 2022; and

WHEREAS, the PZC voted to recommend approval of the petition with regard to the aforesaid property, at its regular meeting of December 1, 2022; and

WHEREAS, in recommending the approval of the petition for a map amendment to Subject Property from A1 to I1 and for a conditional use, the PZC made the following findings of fact as set forth in Exhibit B; and

WHEREAS, the petition and PZC’s recommendation and findings of fact were reviewed by City Council and City Council finds it is in the best interest of the City of Wilmington to grant a map amendment to Subject Property from A1 – Agricultural Zoning to I1 – Office, Research, Light Industrial and to grant a conditional use to permit an Antenna Support Structure not to exceed 104 feet.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wilmington, Will County, Illinois, as follows:

SECTION 1: INCORPORATION OF RECITALS

The above recitals and all exhibits referred to in this Ordinance are incorporated herein.

SECTION 2: MAP AMENDMENT TO SUBJECT PROPERTY

That the map amendment to Subject Property is hereby granted, subject to the following:

Subject Property, as described in Exhibit A, is hereby amended from A1– Agricultural Zoning to I1 – Office, Research, and Light Industrial Zoning District as defined in the Wilmington Code of Ordinances and the Zoning Map of the City of Wilmington is hereby amended to reflect such amendment. A copy of such I1 zoning regulations is attached hereto and incorporated into this Ordinance by reference as Exhibit C.

SECTION 3: CONDITIONAL USE FOR SUBJECT PROPERTY

That a conditional use for Subject Property is hereby granted to allow for an Antenna Support Structure to be constructed with a height not to exceed 104 feet, subject to the following conditions:

1. The owner of Subject Property and any future owners, tenants, heirs, successors, or assigns shall otherwise comply with all other City of Wilmington Ordinances and any applicable state and Federal laws.

SECTION 4: SEVERABILITY

If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect

SECTION 5: REPEALER

All ordinances or parts of ordinances conflicting with any provisions of this ordinance are hereby repealed.

SECTION 6: EFFECTIVE DATE

That this Ordinance shall be in full force and effect after its adoption and approval, as provided by law.

PASSED this ____ day of _____, 2022 with ____ members voting aye, ____ members voting nay, the Mayor voting _____, with ____ members abstaining or passing and said vote being:

Kevin Kirwin	_____	Ryan Jeffries	_____
Dennis Vice	_____	Ryan Knight	_____
Leslie Allred	_____	Jonathan Mietzner	_____
Todd Holmes	_____	Thomas Smith	_____

Approved this _____ day of _____, 2022

Ben Dietz, Mayor

Attest:

Deputy City Clerk

Exhibit A

Legal Description of the Subject Property

Common Address: 23600 Coal City Road, Wilmington, IL 60481

Legal Description:

THE S 1304.30 FT OF THE SE1/4 OF SEC. 34, T33N-R9E, LYG NW'LY OF THE N ROW LN
OF GM&O RR

PIN No: 03-17-34-400-004-0000

Exhibit B
PZC Findings of Fact

EXHIBIT C

150.63 I-1 Office, Research and Light Industrial District.

- (A) Purpose and intent. The I-1 Office, Research and Light Industrial District is intended to provide an environment suitable for and limited to research and development activities, office, warehousing and light manufacturing enterprises. The more stringent conditions and restrictions applied in this district are intended to preserve the quality of life in adjacent districts by encouraging a high degree of design quality, open space and environmental quality.
- (B) Permitted land uses and developments. No land shall be used or occupied and no building, structure or premises shall be erected, altered, enlarged, occupied, or used, except as otherwise provided in this, for other than one or more of the following uses:
- (1) Accessory uses;
 - (2) Banks and financial institutions;
 - (3) Clinics—Medical and dental;
 - (4) Hotels and motels;
 - (5) Laboratories, offices, and other facilities (including ancillary uses) for research and development or technical services conducted by or for any individual, organization, or concern, public or private. These uses include, but are not limited to:
 - (a) Engineering and testing laboratories,
 - (b) Medical and dental laboratories,
 - (c) Agricultural research laboratories;Any outdoor testing of animal, plant or other biological and genetic research is prohibited.
 - (6) Manufacturing activities, including but not limited to electronic and scientific precision instruments manufacture, cloth product manufacture, light machinery production and assembly, printing and publishing; excluding those uses which may be obnoxious or pose a nuisance for any reason including the emission of toxic or hazardous substances, odor, noise, dust, smoke, or gas;
 - (7) Office uses;
 - (8) Pilot plants in which processes planned for use in production elsewhere can be treated to the extent reasonably necessary for full investigation of the merits of a product or process including commercial viability;
 - (9) Production of prototype products when limited to the scale reasonably necessary for full investigation of the merits of a product, including commercial viability;
 - (10) Training and educational facilities;
 - (11) Warehousing and distribution facilities, but excluding motor freight terminals.
- (C) Conditional uses.
- (1) Banks and financial institutions including drive-through facilities;
 - (2) Buildings whose height exceeds the maximum building height in the I-1 district (see Density and Dimensional Regulations below);
 - (3) Clubs, lodges and fraternal organizations;
 - (4) Day care centers;
 - (5) Parking areas including structures, as a principal use of a property;
 - (6) Planned unit development;

