



Town of Cortland Planning Commission Meeting

Town Hall, 59 S. Somonauk Road Cortland, IL 60112

July 18, 2024 at 7:00 PM

AGENDA

CALL TO ORDER / PLEDGE OF ALLEGIANCE / ROLL CALL

APPROVAL OF AGENDA

PUBLIC WISHING TO SPEAK

APPROVAL OF MINUTES

- [1.](#) Approve Minutes of May 2, 2024

PUBLIC HEARING

- [2.](#) Natural Polymers, LLC 14438 North Ave, Cortland, IL PIN 09-28-100-016; Applicant has filed with the Town of Cortland a request for a map amendment of district boundaries in accordance with Title 9, Chapter 3, of the Cortland Town Code subject to approval of annexation.

PUBLIC HEARING

- [3.](#) 50 W Maple Ave, Cortland, IL; the Town has submitted a request for a Special Use Permit in accordance with Title 9, Chapter 10 of the Cortland Town Code The Town is requesting a Special User Permit for a government building on the subject property currently zoned R-1 Single Family Residence

PUBLIC HEARING

- [4.](#) Chestnut Grove Subdivision 14 Lots on East Ashford Ave, PINs 09-33-181-001 through 09-33-181-014, Cortland, IL; The Town has submitted a request for a map amendment of district boundaries in accordance with Title 9, Chapter 3 of the Cortland Town Code..The Town is requesting rezoning of the subject properties from R-3 Two-Family Residence with a Special Use Permit to P-1 Recreation & Open Space.

REPORT OF THE CHAIR

COMMISSIONER'S REPORT

STAFF REPORTS

ADJOURNMENT

Town of Cortland
Town Hall
59 S. Somonauk Road
Cortland, IL 60112
Planning Commission
Regular Meeting
May 2, 2024
7:00 PM

Call to Order/Pledge of Allegiance/Roll Call

Mr. Hedrick called the meeting to order at 7:03 p.m. The Pledge of Allegiance was recited. Clerk Cheryl Aldis called the roll showing as present, Commissioners Mark Hedrick, Brad Lawson, Robert Barnhart, Alex Haughee, and Joelle Morken. Shown as absent was Vicky Torres. Quorum was present. Also, present was Brandy Williams, Zoning Administrator.

Approval of the Agenda

Mr. Haughee moved to approve the agenda as presented, seconded by Ms. Morken. Voice vote carried the motion.

Public Comment

No public wishing to speak unrelated to the Public Hearing.

Approval of Minutes

Mr. Barnhart moved to approve the minutes of March 7, 2024, seconded by Mr. Lawson. Voice vote carried the motion.

Public Hearing

Mr. Hedrick reopened the Public Hearing at 7:05 p.m.

The Town Board remanded the hearing back to Planning Commission at its regular meeting on Monday, April 8, 2024, to hear new information presented at the Board level.

Mr. Hedrick swore in the individuals who wished to testify.

Applicant Testimony

Paul Bottum, Development Manager from Cultivate Power stated that he had new evidence to present which includes concerns from the March 7 Planning Commission meeting. He stated the plan was developed in compliance with the Town's Comprehensive Plan and Codes. He presented a PowerPoint presentation to the Commissioners. The presentation provided detailed information regarding Cultivate Power, its mission, the outline of the Aspasia Solar Project plan and its benefits. The Aspasia Solar Project, if approved, would be located on East Barber Greene Road in Cortland, IL, 103 acres of land with the project using 33 acres. The project would use ComEd for interconnection utility for a project size of 5 MW. The Aspasia Solar project is in compliance with the Town of Cortland ordinance requirements for solar energy systems.

Referring to specific slides (Slide 10) shows the Special Use Standards 9-10-3 and Solar Energy Facility Section 9-4-34 is in compliance. He referred to the Project Narrative or the attached appendices as a source of additional information. (Slide 11) He reviewed the highlights. The project includes native landscape, grasses for stormwater management and the project is not expected to impact wetlands. (Slide 12) the project preserves agricultural land and serves as an example of a sustainable community. (Slide 13) depicts the proposed

layout and covers the aesthetics, vegetative buffer layout on the northern 330 feet to block the view of neighbors. (Slide 18) indicates the solar farm property tax benefits for the Aspasia Solar Project. This is ten times tax revenue increase than farmland. A Community Benefit Agreement has been submitted to the Zoning Office for Review. In conclusion Mr. Bottum stated the project creates clean energy, it exceeds required setbacks, a local subscription will be made available for a specified amount of time which will include a 10% credit to those customers, then a general subscription will be offered. There will be infrastructure improvement, job creation, and preserving ag land for the project lifetime.

Andrew Lines, Principal of CohnResnick, LLP, Valuation Advisory Services reviewed a PowerPoint stating his information would demonstrate that solar farm projects provide additional benefits to the Town. Mr. Lines stated he has been an appraiser in the field for 20 years, seven years in solar studies on impact methodology. He stated at his presentation to the Town Board that this project would supply resources to 1100 homes. He stated that figure was based on greenhouse gas emissions. This has been reviewed and he now states that this project will serve more than 1100 homes.

His slides show solar proximity studies over 850 people. 70% of the data found no impact. He showed projects in Stephenson County IL, LaSalle County IL, Marion County IN, Porter County IN, Grand Ledge MI project next to a horse farm. Their confirmations are no trends or negative impacts. The proximity impact studies show no measurable and consistent differences in property values adjacent to solar farms.

Mark Gershon, attorney stated there were two concerns from the March hearing. This plan agrees with the Comprehensive Plan and there are no health concerns. There are no adverse impacts on people's health. The Town ordinance has been met or exceeded. The Town Board will have the Community Agreement to review. The Agreement is an offering to make larger contributions to the Town. The solar farm would be paying taxes and are proud to do so. The offering has been calculated as a direct cash payment, ten times the anticipated revenue for the town, if approved. They believe they have met all set standards and requirements.

Public Testimony

Dave Rediger submitted a letter to the table as he was not able to be present. The letter was read into the record by Clerk Aldis. He has removed his opposition to this project.

Tamara McMahan stated she owns property on the north side of Barber Greene Road and has attended all of the meetings regarding this project. She has read many documents to learn the pieces. She purchased 33 acres of land one-year ago, this project does matter to the family. She stated that she would now fully support the project. Her property is 150 feet off the side of the project area. She is supporting the project because it supports the community. She would rather have solar than a development as approved in 2006. This maintains ag better than housing.

Laurie Dahlquist, who owns property east of the proposed solar project remains unsupportive of this project. She stated her opinion that it remains an eye sore. The project has not changed for her, health risks remain a concern, EMF risks are based on the study she read which sites radiation, nausea, headaches and cancer associated with solar farms. The study is from the World Health Organization.

concerns to the commissioners and the applicant. She asked the applicant where the energy produced from this project goes, about security fencing, as the project is in her backyard, and what happens to land values. She stated she does not believe these projects should be placed on the best farmland.

Rebuttal

Ryan Solum, Kimley-Horn responded to the comment of health risks by saying there are numerous studies that analyze electromagnetic field interference, inverters, refrigerators, cell phones. EMF diminishes within 150 feet; this would be before the property line.

Mark Gershon stated that there would be no impact based on distance to the Dalquist property. With regard to screening there would be no screening at the gravel access road.

Staff Report

Ms. Williams read her staff report into the record.

On March 7th, 2024, a Public Hearing was held by the Planning Commission on the Aspasia Solar Project, LLC request for a Special Use Permit to construct, operate, and maintain a Solar Farm on PINs 09-17-200-023 and 09-17-400-012. The Planning Commission voted to recommend denial of the request and forwarded its recommendation to the Town Board. This was considered by the Town Board at its meeting on April 8th, 2024, at which time the applicant presented information regarding the impact on real estate values adjacent to solar farm projects. Due to the introduction of this additional information submitted by the applicant, the Town Board voted to send the matter back to the Planning Commission for further evaluation and recommendation in accordance with Section 9-10-6.D of the Town Code.

The Petitioner's request for a Special Use Permit must be specifically weighed based upon the Standards for granting a Special Use Permit under Section 9-10-3 of the Town Code. The standards are as follows:

- A. Is the proposed structure or use at the particular location requested necessary or desirable to provide a service or a facility which is in the interest of the public, and will it contribute to the general welfare of the neighborhood or community?
- B. Will the proposed structure or use have a substantial adverse effect upon the adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting public health, safety and general welfare?
- C. Will the proposed structure or use be designed, arranged, and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations?

Elements from previously presented and newly heard information should be considered by the Plan Commission now for adherence to the above applicable standards. It is important that the Plan Commission specifically identify facts in support of, or against, the relevant standards in making its recommendation to the Town Board.

Staff offers the following comments to assist the Plan Commission with respect to its consideration of the application for a special use to locate its proposed solar farm on the subject location south of Barber Greene Road and east of Somonauk Road:

- 1) From a planning standpoint, the anticipated 40-year lease invokes potential municipal planning concerns related to road networks and infrastructure connectivity. Upon development, the area east of Somonauk Road between Barber Green Road and Cortland Center Road may best be served by the extension of Tallgrass Parkway east. Tallgrass Parkway, a boulevard, is one of only two cross streets on this segment of Somonauk Road. The second cross street, Stonegate Avenue, is a short 200-foot street that only serves residential districting beyond it and not suitable for a through street. Should this project be constructed as presented, the extension of Tallgrass Parkway would be unfeasible from a cost-benefit analysis impacting the planning of approximately 200 acres. While not determinative of whether a solar farm is viable and appropriate at the subject location, these items may be considered in the Plan Commission's evaluation of the standards cited above.
- 2) The infrastructure framework may similarly be impacted by the proposed project. If built as specified, a limitation on the placement of utilities within the footprint of the solar farm could therefore restrict connectivity along the eastern boundary of the corporation limits in this quadrant.
- 3) It is anticipated vehicular traffic north on Somonauk Road and on Barber Green Road will see significant increases in the future. The intersection of the two will be a high visibility, well-traveled crossing. In its consideration of the required standards associated with granting this Special Use permit, the Planning Commission should take into consideration its site location. The currently zoned commercial parcel at the southeast corner of this intersection indicates the potential in this area for a desirable commercial district. Limiting road and infrastructure connectivity, or raising its cost, may be deemed detrimental by restricting development or delaying development.

The Town Board has requested that the Planning Commission evaluate the further information provided by the Petitioner at its next meeting and it may consider any further public input as well. It should deliberate on the totality of all information presented by the Petitioner, making specific findings of fact in addition to conclusions regarding the standards, and forward its updated recommendation to the Town Board. Within 30 days of delivery of this recommendation, the Town Board shall act on the request. In the event that the Planning Commission recommends against the issuance of the special use, it may be issued only upon the favorable vote of 2/3 of all the members of the Town Board. (Section 9-10-6 of the Town Code).

Deliberation

Mr. Barnhart asked about a vehicle count at the Barber Greene Somonauk Road intersection. Ms. Williams stated that the intersection could become a roundabout which would not be related to this project.

Mr. Haughee asked about road access, Tallgrass Parkway.

Ms. Williams stated that additional utilities are not needed for this project. Future planning would be residential. Due to location, if approved as presented, this plan would hinder that development.

Mr. Barnhart questioned road access from the east.

Ms. Williams stated that extending utilities are required to go along the right-of-way (ROW). Loops would become difficult for a project to the east of this project. It would be a long distance for connectivity. The future land use boundary is agriculture. Land would need to be rezoned. Utility corridors could be provided by condition.

Mr. Lawson asked for clarification. The Special Use is for the entirety of the two parcels even if only a portion is requested with this proposal. He commented that this is a logical location for the extension of Tallgrass Parkway.

Ms. Williams stated yes for entirety of the two parcels. Special Use Permits are very defined. If they wished to expand from this application, they would need to come back to this process.

Ms. Morken asked if the vegetation planned would be mature or tiny.

Mr. Bottum stated it is planned to be three- to five-year-old plants that would grow to seven to ten feet at maturity.

Mr. Lawson asked if the subscriptions would be exclusive to Cortland community.

Mr. Bottum stated the subscription would be Cortland community for 60 days then broadly advertised to anywhere within the state.

Mr. Haughee asked regarding the Community Benefit proposal would the payment be a one-time payment or more and when would it begin.

Mr. Bottum stated the payment would be a one-time payment at the time of connection with ComEd. Payment would be anticipated in the second half of 2025.

Mr. Lawson questioned the extension of Tallgrass Parkway asking how much space on each side for ROW.

