

## ORDINANCE 2019-11

***An Ordinance Approving the Rezoning from Farming (Unincorporated) to R-5 Medium Density Multiple-Family Planned Development District (R-5 PDD) and B-3 Business-Service District, a Special Use for a Planned Development, a Final Development Plan, and the Final Plat of Subdivision for Real Estate Located at the Southwest Corner of Recreation Drive and Randall Road***

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 of 1970 and, as such, may exercise any power and perform any function pertaining to its government and affairs; and,

WHEREAS, FRED-West Dundee, LLC (the "Petitioners") filed a petition with the Village requesting: (1) Rezoning from Farming (Unincorporated) to R-5 Planned Development District and B-3 Business-Service District (B-3); (2) a Special Use for a Final Planned Development; (3) a Final Development Plan; and, approval of a (4) Final Plat of Subdivision for the purpose of constructing a 380-unit rental housing and commercial PUD development in the Village of West Dundee on the property legally described as:

THAT PART OF THE NORTHEAST 1/4, SECTION 19, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 5 IN THE FIRST ADDITION TO COUNTRY VIEW HIGHLANDS SUBDIVISION, RECORDED JULY 30, 1956 PER DOCUMENT 813223; THENCE NORTH 01 DEGREES 19 MINUTES 06 SECONDS WEST ALONG THE NORTHERLY EXTENSION OF SAID LOT 5, A DISTANCE OF 237.43 FEET TO A LINE PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE NORTH 88 DEGREES 59 MINUTES 26 SECONDS WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 666.23 FEET TO A LINE PARALLEL WITH THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE NORTH 00 DEGREES 14 MINUTES 50 SECONDS WEST ALONG SAID PARALLEL LINE, A DISTANCE OF 750.00 FEET TO A LINE PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 88 DEGREES 59 MINUTES 26 SECONDS EAST ALONG SAID PARALLEL NORTH LINE, A DISTANCE OF 1920.31 FEET TO THE WESTERLY RIGHT-OF-WAY OF RANDALL ROAD (F.A.U. 2505) AS WIDENED PER DOCUMENT 97K066511 AND A POINT ON A NON-TANGENT CURVE; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY FOR THE FOLLOWING 2 COURSES: 1) THENCE SOUTHERLY ALONG A NON-TANGENT CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 11394.16 FEET SUBTENDING A CHORD BEARING SOUTH 02 DEGREES 18 MINUTES 28 SECONDS WEST, A CHORD DISTANCE OF 245.31 FEET AND AN ARC DISTANCE OF 245.31 FEET TO A POINT OF A NON-TANGENT CURVE; 2) THENCE CONTINUING SOUTHERLY ALONG SAID CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 11524.16 FEET SUBTENDING A CHORD BEARING SOUTH 02 DEGREES 08 MINUTES 52 SECONDS WEST A CHORD DISTANCE OF 312.46 FEET AND AN ARC DISTANCE OF 312.47 FEET TO THE NORTH LINE OF PROPERTY CONVEYED IN A DEED PER DOCUMENT 1222228 ALSO BEING PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 88 DEGREES 59 MINUTES 26 SECONDS WEST ALONG SAID NORTH LINE, A DISTANCE OF 366.43 FEET TO THE NORTHERLY EXTENSION OF THE EAST LINE OF LOT 13 IN THE SECOND ADDITION TO COUNTRY VIEW HIGHLANDS RECORDED JUNE 9, 1956 PER DOCUMENT 891700; THENCE SOUTH 00 DEGREES 27 MINUTES 29 SECONDS WEST ALONG SAID NORTHERLY EXTENSION, A DISTANCE OF

283.99 FEET ALONG SAID NORTHERLY EXTENSION TO THE NORTHERLY LINE OF SAID SECOND ADDITION TO COUNTRY VIEW HIGHLANDS; THENCE ALONG SAID NORTHERLY LINE FOR THE FOLLOWING 2 COURSES: 1) THENCE NORTH 89 DEGREES 32 MINUTES 31 SECONDS WEST, A DISTANCE OF 392.95 FEET; 2) THENCE SOUTH 27 DEGREES 26 MINUTES 52 SECONDS WEST, A DISTANCE OF 185.90 FEET TO THE NORTHEAST CORNER OF SAID FIRST ADDITION TO COUNTRY VIEW HIGHLANDS; THENCE NORTH 85 DEGREES 13 MINUTES 31 SECONDS WEST ALONG SAID NORTHERLY LINE, A DISTANCE OF 377.64 FEET TO SAID POINT OF BEGINNING, IN KANE COUNTY, ILLINOIS (the "Property").

WHEREAS, a Public Hearing was held by the West Dundee Planning and Zoning Commission on March 11, 2019 on the Rezoning of the Property to R-5 Medium Density Multiple-Family District (R-5 PDD) and B-3 Business Service District. A Special Use for a Planned Development and a Preliminary Plat of Subdivision; and,

WHEREAS, on June 24, 2019, the West Dundee Planning and Zoning Commission reviewed the proposed Final Planned Development and Final Plat of Subdivision and found them to be in conformance with the approved preliminary plans; and,

WHEREAS, the President and Board of Trustees have reviewed and have considered the findings of fact based upon the information and documentation 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 the Property is hereby rezoned from Farming (Unincorporated) to R-5 Medium Density Multiple-Family Planned Development District (R-5 PDD) and B-3 Business-Service District (B-3); and

Section 2: The Special Use for a Planned Development is hereby approved; and

Section 3: The Final Planned Development and Final Plat of Subdivision and hereby approved, subject to the following:

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.

Section 4: 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.

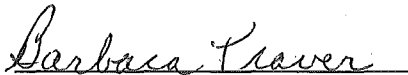
Section 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.


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 1st day of July, 2019.

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

ATTEST:

  
Barbara Traver  
Village Clerk

  
Christopher Nelson  
Village President

Passed: July 1, 2019  
Approved: July 1, 2019  
Published: July 1, 2019

Prepared by:  
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