- (7) Public utility and governmental service uses on lots having areas, widths, yards and other conditions as approved by the city council. Including, but not limited to:
 - (a) Electrical substations and booster stations,
 - (b) Filtration plant, pumping station, well and water reservoir,
 - (c) Sewage treatment plant,
 - (d) Telephone exchange and microwave relay tower,
 - (e) Other government and utility uses;
 - (8) Residences, contained entirely within the primary building and exclusively for the use of proprietors, owners and employees.
 - (9) A freestanding residence of a caretaker or security personnel when such residence is ancillary or secondary to a permitted use on the property.
- (D) Bulk and density requirements.
 - (1) Minimum lot area. No minimum lot area is established in this district. However, lot dimensions shall be sufficient to meet the remaining density and dimensional regulations.
 - (2) Minimum lot width. A minimum lot width of 100 feet shall be provided for each lot used for a permitted or conditional use.
 - (3) Building setback requirements.
 - (a) Front yard. No principal building shall be allowed within 50 feet of any lot line or street right-of-way line.
 - (b) Side yard. No principal building shall be allowed within 20 feet of any side lot line.
 - (c) Rear yard. No principal building shall be allowed within 20 feet of any rear lot line.
 - (d) Exception. Building setback requirements described above for side and rear yards adjacent to a railroad or a railroad siding shall not be applicable.
 - (e) Adjacency to a residential district. Where a side yard or rear yard in this district abuts a residential zoning district, no principal building shall be allowed within 50 feet of the residential lot line.
 - (4) Maximum site coverage. Site coverage shall not exceed 40%.
 - (5) Building height limitations. No building shall exceed four stories or 45 feet in height. This height may be increased to a maximum of 100 feet by a conditional use permit, as long as all yard setbacks are increased by a ratio of one foot for each two feet, or portion thereof, of increased building height over 45 feet, provided that no front yard setback exceed 150 feet and no side or rear yard exceed 75 feet.
- (E) Outdoor storage.
 - (1) Outdoor storage shall be screened from public view by placing a solid, sight proof fence not less than eight feet in height around the storage area.
- (F) Special provisions. The following list references the appropriate sections of this chapter which specify the other regulations governing development in this district:
 - (1) Section 150.110 et seq. (Off-Street Parking and Loading).
 - (2) Section 150.120 et seq. (Signs).

(Ord. 1324, passed 1-4-00; Am. Ord. 1402, passed 1-15-02; Am. Ord. 08-04-15-01, passed 4-15-08)

**BEFORE THE PLANNING AND ZONING COMMISSION OF
THE CITY OF WILMINGTON ON DECEMBER 1, 2022**

**THE MATTER OF A MAP AMENDMENT
From A-1 to I-1
LOCATED AT: HWY 53 and Coal City Road (PIN 03-17-34-400-004-0000)**

PETITIONER: COMMONWEALTH EDISON

PZC MAP AMENDMENT FORM FOR FINDINGS AND RECOMMENDATIONS

JURISDICTIONAL REQUIREMENTS FOR A HEARING

- Yes No Published Public Hearing Notice was made not less than 15 days and not more than 30 days prior to hearing.
- Yes No Public Hearing Notice made part of the record.
- Yes No Applicant's Affidavit that signage was posted not less than 15 days and not more than 30 days prior to hearing.
- Yes No Copy of the Notice was sent to each property owner within 250 feet of the proposed variance.
- Yes No Applicant's Affidavit of Service of Notice to each property owner was filed.

**PLANNING AND ZONING COMMISSION FINDINGS RELATIVE TO THE PETITION FOR
MAP AMENDMENT**

After giving due consideration and weight to the following factors: (1) the potential benefits and detriments of the proposed zoning change to the public health, safety and welfare; (2) the extent to which the proposed amendment is in compliance with and/or deviates from the adopted comprehensive plan; (3) the suitability of the property in question for the uses permitted under the proposed zoning; and (4) the adequacy of appropriate public facilities, such as sewer, water and roads and of other required services, the Planning and Zoning Commission hereby finds as follows:

- Yes No (1) The proposed rezoning conforms to the comprehensive plan; or conditions or trends of development have changed in the area of the request, since the adoption of the comprehensive plan, to warrant the need for different types of land uses or densities. Furthermore, the proposed rezoning is appropriate considering the length of time the property has been vacant, as originally zoned, and taking into account the surrounding area's trend of development.
- Yes No (2) The proposed rezoning conforms to the intent and purpose of Chapter 150 of the City of Wilmington's Code of Ordinances.

Yes No (3) The proposed rezoning will not have a significant detrimental effect on the long-range development of adjacent properties or on adjacent land uses.

Yes No (4) Adequate public facilities and services exist or can be provided.

Facts supporting map amendment as to issue 1: _____

Facts supporting map amendment as to issue 2: _____

Facts supporting map amendment as to issue 3: _____

Facts supporting map amendment as to issue 4: _____

The final vote of the Planning and Zoning Commission to recommend to the City Council to approve the request for map amendment from A-1 to I-1 ayes and nays, were as follows:

Bryan Humphries	_____	Larry Clennon	_____
Chris Smith	_____	John Tyrner	_____
Jayson Walinski	_____	Mark Duffy	_____
Ivana Longest	_____		

PZC hereby recommends the granting of a map amendment to amendment from A-1 to I-1

OR

PZC hereby recommends against the granting of a map amendment to _____

Dated: December 1, 2022

Chairman

Attest:

Deputy City Clerk

**BEFORE THE PLANNING AND ZONING COMMISSION OF
THE CITY OF WILMINGTON ON DECEMBER 1, 2022**

THE MATTER OF A CONDITIONAL USE

LOCATED AT: HWY 53 and Coal City Road (PIN 03-17-34-400-004-0000)

PETITIONER: COMMONWEALTH EDISON

PZC CONDITIONAL USE FORM FOR FINDINGS AND RECOMMENDATIONS

JURISDICTIONAL REQUIREMENTS FOR A HEARING

- Yes No Published Public Hearing Notice was made not less than 15 days and not more than 30 days prior to hearing.
- Yes No Public Hearing Notice made part of the record.
- Yes No Applicant's Affidavit that signage was posted not less than 15 days and not more than 30 days prior to hearing.
- Yes No Copy of the Notice was sent to each property owner within 250 feet of the proposed variance.
- Yes No Applicant's Affidavit of Service of Notice to each property owner was filed.

REQUIREMENTS FOR GRANTING A CONDITIONAL USE

- Yes No (1) Strict enforcement of the code would involve practical difficulties or impose exceptional hardship;
- Yes No (2) The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the particular district or zone;
- Yes No (3) The plight of the owner is due to unique circumstances;
- Yes No (4) The conditional use, if granted, will not alter the essential character of the locality.