Ms. Williams stated 100 to 120 feet to line up.

The applicant was asked about initial thoughts regarding the road extension.

Mr. Bottum stated if they could consolidate the south plan it may work. They need to achieve the full 5 MW.

Ms. Williams showed the Planning Commission how the plan follows the existing sewer force main.

Mark Gershon stated they could remove the southern portion and increase power generated. The property owner may not be amenable. It is a solvable problem but, may not be the best idea.

Mr. Haughee reviewed a summary of the current issues, aesthetics, community benefit, real estate value, future development and potential immediate benefits.

Mr. Lawson and Mr. Hedrick asked if a road could be built over a force main.

Ms. Williams replied that it can.

Ms. Morken clarified the term of the project as 20 years.

Mr. Bottum replied 20 years with four five-year extensions. Possibly 40 years total.

Mr. Lawson reviewed the road situation. He stated that Tallgrass Parkway is a main feeder road. In full segment it would feed from Loves Road to Somonauk Road and through to Fenstermaker Road and then to Airport Road. Commuter connectivity for the future is an important consideration.

Mr. Barnhart stated he did not feel that this was the only access point.

With no further deliberations Mr. Hedrick closed the public hearing at 8:15 p.m.

Review of Standards for Special Use Permit (9-10-3)

The standards were read into the record by Clerk Aldis.

Commissioners deliberated, discussed, and reviewed the standards associated with approval of a special use, which are as follows:

- A.** The proposed structure or use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of the public and will contribute to the general welfare of the neighborhood or community, **Concurrence of the Planning Commission.**
- B.** The proposed structure or use will not have a substantial adverse effect upon the adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare, **Concurrence of the Planning Commission.**
- C.** The proposed structure or use will be designed, arranged and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations. **Concurrence of the Planning Commission.**
- D.** Such other standards and criteria as are established by the ordinance for a particular special use as set forth in section 9-10-4 of this chapter and as applied to planned developments as set forth in chapter 7 of this title (Ord. 2008-03, 1-28-2008). **Not applicable to this application, concurrence of the Planning Commission.**

Findings of Fact

Upon deliberation of the relevant standards with respect to the proposed special use to operate a solar farm at the subject location, the Commissioners find as follows:

- A. The proposed structure or use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of the public and will contribute to the general welfare of the neighborhood or community. The information provided shows an increase in the property tax base. Certain neighbors to the north and west have removed their objections to the project. No additional adverse comments, beyond those of Ms. Dahlquist, have been received. The general welfare of the neighborhood and community is supported by increasing the property tax base.
- B. The proposed structure or use will not have an adverse effect upon the adjacent property, the character of the neighborhood, and other matters affecting the public health and general welfare. Certain neighboring property owners to the north and west have removed their objections to the project.
- C. The proposed structure or use will be designed, arranged, and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations. There is no adverse impact relating to this solar development and the project will help increase sustainable development.
- D. Such other standards and criteria as are established by the ordinance for a particular special use as set forth in section 9-10-4 of this chapter and as applied to planned developments as set forth in chapter 7 of this title. Not applicable to this application.

Conditions

- Approval by the Town Engineer of an amended site plan addressing roadway and infrastructure connectivity east of Somonauk Road.
- Compliance to all federal, state and local laws including Section 9-4-34 of Town Code.

Points of Consideration

- Consider a solar plan with a third-party consultant and guidance ensuring best interest of the Town is taken into consideration.
- Planning Commission acknowledges the applicant's willingness to address direct benefit to the Cortland community.

Mr. Barnhart moved to approve Standards and Findings of Fact as read, including Conditions and Points of Consideration, seconded by Mr. Haughee.

Roll call vote as follows:

Yea: Commissioners Brad Lawson, Joelle Morken, Robert Barnhart, Mark Hedrick, and Alex Haughee

Nay: None

Absent: Commissioners Vicky Torres

Motion carried.

Recommendation

Mr. Barnhart made a motion to recommend the Town Board approve the Special Use Permit on the Proposed Property PIN (09-17-200-023; 09-17-400-012) for the use of a solar farm with the two conditions as read, seconded by Mr. Haughee.

Roll call vote as follows:

Yea: Commissioners Brad Lawson, Joelle Morken, Robert Barnhart, Mark Hedrick, and Alex Haughee
Nay: None
Absent: Commissioners Vicky Torres

Motion carried, and the Recommendation of conditional approval of the proposed special use shall be forwarded to the Town Board for consideration at its May 13, 2024, meeting.

Chair Report

No report made.

Zoning Administrator Report

No report made.

Adjournment

Mr. Lawson moved to adjourn, seconded by Ms. Morken. Voice vote carried the motion. Meeting adjourned at 9:00 p.m.

Next Planning Commission Meeting is June 6, 2024

Respectfully submitted,

Cheryl Aldis
Town Clerk

ADVISORY REPORT

TO: Planning Commissioners

FROM: Brandy Williams, Engineer and Zoning Administrator

DATE: July 15, 2024

SUBJECT: PC 24-02: Request to zone property from County Zoning MC Commercial with Farm to Town of Cortland I-1 Light Industrial – 14438 North Street Cortland, IL, PIN 09-28-100-016
Public Hearing scheduled for July 18, 2024, 7:00 PM

**APPLICANT/
OWNER:** Natural Polymers LLC
One Owens Corning Parkway
Toledo, OH 43659

PROPOSAL

The applicant has filed with the Town of Cortland a request for a map amendment of district boundaries in accordance with Title 9, Chapter 3 of the Cortland Town Code regarding property at 14438 North Street, Cortland Illinois, PIN 09-28-100-016. The applicant is requesting rezoning of the subject property from County Zoning MC Commercial with Farm to Town of Cortland I-1 Light Industrial upon subsequent approval of annexation. The petitioner's application is attached as Exhibit A.

LOCATION AND DESCRIPTION

The parcel is south of North Avenue west of the existing Town Wastewater Treatment Plant. The subject property is improved with a large industrial building. Several unimproved acres are farmed. The property is currently not annexed to the Town of Cortland. A joint petition for annexation and rezoning was submitted. The Town Board evaluates the annexation request.

The applicant intends to operate the facility in-line with current utilization. To meet domestic and fire suppression needs of a proposed interior renovation, the applicant intends to construct municipal water connections. The applicant is requesting annexation to the Town of Cortland. The Town of Cortland default zoning upon annexation is agriculture (AG). The applicant is requesting a rezoning to I-1 Light Industrial under which the current use is permitted.

Existing and Surrounding Zoning: Properties to the west and north are zoned I-1 Light Industrial. The property to the east is zoned P-1 Recreation & Open Space.

The zoning map has been included as Exhibit B.

The 2023 Official Zoning Map can be found on the Town of Cortland website and at:

https://www.cortlandil.org/vertical/sites/%7B869DC155-25BA-43FB-B05D-BD63FEA0657C%7D/uploads/Cortland_Zoning_Map_2023.pdf

Existing and Surrounding Land Uses: The property to the west is the LRS facility. The property to the north serves as the Town Public Works yard. The property immediately east of the subject property is owned by the applicant, annexed and zoned P-1 Recreation and Open Space. Further east is the Town Wastewater Treatment Plant.

BACKGROUND

The facility has been used for various industrial purposes for several decades. The subject property is not served by water or sewer.

COMPREHENSIVE PLAN

The Town adopted a Comprehensive Plan in September 2023, which guides development throughout the community. The Future Land Use Map associated with this document depicts this property as Light Industrial use.

The proposed rezoning does coincide with the Comprehensive Plan.

Note: An excerpt of the Comprehensive Plan is attached as Exhibit C. The full Comprehensive Plan can be found on the Town of Cortland’s website and at:

https://www.cortlandil.org/vertical/sites/%7B869DC155-25BA-43FB-B05D-BD63FEA0657C%7D/uploads/Cortland_2023_Comprehensive_Plan_v05_Final.pdf

STANDARDS UPON WHICH REVIEW SHOULD BE TAKEN

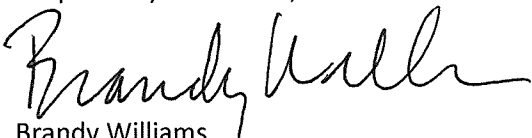
Section 9-9-2 of the Town’s Zoning Code addresses the Planning Commission’s role in evaluating amendments to the Code, including Map Amendments. Subsection B4 states that the Commission is to provide the Town Board with a written report, that includes your recommendation, and reasons therefore including the findings of fact used to make your recommendation. A copy of the standards to be used and some examples of how the Findings of Fact may be crafted are included in Exhibit D. Please keep in mind that these examples are suggestions only and are based upon information available at this time. Additional information may be presented during the hearing process which may impact how these points are addressed.

PLANNING COMMISSION ACTIONS

Open the Public Hearing and accept any and all testimony related to the proposal. Once all testimony has been presented the Commission may close the hearing. After closing the hearing, the Commission may discuss the merits of the presented information, establish the Findings of Fact upon which decisions may be made and render a recommendation to the Town Board.

As this is a request to rezone property, the Planning Commission may recommend to either approve or deny the request (no conditions may be imposed upon the rezoning). It is important to note that any motion must be made as a positive statement. (I.E., “I make a motion to approve the request to rezone the property currently known as 14438 North Street, Cortland IL PIN 09-28-100-016 from its present classification of County Zoning MC Commercial with Farm to Town of Cortland I-1 Light Industrial.”)

Respectfully Submitted,



Brandy Williams
Engineer and Zoning Administrator

- Exhibit A – Application for Rezoning Petition
- Exhibit B – Town of Cortland 2023 Official Zoning Map
- Exhibit C – Town of Cortland Comprehensive Map (Excerpt)
- Exhibit D – Findings of Facts Example



Date Filed:	5/16/24
Job Number:	524-2
PC Number:	PC 24-02

LAND DEVELOPMENT APPLICATION

THE UNDERSIGNED RESPECTFULLY PETITIONS THE TOWN OF CORTLAND TO REVIEW AND CONSIDER GRANTING THE FOLLOWING APPROVAL ON THE LAND HEREIN DESCRIBED.

(Check all that apply)

- Annexation* Rezoning from County MC Commercial with Farm to I-1 Light Industrial
- Text Amendment (attached proposed language)
- Special Use Permit for a: Planned Unit Development Other _____
- Planned Unit Development:
 - Concept Plan Preliminary Development Plan Final Development Plan
- Subdivision Plat: Preliminary Subdivision Plat Final Subdivision Plat

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

PLEASE PRINT OR TYPE IN BLUE OR BLACK INK

PART I. APPLICANT INFORMATION

APPLICANT	LAND OWNER <i>(If not the Applicant)</i>	CONTACT PERSON <i>(If not the Applicant)</i>
Name: <u>Nicholas Malone, Secretary</u>	_____	_____
Company: <u>Natural Polymers, LLC</u>	_____	_____
Address: <u>One Owens Corning Parkway</u>	_____	_____
<u>Toledo, OH 43659</u>	_____	_____
E-mail: <u>jessica.franchetti@owenscorning.cor</u>	_____	_____
Phone: <u>419-248-8000</u>	_____	_____

IS THE APPLICANT THE OWNER OF THE SUBJECT PROPERTY? YES NO

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

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

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

Date Filed: 5/16/24
PC Number: PC24-02

Cortland Land Development Application

PART II. PROPERTY INFORMATION

ADDRESS OF PROPERTY: 14438 North St., Cortland, IL 60112

PARCEL INDEX NUMBER(S): 09-28-100-016

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

TOTAL AREA OF SUBJECT PROPERTY(IES) (ACRES): 16.73

IF SUBDIVIDING, NUMBER OF LOTS BEING CREATED: _____

CURRENT ZONING: _____ **PROPOSED ZONING:** I-1
County MC commercial with Farm

RECOMMENDED LAND USE: _____
(Based upon the recommendations of the Cortland Town Plan)

PROPOSED LAND USE: No change to proposed land use

NAME OF PROPOSED DEVELOPMENT: N/A

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

The subject property is located in which SCHOOL DISTRICT? CUSD #428 - DeKalb

Attach relevant checklist(s) and associated information as outlined during the pre-application meeting.


