

ORDINANCE 2021-15

AN ORDINANCE APPROVING REZONING FROM FARMING TO SD SPECIAL DEVELOPMENT DISTRICT WITH LIGHT INDUSTRIAL USE AREA DESIGNATION (Adjacent to Voyageur Landing)

WHEREAS, The Village of West Dundee, Kane County, Illinois (the "Village"), is a home rule municipality pursuant to Article VII, Section 6(a) of the Constitution of the State of Illinois, and as such, may exercise any power and perform any function pertaining to its government and affairs; and,

WHEREAS, ERT Elgin, LLC (the "Owner") filed a petition with the Village to rezone the approximately 56 acres (the "Subject Property") from Farming to SD Special Development District with light industrial use area designation; and,

WHEREAS, the Subject Property is legally described as:

Parcel 1: The West fraction of the Southwest fractional quarter of Section 35, Township 42 North, Range 8 East of the Third Principal Meridian, lying Northerly of the Northerly line of Parcel No. N-4D-671 being an easement acquired by the Illinois State Toll Highway Commissioner through proceedings filed in the Circuit Court of Kane County, Illinois, as Case No. 57-344, (except that part described as follows: Commencing at a point on the West Line of said Section 35, 73.9 feet North of the Southwest corner thereof, said point being on the North line of a permanent roadway easement acquired by the Illinois State Toll Highway Commissioner through proceedings filed in the Circuit Court of Kane County, Illinois, as Case No. 57-344; thence East along the North line of said permanent roadway easement, 932.65 feet for the point of beginning; thence North 15 degrees 00 minutes East 239.0 feet; thence North 7 degrees 49 minutes East 474.48 feet; thence North 6 degrees 52 minutes 20 seconds West 641.35 feet; thence North 40 degrees 11 minutes West 143.50 feet; thence North 5 degrees 18 minutes West 197.00 feet; thence North 21 degrees 20 minutes 40 seconds West 278.42 feet; thence North 11 degrees 28 minutes 40 seconds West 190.65 feet; thence North 78 degrees 31 minutes 20 seconds East 164.0 feet to the Westerly bank of the Fox River; thence Southerly along the meandering Westerly bank of the Fox River, 2225 feet to a point of intersection with the North line of the aforesaid permanent roadway easement; thence West along said North line of said permanent roadway easement, 384.25 feet to the point of beginning, and also excepting therefrom that part described as follows: Commencing at a point on the West line of said Southwest fractional quarter 73.9 feet North of the Southwest corner thereof, said point being on the North line of aforesaid Parcel No. N-4D-671; thence South 89 degrees 05 minutes East along the North line thereof 506.33 feet for a place of beginning; thence continuing South 89 degrees 05 minutes East 426.32 feet; thence North 15 degrees East 239.0 feet; thence North 07 degrees 49 minutes East 474.48 feet; thence North 06 degrees 52 minutes 20 seconds West 641.35 feet then North 40 degrees 11 minutes West 143.50 feet; thence North 05 degrees 18 minutes West 161.75 feet; thence North 90 degrees West 368.44 feet; thence South 0 degrees

1601.94 feet to the place of beginning), in the Township of Dundee, Kane County, Illinois. Containing 37.59 Acres more or less. (PIN: 03-35-300-011); and,

Parcel 2: That part of the SW fractional quarter of Section 35 Township 42 North Range 8 East of the Third Principal Meridian described as follows: Commencing at a point of the west line of said Southwest Fractional Quarter 73.9 feet North of the Southwest corner thereof, said point beginning on the North line of aforesaid parcel No. N-4D-671, thence South 89 degrees 05 minutes east along the north line thereof 506.33 feet for a place of beginning, thence continuing South 89 degrees 05 minutes East 426.33 feet; thence North 15 degrees East 239.0 feet, thence North 07 degrees 49 minutes East 474.48 feet, thence North 06 degrees 52 minutes 20 seconds West 641.35 feet, thence North 40 degrees 11 minutes West 143.50 feet; thence North 05 degrees 18 minutes West 161.74 feet, thence North 90 degrees West 368.44 feet; thence South 0 degrees 1601.94 feet to the place of beginning, in the Township of Dundee, Kane County, Illinois. Containing 17.87 Acres more or less (PIN: 03-35-300-012); and,

WHEREAS, a Public Hearing was held by the West Dundee Planning and Zoning Commission on February 22, 2021 after due notice in the manner provided by law; and,

WHEREAS, the West Dundee Planning and Zoning Commission, after deliberation of the Developer's application, made findings of fact and a unanimous recommendation of approval that the granting of said rezoning to the SD Special Development District for the Subject Property meets the requirements of the West Dundee Municipal Code; and,

WHEREAS, the Village President and Board of Trustees (the "Corporate Authorities") have considered the recommendations and findings of fact of 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: The Subject Property is hereby rezoned from Farming to SD Special Development District with Light Industrial Use Area Designation; and

Section 2: That all requirements set forth in the Zoning Ordinance of the Village of West Dundee, shall be complied with, except as otherwise provided in this Ordinance.

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

Section 4: 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 17th day of May, 2021.

AYES: Trustees Price, Yuscka, Alopogianis, Anderley, Wilbrandt and Kembitzky
NAYS: None
ABSENT: None

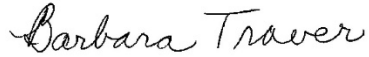
ABSENT: None

APPROVED:



Christopher Nelson, Village President

ATTEST:



Barbara Traver, Village Clerk

Passed: 05-17-2021
Approved: 05-17-2021
Published: 05-18-2021

Prepared by:
Village of West Dundee
Community Development Department
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West Dundee, IL 60118