



## PRESIDENT AND BOARD OF TRUSTEES

### Regular Meeting

Monday, June 3, 2024

6:30 PM

*This meeting will follow the conclusion of the Committee of the Whole meeting,  
or at 6:30 PM, whichever occurs later.*

East Dundee Police Station, 2<sup>nd</sup> Floor Meeting Room  
115 E. 3<sup>rd</sup> Street, East Dundee, IL 60118

1. Call to Order
2. Roll Call – Trustee Brittin
3. Pledge of Allegiance
4. Public Comment  
*Please keep comments to 5 minutes or less*
5. Public Hearings:
  - a. [A request to rezone 309 Jackson Street, East Dundee IL, 60118, PIN 03-23-320-006 from R3-Single Family Residence District to B1-Downtown Business District as described in Section 157.051](#)
  - b. [In conjunction with a request to rezone the property, a request for a special use permit for “parking lot; commercial” as described in Section 157.050\(F\)\(1\)\(g\)\(3\) to be located at 309 Jackson Street, East Dundee, IL, 60118, PIN 03-23-320-006, in the R-3 Single-Family Residence District, and to be located at 304 Hill Street, East Dundee, IL, 60118, PIN 03-23-320-001, in the B-1 Downtown Business District](#)
6. Consent Agenda
  - a. [Motion to Accept the Warrants List in the Amount of \\$118,276.47](#)
  - b. [Motion to Approve a Resolution Accepting Public Improvements for the High Street Development located at 1191 E. Main Street and Reducing the Letter of Credit \(LOC\) to \\$12,462.45 for 15 months.](#)
7. Other Agenda Items
  - a. [Motion to Approve a Findings of Fact Regarding a Request to Rezone 309 Jackson Street, East Dundee, IL 60118, PIN 03-23-320-006 from R3 Single Family Residence to B1 Downtown Business District.](#)
  - b. [Motion to Approve an Ordinance Rezoning 309 Jackson Street, East Dundee, IL 60118 PIN 03-23-320-006 from R3 Single Family Residence District to B1 Downtown Business District.](#)

- c. Motion to Approve a Findings of Fact Regarding a Special Use Permit for a Parking Garage for the Properties Located at 309 Jackson Street PIN 03-23-320-006 and 304 Hill Street PIN 03-23-320-001 East Dundee, IL 60118.
- d. Motion to Approve an Ordinance Granting a Special Use Permit for a Parking Garage for the Properties Located at 309 Jackson Street PIN 03-23-320-006 and 304 Hill Street PIN 03-23-320-001 East Dundee IL, 60118 as Described in Section 157.050(F)(1)(g)(3) of the Zoning Ordinance.

8. Village President and Board Reports

9. Staff Reports

10. Executive Session

Closed to the public and media under the provisions of the Illinois Open Meetings Act, 5ILCS, 120/2, (c)(21) Discussion of Minutes, (c)(11) Pending Litigation, (c)(1) Personnel and Legal Counsel, (c)(5) Acquisition of Property, (c)(6) Sale of Property, (c)(3) Appointments and (c)(2) Collective Negotiating Matters.

11. Adjournment

State of Illinois                                 )  
Counties of Cook and Kane                 )         SS  
Village of East Dundee                     )

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Village Board of Trustees of the Village of East Dundee will hold a public hearing on June 3, 2024, at 6:30 P.M. at the East Dundee Police Station 2<sup>nd</sup> Floor Meeting Room, 115 E. 3<sup>rd</sup> Street, East Dundee, Illinois, to consider the following request:

A request to rezone 309 Jackson Street, East Dundee IL, 60118, PIN 03-23-320-006 from R3-Single Family Residence District to B1-Downtown Business District as described in Section 157.051.

PIN: 03-23-320-006

Legal Description: LOT 8 IN BLOCK 2 OF EAST DUNDEE, IN THE SOUTHWEST ¼ OF SECTION 23, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS

All interested persons will be given an opportunity to be heard. Any questions regarding this public hearing process may be directed to Franco Bottalico, 120 Barrington Avenue, East Dundee, Illinois, 60118 via email at [FBottalico@eastdundee.net](mailto:FBottalico@eastdundee.net), or by phone at (847) 815-0472.