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

NM Del _____ 04/16/2024 _____
Signature of Applicant Date

State of Ohio
County of Lucas

Signed before me on April 16th, 20 24 by Nicholas Malone, Secretary
Natural Polymers, LLC
Applicant

Amanda Salasanga _____
Signature of Notary Public

(Seal) Notarial Seal

Amanda LaGrange
Notary Public, State of Ohio
My Commission Expires
07/02/2024

STATE OF ILLINOIS)
)
COUNTY OF DeKalb) SS
)

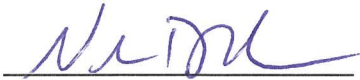
PETITION FOR ANNEXATION
TO THE CORPORATE AUTHORITIES OF THE,
TOWN OF CORTLAND, ILLINOIS

WHEREAS, the undersigned Petitioner, hereby respectfully petitions to annex to the Town of Cortland, DeKalb County, Illinois, the territory described on Exhibit "A" attached hereto and made part of hereof ("Territory") and states as follows:

- 1. The Territory hereinbefore is not within the corporate limits of any municipality;
- 2. The Territory hereinbefore described is contiguous to the Town of Cortland, DeKalb County, Illinois;
- 3. The Territory hereinbefore described is located within Cortland Township;
- 4. There are no electors residing on the Territory hereinbefore described;
- 5. The Petitioner is the sole owner of record of the described territory hereby petitions that said territory be annexed to the Town of Cortland; and

WHEREFORE, the Petitioner respectfully request the corporate authorities of the Town of Cortland, DeKalb County, Illinois, to annex the Territory hereinbefore described to said Town in accordance with the provisions of this Petition.

Dated this 16th day of April, 2024.



Petitioner: Natural Polymers, LLC

Authorized Signer:

STATE OF OHIO)
COUNTY OF LUCAS) SS
)

I, Amanda LaGrange, a Notary Public in and for said County in the State aforesaid do hereby certify that Nicholas Mabney, Secretary Natural Polymers, LLC appeared before me this day in person and acknowledged that he caused the within Petition to be duly executed by him as his free and voluntary act and for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 16th day of April 2024.

Amanda LaGrange
Notary Public



Amanda LaGrange
Notary Public, State of Ohio
My Commission Expires
07/02/2024

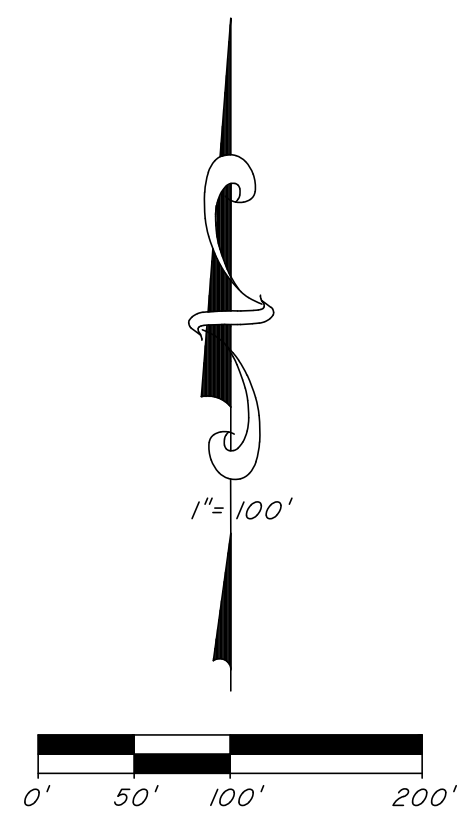
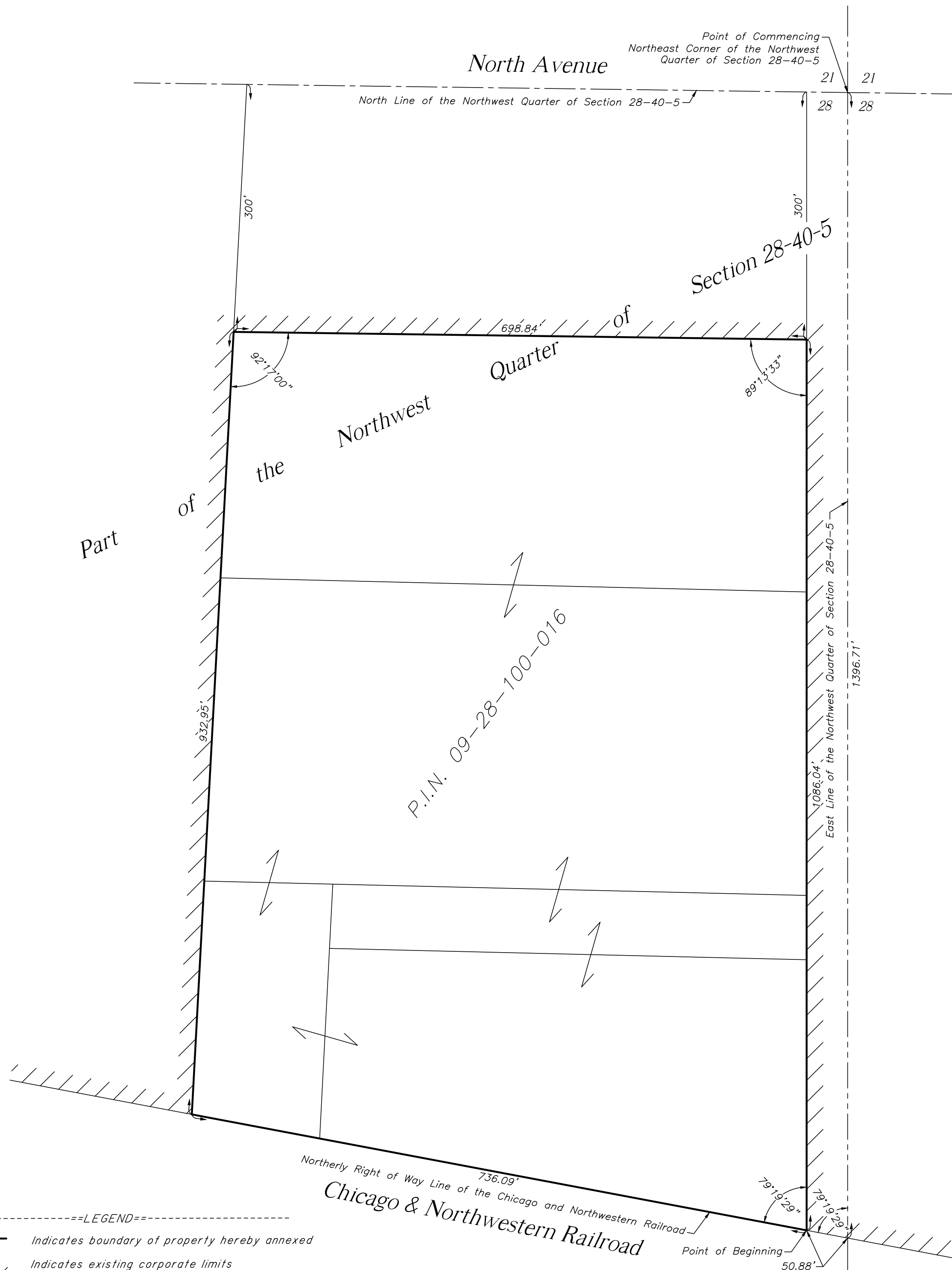
Map of territory to be annexed to the Town of Cortland, DeKalb County, Illinois

P.I.N. 09-28-100-016
14438 E North Ave., Cortland

Description of property hereby annexed:

Part of the Northwest Quarter of Section 28, Township 40 North, Range 5 East of the Third Principal Meridian, bounded and described as follows:

Commencing at the Northeast corner of the said Northwest Quarter; thence South along the East line of said Northwest Quarter a distance of 1396.71 feet to the Northerly Right of Way of the Chicago and Northwestern Railroad; thence Westerly along said Northerly Right of Way Line forming an angle of 79 Degrees 19 Minutes 29 Seconds measured counterclockwise from the last described line, 50.88 feet to the Point of Beginning; thence Northerly along a line forming an angle of 79 Degrees 19 Minutes 29 Seconds measured clockwise from the last described course, 1086.04 feet to a point that is 300.00 feet South of the North line of said Northwest Quarter; thence Westerly parallel with said North line along a line forming an angle of 89 Degrees 13 Minutes 33 Seconds measured clockwise from the last described course, 698.84 feet; thence Southerly along a line forming an angle of 92 Degrees 17 Minutes 00 Seconds measured clockwise from the last described course, 932.95 feet to the aforementioned Northerly Right of Way line; thence Southeasterly along said Northerly Line 736.09 feet to the Point of Beginning, all in Cortland Township, DeKalb County, Illinois.



====LEGEND====
 ————— Indicates boundary of property hereby annexed
 // // // // // Indicates existing corporate limits

State of Illinois }
 County of Kane } ss This is to certify that I, Carol A. Sweet-Johnson, Illinois Professional Land Surveyor No. 3342 have prepared the attached plat for annexation purposes and that said plat is a true and correct representation of said annexation. All distances shown in feet and decimals thereof.

Prepared for:

Dated at Batavia, Illinois this 1st day of February, A.D., 2024.



AMERICAN NATIONAL
 3465 S Arlington Rd Suite E#183
 Akron, OH 44312

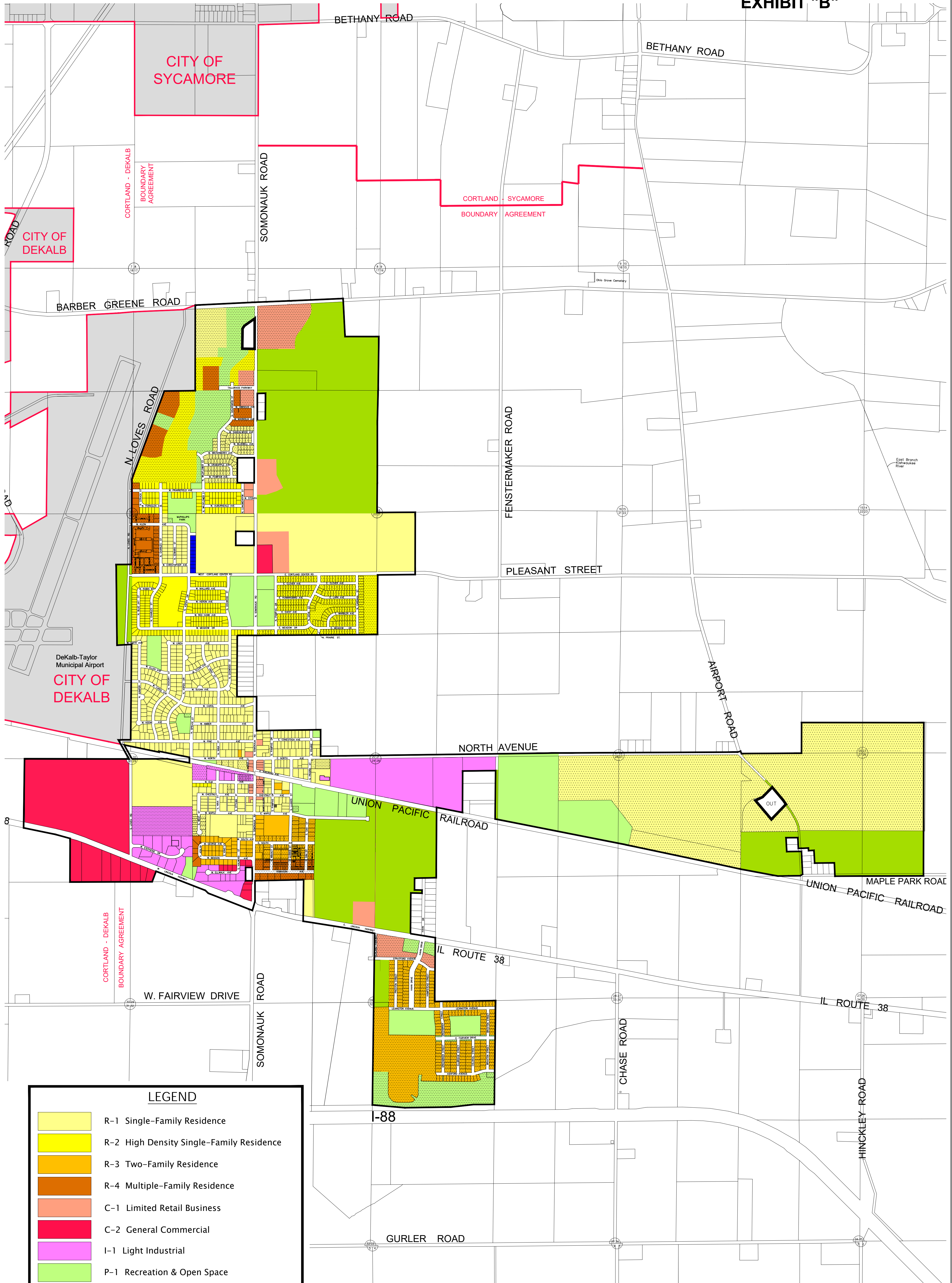
Carol A. Sweet-Johnson
 Carol A. Sweet-Johnson
 Illinois Professional Land Surveyor No. 3342
 License Expiration Date: November 30th, 2024



Exhibit _____

© COPYRIGHT 2024, ASM CONSULTANTS, INC. ALL RIGHTS RESERVED.

