

**AN ORDINANCE
GRANTING A SPECIAL USE TO ALLOW FOR A STORAGE FACILITY
OF SELF-SERVICE STORAGE UNITS AT 1601 WEST MAIN STREET
IN THE B-2 VILLAGE BUSINESS DISTRICT IN THE VILLAGE**

WHEREAS, Konrad Rybak, the prospective purchaser of the property at 1601 West Main Street in the Village, with the consent of the Owners of the property, has filed a Petition for a Special Use in the B-2 Village Business District to allow for construction and operation of a self-storage facility for indoor storage of personal property on the premises; and

WHEREAS, the property in question is legally as set forth on the attached Exhibit "A," attached hereto and incorporated herein by this reference; and

WHEREAS, the Village Zoning Regulations allow for a special use for an indoor storage facility of personal property in the B-2 Village Business District, Sleepy Hollow Municipal Code, §8-5-13; and

WHEREAS, a public hearing regarding the Petition for Special Use was conducted by the Sleepy Hollow Planning & Zoning Commission on January 23, 2023, pursuant to notice published in the Daily Herald newspaper on January 5, 2023; and

WHEREAS, following consideration of the Petition, the testimony of the Petitioner together with the other evidence presented at the public hearing, and the appropriate standards for special use, the Planning & Zoning Commission recommended to the Village Board that the special use be denied, subject to various conditions, and forwarded to the Board of Trustees its written Findings of Fact and Recommendation regarding same; and

WHEREAS, the Village may establish such conditions and restrictions upon the establishment, location, construction, maintenance and operation of the special use as are deemed necessary for the protection of the public health, safety, and welfare, and to secure compliance with the standards and requirements specified herein; and

WHEREAS, the Board of Trustees, after reviewing the Petition, the proceedings and comments made at the public hearing, the standards for special use prescribed by law and by the Village Code, and the Findings of Fact and Recommendation of the Planning & Zoning Commission, finds that the proposed use is a special use allowed by the Village Zoning Regulations; that the standards for special use have been met in this case; and that said petition for special use ought to be approved and a special use permit be granted, subject to certain conditions as specified herein.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF SLEEPY HOLLOW, KANE COUNTY, ILLINOIS, AS FOLLOWS:

Section 1: A special use to allow for construction and operation of a self-storage facility, for indoor storage of personal property, as described in the Petition for Special Use for the property located at 1601 West Main Street in the B-2 Village Business Zoning District in the Village, shall be and hereby is approved pursuant to the Sleepy Hollow Municipal Code, Section 8-5-13(B), and Section 8-6-4, for the property described on Exhibit "A."

Section 2: Said special use shall be subject to the following condition(s):

a) Hours of operation should be restricted to the following:

For Office:	Monday – Friday	7:00 a.m. to 7:00 p.m.
	Saturday	7:00 a.m. to 5:00 p.m.
	Sunday	7:00 a.m. to 5:00 p.m.

For customer access to units: Daily 6:00 a.m. to 9:00 p.m.

Provided the facility shall be fully closed and all customers shall have departed from the premises no later than 10:00 p.m.

b) *Deleted – no consensus.*

c) Lighting on the premises shall be in compliance with Village regulations, and designed and installed so as not to project onto neighboring properties; and shall meet the requirements of the Illinois Energy Code for "night skies."

d) There shall be no outside storage of any kind.

e) Structures shall comply with the Floor Area Ratio (FAR) and Building Height requirements for the B-2 Village Business District. .

f) Structures shall be designed to appear as residential structures with:

1. Façade: permanent-type siding, for example cement board, with half brick;
2. Roofing: lifetime-of-structure roofing, i.e., granulated-covered steel, or similar style product;
3. All door openings, with the exception of the office building, shall be to the interior (center) of the site, i.e., no door openings facing out towards neighboring properties.
4. A security system installed as submitted and displayed in the submittal documents and presented by the proponent.
5. Structures shall use a "woodland" color scheme of greens, browns, tans and the like.

g) Fencing shall be:

1. Decorative black aluminum, where needed for security;
2. Eight (8') in height;
3. Spindle spacing shall not allow the passage of a 4" sphere;