State of Illinois                                 )  
Counties of Cook and Kane                 )         SS  
Village of East Dundee                     )

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Village Board of Trustees of the Village of East Dundee will hold a public hearing on June 3, 2024, at 6:30 P.M. at the East Dundee Police Station 2<sup>nd</sup> Floor Meeting Room, 115 E. 3<sup>rd</sup> Street, East Dundee, Illinois, to consider the following request:

In conjunction with a request to rezone the property, a request for a special use permit for “parking lot; commercial” as described in Section 157.050(F)(1)(g)(3) to be located at 309 Jackson Street, East Dundee, IL, 60118, PIN 03-23-320-006, in the R-3 Single-Family Residence District, and to be located at 304 Hill Street, East Dundee, IL, 60118, PIN 03-23-320-001, in the B-1 Downtown Business District.

**PINs and Legal Descriptions:**

03-23-320-006 (309 Jackson Street)

LOT 8 IN BLOCK 2 OF EAST DUNDEE, IN THE SOUTHWEST ¼ OF SECTION 23, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS

03-23-320-001 (304 Hill Street)

LOTS 3 AND 4 AND LOT 5 (EXCEPT THE WEST 30 FEET) IN BLOCK 2 OF THE PLAT OF DUNDEE, IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS.

All interested persons will be given an opportunity to be heard. Any questions regarding this public hearing process may be directed to Franco Bottalico, 120 Barrington Avenue, East Dundee, Illinois, 60118 via email at [FBottalico@eastdundee.net](mailto:FBottalico@eastdundee.net), or by phone at (847) 815-0472.

Invoice Number	Description	Invoice Date	Net Invoice Amount	Voided	GL Account Number
<b>AFLAC</b>					
208053	AFLAC	05/26/2024	759.68		27-01-2215
Total AFLAC:			759.68		
<b>AMERICAN LEGAL PUBLISHING CORPORATION</b>					
33937	INTERNET RENEWAL	05/15/2024	550.00		01-12-5260
Total AMERICAN LEGAL PUBLISHING CORPORATION:			550.00		
<b>ANA LOPEZ - C/O PETTY CASH - VH</b>					
052424	PETTY CASH - EVENTS	05/24/2024	700.00		01-37-5631
Total ANA LOPEZ - C/O PETTY CASH - VH:			700.00		
<b>ASSURANT FIRE PROTECTION, LLC</b>					
23695	FIRE ALARM WW	05/20/2024	435.00		60-33-5111
Total ASSURANT FIRE PROTECTION, LLC:			435.00		
<b>AT&amp;T</b>					
051324	ATT W/S	05/13/2024	435.53		60-33-5320
Total AT&T:			435.53		
<b>B&amp;F CONSTRUCTION CODE SERVICES INC</b>					
19284	INSPECTIONS	05/23/2024	495.00		01-25-5290
Total B&F CONSTRUCTION CODE SERVICES INC:			495.00		
<b>BAXTER AND WOODMAN CONSULTING ENGINEERS</b>					
252561	MS4 SERVICES 2023	11/20/2023	1,500.00		01-31-5220
258858	MS4 SERVICES	05/09/2024	1,420.00		01-31-5220
258856	W/S RATE STUDY	05/09/2024	486.87		60-33-5220
259133	WATER SYSTEM SURVEY	05/17/2024	802.50		60-33-5220
259137	IEPA PROJECT PLAN	05/17/2024	620.00		60-33-5220
259140	W/S RATE STUDY	05/17/2024	77.50		60-33-5220
259144	CCR - WATER QUALITY REPOR	05/17/2024	1,227.50		60-33-5220
258856	W/S RATE STUDY	05/09/2024	486.88		60-33-5221
259140	W/S RATE STUDY	05/17/2024	77.50		60-33-5221
258854	LEAD SERVICE INVENTORY	05/09/2024	886.25		60-33-5946
258855	LEAD SERVICE INVENTORY	05/09/2024	232.50		60-33-5946
259135	LEAD SERVICE INVENTORY	05/17/2024	405.00		60-33-5946
Total BAXTER AND WOODMAN CONSULTING ENGINEERS:			8,222.50		
<b>CALEB HAYDOCK</b>					
1001074550	LABOR LAW POSTERS	05/21/2024	43.35		01-12-5630
Total CALEB HAYDOCK:			43.35		
<b>CINTAS FIRST AID &amp; SAFETY</b>					
4193492661	FLOOR MATS - VH	05/22/2024	53.57		01-12-5110
4193492705	MATS PD	05/22/2024	50.77		01-21-5121

