

ORDINANCE 2017-08

AN ORDINANCE GRANTING APPROVAL OF THE FINAL DEVELOPMENT PLAN AND THE FINAL PLAT OF SUBDIVISION FOR PROPERTY FOR THE PROPOSED 260-APARTMENT SPRINGS AT CANTERFIELD DEVELOPMENT

WHEREAS, The Village of West Dundee, Kane County, Illinois, is a home rule municipality as contemplated under Article VII, Section 6 of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's home rule powers and functions as granted in the Constitution of the State of Illinois; and

WHEREAS, The Village of West Dundee has been requested by a petition signed by Continental 380 Fund LLC, with Continental Properties Company, Inc., as its manager requesting approval of a Final Planned Development and a Final Plat of Subdivision for the purpose of constructing a 260-unit rental housing development in the Village of West Dundee; and

WHEREAS, the subject site is legally described as:

THAT PART OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF ROUTE 31 PER STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION PLAT OF HIGHWAYS, RECORDED MARCH 3, 1992, AS DOCUMENT 92K13893; THENCE NORTH 10 DEGREES 33 MINUTES 44 SECONDS EAST ALONG THE EAST LINE OF SAID ROUTE 31, A DISTANCE OF 417.29 FEET (BEARINGS BASED ON SAID DOCUMENT 92K138930); THENCE NORTH 11 DEGREES 01 MINUTES 37 SECONDS EAST ALONG SAID EAST LINE, 253.81 FEET TO A FOUND TWO INCH ALUMINUM CAP; THENCE NORTH 12 DEGREES 54 MINUTES 37 SECONDS EAST ALONG SAID EAST LINE, 26.71 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 12 DEGREES 54 MINUTES 37 SECONDS EAST ALONG SAID EAST LINE, 294.07 FEET TO A FOUND ¾ INCH IRON PIPE; THENCE NORTH 11 DEGREES 27 MINUTES 05 SECONDS EAST ALONG SAID EAST LINE, 291.54 FEET TO A FOUND ¾ INCH IRON PIPE; THENCE NORTH 04 DEGREES 07 MINUTES 59 SECONDS WEST ALONG SAID EAST LINE, 368.52 FEET; THENCE NORTH 80 DEGREES 28 MINUTES 05 SECONDS EAST, 730.01 FEET; THENCE SOUTH 45 DEGREES 30 MINUTES 44 SECONDS EAST, 519.59 FEET; THENCE SOUTH 12 DEGREES 07 MINUTES 57 SECONDS WEST, 827.80 FEET; THENCE SOUTH 10 DEGREES 50 MINUTES 22 SECONDS EAST, 80.00 FEET; THENCE NORTH 79 DEGREES 09 MINUTES 38 SECONDS WEST, 1016.75 FEET TO SAID POINT OF BEGINNING.

WHEREAS, on January 30, 2017, the West Dundee Planning and Zoning Commission reviewed the proposed Final Planned Development and Final Plat of Subdivision and find them to be in conformance with the approved preliminary plans; and

WHEREAS, the Village Board has considered the findings of fact based upon the evidence presented at the meeting by the petitioners to the West Dundee Planning and Zoning Commission.

NOW THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES, VILLAGE OF WEST DUNDEE, KANE COUNTY, ILLINOIS, as follows:

Section 1: That approval of the Final Planned Development and Final Plat of Subdivision is hereby granted; and

Section 2: The recommendation of the West Dundee Planning and Zoning Commission on the question of granting approval of a Final Planned Development and a Final Plat of Subdivision for the Subject Property is hereby accepted and the approval is granted subject to the following conditions:

1. Compliance with documents submitted with the Planning and Zoning Application;
2. Compliance with final engineering plans as approved by the Village Engineer; and,
3. Compliance with all other applicable Village codes and ordinances.
4. Inclusion of a ten foot (10') public access easement along the west property line of the development to facilitate a future bike/pedestrian trail outside the fence.

Section 3: That all requirements set forth in the Zoning Ordinance of the Village of West Dundee, as would be required by any owner of property zoned in the same manner as the Subject Property shall be complied with, except as otherwise provided in this Ordinance.

Section 4: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

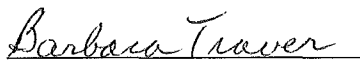
Section 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.


Section 6: That this Ordinance shall be in full force and effect upon its passage, approval, and publication in pamphlet form which publication is hereby authorized as provided by law.

PASSED by the Board of Trustees of the Village of West Dundee, Kane County, Illinois and approved by the President of said Village this 6th day of March, 2017.

AYES: Trustees Price, Hanley, Yuscka, Pflanz, Wilbrandt and Kembitzky
NAYS: None

ATTEST:


Barbara Traver
Village Clerk


Christopher Nelson
Village President

Passed: March 6, 2017
Approved: March 6, 2017
Published: March 6, 2017

Prepared by:
Village of West Dundee
Community Development Department
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