Facts supporting conditional use as to issue: _____

Conditions or restrictions: _____

The PZC recommends that the City Council may impose the following conditions and restrictions upon the premises benefitted by a conditional use should the City Council approve said conditional use: _____

The final vote of the Planning and Zoning Commission to recommend _____

by ayes and nays, was as follows:

Bryan Humphries	_____	Larry Clennon	_____
Chris Smith	_____	John Tyrner	_____
Jayson Walinski	_____	Mark Duffy	_____
Ivana Longest	_____		

PZC hereby recommends the granting of conditional use to permit _____

OR

PZC hereby recommends against the granting of a conditional use _____

Dated: _____

Chairman

Attest:

Deputy City Clerk



CITY REIMBURSEMENT AGREEMENT

This Agreement entered into this 22 day of SEPT, 2022, between the City of Wilmington, an Illinois Municipal Corporation (hereinafter referred to as "CITY" and MICHAEL DES ROCHERS (hereinafter individually and collectively referred to as "DEVELOPER").

WHEREAS, DEVELOPER proposes to change zoning to R3 located at and commonly known as 31951 S WEST RIVER RD (hereinafter referred to as "PROJECT"); and

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

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

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

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

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

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

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

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

[Current Rate Schedule Subject to Change]

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

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

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

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

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

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

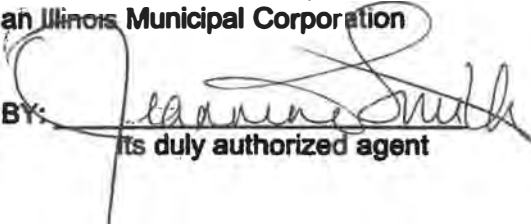
SECTION EIGHT. SEVERABILITY. The invalidity of any paragraph or subparagraph of this City Reimbursement Agreement shall not impair the validity of any other paragraph or subparagraph. If any provision of this Agreement is determined to be unenforceable, such

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

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

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

CITY OF WILMINGTON,
an Illinois Municipal Corporation

BY: 
its duly authorized agent

DEVEL PER

BY: 
its duly authorized agent



Will County CCAO
 Cindy J. Harris, CIAO
 302 N. Chicago Street
 2nd Floor
 Joliet, Illinois 60432
 Phone: 1-815-740-4648
 Fax: 1-815-740-4696

PIN 03-17-35-203-049-0000

Parcel Information

<< Prev Parcel

Next Parcel >>

WILMINGTON TOWNSHIP

Owner Name: DESROCHERS MICHAEL O MICHELE A

Street Address:

31951 S WEST RIVER RD
 WILMINGTON IL 60481

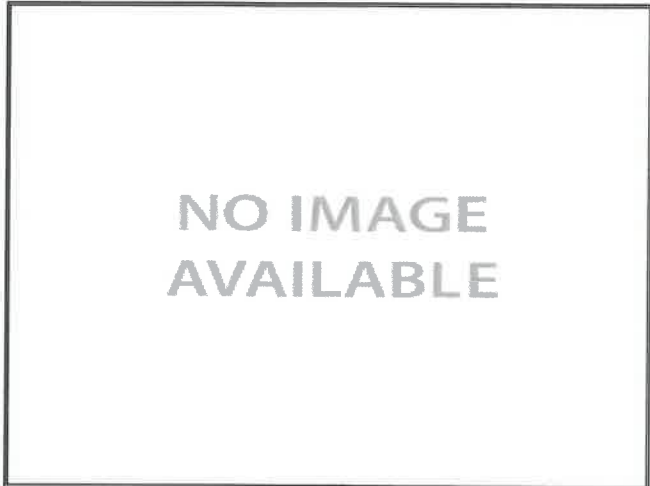


[View on Bing Maps](#)

Subdivision:

Property Class: 0030 Residential Vacant Land

Homesite Acres: 0.00
Farm Acres: 0.00
Open Space Acres: 0.00
Total Acres: 0.79



[GIS Map & Address Information](#)

[Will County Treasurer's Tax Information](#)

View Local Taxing Bodies

Assessment Information

Year	Assess Level	Land Unimproved/Farm	Land Improved	Building Other/Farm	Building	Total	Market Value	Instant Date	Instant Amount
2022	SA/E	0	15,168	0	0	15,168	45,509		0
2022	TWP	0	14,156	0	0	14,156	42,472		0
2021	BOR	0	14,156	0	0	14,156	42,472		0
2020	BOR	0	13,784	0	0	13,784	41,356		0