Invoice Number	Description	Invoice Date	Net Invoice Amount	Voided	GL Account Number
Total CINTAS FIRST AID & SAFETY:			104.34		
<b>COM ED</b>					
051724	COM ED VH	05/17/2024	12.76		01-31-5510
051724	COM ED STREETS	05/17/2024	142.97		28-01-5510
Total COM ED:			155.73		
<b>COMED</b>					
051424	COM ED VILLAGE	05/14/2024	5,490.82		28-01-5510
Total COMED:			5,490.82		
<b>CREATIVE PROMOTIONAL APPAREL</b>					
18913	LOGOS	05/21/2024	54.50		01-31-5080
18913	LOGOS	05/21/2024	54.50		60-33-5080
Total CREATIVE PROMOTIONAL APPAREL:			109.00		
<b>DAN DUDA JR</b>					
14919	TICKET OVERPAYMENT	05/14/2024	30.00		01-09-4720
Total DAN DUDA JR:			30.00		
<b>DUNDEE LANDSCAPE CONSTRUCTION</b>					
7088	LANDSCAPE MAINT	05/25/2024	800.00		01-31-5110
7020	DEPOT PAVER PROJECT	05/09/2024	1,642.50		34-01-5945
Total DUNDEE LANDSCAPE CONSTRUCTION:			2,442.50		
<b>DUNDEE NAPA AUTO PARTS</b>					
476926	MOWER TIRE	05/16/2024	13.97		01-31-5130
477490	GRAFFITI PAINT	05/22/2024	23.12		39-01-5955
Total DUNDEE NAPA AUTO PARTS:			37.09		
<b>DUNDEE TOWNSHIP PARK DISTRICT</b>					
051424	CONCERTS IN THE PARK	05/15/2024	1,800.00		01-37-5290
Total DUNDEE TOWNSHIP PARK DISTRICT:			1,800.00		
<b>DW-SERVANT FUND (EAST DUNDEE) LLC</b>					
52224 1	BDD DUNDEE GATEWA	05/22/2024	4,166.67		33-01-5876
Total DW-SERVANT FUND (EAST DUNDEE) LLC:			4,166.67		
<b>EAST DUNDEE FIRE</b>					
1	STAFF CPR TRAINING	05/24/2024	105.67		01-12-5430
Total EAST DUNDEE FIRE:			105.67		
<b>ELGIN KEY &amp; LOCK CO. INC.</b>					
240274	DOOR LOCKS 218 & 222 VAN B	05/17/2024	229.00		39-01-5955
Total ELGIN KEY & LOCK CO. INC.:			229.00		