EXHIBIT "B"



LEGEND	
[Light Yellow Box]	R-1 Single-Family Residence
[Yellow Box]	R-2 High Density Single-Family Residence
[Orange Box]	R-3 Two-Family Residence
[Dark Orange Box]	R-4 Multiple-Family Residence
[Light Orange Box]	C-1 Limited Retail Business
[Red Box]	C-2 General Commercial
[Pink Box]	I-1 Light Industrial
[Light Green Box]	P-1 Recreation & Open Space
[Green Box]	AG Agricultural
[Blue Box]	AO Aspen Drive Overlay
[Patterned Box]	Special Use

Official Zoning Map of Town of Cortland illustrating existing zoning districts, regulations, and classifications of the Town of Cortland in effect on and prior to December 31, 2023, is available for public inspection at the Town Hall, 59 S. Somonauk Road, Cortland, Illinois, during business hours. This is provided in accordance with the requirements of Chapter 65 ILCS 5/11-13-19 of the Illinois Compiled Statutes.

2023 Official Zoning Map Town Of Cortland, Illinois

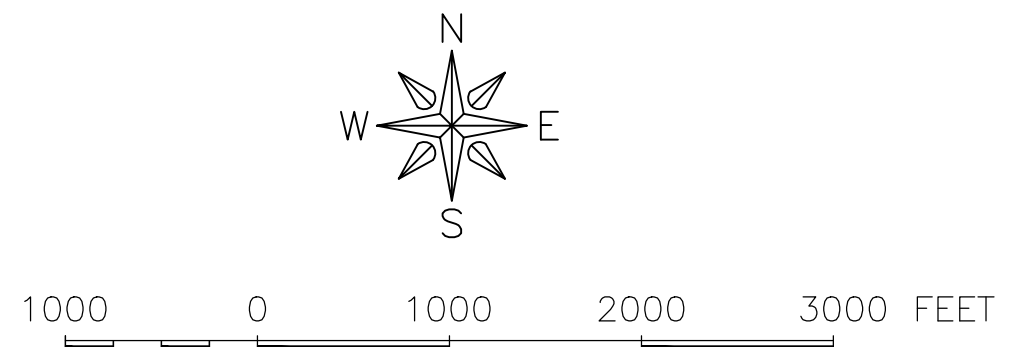


EXHIBIT "C"

Item 2.

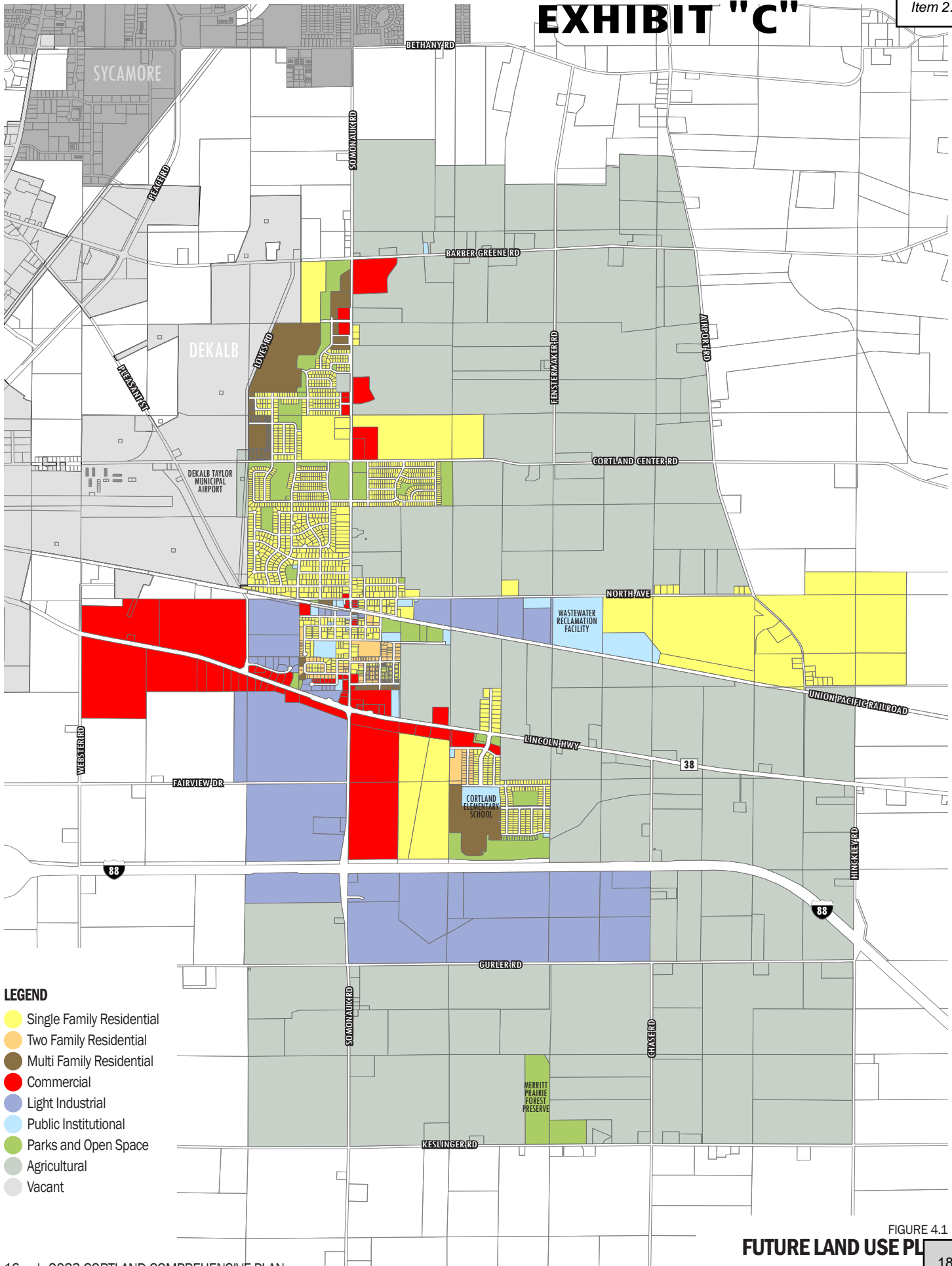


FIGURE 4.1
FUTURE LAND USE PL

EXHIBIT "D"

Findings of Fact Example

a. Existing use(s) and zoning of the property in question.

The Subject Property is improved with a large industrial building and farmed acreage, zoned County Zoning MC Commercial with Farm.

b. Existing use(s) and zoning of other lots in the vicinity of the property in question.

The land to the west and north are zoned I-1 Light Industrial and used as the LRD facility and Town yard, respectively. The lands to the east are zoned P-1 Recreation and Open Space and used as a drive for the applicant's facility and the Town Wastewater Treatment Plant.

is zoned P-1 Recreation & Open Space and used as a recreational area with open water.

c. Suitability of the property in question for uses already permitted under existing regulations.

Due to the annexation petition, existing regulations are not applicable. The subject property current use would not align with the Town's default zoning of agriculture (AG).

d. Suitability of the property in question for the proposed use.

The applicant intends to continue to use the property facilitating the same day to day operation as the past several years. No significant improvements are required to continue such use. The property is suitable for the proposed use.

e. The trend of development in the vicinity of the property in question, including changes (if any) which may have occurred since the property was initially zoned or last rezoned.

There have been no recent changes in zoning or use adjacent to the subject property.

f. The effect the proposed amendment would have on implementation of this Municipality's Comprehensive Plan.

Approval of the rezoning request would be in concurrence with the Future Land Use Map included in the Comprehensive Plan

ADVISORY REPORT

TO: Planning Commissioners

FROM: Brandy Williams, Engineer and Zoning Administrator

DATE: June 20, 2024

SUBJECT: PC 24-03: Request for a Special Use Permit (SUP) – 50 W. Maple Ave., PIN 09-29-176-003
Cortland IL 60112
Public Hearing scheduled for July 18, 2024, 7:00 PM

**APPLICANT/
OWNER:** Brandy Williams
Town of Cortland
59 S. Somonauk Road, PO Box 519
Cortland, IL 60112

PROPOSAL

The Town of Cortland has submitted a request for a Special Use Permit (SUP) in accordance with Title 9, Chapter 10 of the Cortland Town Code regarding property at 50 West Maple Avenue, Cortland Illinois, PIN 09-29-176-003. The Town is requesting a Special Use Permit for a government building on the subject property currently zoned R-1 with Single Family Residence. The petition is attached as Exhibit A.

LOCATION AND DESCRIPTION

The 6.5 acre property originally housed the Cortland Elementary School. The building was vacant and in disrepair prior to the Town receiving the property via a quit claim deed in 2022.

The Town intends to renovate the prior elementary school building to serve as a municipal complex housing the Public Safety Building and Town Hall.

Existing and Surrounding Zoning: The subject property and the properties to the west, north and east are zoned R-1 Single Family Residence. The properties to the south are zoned R-3 Two-Family Residence

The zoning map has been included as Exhibit B.

The 2023 Official Zoning Map can be found on the Town of Cortland website and at:

https://www.cortlandil.org/vertical/sites/%7B869DC155-25BA-43FB-B05D-BD63FEA0657C%7D/uploads/Cortland_Zoning_Map_2023.pdf

Existing and Surrounding Land Uses: All adjacent properties are being used as zoned, residential. The subject property is not being used at this time.

COMPREHENSIVE PLAN

The Town adopted a Comprehensive Plan in September 2023, which guides development throughout the community. The Future Land Use Map associated with this document depicts this property as Public Institutional use.

The proposed use coincides with the Comprehensive Plan.

Note: An excerpt of the Comprehensive Plan is attached as Exhibit C. The full Comprehensive Plan can be found on the Town of Cortland’s website and at:

https://www.cortlandil.org/vertical/sites/%7B869DC155-25BA-43FB-B05D-BD63FEA0657C%7D/uploads/Cortland_2023_Comprehensive_Plan_v05_Final.pdf

STANDARDS UPON WHICH REVIEW SHOULD BE TAKEN

In accordance with 9-10-6. – Procedures, C. Report of Hearing; Within thirty (30) days following the hearing, the plan commission shall transmit to the town board a written report giving its findings as to compliance of the proposed special use with the standards governing special uses and giving its recommendation for action to be taken by the town board.

A copy of the standards to be used and some examples of how the Report of Findings may be crafted are included in Exhibit D. Please keep in mind that these examples are suggestions only and are based upon information available at this time. Additional information may be presented during the hearing process which may impact how these points are addressed.

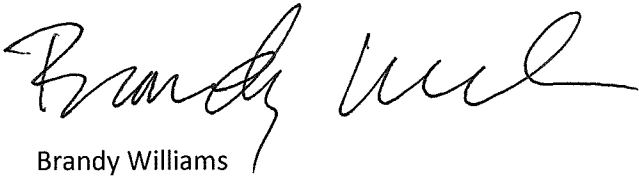
PLANNING COMMISSION ACTIONS

Open the Public Hearing and accept any and all testimony related to the proposal. Once all testimony has been presented the Commission may close the hearing. After closing the hearing, the Commission may discuss the merits of the presented information, establish the Findings of Fact upon which decisions may be made and render a recommendation to the Town Board.

The Planning Commission may recommend to either approve, deny or provide approval with conditions.

It is important to note that any motion must be made as a positive statement. (I.E., “I make a motion to approve the request for Special Use Permit at 50 West Maple Avenue known as PIN 09-29-176-00.”)