Sale Information

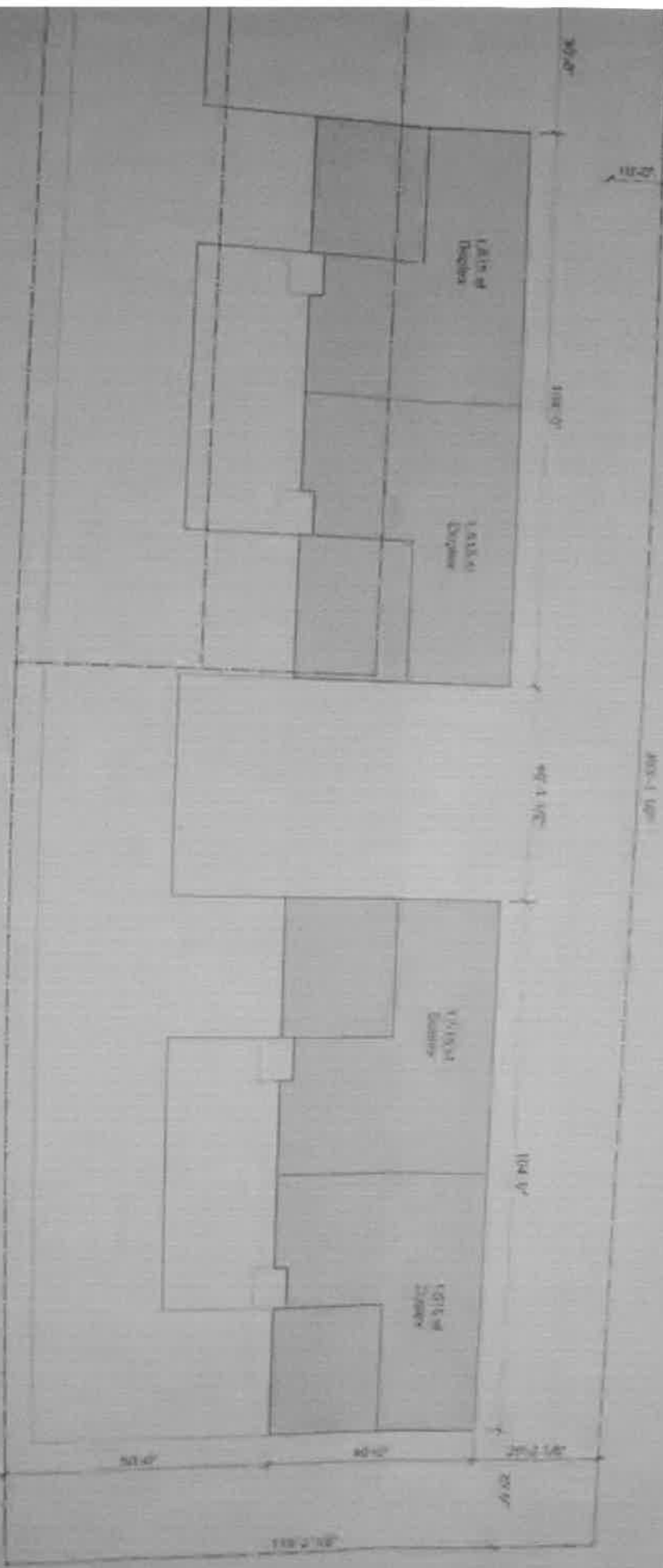
Building Information

**** There is no building information currently available for this parcel. Please contact the [WILMINGTON TOWNSHIP Assessor](#) for more information. ****

Legal Description

Lot 1 (Ex the N 116.10 ft of the W 132.96 ft) & (Ex the N 50 ft of the E 170.18 ft) in Riverwood Estates Unit 1, being a sub of prt of the W1/2 of the NE1/4 of Sec. 35, T33N-R9E; TOGETHER WITH: Lots 14 & 15 in West Side Sub to the City of Wilmington, being a sub of prt of the W1/2 of the NE1/4 of Sec. 35, T33N-R9E; TOGETHER WITH: That prt of vacated alley lyg E of & adjacent to Lots 14 & 15 in sd West Side Sub.

SITE PLAN



DesRochers Re-Zoning

2 messages

Michele DesRochers <Michele@backyardpoolsinc.com>
To: Jeannine Smith <jsmith@wilmington-il.com>

Sat, Oct 15, 2022 at 8:44 AM

Good morning

Here is a copy of the tax bill from this year with the new PIN number.

THE 3 properties were combined into one and a new PIN issued by Will County.

Mike

Route 22

TIM BROPHY, WILL COUNTY TREASURER
302 N CHICAGO STREET, JOLIET IL 60432
815-740-4675
www.willcountytreasurer.com

PIN: 03-17-35-203-049-0000

Installation 1 Due 6-01-22 557.98
Installation 2 Due 9-01-22 557.98

Interest of 1.5% per month will be added on 6-01-22 and 9-01-22 on any unpaid balance due. Cashier checks only after 11-10-22. This is the only 22c bill you will receive.

2021 LEVY TAX PAYABLE IN 2022

2021-2022-2023-2024-2025-2026-2027-2028-2029-2030-2031-2032-2033-2034-2035-2036-2037-2038-2039-2040-2041-2042-2043-2044-2045-2046-2047-2048-2049-2050-2051-2052-2053-2054-2055-2056-2057-2058-2059-2060-2061-2062-2063-2064-2065-2066-2067-2068-2069-2070-2071-2072-2073-2074-2075-2076-2077-2078-2079-2080-2081-2082-2083-2084-2085-2086-2087-2088-2089-2090-2091-2092-2093-2094-2095-2096-2097-2098-2099-2100

Prop. Class	Tax Code	Full Cash Value	Assessed Value	1% Base Value
0	0302	43,432	670	670

Assessment	Rate	Amount
Land Value	1.5%	651.48
Building Value	1.5%	100.50
Other	1.5%	100.50
Total 1st Installment		557.98

2021 2nd Installment Due 9-01-22
PIN: 03-17-35-203-049-0000 557.98

LATE PAYMENT AMOUNTS

Due Date	Amount
09-01-22	564.36
10-01-22	614.72
11-01-22	664.72
12-01-22	714.72

2

2021 1st Installment Due 6-01-22
PIN: 03-17-35-203-049-0000 557.98

LATE PAYMENT AMOUNTS

Due Date	Amount
06-01-22	564.36
07-01-22	574.72
08-01-22	583.08
09-01-22	591.46
10-01-22	599.83
11-01-22	608.20

1

*Paul 8/14/22
Ch# 2328*

*Paul 8/14/22
Ch# 2328*

Sent from my iPhone

Jeannine Smith <jsmith@wilmington-il.com>
To: Michele DesRochers <Michele@backyardpoolsinc.com>

Sun, Oct 16, 2022 at 7:52 AM

Great! Thank you.
[Quoted text hidden]



Jeannine Smith
City Administrator
1165 S. Water Street

PLAT of VACATION

HEREBY VACATED

★ THE WEST 1/2 OF THE 16 FOOT ALLEY LYING EAST OF AND ADJACENT TO LOT 14 IN THE WEST SIDE SUBDIVISION TO THE CITY OF WILMINGTON, A SUBDIVISION OF PART OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 33 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, TOWNSHIP OF WILMINGTON, COUNTY OF WILM., STATE OF ILLINOIS.

◆ THE WEST 1/2 OF THE 16 FOOT ALLEY LYING EAST OF AND ADJACENT TO LOT 15 IN THE WEST SIDE SUBDIVISION TO THE CITY OF WILMINGTON, A SUBDIVISION OF PART OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 33 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, TOWNSHIP OF WILMINGTON, COUNTY OF WILM., STATE OF ILLINOIS.