Invoice Number	Description	Invoice Date	Net Invoice Amount	Voided	GL Account Number
<b>ELROD FRIEDMAN LLP</b>					
043024	PROFESSIONAL SERVICES	04/30/2024	18,306.00		01-12-5230
043024	POLICE LEGAL	04/30/2024	94.50		01-21-5230
043024	TIF 1 PRAIRIE	04/30/2024	418.50		35-01-5230
043024	TIF 4 CHRISTINA DRIVE	04/30/2024	315.00		36-01-5230
043024	TIF 2 DUNDEE CROSSINGS	04/30/2024	157.50		38-01-5230
043024	TIF 3 DOWNTOWN	04/30/2024	6,680.50		39-01-5230
043024	TIF 5 RTE 68 WEST	04/30/2024	157.50		42-01-5230
043024	TIF 6 RT 25 SOUTH	04/30/2024	126.00		46-01-5230
043024	TIF 7 COOK COUNTY	04/30/2024	157.50		47-01-5230
043024	TIF 8 PENNY AVE	04/30/2024	157.50		56-01-5230
043024	TIF 9 S RTE 72	04/30/2024	157.50		57-01-5230
043024	PUBLIC WORKS WATER FUND	04/30/2024	220.50		60-33-5230
043024	PAL LAND LLC	04/30/2024	220.50		85-01-2382
043024	590 HEALY RD	04/30/2024	315.00		85-01-2395
Total ELROD FRIEDMAN LLP:			27,484.00		
<b>FASTSIGNS</b>					
97-65489	STREET CONSTRUCTION SIGN	05/20/2024	1,027.84		01-31-5150
97-65489	BATHROOM SIGNS	05/20/2024	73.67		34-01-5945
97-65528	BATHROOM SIGNS	05/22/2024	73.67		34-01-5945
Total FASTSIGNS:			1,175.18		
<b>FIRST RESPONSE</b>					
55288	PD FIRST AID	05/20/2024	92.00		01-21-5630
Total FIRST RESPONSE:			92.00		
<b>GOLD SHIELD DETECTIVE AGENCY, INC</b>					
2259	BG CHECK	05/16/2024	1,057.60		01-21-5290
Total GOLD SHIELD DETECTIVE AGENCY, INC:			1,057.60		
<b>GRAINGER, INC.</b>					
9126762112	ANTI -SEIZE	05/21/2024	179.04		60-33-5140
9126762112	ICE PACKS FOR SAMPLES	05/21/2024	9.87		60-33-5630
Total GRAINGER, INC.:			188.91		
<b>HAWKINS, INC.</b>					
6757892	WATER CHEMICALS	05/15/2024	160.00		60-33-5650
6757893	WATER CHEMICALS	05/15/2024	10.00		60-33-5650
6756132	WW CHEMICALS	05/06/2024	4,672.18		60-33-5651
Total HAWKINS, INC.:			4,842.18		
<b>HELPING HAND IT</b>					
24-45990	IT SERVICES	05/24/2024	616.25		01-12-5286
Total HELPING HAND IT:			616.25		
<b>ILLINOIS ATTORNEY GENERAL</b>					
051624	SEX OFF AWAR FUND 0958	05/16/2024	30.00		01-09-4780

Invoice Number	Description	Invoice Date	Net Invoice Amount	Voided	GL Account Number
Total ILLINOIS ATTORNEY GENERAL:			30.00		
<b>ILLINOIS DEPT. OF TRANSPORTATION</b>					
9170	33.33% 72/MAIN @ ROCK RD	05/23/2024	514.56		01-31-5150
9170	50% 72/MAIN @ VAN	05/23/2024	771.87		01-31-5150
9170	72/MAIN @ RIVER ST	05/23/2024	771.87		01-31-5150
Total ILLINOIS DEPT. OF TRANSPORTATION:			2,058.30		
<b>ILLINOIS PUBLIC RISK FUND</b>					
91510	W/C ADMIN	05/13/2024	743.90		01-12-5520
91510	W/C FIN	05/13/2024	374.45		01-14-5520
91510	W/C PD	05/13/2024	4,343.62		01-21-5520
91510	W/C BLDG	05/13/2024	374.45		01-25-5520
91510	W/C W/S	05/13/2024	748.90		01-31-5520
91510	W/C PW	05/13/2024	898.68		60-33-5520
Total ILLINOIS PUBLIC RISK FUND:			7,484.00		
<b>ILLINOIS STATE POLICE</b>					
051624	SEX OFF REG U. KASAKEWITA	05/16/2024	30.00		01-09-4780
Total ILLINOIS STATE POLICE:			30.00		
<b>KANE COUNTY TREASURER</b>					
052024	TAX BILLS	05/20/2024	16,600.76		39-01-5235
Total KANE COUNTY TREASURER:			16,600.76		
<b>MENARDS - CARPENTERSVILLE</b>					
22973	FOR SPECIAL EVENTS SIGNS	05/21/2024	50.00		01-37-5631
22613	DEPOT REMODEL	05/15/2024	46.68		34-01-5945
Total MENARDS - CARPENTERSVILLE:			96.68		
<b>NORTH EAST MULTI-REGIONAL TRAINING</b>					
353740	TRAINING - JF	05/20/2024	175.00		01-21-5430
Total NORTH EAST MULTI-REGIONAL TRAINING:			175.00		
<b>NORTHWESTERN MEDICINE OCCUPATIONAL HEALT</b>					
043024	ANNUAL FEE 550944	04/30/2024	35.00		01-12-5240
043024	PD M 550627	04/30/2024	248.00		01-21-5240
043024	PW M 550627	04/30/2024	130.00		01-31-5240
Total NORTHWESTERN MEDICINE OCCUPATIONAL HEALT:			413.00		
<b>OFFICE OF THE ILLIOIS STATE TREASURER</b>					
051624	SEX OFFENDER MGMT	05/16/2024	5.00		01-09-4780
Total OFFICE OF THE ILLIOIS STATE TREASURER:			5.00		
<b>ORANGE CRUSH</b>					
108795	ASPHALT	DISPO 04/30/2024	100.00		01-31-5570