4. Full perimeter around/outside the required fire lane and structures as determined necessary by the International Fire Code, 2021 Edition, adopted by the Village.
 5. Provided with the security features as stated by the proponent during the public hearing.
 6. Any fence on the south side of the property shall be located not less than eighty-two (82') from the southerly lot line.
- h) A Site Plan for the property shall:
1. Meet all applicable Village engineering standards/requirements, including the Kane County Storm Water Management Ordinance.
 2. Provide a detention/retention pond accepting drainage from the entire site in order to reduce runoff to neighboring properties during design rain events.
 3. Locate the detention/retention pond not less than twenty-five (25') feet from the south property line.
 4. Provide a width of not less than one-hundred-foot (100') along the south side of the property utilizing the existing natural habitat. This habitat shall be maintained in accordance with certified arborist directives to maintain healthy trees and native plants/habitat with removal of invasive species.
- i) Landscaping shall be designed in accordance with §8-5-7 of the Village Code re screening and buffering; and in addition shall:
1. Maintain a width of not less than one-hundred-foot (100') along the south side of the property utilizing existing natural habitat. Proper maintenance of such habitat, as prescribed by a certified arborist, is allowed; however, "clear-cutting" is not allowed. In addition, as many mature, viable trees shall be maintained on the site, even within the built area.
 2. Meet the requirements for buffer yards as prescribed in Section 8-5-7.
 3. Meet the Minimum Landscape Ratio of 0.35.
 4. Have once-matured nursery stock block the view of the structures from neighboring residential buildings.
 5. Provide a wildlife/bird habitat.
 6. Incorporate non-noxious plants.
 7. Provide year around interest and color.
- j) Access to the premises shall be from Main Street - IL 72 only; provided, however, the owner may obtain an easement for an entrance from the east, via Spring Hill Meadows Shopping Center.
- k) Access to the premises shall be restricted, by means of a locked security gate, to persons who have contracted for use of a self-storage unit on the premises, only.
- l) Parking shall be provided in accordance with Village Code Section 8-5-5A.

- m) The Owner and Developer shall in all other respects generally conform to the Concept Plan submitted in conjunction with his Petition for Special Use.
- n) The Owner and Developer shall in the design, construction and operation of this special use in all respects comply with all laws, codes and regulations applicable to the proposed use of and improvements on the Subject Property.
- o) The special use shall expire if construction of said use has not commenced thereon within twelve (12) months of the date of passage of this Ordinance.

Section 3. Any and all ordinances, resolutions and orders, or parts thereof, which are in conflict with the provisions of this Ordinance, to the extent of any such conflict, hereby superseded and waived.

Section 4. If any section, subdivision, sentence or phrase of this Ordinance is for any reason held to be void, invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 5. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

ADOPTED this 17th day of April, 2023, pursuant to roll call vote as follows:

AYES: DEATLEY, HARNEY, THORNE, PICKETT

NAYS: PIRAIND, NEMEC

ABSTAIN: NONE

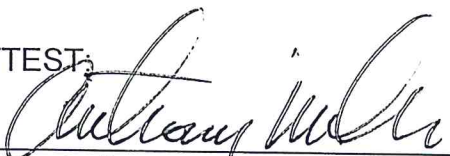
ABSENT: NONE

APPROVED this 17th day of April, 2023.



Stephan Pickett
Village President

ATTEST:



Anthony Mills
Village Clerk

LEGAL DESCRIPTION OF SUBJECT PROPERTY

That part of the Southeast Quarter of Section 21, Township 42 North, Range 8 East of the Third Principal Meridian, described as follows:

Commencing at the Intersection of the East line of said Section 21 with the center line of the public highway, State Route No. 72; Thence North 76 Degrees 45 minutes West along the said center line 957 feet for a point of beginning; thence South 4 degrees 31 minutes West 319.5 feet; thence North 85 degrees 29 minutes West 596 feet; thence North 4 degrees 31 minutes East 411.5 feet to the center line of said highway; thence South 76 degrees 45 minutes East along said center line 603 feet to the point of beginning, in the Village of Sleepy Hollow, and the Township of Dundee, Kane County, Illinois.

Permanent Index Number(s): 03-21-452-003

Common Address: 1601 West Main Street (IL 72), Sleepy Hollow, Illinois 60118