GRAPHIC SCALE

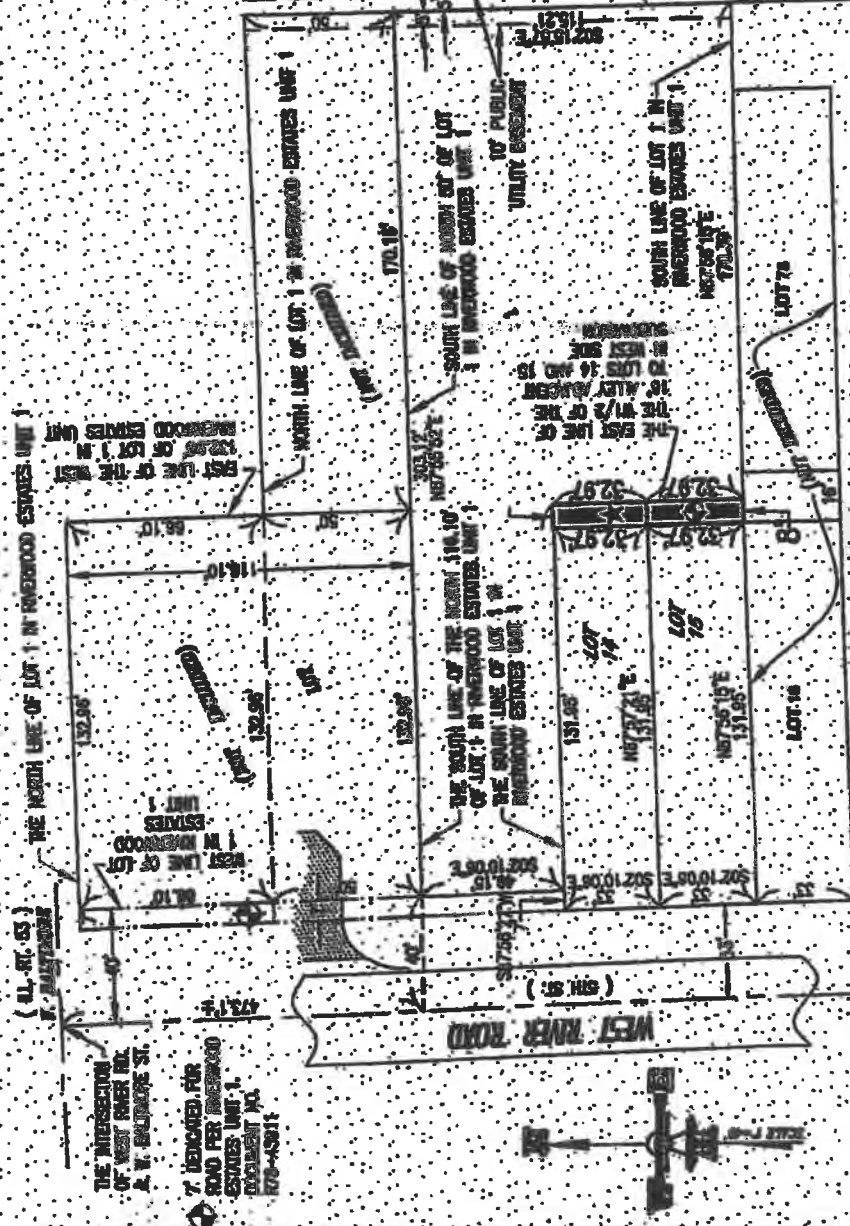


1" = 40'



ALLAN A. CULLUM
PROFESSIONAL LAND SURVEYOR
 115 WEST MAIN ST. - P.O. BOX 336 - CULLUM, ILL. 60029
 PHONE: (815) 674-0866 or (815) 674-4868
 © 2000 SURVEYING INC. - ALL RIGHTS RESERVED

ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS
 ORDER NO. 1000126 WILMINGTON
 CHARGED BY MAIL GIBS RECORDS



CHERRY ST.
 (Quartered)



STATE OF ILLINOIS
 COUNTY OF WILMINGTON

1. I, **ALLAN A. CULLUM**, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

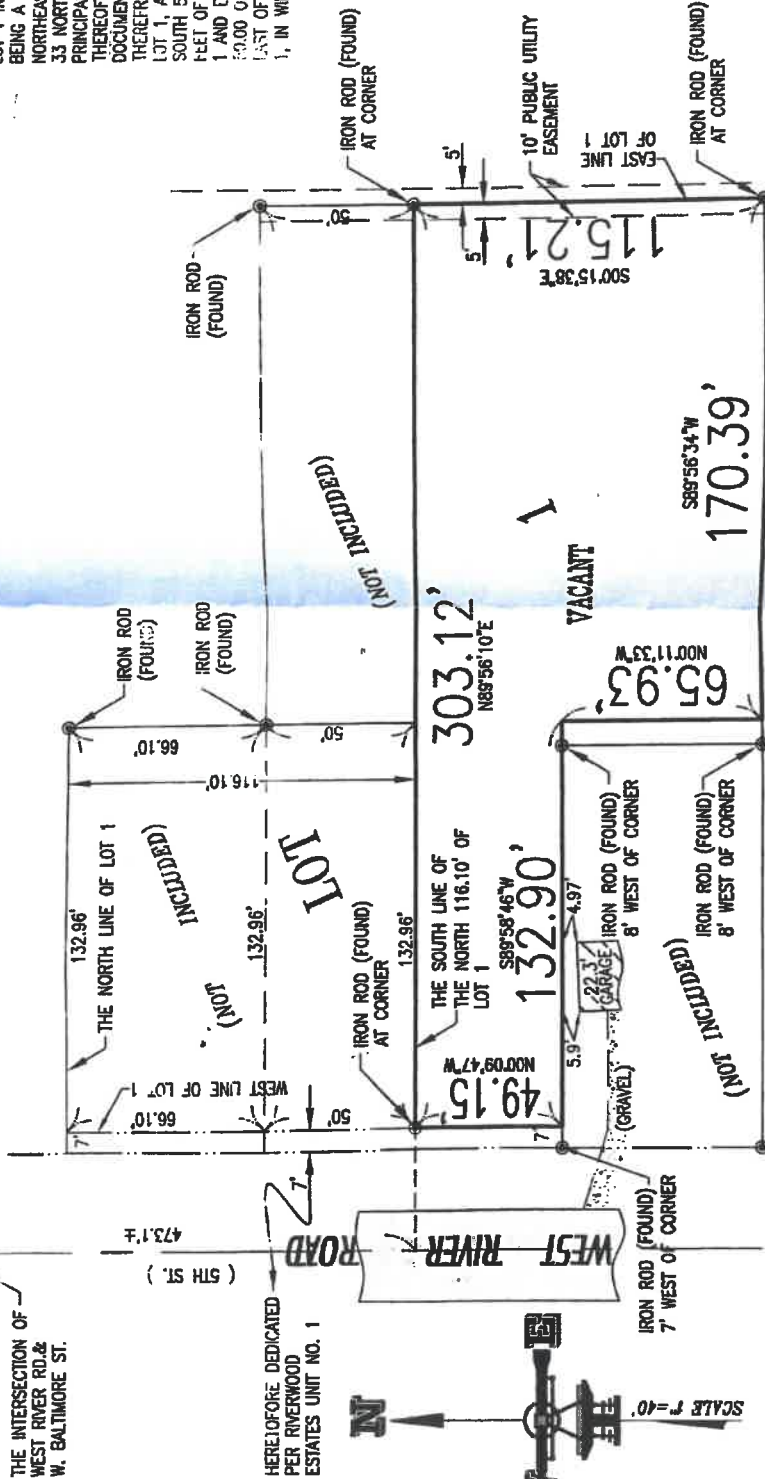
Cullum
 OCTOBER 16 2022
 ILLINOIS PROFESSIONAL LAND SURVEYOR #1790
 LICENSE EXPIRES NOVEMBER 30, 2026

