

**RESOLUTION 2022-07**

**A RESOLUTION OF THE VILLAGE OF WEST DUNDEE, ILLINOIS, GRANTING PRELIMINARY APPROVAL, SUBJECT TO AN ANNEXATION AGREEMENT, TO ANNEX THE TERRITORY INTO THE VILLAGE, TO REZONE FROM KANE COUNTY FARMING TO THE VILLAGE'S R-4 LOW DENSITY MULTIPLE-FAMILY DISTRICT AND B-3 BUSINESS SERVICE DISTRICT, FOR A SPECIAL USE FOR A PRELIMINARY PLANNED DEVELOPMENT, AND FOR A PRELIMINARY DEVELOPMENT PLAN FOR THE DEVELOPMENT OF A RESIDENTIAL RENTAL COMMUNITY AND COMMERCIAL OUTLOT AT THE SOUTHEAST CORNER OF MAIN STREET (IL ROUTE 72) AND RANDALL ROAD**

(Village West)

WHEREAS, The Village of West Dundee, Kane County, Illinois, is a home rule municipality pursuant to Article VII, Section 6 of the Constitution of the State of Illinois, and the passage of this Resolution 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 received an application from S.R. Jacobson Development Corporation (the "Developer") to consider, upon annexation of the territory under contract by the Developer, (1) the rezoning from Kane County Farming to the Village's R-4 Low Density Multiple-Family District and B-3 Business-Service District; (2) a Special Use for a Preliminary Planned Development; and (3) a Preliminary Development Plan for the Development of a Multi-Family Residential Rental Community and Commercial Outlot on Approximately 75 Acres commonly known as the Strepek Property at the Southeast Corner of Route 72/Main Street and Randall Road; and

WHEREAS, the territory is legally described as:

Parcel I: The North Half of the Southwest Quarter of Section 20, Township 42 North, Range 8 East of the Third Principal Meridian, (Except Therefrom that Part Described as Follows: Beginning at the Southwest Corner of the North Half of said Southwest Quarter; Thence Northerly, along the West Line of said Southwest Quarter, a Distance of 231.84 Feet; Thence Easterly, along a Line that Forms an Angle of 88 Degrees 28 Minutes 35 Seconds to the Right with the Prolongation of the Last Described Course, a Distance of 907.22 Feet; Thence Southerly, Parallel with the West Line of said Southwest Quarter, a Distance of 267.82 Feet to a Point on the South Line of the North Half of said Southwest Quarter that is 906.98 Feet Easterly of the Place of Beginning; Thence Westerly, along said South Line, a Distance of 906.98 Feet to the Place of Beginning; And also Except Therefrom that Part Falling Within State Route 72 And Randall Road) in Kane County, Illinois.

Parcel II: That Part of the North Half of the Southwest Quarter of Section 20, Township 42 North, Range 8 East of the Third Principal Meridian, Described as Follows: Beginning at the Southwest Corner of the North Half of said Southwest Quarter; Thence Northerly, along the West Line of said Southwest Quarter, a Distance of 231.84 Feet; Thence Easterly, along a Line that Forms an Angle of 88 Degrees 28 Minutes 35 Seconds to the Right with the Prolongation of the Last Described Course, a Distance of 907.22 Feet; Thence Southerly, Parallel with the West Line of said Southwest Quarter, a Distance of 267.82 Feet to a Point on the South Line of the North Half of said Southwest Quarter that is 906.98 Feet Easterly of the Place of Beginning; Thence Westerly, along said South Line, a Distance of 906.98 Feet to the Place of Beginning (Except Therefrom the Following: that Part of the North Half of the Southwest Quarter of Section 20, Township 42 North, Range 8 East of the Third Principal Meridian, Described As Follows:

Beginning at the Southwest Corner of the North Half of said Southwest Quarter; Thence on an Assumed Bearing of South 88 Degrees 49 Minutes 20 Seconds East, along the South Line of the North Half of said Southwest Quarter, 47.83 Feet; Thence North 2 Degrees 14 Minutes 13 Seconds West 233.73 Feet to the North Line of the Grantor; Thence South 88 Degrees 54 Minutes 18 Seconds West, along said North Line, 38.32 Feet to the West Line of said Southwest Quarter; Thence South 0 Degrees 05 Minutes 41 Seconds West, along said West Line, 231.84 Feet to the Point of Beginning) in Kane County, Illinois; and,

WHEREAS, a Public Hearing was held by the West Dundee Planning and Zoning Commission on August 22, 2022 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, has made a recommendation for approval of the requested rezoning and the special use for the preliminary planned development and has made findings of fact that the preliminary development plan meets the requirements of the West Dundee Municipal Code; and,

WHEREAS, the recommendation for approval provided by the West Dundee Planning and Zoning Commission was made subject to the following conditions:

1. Compliance with documents including site plan as submitted with the Planning and Zoning Application;
2. Review and approval of engineering plans including but not limited to provision of necessary access and maneuverability as required by the West Dundee Fire Department;
3. Required reviews and approvals by appropriate outside jurisdictions/agencies including but potentially not limited to Kane County Department of Transportation, Illinois Department of Transportation, the Illinois State Historic Preservation Office, the Illinois Department of Natural Resources, the Illinois Environmental Protection Agency, and the U.S. Army Corps of Engineers; and,
4. Compliance with all other applicable Village codes and ordinances

WHEREAS, the Village President and Board of Trustees (the "Corporate Authorities") have considered the recommendation and findings of fact of the West Dundee Planning and Zoning Commission.

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

Section 1: That the Corporate Authorities hereby grant preliminary approval, subject to the terms of an annexation agreement by and between the Developer and the Village, to annex the territory into the Village, to rezone from Kane County Farming to R-4 Low Density Multiple-Family District and B-3 Business-Service District, for a Special Use for a Preliminary Planned Development and for a Preliminary Development Plan as described in the Developer's application.

Section 2: That the Developer is advised to work with the Village staff to develop an

annexation agreement for the annexation and development of the territory for review and consideration by the Corporate Authorities.

Section 3: This Resolution shall be in full force and effect upon its passage and approval according to law.

Passed this 12th day of September, 2022.

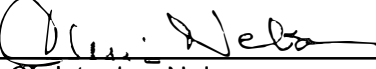
AYES: Trustees Price, Yuscka, Haley, Alopogianis, Anderley and Wilbrandt

NAYS: None

ABSENT: None

ATTEST:

  
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Mary Jo Pape  
Village Clerk

  
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Christopher Nelson  
Village President