Invoice Number	Description	Invoice Date	Net Invoice Amount	Voided	GL Account Number
Total ORANGE CRUSH:			100.00		
<b>PADDOCK PUBLICATIONS, INC</b>					
289884	LEGAL NOTICE	05/19/2024	135.70		01-12-5330
Total PADDOCK PUBLICATIONS, INC:			135.70		
<b>PETER GRECO</b>					
051724	TT BAND	05/17/2024	2,500.00		01-37-5290
Total PETER GRECO:			2,500.00		
<b>PINO FARINA BAND, LLC</b>					
052224	SOUND ENG FEEQQ	05/22/2024	350.00		01-37-5290
Total PINO FARINA BAND, LLC:			350.00		
<b>RALPH HELM, INC</b>					
394994	OIL	05/21/2024	129.53		01-31-5130
394995	CONCRETE SAW CUTTING WH	05/21/2024	199.99		01-31-5130
394988	STAND ON MOWER	05/21/2024	10,517.48		01-31-5640
394994	TRIMMER	05/21/2024	287.99		01-31-5640
394994	GAS CAN	05/21/2024	29.99		01-31-5640
394988	STAND ON MOWER	05/21/2024	3,505.82		60-33-5640
Total RALPH HELM, INC:			14,670.80		
<b>RAY O'HERRON CO. INC</b>					
2344924	UNIFORM	05/22/2024	1,581.98		01-21-5080
2345178	UNIFORM RS	05/23/2024	480.98		01-21-5080
2345616	UNIFORM JH	05/28/2024	44.98		01-21-5080
Total RAY O'HERRON CO. INC:			2,107.94		
<b>SHERWIN WILLIAMS</b>					
0474-9	PAINT FOR VH AND DEPOT	05/09/2024	89.97		32-15-5948
256-0	VH & DEPOT PAINT SUPPLIES	05/02/2024	53.97		32-15-5948
0474-9	PAINT FOR VH AND DEPOT	05/09/2024	89.98		34-01-5945
256-0	VH & DEPOT PAINT SUPPLIES	05/02/2024	53.97		34-01-5945
Total SHERWIN WILLIAMS:			287.89		
<b>STATE TREASURES OFFICE - UNCL PROPERTY</b>					
052024	UNCLAIMED PROPERTY	05/20/2024	100.00		01-09-4890
052024	UNCLAIMED PROPERTY	05/20/2024	217.60		01-21-5060
052024	UNCLAIMED PROPERTY	05/20/2024	30.50		01-31-5120
052024	UNCLAIMED PROPERTY	05/20/2024	84.93		01-37-5631
052024	UNCLAIMED PROPERTY	05/20/2024	24.24		27-01-2215
052024	UNCLAIMED PROPERTY	05/20/2024	36.95		60-09-4510
Total STATE TREASURES OFFICE - UNCL PROPERTY:			494.22		
<b>THOMPSON ELEVATOR SERVICE</b>					
24-0985	ELEV INSP	05/14/2024	250.00		01-01-1112