The survey was prepared pursuant to the contract of a well-considered, well-earned, and well-earned fee for the services rendered by the surveyor. The surveyor is not responsible for any errors or omissions in the plat or for any consequences that may result therefrom. The surveyor is not responsible for any errors or omissions in the plat or for any consequences that may result therefrom. The surveyor is not responsible for any errors or omissions in the plat or for any consequences that may result therefrom.

Plat of Survey

W. BALTIMORE ST. (ILL. RT. 55)

of
 LOT 1 IN RIVERWOOD ESTATES UNIT NO. 1,
 BEING A SUBDIVISION OF PART OF THE
 NORTHEAST 1/4 OF SECTION 35, TOWNSHIP
 33 NORTH, RANGE 9 EAST OF THE THIRD
 PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT
 THEREOF RECORDED NOVEMBER 3, 1978 AS
 DOCUMENT NO. R78-A3911, EXCEPTING
 THEREFROM THE NORTH 66.10 FEET OF SAID
 LOT 1, ALSO EXCEPTING THEREFROM THE
 SOUTH 50.00 FEET OF THE NORTH 116.10
 FEET OF THE WEST 132.96 FEET OF SAID LOT
 1 AND EXCEPTING THEREFROM THE NORTH
 10.00 OF THAT PART OF SAID LOT 1, LYING
 EAST OF THE WEST 132.96 FEET OF SAID LOT
 1, IN WILL COUNTY, ILLINOIS.



FOR BUILDING LINE AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER
 TO YOUR ABSTRACT, DEED, CONTRACT AND LOCAL BUILDING LINE REGULATION.

KRAUSE SURVEYING INC.
 ILLINOIS PROFESSIONAL DESIGN FIRM #184-004647
 115 WEST HACK ST. - P.O. BOX 336 - CULLOM, IL 60829
 PHONE (815) 689-2223 - FAX (815) 689-2238
 © 2007 KRAUSE SURVEYING INC. - ALL RIGHTS RESERVED
 DISTANCES ARE MARKED IN FEET AND DECIMALS
 ORDER NO.: 070311
 ORDERED BY: BURT LUDDEN



- NOTES: 1. THE BEARINGS AND DISTANCES ON THIS SURVEY ARE
 THE RESULT OF THE SURVEYORS FIELD MEASUREMENTS.
 2. THIS SURVEY DOES NOT GUARANTEE TITLE, NO TITLE
 COMMITMENT WAS PROVIDED AT TIME OF SURVEY

REVISED APRIL 20, 2007

STATE OF ILLINOIS
 COUNTY OF LIVINGSTON SS

I, CARL J. KRAUSE, AN ILLINOIS PROFESSIONAL LAND
 SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED
 THE ABOVE DESCRIBED PROPERTY AND THAT THE PLAT
 THEREON DRAWN IS A CORRECT REPRESENTATION OF SAID
 SURVEY, AND THIS PROFESSIONAL SERVICE CONFORMS TO
 THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A
 BOUNDARY SURVEY.

Cullom, Illinois
 Carl Krause, 2007

ILLINOIS PROFESSIONAL LAND SURVEYOR #1750
 LICENSE EXPIRES NOVEMBER 30, 2008



Map Amendment Application Supplement

Michael Des Roches
Applicant's Name

9/22/22
Date

308 S. Main St. Wilmington DE 19801
Address (City, State, Zip)

MAP AMENDMENT. R1 to R3
Request

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

Chapter 150.14 of the Wilmington Code of Ordinances provides that for a requested Map Amendment, the Planning and Zoning Commission shall provide findings of fact setting forth the reasons for the recommendation, and the findings shall set forth with particularity the following:

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

Construct (2) Duplexes on property

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

(2) Duplexes.

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

Residential + B3 Business Commercial.

R1 → B3

(e) Describe how the proposed rezoning will not have a significant detrimental effect on the long-range development of adjacent properties or on adjacent land uses. Compare the value of the subject property and nearby properties under the current zoning to their potential value under the proposed zoning.

The property to the NORTH ADJACENT to this is zoned B-3 with Currency Exchange + OILMANS. Access to property will be off W. River Rd.

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

NOT CONDUCTIVE FOR SINGLE FAMILY RESIDENCE

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

YES

(h) Describe how the proposed rezoning conforms to the comprehensive plan; or conditions or trends of development have changed in the area of the request, since the adoption of the comprehensive plan, to warrant the need for different types of land uses or densities. Furthermore, the proposed rezoning is appropriate considering the length of time the property has been vacant, as originally zoned, and taking into account the surrounding area's trend of development.

It's been vacant prior to 1995. By rezoning it could bring more real estate tax income for the city

(i) Describe how the proposed rezoning conforms to the intent and purpose of this chapter.

(j) The potential benefits and detriments of the proposed zoning change to the public health, safety and welfare;

Benefit would bring a developed property.