Respectfully Submitted,



Brandy Williams
Engineer and Zoning Administrator

- Exhibit A – Application for Special Use Permit (SUP) Petition
- Exhibit B – Town of Cortland 2023 Official Zoning Map
- Exhibit C – Town of Cortland Comprehensive Map (Excerpt)
- Exhibit D – Report of Findings on Compliance to Standards Example

EXHIBIT "A"



Date Filed:	4/19/24
Job Number:	N/A
PC Number:	PC 24-03

LAND DEVELOPMENT APPLICATION

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

- Annexation* Rezoning from _____ to _____
- Text Amendment (attached proposed language)
- Special Use Permit for a: Planned Unit Development Other _____ Government Office and Buildings
- Planned Unit Development:
 - Concept Plan Preliminary Development Plan Final Development Plan
- Subdivision Plat: Preliminary Subdivision Plat Final Subdivision Plat

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

.....
PLEASE PRINT OR TYPE IN BLUE OR BLACK INK

PART I. APPLICANT INFORMATION

APPLICANT	LAND OWNER <i>(If not the Applicant)</i>	CONTACT PERSON <i>(If not the Applicant)</i>
Name: Brandy Williams	_____	_____
Company: Town of Cortland	_____	_____
Address: 59 S. Somonauk Road, PO Box 519 Cortland, IL 60112-0519	_____	_____
E-mail: engineer@cortlandil.org	_____	_____
Phone: 815-756-9041	_____	_____

IS THE APPLICANT THE OWNER OF THE SUBJECT PROPERTY? YES NO
(If the Applicant is not the owner of the subject property, a notarized letter from the Owner authorizing the Applicant to file the Land Development Application must be attached to this application.)

IS THE APPLICANT AND/OR OWNER A TRUSTEE OR A BENEFICIARY OF A LAND TRUST? YES NO
(If the Applicant and/or Owner of the subject property is a Trustee of a land trust or beneficiary(ies) of a land trust, a disclosure statement identifying each beneficiary of such land trust by name and address and defining his/her interest therein shall be verified by the Trustee and shall be attached hereto.)

Date Filed:	4/19/24
PC Number:	PC 24-03

Cortland Land Development Application

PART II. PROPERTY INFORMATION

ADDRESS OF PROPERTY: 50 West Maple Avenue, Cortland, IL

PARCEL INDEX NUMBER(S): 09-29-176-003

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

TOTAL AREA OF SUBJECT PROPERTY(IES) (ACRES): 6.50

IF SUBDIVIDING, NUMBER OF LOTS BEING CREATED: _____

CURRENT ZONING: R-1 PROPOSED ZONING: R-1 w/ SUP

RECOMMENDED LAND USE: Public Institution
(Based upon the recommendations of the Cortland Town Plan)

PROPOSED LAND USE: Public Institution

NAME OF PROPOSED DEVELOPMENT: Municipal Complex

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


The subject property is located in which SCHOOL DISTRICT? CUUSD #428 - DeKalb

Attach relevant checklist(s) and associated information as outlined during the pre-application meeting.

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

Brandy Williams _____ 4/19/24 _____
Signature of Applicant Date

State of Illinois
 County of DeKalb
 Signed before me on April 19, 2024 by Brandy Williams
 Applicant
 (Seal)
Cheyle Aldis
 Signature of Notary Public





Item 3.

2022009477

DOUGLAS J. JOHNSON
RECORDER - DEKALB COUNTY, IL

RECORDED: 9/30/2022 01:23 PM
REC FEE: 55.00

**QUITCLAIM DEED
DEKALB COUNTY**

Prepared By:
Dick L. Williams
139 E. Washington St.
East Peoria, Illinois 61611

PAGES: 4

After Recording Return To:
The Town of Cortland
59 S. Somonauk Rd.
PO Box 519
Cortland, IL. 60112-0519

SPACE ABOVE THIS LINE FOR RECORDER'S USE

QUITCLAIM DEED

THE GRANTOR, **DESTAN ALIU**, of the City of Ottumwa, County of Wapello and State of Iowa, conveys, releases and quitclaims to the GRANTEE, **THE TOWN OF CORTLAND**, of the Town of Cortland, County of DeKalb and State of Illinois, the real estate described as follows:

See Attached

Tax ID: 09-29-176-003

Commonly known as: 50 W. Maple Ave. Cortland, IL. 60112

Grantor does hereby convey, release and quitclaim all of the Grantor's rights, title, and interest in and to the above-described property and premises to the Grantee, and to the Grantee's heirs and assigns forever, so that neither Grantor nor Grantor's heirs, legal representatives or assigns shall have, claim or demand any right or title to the property, premises, or appurtenances, or any part thereof.

Grantor hereby releases and waives all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Exempt under provisions of 35 ILCS 200/31-45(e)	<i>Destan Aliu</i>
Date	9/14/2022
Buyer, Seller or Representative	

Dated this 16 day of Sept, 2022.

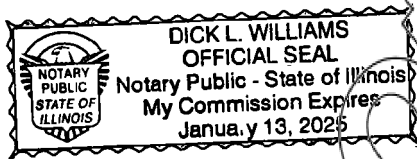
Destan Aliu
DESTAN ALIU

STATE OF ILLINOIS)
COUNTY OF Lazewell)

I, the undersigned, a Notary Public in and for said County and State aforesaid, do hereby certify that GRANTOR, **DESTAN ALIU** personally known to me to be the person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she signed and delivered the foregoing instrument as his/her free and voluntary act for the uses and purposes therein set forth.

Given under my hand and seal this 16 day of Sept, 2022.

Dick L. Williams
Notary Public



GRANTEES ADDRESS

Mail Tax Statements to:
Town of Cortland
59 S. Somonauk Rd.
PO Box 519
Cortland, IL. 60112-0519

EXHIBIT A
LEGAL DESCRIPTION

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

Unofficial

**DOUGLAS J. JOHNSON
DEKALB COUNTY RECORDER
PLAT ACT AFFIDAVIT**

State of Illinois

} ss

County of DeKalb

Destan Aliu, being duly sworn on oath, states that he resides at
517 Lynnwood Cir, Ottumwa, IA 52501-4941

And further states that: *(please check the appropriate box)*

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

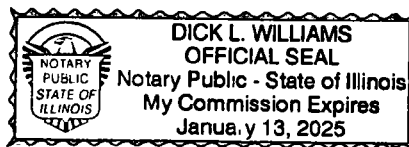
B. That the attached deed is not in violation of 765 ILCS 205/1(b) for one of the following reasons: *(please circle the appropriate number)*

1. The division or subdivision of land into parcels or tracts of 5 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than 1 acre in any recorded subdivision which does not involve any new streets or easements of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. The conveyance of parcels of land or interests therein for use as a right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
7. Conveyances made to correct descriptions in prior conveyances.
8. The sale or exchange of parcels or tracts of land following the division into no more than 2 parts of a particular parcel or tract of land existing on July 17, 1959 and not involving any new streets or easements of access.
9. The sale is of a single lot of less than 5 acres from a larger tract, and a survey has been made by an Illinois Registered Land Surveyor, and the sale is not a sale of any subsequent lot or lots from the same larger tract of land as determined by the dimensions and configuration of the larger tract on October 01, 1973; and further, local requirements applicable to the subdivision of land have been met.

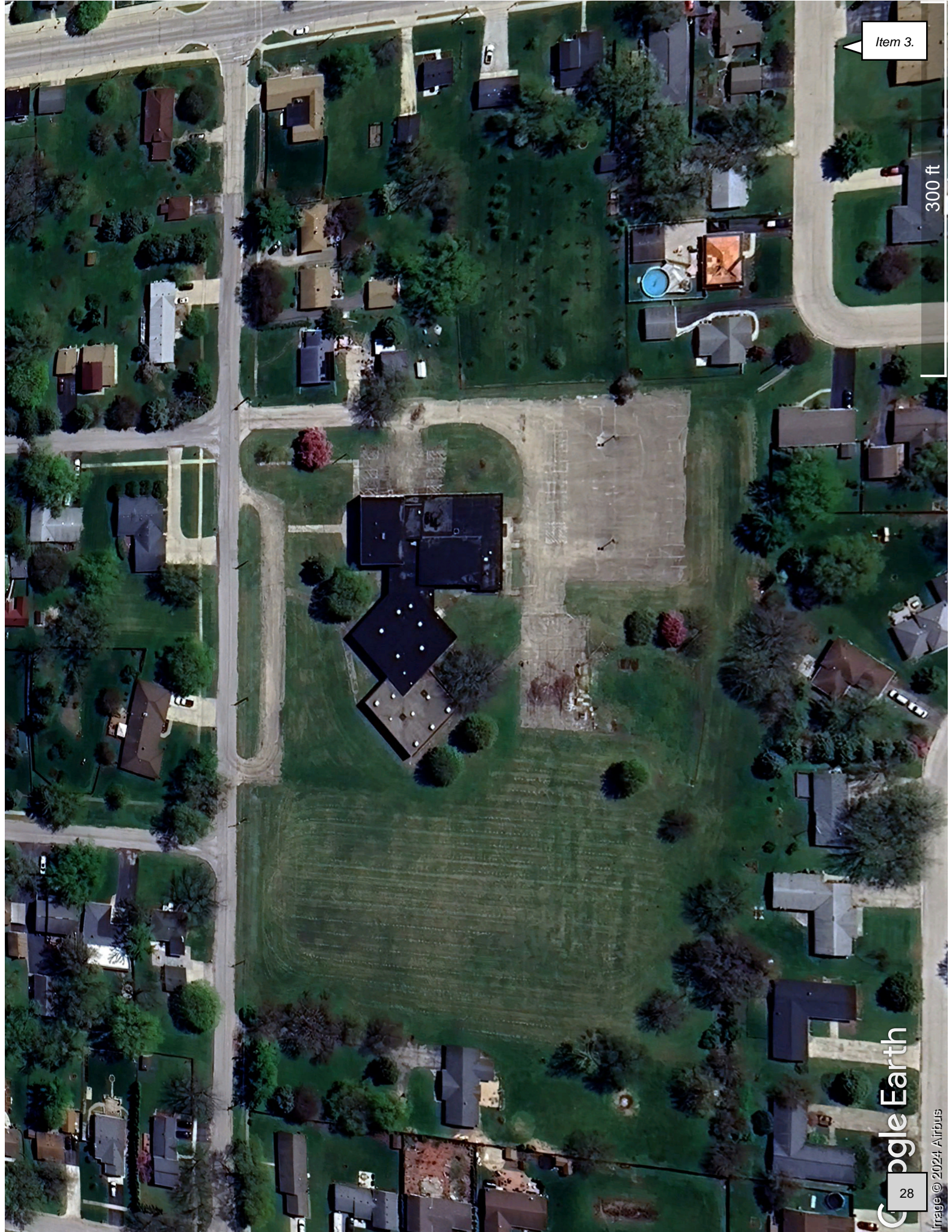
Affiant further states that he makes this affidavit for the purpose of inducing the Recorder of DeKalb County, Illinois, to accept the attached deed for recording.

