

ORDINANCE NUMBER 07 - 52

**ORDINANCE GRANTING APPROVAL OF AN AMENDMENT
TO THE TEXT OF THE FUTURE LAND USE PLAN AND THE TEXT
AND MAP OF THE EASTERN GROWTH SPECIFIC AREA PLAN OF
THE VILLAGE OF EAST DUNDEE COMPREHENSIVE PLAN**

WHEREAS, the Village of East Dundee is a home rule unit of local government under and pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, has the authority to exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, application has been made by Peter Bazos (“Applicant”) as agent for Pal Land, L.L.C. (“Owner”) under Petition No. P/Z 07-04-02 for approval of an amendment to the text of the Future Land Use Plan of the Village of East Dundee Comprehensive Plan update dated October 21, 2002; and

WHEREAS, application has been made by Applicant as agent for Owner under Petition No. P/Z 07-04-02 for approval of an amendment to the text and map of the Eastern Growth Specific Area Plan of the Village of East Dundee Comprehensive Plan update dated October 21, 2002; and

WHEREAS, the Planning and Zoning Commission (hereinafter the “Commission”) of the Village of East Dundee, pursuant to notice and pursuant to the East Dundee Code of Ordinances, Chapter 156.05(B)(3) held a hearing on April 12, 2007, on Petition No. P/Z 07-04-02; and

WHEREAS, pursuant to said hearing, the Commission approved the Petition by a vote of 8 ayes, 0 nays, and 1 absent, and adopted specific Findings of Fact concerning the application of standards for the subject property, a copy of these Findings of Fact are attached hereto as Exhibit “A” and incorporated by reference as if fully set forth herein.

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, KANE AND COOK COUNTIES, ILLINOIS, AS FOLLOWS:

Section One. That the Findings of Fact of the Commission are hereby approved and adopted and that the amendment to the text of the Future Land Use Plan of the Village of East Dundee Comprehensive Plan update dated October 21, 2002 approved by the Commission pursuant to Petition No. P/Z 07-04-02 be approved conditioned upon the submission of a complete comprehensive sign package providing freestanding, wall-mounted, shared, electronic and similar standards for all lots within the subdivision prior to or concurrent with the first application for a final development plan approval; a complete application for a preliminary plat approval including a proposed cross-section of the Christina Drive right-of-way and all improvements (including landscaping) to be located therein prior to or concurrent with the first application for a final development plan approval; and documentation providing for the perpetual maintenance of the landscaping to be located within the Christina Drive right-of-way by the land owners within the subdivision concurrent with the submittal of an application for a preliminary plat approval.

Section Two. That the text of the Future Land Use Plan of the Village of East Dundee Comprehensive Plan update dated October 21, 2002 shall be amended consistent with the layout, uses, density and intensity of the proposed Project conditioned upon the submission of a complete comprehensive sign package providing freestanding, wall-mounted, shared, electronic and similar standards for all lots within the subdivision prior to or concurrent with the first application for a final development plan approval; a complete application for a preliminary plat approval including a proposed cross-section of the Christina Drive right-of-way and all improvements (including landscaping) to be located therein prior to or concurrent with the first application for a final development plan approval; and documentation providing for the perpetual maintenance of the

landscaping to be located within the Christina Drive right-of-way by the land owners within the subdivision concurrent with the submittal of an application for a preliminary plat approval.

Section Three. That the Findings of Fact of the Commission are hereby approved and adopted and that the amendment to the text and map of the Eastern Growth Specific Area Plan of the Village of East Dundee Comprehensive Plan update dated October 21, 2002 approved by the Commission pursuant to Petition No. P/Z 07-04-02 be approved conditioned upon the submission of a complete comprehensive sign package providing freestanding, wall-mounted, shared, electronic and similar standards for all lots within the subdivision prior to or concurrent with the first application for a final development plan approval; a complete application for a preliminary plat approval including a proposed cross-section of the Christina Drive right-of-way and all improvements (including landscaping) to be located therein prior to or concurrent with the first application for a final development plan approval; and documentation providing for the perpetual maintenance of the landscaping to be located within the Christina Drive right-of-way by the land owners within the subdivision concurrent with the submittal of an application for a preliminary plat approval.

Section Four. That the text of the Eastern Growth Specific Area Plan of the Village of East Dundee Comprehensive Plan update dated October 21, 2002 shall be amended consistent with the layout, uses, density and intensity of the proposed Project conditioned upon the submission of a complete comprehensive sign package providing freestanding, wall-mounted, shared, electronic and similar standards for all lots within the subdivision prior to or concurrent with the first application for a final development plan approval; a complete application for a preliminary plat approval including a proposed cross-section of the Christina Drive right-of-way and all improvements (including landscaping) to be located therein prior to or concurrent with the first application for a

final development plan approval; and documentation providing for the perpetual maintenance of the landscaping to be located within the Christina Drive right-of-way by the land owners within the subdivision concurrent with the submittal of an application for a preliminary plat approval.

Section Five. Severability. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

Section Six. Repeal. All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

Section Seven. Publication. This ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

Adopted this 17th day of Dec, 2007, pursuant to a roll call vote as follows:

AYES: Borman, Carlino, Lynum, Cichowski,
Mahony, Pres O'Leary

NAYES: _____

ABSENT: Ruffalo

Approved by me this 17th day of Dec, 2007.

Daniel O'Leary
DANIEL O'LEARY, President

Published in pamphlet form this 21st day of Dec, 2007, under the authority of the President and Board of Trustees.

ATTEST:

Susan Norton
SUSAN NORTON, Village Clerk

Recorded in the Village Records on Dec 21, 2007.