Detriment: remains vacant

(k) The extent to which the proposed amendment is in compliance with and/or deviates from the adopted comprehensive plan;

(l) The suitability of the property in question for the uses permitted under the proposed zoning;



**PLANNING AND ZONING COMMISSION
PETITION FOR MAP AMENDMENT**

(1) The proposed rezoning conforms to the comprehensive plan; or conditions or trends of development have changed in the area of the request, since the adoption of the comprehensive plan, to warrant the need for different types of land uses or densities. Furthermore, the proposed rezoning is appropriate considering the length of time the property has been vacant, as originally zoned, and taking into account the surrounding area's trend of development.

Yes No Explanation: _____

(2) The proposed rezoning conforms to the intent and purpose of Chapter 150 of the City of Wilmington's Code of Ordinances.

Yes No Explanation: _____

(3) The proposed rezoning will not have a significant detrimental effect on the long-range development of adjacent properties or on adjacent land uses.

Yes No Explanation: _____

(4) Adequate public facilities and services exist or can be provided.

Yes No Explanation: _____

Required Public Notices

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

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

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

X _____
Applicant's Signature

STATE OF ILLINOIS)
) SS.
COUNTY OF WILL)
The undersigned hereby authorizes the filing of the aforesaid request and understands that the owner or an authorized agent must be present at the public hearing to present the request to the Plan Commission.	
<p>X <u>Michael A. ...</u> OWNER or APPLICANT'S SIGNATURE</p>	<p>NOTARY PUBLIC: Sign: <u>Brooke L Rossi</u></p>
<p>SUBSCRIBED AND SWORN to before me this <u>22</u> day of <u>September</u>, 2022, and who has provided the proper identification and who did take an oath.</p>	



Planning and Zoning Application Form

Application Request(s)

Check all that apply.

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

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

Property and Request Information

31957 West River Rd.
Address of Request

308 S. Main St. Wilmington DE
Project Name

West River Rd.
General Location

R1
Present Zoning

03-17-35
PIN

Property Size

Previous Zoning

R3
Proposed Land Use

Reason for Request/Description of Request: Change zoning from R1 to R3

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

Complete the following Development information if applicable:

Development/Subdivision Name: _____

Type of Development: Residential Commercial Industrial Institutional

Number of Units/Lots (if applicable) _____

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

rain in areas present on the property? Yes No

Professional Fee Agreement Submitted? Yes No

Applicant Information

Applicant/Developer

Owner Contract Purchaser Lessee Agent For:

Michael Des Rochers
Primary Contact Business Name
308 S. Main St. Wilmington IL 60481
Address (City, State, Zip)
MDESRO@AOL.COM 815-693-2224
Email Phone

Fax

Property Owner (if different than applicant)

Name Email
Address (City, State, Zip)
Phone Fax

Project Team Attorney

Name Business Name
Address (City, State, Zip)
Email Phone
Fax

Engineer

Name Business Name
Address (City, State, Zip)
Email Phone
Fax

Team (Continued)
ing/Landscape Architect Consultant

.me

Business Name

Address (City, State, Zip)

Email

Phone

Fax

Submitted Materials Required

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

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

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

Applicable for new development only:

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

Applicant Signatures

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

Project Name

Michael Des Rochers

Owner's Name

Applicant's Name, if different than owner

Michael Des Rochers

Applicant's Signature

308 S. MAIN ST. WILMINGTON DE 19801

Address (City, State, Zip)

9/22/22

Date

Staff Use Only

Applicable Code Sections

Comprehensive Plan

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

Date Professional Fee Agreement was signed

Applicant's Name, if different than owner

Submittal Date

Received By

Address (City, State, Zip)

Payment Amount

Payment Type

Payment Date



DISCLOSURE OF BENEFICIARIES

1. PETITIONER:

Michael Des Rochers
 Name Business Name

308 S. Main St. Wilmington DE 60481
 Address (City, State, Zip)

MDESRO@AOL.COM 815-693-2224
 Email Phone

2. NATURE OF BENEFIT SOUGHT: change R1 to R3

3. NATURE OF APPLICANT

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

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

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

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

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

RE

R2020044749
KAREN A. STUKEL
WILL COUNTY RECORDER
RECORDED ON
06/11/2020 09:17:55 AM
REC FEE: 41.00
IL RENTAL HSNB:
PAGES: 12
CDS

R2019088460
KAREN A. STUKEL
WILL COUNTY RECORDER
RECORDED ON
12/10/2019 10:10:59 AM
REC FEE: 41.00
IL RENTAL HSNB:
PAGES: 12
DMB

**CITY OF WILMINGTON
WILL COUNTY, ILLINOIS**

ORDINANCE NO. 19-12-03-01
AN ORDINANCE VACATING AN ALLEY IN THE WEST SIDE SUBDIVISION
(AFFECTED PINS: 03-17-35-203-006-0000 AND 03-17-35-203-007-0000)

**APPROVED BY THE CITY COUNCIL
OF THE CITY OF WILMINGTON,
WILL COUNTY, ILLINOIS,
THIS 3rd DAY OF DECEMBER, 2019**

* THIS DOCUMENT HAS BEEN
RE-RECORDED TO CORRECT
THE LEGAL DESCRIPTION.

Prepared by & Return to:
Joie Ziller
City of Wilmington
1165 S. Water Street
Wilmington, IL 60481
815-476-2175 ext 228



I certify that this is a
copy of an instrument
recorded in my office.