Destan Aliu
Signature of Affiant

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 16 DAY OF 9-16-, 2022
Dick Williams
Signature of Notary Public



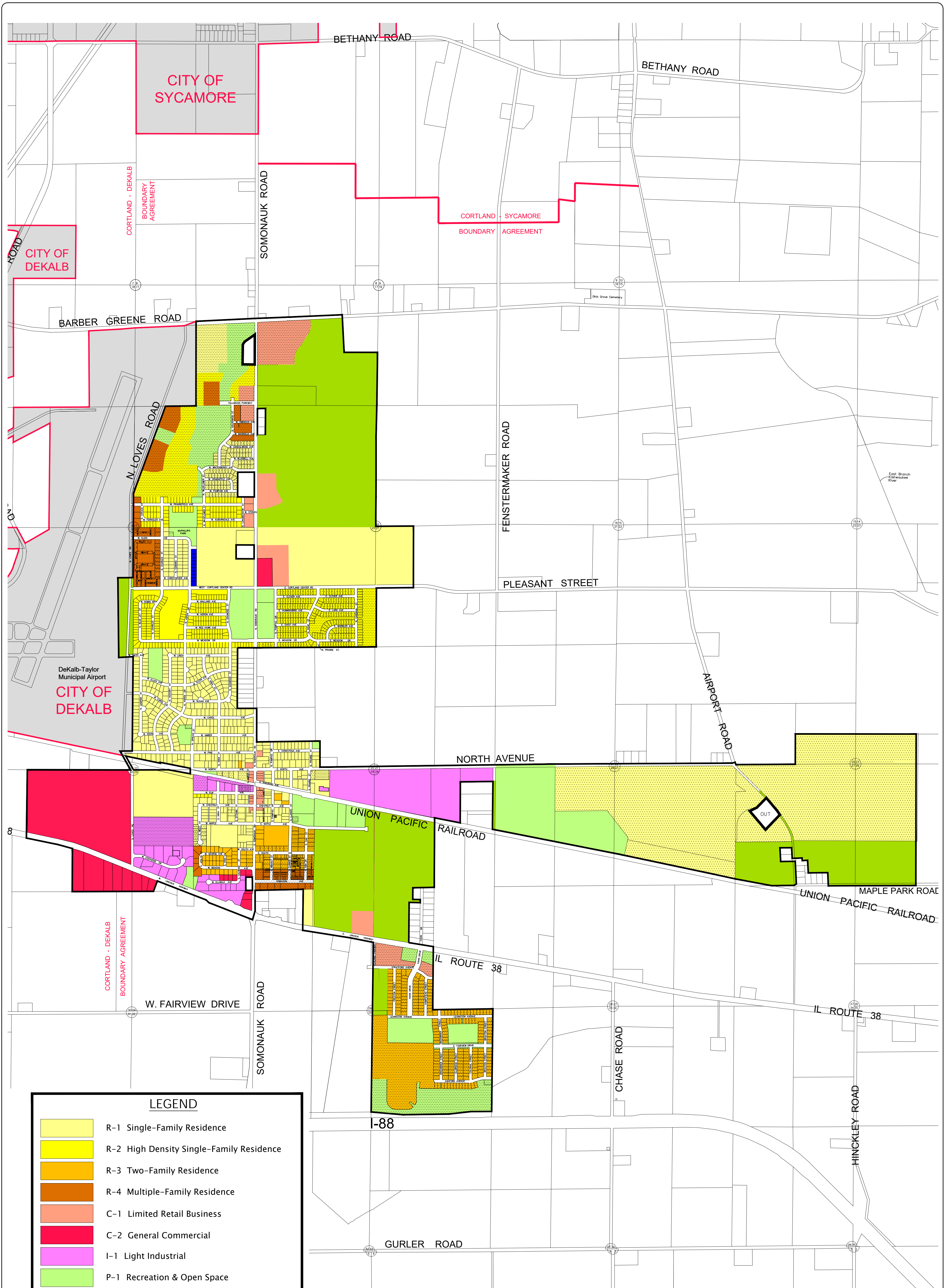
Revised 04/2001



Item 3.

300 ft

EXHIBIT "B"



LEGEND	
[Light Yellow Box]	R-1 Single-Family Residence
[Yellow Box]	R-2 High Density Single-Family Residence
[Orange Box]	R-3 Two-Family Residence
[Dark Orange Box]	R-4 Multiple-Family Residence
[Light Orange Box]	C-1 Limited Retail Business
[Red Box]	C-2 General Commercial
[Pink Box]	I-1 Light Industrial
[Light Green Box]	P-1 Recreation & Open Space
[Green Box]	AG Agricultural
[Blue Box]	AO Aspen Drive Overlay
[Patterned Box]	Special Use

Official Zoning Map of Town of Cortland illustrating existing zoning districts, regulations, and classifications of the Town of Cortland in effect on and prior to December 31, 2023, is available for public inspection at the Town Hall, 59 S. Somonauk Road, Cortland, Illinois, during business hours. This is provided in accordance with the requirements of Chapter 65 ILCS 5/11-13-19 of the Illinois Compiled Statutes.

2023 Official Zoning Map Town Of Cortland, Illinois

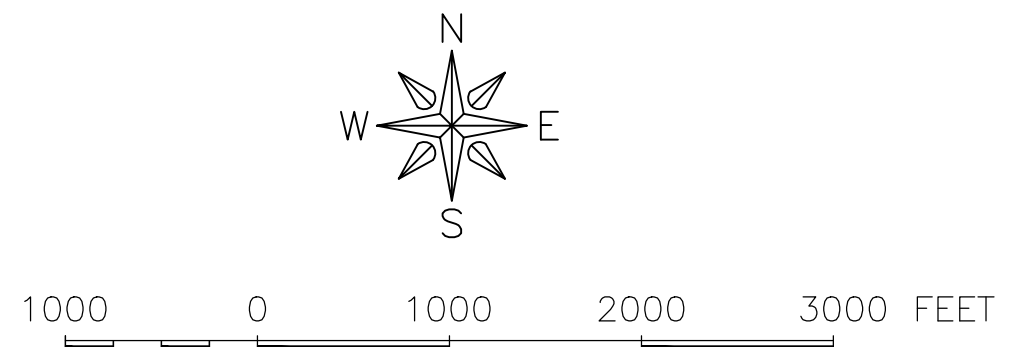
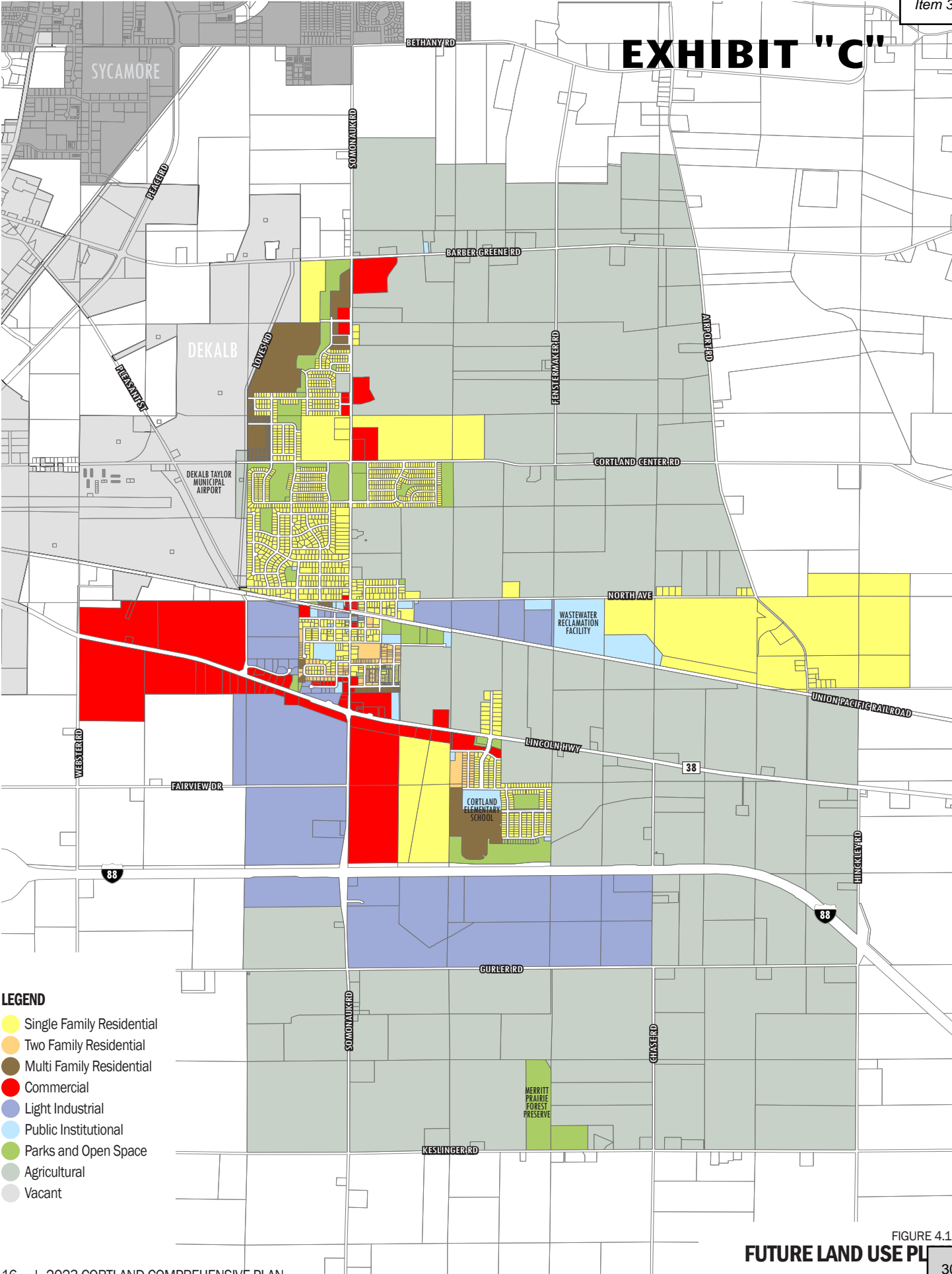


EXHIBIT "C"



LEGEND

- Single Family Residential
- Two Family Residential
- Multi Family Residential
- Commercial
- Light Industrial
- Public Institutional
- Parks and Open Space
- Agricultural
- Vacant

FIGURE 4.1
FUTURE LAND USE PL

REPORT OF FINDINGS

In accordance with 9-10-6. – Procedures, C. Report of Hearing; Within thirty (30) days following the hearing, the plan commission shall transmit to the town board a written report giving its findings as to compliance of the proposed special use with the standards governing special uses and giving its recommendation for action to be taken by the town board.

9-10-3. – Standards

A special use permit shall be granted only if evidence is presented to establish that:

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

The Planning Commission prepared the following statement;

The proposed use at the particular location requested is desirable to provide a service or a facility which is in the interest of the public and will contribute to the general welfare of the neighborhood or community by renovating a vacant building.

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

The Planning Commission prepared the following statement;

The proposed use will not have a substantial adverse effect upon the adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare. The proposed use is not require significant infrastructure as the use is similar to the originally intended use, an elementary school.

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

The Planning Commission agreed this standard would be met.

D. Such other standards and criteria as are established by the ordinance for a particular special use as set forth in section 9-10-4 of this chapter and as applied to planned developments as set forth in chapter 7 of this title (Ord. 2008-03, 1-28-2008)

The Planning Commission deemed this standard not applicable.

9-10-5. – Conditions

The plan commission may recommend and the town board may impose such conditions or restrictions upon the location, construction, design and operation of a special use including, but not limited to, provisions for off street parking spaces and the duration of such permit, as they shall respectively find necessary or appropriate to secure compliance with the purpose an intent of this title and other standards set forth herein. (Ord. 2008-03, 1-28-2008)

The Planning Commission deemed conditions not applicable.

ADVISORY REPORT

TO: Planning Commissioners

FROM: Brandy Williams, Engineer and Zoning Administrator

DATE: June 20, 2024

SUBJECT: PC 24-04: Request to Rezone Properties from R-3 Two-Family Residence with a Special Use Permit to P-1 Recreation & Open Space – East Ashford Avenue, PINs 09-33-181-001 through 09-33-181-014 Cortland IL 60112
Public Hearing scheduled for July 18, 2024, 7:00 PM

**APPLICANT/
OWNER:** Brandy Williams
Town of Cortland
59 S. Somonauk Road, PO Box 519
Cortland, IL 60112

PROPOSAL

The applicant has filed with the Town of Cortland a request for a map amendment of district boundaries in accordance with Title 9, Chapter 3 of the Cortland Town Code regarding properties at East Ashford Avenue, Cortland Illinois, PINs 09-33-181-001 through 09-33-181-014. The applicant is requesting rezoning of the subject property from R-3 Two-Family Residence with a Special Use Permit to P-1 Recreation & Open Space. The petitioner's application is attached as Exhibit A.

LOCATION AND DESCRIPTION

The 14 parcels are on the south side of East Ashford Avenue nearly between South Greenbrier Street on the west and South Colonial Street on the east, PINs 09-33-181-001 through 09-33-181-014. The subject properties are unimproved.

The Town intends to utilize these properties as an expansion of the immediately adjacent Dragon Tail Pond and park recreational area. The subject properties do not have available utilities at the present time.

Existing and Surrounding Zoning: The subject properties and the properties to the west and north are zoned R-3 Two-Family Residence with Special Use Permit for the Planned Unit Development (PUD) overlay. Property to the south is zoned P-1 Recreation & Open Space.

An excerpt of the zoning map has been included as Exhibit B.

The 2023 Official Zoning Map can be found on the Town of Cortland website and at:

https://www.cortlandil.org/vertical/sites/%7B869DC155-25BA-43FB-B05D-BD63FEA0657C%7D/uploads/Cortland_Zoning_Map_2023.pdf

Existing and Surrounding Land Uses: The subject properties and the lands to the west and north are vacant and unimproved.

BACKGROUND

The Town purchased the subject properties from DeKalb County in 2022.

The subject properties are not served by water or sewer.

Staff has not located any variances that were granted for these properties.

