

ORDINANCE 16-15

AN ORDINANCE GRANTING A SECOND EXTENSION OF THE APPROVAL OF THE PRELIMINARY DEVELOPMENT PLAN AND THE PRELIMINARY PLAT OF SUBDIVISION FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF WILLOW LANE & ROUTE 31 IN WEST DUNDEE, ILLINOIS, COMMONLY KNOWN AS BRIGHT OAKS

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, a petition signed by Platinum Real Estate and Property Investment, Inc. through its designee Bright Oaks of West Dundee has been filed with the Village of West Dundee requesting approvals for the purpose of constructing a 149-unit senior citizen housing development consisting of memory care, assisted living, and independent living with retail mixed use on the following described parcel of property:

LOTS 18 AND 19 IN RESUBDIVISION OF LOTS 1, 2, 3, 4, 5, 6, 7, AND 8 OUTLOT B OF OLD WORLD SUBDIVISION (EXCEPT THAT PART CONDEMNED BY CASE #80ED11 TO THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF ILLINOIS) IN THE VILLAGE OF WEST DUNDEE, KANE COUNTY, ILLINOIS (said property commonly known as NWC of Willow Lane & Route 31, West Dundee, IL 60118).

WHEREAS, a Public Hearing was held by the West Dundee Planning and Zoning Commission on January 12, 2015, after due notice in the manner provided by law; and

WHEREAS, the West Dundee Planning and Zoning Commission, after deliberation, has made a report and recommended the granting of the petitioner's requests; and

WHEREAS, on January 15, 2015, the President and Board of Trustees of the Village of West Dundee, Kane County, Illinois approved Ordinance No. 15-02 issuing a Special Use for B-3 Business-Service District Planned Development, Special Use for senior citizen housing, variation for building height, variation of the number of parking spaces, a Preliminary Plat of Subdivision and Approval for the Preliminary Development Plan for Bright Oaks of West Dundee, attached hereto as Exhibit A and, by this reference, made part of this Ordinance hereof, and

WHEREAS, approval of the Preliminary Development Plan and the Preliminary Plat of Subdivision remained in effect for a period of twelve (12) months, until January 15, 2016; and

WHEREAS, on March 28, 2016, the President and Board of Trustees of the Village of West Dundee, Kane County, Illinois, granted the first extension of the Preliminary Development Plan and the Preliminary Plat of Subdivision, extending said approvals by an additional three (3) months, until April 15, 2016; and

WHEREAS, the petitioners are seeking approval to extend the Preliminary Development Plan and the Preliminary Plat of Subdivision by an additional nine (9) months, until January 15, 2017.

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

Section 1: A Second Extension of the Approval of the Preliminary Development Plan and the Preliminary Plat of Subdivision is hereby granted to January 15, 2017.

Section 2: 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 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4: 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.

AYES: Trustees Price, Hanley, Yuscka, Pflanz, Wilbrandt and Kembitzky

NAYS: None

ABSENT None


Christopher Nelson



Village President

ATTEST:

Barbara Traver



Village Clerk

Passed: 4-18-2016

Approved: 4-18-2016

Published: 4-18-2016

Prepared by:

Village of West Dundee – Community Development Department

100 Carrington Drive

West Dundee, IL 60118