Karen A. Stukel
Karen A. Stukel
Will County Recorder

Date: 4/27/2020

of pages: 12

Deputy: VP/JF

RE 12/21/19

ORDINANCE NO. 19-12-03-01

AN ORDINANCE VACATING AN ALLEY IN THE WEST SIDE SUBDIVISION

(Affected PINs: 03-17-35-203-006-0000 and 03-17-35-203-007-0000)

WHEREAS, the City of Wilmington is authorized by Section 11-91-1 of the Illinois Municipal Code (65 ILCS 5/11-91-1) to vacate a street or alley by ordinance when it is determined that the public interest will be subserved; and

WHEREAS, Michael and Michele Desrochers (hereinafter referred to as the "Owners") own property located at 770 Meadowood Lane, Wilmington, Illinois 60481 petitioned the City of Wilmington to vacate an alley located within the City of Wilmington described in the Plat of Vacation attached hereto as Exhibit A and has the following legal descriptions:

PARCEL 1

THE WEST ½ OF THE 16 FOOT ALLEY LYING EAST OF AND ADJACENT TO LOT 14 IN THE WEST SIDE SUBDIVISION TO THE CITY OF WILMINGTON, A SUBDIVISION OF PART OF THE WEST ½ OF THE ~~NORTHWEST~~ ¼ OF SECTION 35, TOWNSHIP 33 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, TOWNSHIP OF WILMINGTON, COUNTY OF WILL, STATE OF ILLINOIS.

NORTHEAST
Q

PARCEL 2

THE WEST ½ OF THE 16 FOOT ALLEY LYING EAST OF AND ADJACENT TO LOT 15 IN THE WEST SIDE SUBDIVISION TO THE CITY OF WILMINGTON, A SUBDIVISION OF PART OF THE WEST ½ OF THE ~~NORTHWEST~~ ¼ OF SECTION 35, TOWNSHIP 33 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, TOWNSHIP OF WILMINGTON, COUNTY OF WILL, STATE OF ILLINOIS.

NORTHEAST
Q

which are collectively referred to as the "Alley"; and

WHEREAS, the Owners' letter petitioning that the Alley be vacated is attached hereto as Exhibit B; and

WHEREAS, the Alley is not a through street or alley and is entirely unimproved property; and

WHEREAS, Pursuant to Document No. R73-15663 recorded with the Will County Recorder's Office and attached hereto as Exhibit C, the eastern half of the alleyway was previously vacated and conveyed to the eastern adjacent parcel that is now assigned the PIN 03-17-35-203-038-0000 and presently owned by Owners;

WHEREAS, after Document No. R73-15663 vacated the east half of the alley, only the western half of the alleyway remained and herein referred to as the Alley; and

WHEREAS, the Owners are now requesting that the remaining portion of the Alley be vacated;

WHEREAS, the Corporate Authorities for the City of Wilmington find that the public interest would be subserved and it is in the best interest of the City by vacating said alley.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILMINGTON, WILL COUNTY, ILLINOIS, AS FOLLOWS:

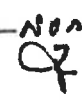
SECTION 1: RECITALS INCORPORATED

The aforementioned recitals are hereby incorporated as if set forth in its entirety.

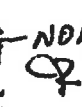
SECTION 2: ALLEY VACATED

The Alley is hereby vacated as described in the Plat of Vacation attached hereto as Exhibit A and with the legal descriptions as follows:

PARCEL 1

THE WEST 1/2 OF THE 16 FOOT ALLEY LYING EAST OF AND ADJACENT TO LOT 14 IN THE WEST SIDE SUBDIVISION TO THE CITY OF WILMINGTON, A ~~NORTHWEST~~ ^{NORTHEAST} SUBDIVISION OF PART OF THE WEST 1/2 OF THE ~~NORTHWEST~~ 1/4 OF SECTION 35, TOWNSHIP 33 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, TOWNSHIP OF WILMINGTON, COUNTY OF WILL, STATE OF ILLINOIS. 

PARCEL 2

THE WEST 1/2 OF THE 16 FOOT ALLEY LYING EAST OF AND ADJACENT TO LOT 15 IN THE WEST SIDE SUBDIVISION TO THE CITY OF WILMINGTON, A ~~NORTHWEST~~ ^{NORTHEAST} SUBDIVISION OF PART OF THE WEST 1/2 OF THE ~~NORTHWEST~~ 1/4 OF SECTION 35, TOWNSHIP 33 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, TOWNSHIP OF WILMINGTON, COUNTY OF WILL, STATE OF ILLINOIS. 

SECTION 3: PLAT OF VACATION AND ORDINANCE TO BE RECORDED, PINS COMBINED, AND PROPERTY CONVEYED TO ADJACENT OWNERS

After this Ordinance is fully signed and executed by the City of Wilmington; the Owners shall record the Plat of Vacation and this Ordinance in the Office of the Recorder of Deeds for Will County, Illinois. The portions of said alley depicted in the attached Plat of Vacation shall become part of the properties owned by the Owners to the west. Specifically, Parcel 1 shall become a part of the properties owned by the Owners to the West with PIN: 03-17-35-203-006-0000 and Parcel 2 shall become a part of the properties owned by the Owners to the West with PIN 03-17-35-203-007-0000.

SECTION 4: RESERVATION OF EASEMENTS

The City of Wilmington reserves within the vacated alley any and all easements for public utility, as the case may be, public facilities, such property, rights of way and any other easements as, in the judgment of the corporate authorities, are necessary or desirable for continuing public service by means of those facilities and for the maintenance, renewal and reconstruction thereof.

SECTION 5: REPEALER

All ordinances or parts of ordinances conflicting with any provisions of this Ordinance are hereby repealed.

SECTION 6: SEVERABILITY

This Ordinance and every provision thereof shall be considered severable. In the event that any court of competent jurisdiction may find and declare any word, phrase, clause, sentence, paragraph, provision or section or part of a phrase, clause, sentence, paragraph, provision or section of this Ordinance is void or unconstitutional, the remaining words, phrases, clauses, sentences, paragraphs, provisions and sections and parts of words, phrases, clauses, sentences, paragraphs, provisions and sections not rules void or unconstitutional shall continue in full force and effect.

SECTION 7: EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

PASSED this 3rd day of December, 2019 with 8 members voting aye, 0 members voting nay, the Mayor voting N/A, with 0 members abstaining or passing and said vote being:

Kevin Kirwin	<u>aye</u>	John Persic, Jr.	<u>aye</u>
Dennis Vice	<u>aye</u>	Floyd Combes	<u>aye</u>
Ben Dietz	<u>aye</u>	Lisa Butler	<u>aye</u>
Jake Tenn	<u>aye</u>	Frank Studer	<u>aye</u>

Approved this 3rd day of December, 2019



Roy Strong
Roy Strong, Mayor

Joie Ziller
Joie Ziller, Deputy City Clerk