COMPREHENSIVE PLAN

The Town adopted a Comprehensive Plan in September 2023, which guides development throughout the community. The Future Land Use Map associated with this document depicts this property as Recreation & Open Space use.

The proposed rezoning does coincide with the Comprehensive Plan.

Note: An excerpt of the Comprehensive Plan is attached as Exhibit C. The full Comprehensive Plan can be found on the Town of Cortland’s website and at:

https://www.cortlandil.org/vertical/sites/%7B869DC155-25BA-43FB-B05D-BD63FEA0657C%7D/uploads/Cortland_2023_Comprehensive_Plan_v05_Final.pdf

STANDARDS UPON WHICH REVIEW SHOULD BE TAKEN

Section 9-9-2 of the Town’s Zoning Code addresses the Planning Commission’s role in evaluating amendments to the Code, including Map Amendments. Subsection B4 states that the Commission is to provide the Town Board with a written report, that includes your recommendation, and reasons therefore including the findings of fact used to make your recommendation. A copy of the standards to be used and some examples of how the Findings of Fact may be crafted are included in Exhibit D. Please keep in mind that these examples are suggestions only and are based upon information available at this time. Additional information may be presented during the hearing process which may impact how these points are addressed.

PLANNING COMMISSION ACTIONS

Open the Public Hearing and accept any and all testimony related to the proposal. Once all testimony has been presented the Commission may close the hearing. After closing the hearing, the Commission may discuss the merits of the presented information, establish the Findings of Fact upon which decisions may be made and render a recommendation to the Town Board.

As this is a request to rezone property, the Planning Commission may recommend to either approve or deny the request (no conditions may be imposed upon the rezoning). It is important to note that any motion must be made as a positive statement. (I.E., “I make a motion to approve the request to rezone the 14 parcels of Town of Cortland property currently known as PINs 09-33-181-001 through 09-33-181-014 in the Town of Cortland from its present classification of R-3 with Special Use Permit to P-1.”)

Respectfully Submitted,



Brandy Williams
Engineer and Zoning Administrator

Exhibit A – Application for Rezoning Petition
Exhibit B – Town of Cortland 2023 Official Zoning Map (Excerpt)
Exhibit C – Town of Cortland Comprehensive Map (Excerpt)
Exhibit D – Findings of Facts Example



Date Filed:	6/20/24
Job Number:	N/A
PC Number:	PC 24-04

LAND DEVELOPMENT APPLICATION

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

- Annexation* Rezoning from R-3 w/sup to P-1
- Text Amendment (attached proposed language)
- Special Use Permit for a: Planned Unit Development Other _____
- Planned Unit Development:
 - Concept Plan Preliminary Development Plan Final Development Plan
- Subdivision Plat: Preliminary Subdivision Plat Final Subdivision Plat

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

PLEASE PRINT OR TYPE IN BLUE OR BLACK INK

PART I. APPLICANT INFORMATION

APPLICANT	LAND OWNER <i>(If not the Applicant)</i>	CONTACT PERSON <i>(If not the Applicant)</i>
Name: <u>Brandy Williams</u>	_____	_____
Company <u>Town of Cortland</u>	_____	_____
Address: <u>59 S. Somonauk Road, PO Box 519</u>	_____	_____
<u>Cortland, IL 60112-0519</u>	_____	_____
E-mail: <u>engineer@cortlandil.org</u>	_____	_____
Phone: <u>815-756-9041</u>	_____	_____

IS THE APPLICANT THE OWNER OF THE SUBJECT PROPERTY? YES NO
(If the Applicant is not the owner of the subject property, a notarized letter from the Owner authorizing the Applicant to file the Land Development Application must be attached to this application.)

IS THE APPLICANT AND/OR OWNER A TRUSTEE OR A BENEFICIARY OF A LAND TRUST? YES NO
(If the Applicant and/or Owner of the subject property is a Trustee of a land trust or beneficiary(ies) of a land trust, a disclosure statement identifying each beneficiary of such land trust by name and address and defining his/her interest therein shall be verified by the Trustee and shall be attached hereto.)

Cortland Land Development Application

Date Filed:	<u>6/20/24</u>	Item 4.
PC Number:	PC 24-04	

PART II. PROPERTY INFORMATION

ADDRESS OF PROPERTY: 408, 414, 422, 430, 436, 442, 448, 456, 462, 468, 474, 482, 490, 496 East Ashford Avenue, Cortland, IL

PARCEL INDEX NUMBER(S): 09-33-181-001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013, 014 (14 parcels, 001 thru 014)

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

TOTAL AREA OF SUBJECT PROPERTY(IES) (ACRES): 2.80

IF SUBDIVIDING, NUMBER OF LOTS BEING CREATED: _____

CURRENT ZONING: R-3 w/SUP **PROPOSED ZONING:** P-1

RECOMMENDED LAND USE: Parks and Open Space
(Based upon the recommendations of the Cortland Town Plan)

PROPOSED LAND USE: Recreation & Open Space

NAME OF PROPOSED DEVELOPMENT: Dragon Tail Pond Park Expansion

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

The subject property is located in which SCHOOL DISTRICT? CUSD #428 - DeKalb

Attach relevant checklist(s) and associated information as outlined during the pre-application meeting.

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

Brandy Williams 6/20/24
Signature of Applicant Date

State of Illinois
County of DeKalb

Signed before me on 06/20, 20 24 by BRANDY WILLIAMS
Applicant

(Seal)

Signature of Notary Public [Signature]

NOTARY PUBLIC
STATE OF ILLINOIS

LINAS DARGAS
OFFICIAL SEAL
Notary Public - State of Illinois
My Commission Expires
March 22, 2025

Lot 196 in the final plat Subdivision of Chestnut Grove – Unit 1, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 40 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded February 20, 2007 as Document 2007003009 in the Town of Cortland, situated in the County of DeKalb and the State of Illinois.

Permanent Parcel No.: 09-33-181-001

Property Address: 496 E. Ashford Ave., Cortland, IL 60112

Lot 197 in the final plat Subdivision of Chestnut Grove – Unit 1, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 40 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded February 20, 2007 as Document 2007003009 in the Town of Cortland, situated in the County of DeKalb and the State of Illinois.

Permanent Parcel No.: 09-33-181-002

Property Address: 490 E. Ashford Ave., Cortland, IL 60112

Lot 198 in the final plat Subdivision of Chestnut Grove – Unit 1, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 40 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded February 20, 2007 as Document 2007003009 in the Town of Cortland, situated in the County of DeKalb and the State of Illinois.

Permanent Parcel No.: 09-33-181-003

Property Address: 482 E. Ashford Ave., Cortland, IL 60112

Lot 199 in the final plat Subdivision of Chestnut Grove – Unit 1, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 40 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded February 20, 2007 as Document 2007003009 in the Town of Cortland, situated in the County of DeKalb and the State of Illinois.

Permanent Parcel No.: 09-33-181-004

Property Address: 474 E. Ashford Ave., Cortland, IL 60112

Lot 200 in the final plat Subdivision of Chestnut Grove – Unit 1, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 40 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded February 20, 2007 as Document 2007003009 in the Town of Cortland, situated in the County of DeKalb and the State of Illinois.

Permanent Parcel No.: 09-33-181-005

Property Address: 468 E. Ashford Ave., Cortland, IL 60112

Lot 201 in the final plat Subdivision of Chestnut Grove – Unit 1, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 40 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded February 20, 2007 as Document 2007003009 in the Town of Cortland, situated in the County of DeKalb and the State of Illinois.

Permanent Parcel No.: 09-33-181-006

Property Address: 462 E. Ashford Ave., Cortland, IL 60112

Lot 202 in the final plat Subdivision of Chestnut Grove – Unit 1, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 40 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded February 20, 2007 as Document 2007003009 in the Town of Cortland, situated in the County of DeKalb and the State of Illinois.

Permanent Parcel No.: 09-33-181-007

Property Address: 456 E. Ashford Ave., Cortland, IL 60112

Lot 203 in the final plat Subdivision of Chestnut Grove – Unit 1, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 40 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded February 20, 2007 as Document 2007003009 in the Town of Cortland, situated in the County of DeKalb and the State of Illinois.

Permanent Parcel No.: 09-33-181-008

Property Address: 448 E. Ashford Ave., Cortland, IL 60112

Lot 204 in the final plat Subdivision of Chestnut Grove – Unit 1, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 40 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded February 20, 2007 as Document 2007003009 in the Town of Cortland, situated in the County of DeKalb and the State of Illinois.

Permanent Parcel No.: 09-33-181-009

Property Address: 442 E. Ashford Ave., Cortland, IL 60112

Lot 205 in the final plat Subdivision of Chestnut Grove – Unit 1, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 40 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded February 20, 2007 as Document 2007003009 in the Town of Cortland, situated in the County of DeKalb and the State of Illinois.

Permanent Parcel No.: 09-33-181-010

Property Address: 436 E. Ashford Ave., Cortland, IL 60112

Lot 206 in the final plat Subdivision of Chestnut Grove – Unit 1, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 40 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded February 20, 2007 as Document 2007003009 in the Town of Cortland, situated in the County of DeKalb and the State of Illinois.

Permanent Parcel No.: 09-33-181-011

Property Address: 430 E. Ashford Ave., Cortland, IL 60112

Lot 207 in the final plat Subdivision of Chestnut Grove – Unit 1, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 40 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded February 20, 2007 as Document 2007003009 in the Town of Cortland, situated in the County of DeKalb and the State of Illinois.

Permanent Parcel No.: 09-33-181-012

Property Address: 422 E. Ashford Ave., Cortland, IL 60112

Lot 208 in the final plat Subdivision of Chestnut Grove – Unit 1, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 40 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded February 20, 2007 as Document 2007003009 in the Town of Cortland, situated in the County of DeKalb and the State of Illinois.

Permanent Parcel No.: 09-33-181-013

Property Address: 414 E. Ashford Ave., Cortland, IL 60112

Lot 209 in the final plat Subdivision of Chestnut Grove – Unit 1, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 40 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded February 20, 2007 as Document 2007003009 in the Town of Cortland, situated in the County of DeKalb and the State of Illinois.

Permanent Parcel No.: 09-33-181-014

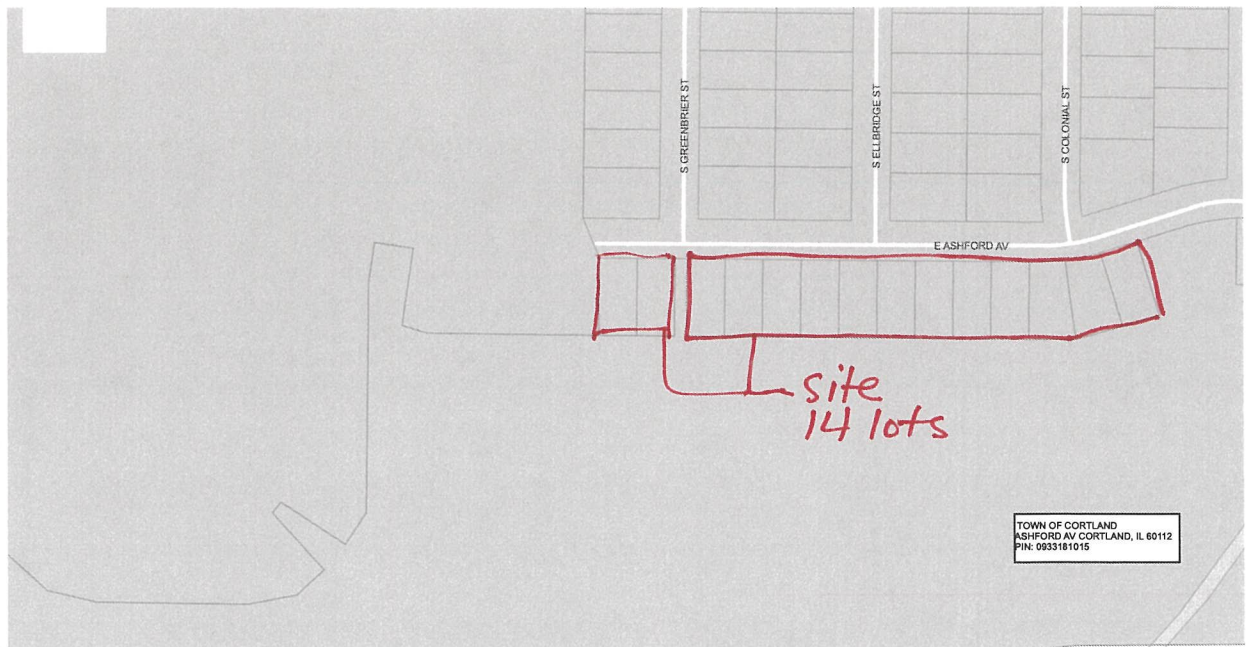
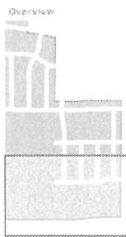
Property Address: 408 E. Ashford Ave., Cortland, IL 60112