Invoice Number	Description	Invoice Date	Net Invoice Amount	Voided	GL Account Number
Total THOMPSON ELEVATOR SERVICE:			250.00		
<b>TRACY'S FUN FACE PAINTING</b>					
051624	OKT FEST BALLOONS	05/16/2024	210.00		01-37-5290
Total TRACY'S FUN FACE PAINTING:			210.00		
<b>USA BLUEBOOK</b>					
372179	B-BOX LIDS	05/21/2024	185.14		60-33-5140
Total USA BLUEBOOK:			185.14		
<b>VERIZON WIRELESS</b>					
9963751795	VERIZON ADMIN	05/10/2024	95.27		01-12-5320
9963751795	VERIZON FIN	05/10/2024	95.28		01-14-5320
9963751795	VERIZON B&Z	05/10/2024	59.27		01-25-5320
9963751795	VERIZON SWR/WTR	05/10/2024	334.86		01-31-5320
9963751795	VERIZON PW	05/10/2024	151.74		60-33-5320
9964156697	W/WW DIALER MODEMS	05/14/2024	74.32		60-33-5320
Total VERIZON WIRELESS:			810.74		
<b>WASTE MANAGEMENT OF ILLINOIS</b>					
100006-2776-8	DISPOSAL OF MISC MATERIAL	04/01/2024	727.23		01-31-5570
Total WASTE MANAGEMENT OF ILLINOIS:			727.23		
<b>WATER PRODUCTS COMPANY-AURORA</b>					
322715-5/28/2	WATER PARTS	05/28/2024	18.00		60-33-5140
Total WATER PRODUCTS COMPANY-AURORA:			18.00		
<b>WELCH BROTHERS, INC.</b>					
3273816	CULVERT - 5 SUMMIT	05/16/2024	326.80		01-31-5140
3274432	STORM SEWER REPAIRS	05/22/2024	414.00		01-31-5140
Total WELCH BROTHERS, INC.:			740.80		
<b>WEX INC</b>					
97193393	FUEL CHARGES PD	05/23/2024	2,844.08		01-21-5620
97193393	B&Z FUEL	05/23/2024	136.34		01-25-5620
97193393	FUEL CHARGES PW	05/23/2024	1,398.29		01-31-5620
97193393	FUEL CHARGES WS	05/23/2024	1,648.56		60-33-5620
Total WEX INC:			6,027.27		
Grand Totals:			118,276.47		

Invoice Number	Description	Invoice Date	Net Invoice Amount	Voided	GL Account Number
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Report Criteria:

- Detail report.
- Invoices with totals above \$0.00 included.
- Paid and unpaid invoices included.

## Memorandum



**To:** Village President and Board of Trustees

**From:** Chris Ranieri, Building Inspector

**Subject:** Acceptance of Public Improvements for 1191 E. Main St.

**Date:** June 3, 2024

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### **Action Requested**

Staff recommends Village Board approval of a resolution accepting the public improvements for the High Street Development located at 1191 E. Main Street and reducing the letter of credit (LOC) to \$12,462.45 for 15 months.

### **Summary**

The Village engineer has approved the public improvements for the water main within the water main easement at 1191 E. Main St.

High Street Development has submitted their Final Waivers of Lien, Certification Statement, Bill of Sale, Title Commitment, and associated documents. Staff is recommending the Release of the Letter of Credit in the amount of \$1,177,401.97. High Street has requested a reduction in their Letter of Credit to 15% for Maintenance for 15 months. The Letter of Credit shall be reduced to \$12,462.45. A cash payment has been received in lieu of the LOC in the amount of \$12,462.45.

### **Attachments**

Resolution  
Required Documents

RESOLUTION NUMBER \_\_-24

**A RESOLUTION OF THE VILLAGE OF EAST DUNDEE,  
COOK AND KANE COUNTIES, ILLINOIS, ACCEPTING PUBLIC IMPROVEMENTS  
RELATED TO 1191 EAST MAIN STREET**

**WHEREAS**, the Village of East Dundee is a home rule municipal corporation pursuant to Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

**WHEREAS**, the owner of 1191 East Main Street, East Dundee, Illinois ("**Property**") redeveloped the Property with the High Street Industrial Building; and

**WHEREAS**, the redevelopment of the Property required construction of certain public improvements in the vicinity of the Property, including public water main improvements; and

**WHEREAS**, there is a Letter of Credit, issued by BANK OF AMERICA in the amount of one million, one hundred seventy-seven thousand, four hundred one dollars and ninety-seven cents (\$1,177,401.97) for the construction of water main, sanitary sewer and storm water improvements at 1191 E. Main Street within the Village of East Dundee; and

