

**ORDINANCE 15-17**

**AN ORDINANCE ISSUING A SPECIAL USE PERMIT FOR A PLANNED DEVELOPMENT AND GRANTING APPROVAL OF A PRELIMINARY REDEVELOPMENT PLAN FOR THE PROPERTY COMMONLY KNOWN AS SPRING HILL MALL**

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 received a petition signed by V3 Companies representing Spring Hill Mall, LLC/Rouse Properties, requesting a Special Use Permit for a Planned Development and Approval of a Preliminary Redevelopment Plan for the purpose of redeveloping a significant portion of the Spring Hill Mall property; and

WHEREAS, a Public Hearing was held by the West Dundee Planning and Zoning Commission on June 22, 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 petitioner's requests; and

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

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

Section 1: That a special use for a planned development is hereby granted the following described parcel of property.

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 21, AND THAT PART OF THE SOUTHWEST QUARTER OF SECTION 22, ALL IN TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN KANE COUNTY, ILLINOIS (said property commonly known as Spring Hill Mall Lots).

Section 2: That preliminary plan approval be granted for a plat prepared by V3 Companies dated May 22, 2015 is hereby granted, and

Section 2: 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 3: The findings and recommendations of the West Dundee Planning and Zoning Commission on the question of granting a Special Use Permit for a Planned Development and Granting Approval of a Preliminary Redevelopment Plan for the Subject Property are hereby accepted and the approval is granted 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; and,
3. Compliance with all other applicable codes and ordinances.

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 3<sup>rd</sup> day of August, 2015.

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

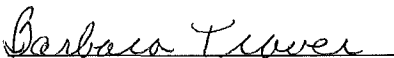
NAYS: None

ABSENT: Trustee Pflanz



Christopher Nelson  
Village President

ATTEST:

  
Barbara Traver  
Village Clerk

Prepared by:  
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