

**ORDINANCE 15-02**

**AN ORDINANCE ISSUING SPECIAL USE FOR B-3 PLANNED DEVELOPMENT; SPECIAL USE FOR SENIOR CITIZEN HOUSING; GRANTING VARIATIONS FOR BUILDING HEIGHT REGULATION AND NUMBER OF PARKING SPACES; AND APPROVAL OF PRELIMINARY PLAT OF SUBDIVISION FOR PROPERTY LOCATED AT NORTHWEST CORNER OF WILLOW LANE & ROUTE 31 WEST DUNDEE, ILLINOIS**

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 a Special Use for B-3 Business-Service District Planned Development pursuant to Title 10 of the West Dundee Municipal Code Section 10-5D-3: Special Uses and Section 10-8: Planned Development; and Special Use for senior citizen housing pursuant to Title 10 of the West Dundee Municipal Code Section 10-5D-3: Special Uses; and variation for building height regulations pursuant to Title 10 of the West Dundee Municipal Code Section 10-8: Planned Development, and variation of the number of parking spaces pursuant to Title 10 of the West Dundee Municipal Code Section 10-9-1-8: Required Off Street Parking Spaces; and a Preliminary Plat of Subdivision Pursuant to Title 11 of the West Dundee Municipal Code Subdivision and Development Regulations 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; and

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 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 B-3 Planned Development; Special Use for Senior Citizen Housing; variations for building height regulation and number of parking spaces; and a Preliminary Plat of Subdivision to allow for the construction of senior citizen housing development are hereby granted 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).

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 the requested approvals for the Subject Property are hereby accepted and the approval is granted subject to the following conditions for approval:

1. Substantial compliance with site plan drawings dated December 16, 2014 as prepared by CEMCON, Ltd.
2. Substantial conformance with the typical elevations dated December 16, 2014 as created by Gleason Architects, P.C
3. Approval of preliminary and final engineering.
4. Compliance with all other applicable codes and ordinances.
5. The Village of West Dundee will evaluate and consider financial incentives as it relates to this development proposal, prior to the approval of final development plans.

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.

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


Christopher Nelson



Village President

ATTEST:

Barbara Traver

  
Village Clerk

Passed: January 19, 2015  
Approved: January 19, 2015  
Date Published: January 19, 2015

Prepared by:  
Village of West Dundee  
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