Map Content Search

Categories

- Aerials
- Base Map
- Census Blocks
- Enterprise Zone
- Fiber
- Political Areas
- Sex Offender Info
- Soils
- Topography

Settings



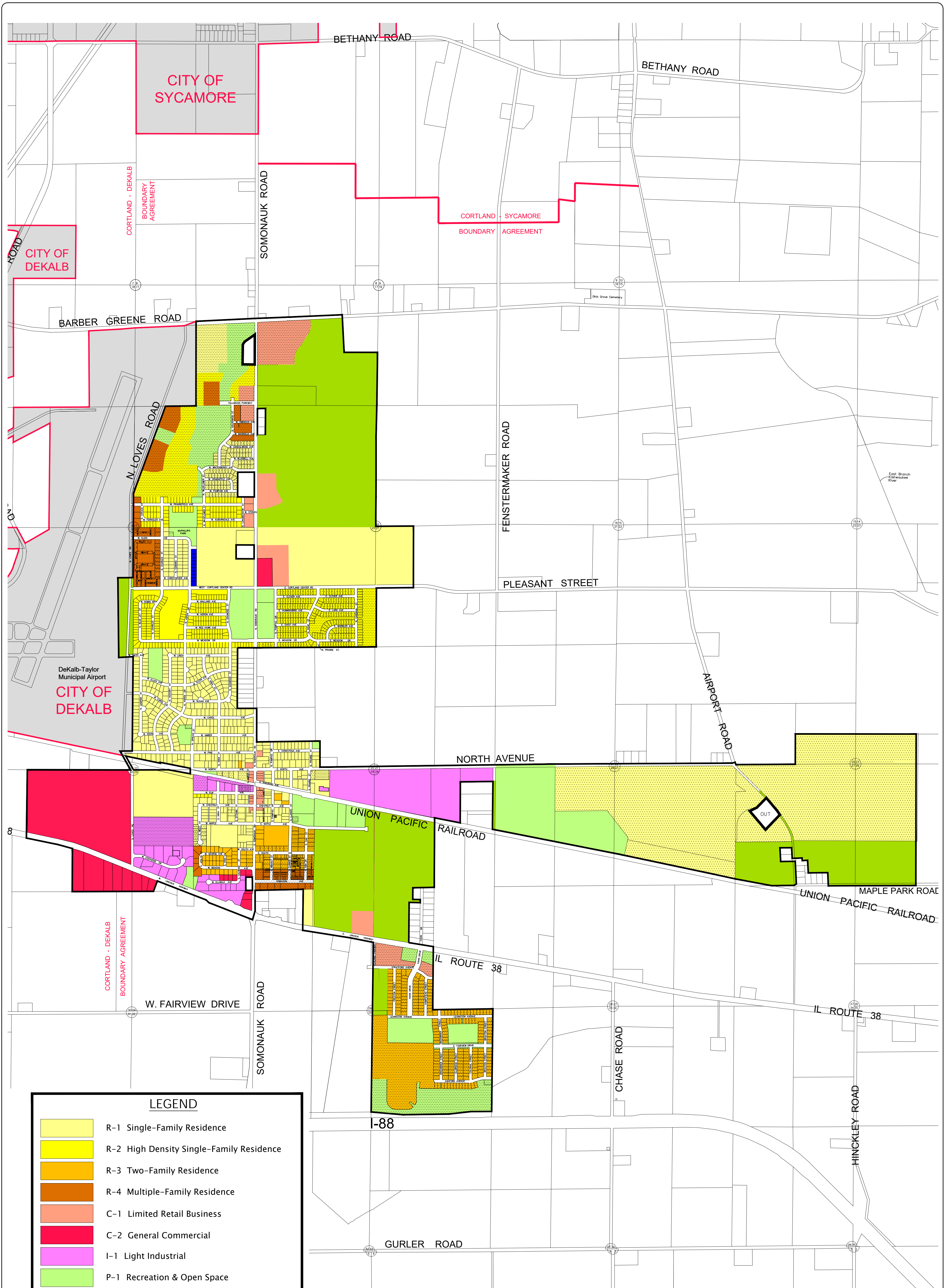
TOWN OF CORTLAND
ASHFORD AV CORTLAND, IL 60112
PIN: 0933181015

X: 272017.7 Y: 581334.99

188 W

188 E

EXHIBIT "B"



LEGEND	
[Light Yellow Box]	R-1 Single-Family Residence
[Yellow Box]	R-2 High Density Single-Family Residence
[Orange Box]	R-3 Two-Family Residence
[Dark Orange Box]	R-4 Multiple-Family Residence
[Light Orange Box]	C-1 Limited Retail Business
[Red Box]	C-2 General Commercial
[Pink Box]	I-1 Light Industrial
[Light Green Box]	P-1 Recreation & Open Space
[Green Box]	AG Agricultural
[Blue Box]	AO Aspen Drive Overlay
[Patterned Box]	Special Use

Official Zoning Map of Town of Cortland illustrating existing zoning districts, regulations, and classifications of the Town of Cortland in effect on and prior to December 31, 2023, is available for public inspection at the Town Hall, 59 S. Somonauk Road, Cortland, Illinois, during business hours. This is provided in accordance with the requirements of Chapter 65 ILCS 5/11-13-19 of the Illinois Compiled Statutes.

2023 Official Zoning Map Town Of Cortland, Illinois

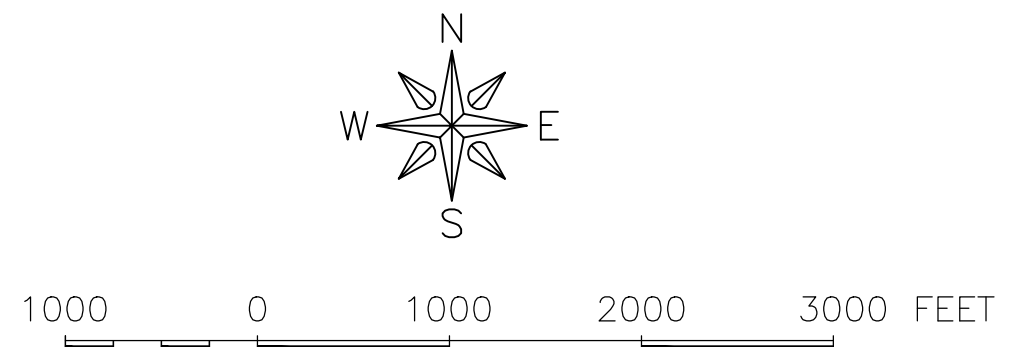
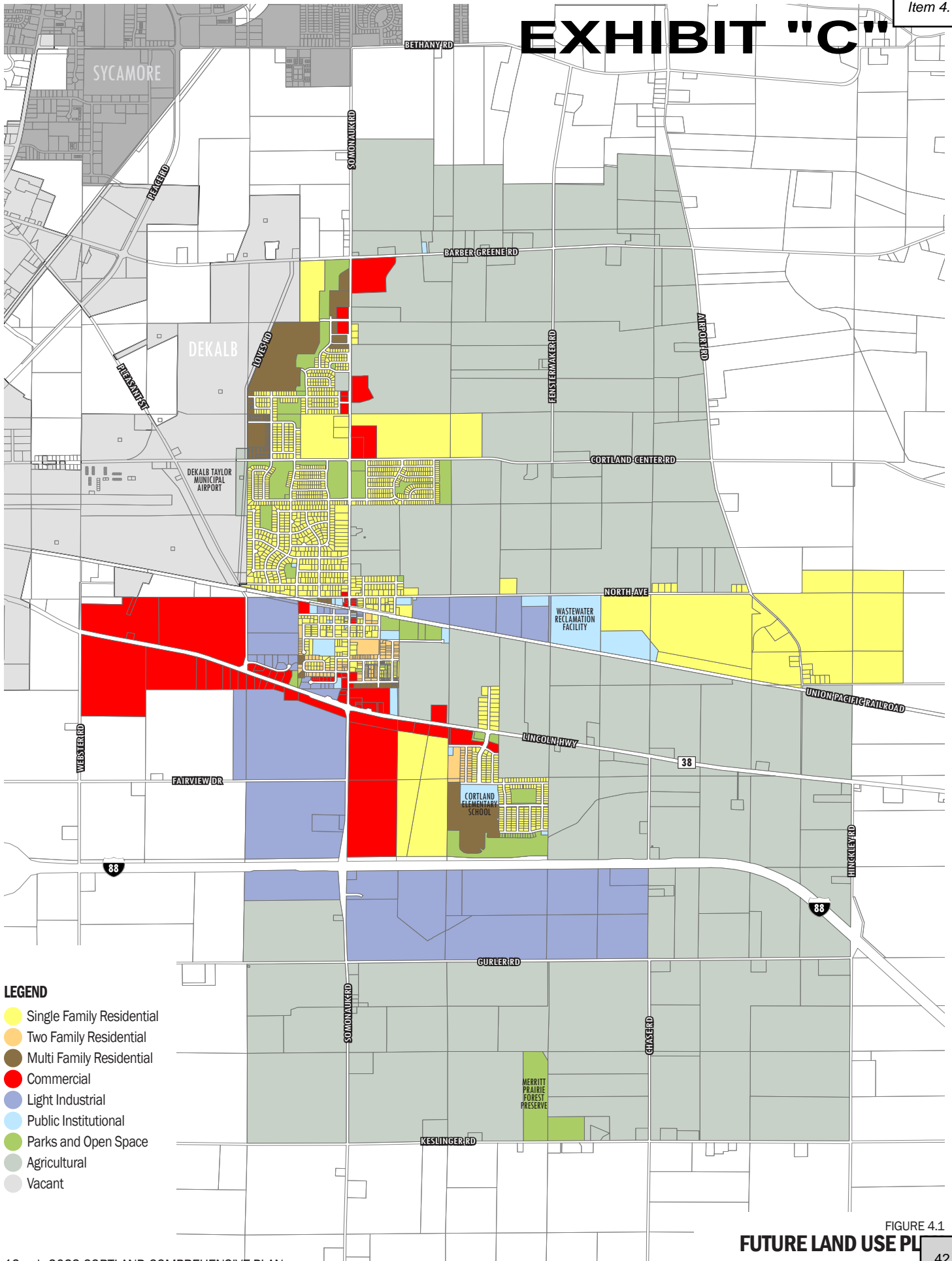


EXHIBIT "C"



LEGEND

- Single Family Residential
- Two Family Residential
- Multi Family Residential
- Commercial
- Light Industrial
- Public Institutional
- Parks and Open Space
- Agricultural
- Vacant

FIGURE 4.1
FUTURE LAND USE PL

EXHIBIT "D"

Findings of Fact Example

a. Existing use(s) and zoning of the property in question.

The Subject Property is unimproved, zoned R-3 Two-Family Residence with a Special Use Permit (SUP) for the Planned Unit Development (PUD) overlay.

b. Existing use(s) and zoning of other lots in the vicinity of the property in question.

The lands to the west and north, across East Ashford Avenue, are unimproved, zoned R-3 Two-Family Residence with Special Use Permit.

The land to the south of the subject property is zoned P-1 Recreation & Open Space and used as a recreational area with open water.

c. Suitability of the property in question for uses already permitted under existing regulations.

Developing the property for residential purposes is appropriate.

d. Suitability of the property in question for the proposed use.

The applicant intends to use the property as an expansion of the immediately adjacent recreation and open space area of Dragontail pond and park. The property is suitable for the proposed use. The existing road and driveway will provide any required infrastructure needs.

e. The trend of development in the vicinity of the property in question, including changes (if any) which may have occurred since the property was initially zoned or last rezoned.

The Subject Property has been zoned R-3 Two-Family Residence with SUP since 2007. There have been no recent changes in zoning or use adjacent to the subject property.

f. The effect the proposed amendment would have on implementation of this Municipality's Comprehensive Plan.

Approval of the rezoning request would be in concurrence with the Future Land Use Map included in the Comprehensive Plan. Granting the request would permit an expanded footprint of an immediately adjacent municipal use.