

ORDINANCE NUMBER 11 - 56

ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE VILLAGE OF EAST DUNDEE TO PROVIDE FOR UP TO A MAXIMUM COMBINED NUMBER OF RESIDENTIAL UNITS OF 150 SENIOR APARTMENTS; SINGLE FAMILY HOMES AND DUPLEXES TARGETED TOWARD VETERANS AND A 2+/-ACRE COMMERCIAL SITE ADJOINING ROUTE 72

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, River Haven of East Dundee subdivision (the Property) is located in parts of the Southeast Quarter of Section 23 and the Northeast Quarter of Section 26, Township 42 North, Range 8 East of the Third Principal Meridian in Kane County, Illinois. The development is approximately 3,000 feet north of State Route 72, adjacent to the west side of State Route 25; and

WHEREAS, the Property is approximately 26.3 acres (plus or minus); and

WHEREAS, Chicago Title Land Trust Company as Trustee under Trust Agreement dated May 1, 2008, and known as Trust #8002350420 has made an application through Jim Bergman (contract purchaser) to build an affordable senior and veterans housing development on a portion of the Property; and

WHEREAS, in 2007 the Village approved a 110-unit mixed-use project consisting of commercial lots along Route 25, Townhomes in the middle area of the Property, and a ring of single family homes on the north and west sides; and

WHEREAS, in April of 2011, pursuant to Ordinance 11-21, the Village amended the text of the Comprehensive Plan as it relates to the Property to provide up to 282 senior citizen multi-family dwelling units and to amend the Future Land Use Plan map to indicate Planned Development Residential for the Property; and

WHEREAS, the applicant has submitted its request to the Village of East Dundee Planning and Zoning Commission requesting an amendment to the text of the Comprehensive Plan as it relates to the Property to provide for senior apartments; single family homes and duplexes targeted toward, but not exclusive to, veterans and their families: containing a maximum combined number of residential units of 150 and a 2+/-acre commercial site adjoining Route 72; and

WHEREAS, the Planning and Zoning Commission held a public hearing on the above amendment to the Comprehensive Plan on December 8, 2011, and has recommended approval of the amendments by a vote of 4 ayes and 2 nays ; said text amendments are attached to this ordinance as Exhibit A as if fully set forth herein; and

WHEREAS, the President and Board of Trustees desire to amend the text of Comprehensive Plan as requested as it relates to the Property.

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

Section One. The above recitals are incorporated into this ordinance as if fully set forth herein.

Section Two. The amendment to the text of the Village of East Dundee Comprehensive Plan, as attached hereto as Exhibit A, is hereby adopted. This is an amendment to the Village's Comprehensive Plan and supersedes the provisions of the prior Comprehensive Plan which was in effect for River Haven prior to the adoption of this amendatory ordinance.

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

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

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

Section Six. Effective Date. Passed on the 12th day of Dec., 2011, according to the following roll call vote.

AYES:

7-Trustees Ruffalo, Gorman, Lynam, Miller, VanOstenbridge, Skillicom
NAYES: 0 and President Bartels

ABSENT: 0

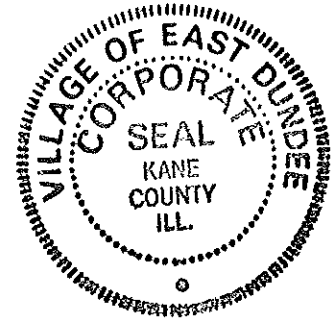
Approved by me this 12th day of Dec., 2011.

Jerald Bartels, President Paul VanOstenbridge, President Pro Tem

Published in pamphlet form this 12th day of December, 2011, under the authority of the President and Board of Trustees.

ATTEST:

Jennifer Rehberg
Jennifer Rehberg, Village Clerk



Recorded in the Village Records on December 19th, 2011.