**WHEREAS**, a field inspection has been conducted to verify that the stated construction improvements are in place and acceptable to village standards by Gerald L. Heinz & Associated, Inc.; and

**WHEREAS**, it is deemed necessary and desirable for the Village of East Dundee to reduce the Letter of Credit for the project located at 1191 E. Main Street, to one hundred sixty nine thousand, six hundred and seventy three dollars and forty three cents (\$169,673.43).;

**WHEREAS**, the Village President and Board of Trustees finds it in the best interests of the Village of East Dundee to accept the public improvements related to the redevelopment of the Property depicted in **Exhibit A** attached hereto and made a part hereof (collectively the "**Public Improvements**"), pursuant to the Village's authority in Section 155.099 of the Village of East Dundee Village Code ("**Village Code**").

**NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS**, as follows:

**SECTION ONE: Recitals:** The foregoing recitals are incorporated into, and made a part of, this Resolution as findings of the Village Board.

**SECTION TWO: Acceptance:** Subject to the conditions in Section Three below, the Village President and Board of Trustees accept the Public Improvements. The Village

President and the Village Clerk, and their designees, are authorized and directed to execute such documents as necessary to accept the Public Improvements on behalf of the Village.

**SECTION THREE: Conditions.** The Village's acceptance of the Public Improvements is conditioned on the following, and the Village's acceptance shall not occur until all of the following conditions have been met:

A. As required in Section 155.098 of the Village Code, a maintenance guarantee in the amount of 15% of the value of the Public Improvements, as determined by the Village Engineer, has been posted with the Village covering the 15-month period from the date of acceptance of the Public Improvements by the Village.

B. A bill of sale has been delivered to the Village executed by the owner of the Public Improvements, in a form acceptable to the Village Attorney, conveying the Public Improvements to the Village, along with executed waivers of liens for the construction of all the Public Improvements.

C. All conditions for conveyance of the Public Improvements in the Village Code have been satisfied.

**SECTION FOUR.** That the Village of East Dundee hereby approves a reduction of the Letter of Credit for the project located at 1191 E. Main Street to Twelve thousand, four hundred and sixty-two dollars and forty-five cents (\$12,462.45), the Letter of Credit shall be released in its entirety and replaced with a cash bond.

**SECTION FIVE: Severability.** If any Section, paragraph, or provision of this Resolution shall be held invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision shall not affect any of the remaining provisions of this Resolution.

**SECTION SIX: Repeal.** All resolutions, motions, or parts thereof in conflict with this Resolution shall be repealed.

**SECTION SEVEN: Effective Date.** This Resolution shall be in full force and effect upon its passage and approval in the manner provided by law.

PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024 pursuant to a roll call vote as follows:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Jeffrey J. Lynam, Village President

ATTEST: \_\_\_\_\_  
Katherine Diehl, Village Clerk

**EXHIBIT A**

**REAL ESTATE PURCHASE AND SALE AGREEMENT**

(attached)



# CERTIFICATION STATEMENT

By signature below, we certify that the improvements constructed at Lot 11 and part of lot 10 in Rock Road Business Park and part of Lot 5 in Rock Road Industrial Subdivision Unit 3, Kane County, common address 1191 E. Main Street, have been constructed in significant accordance with the approved plans and specifications prepared by Haeger Engineering, latest revision 6/28/2023, and therefore request that they be accepted by the Village of East Dundee.

**OWNER:** AG-HS Rock Road Property Owner, L.L.C.

By: [Signature]  
Print name below Jay Puckhaber

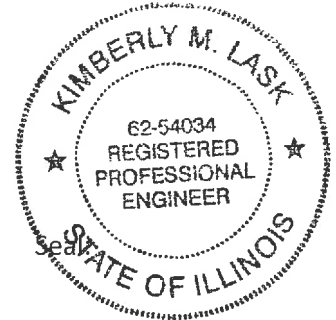


Attest: [Signature]  
Print name below UGBAKE WILLIAM EGUEGU

DATE: 12/14/2023

**ENGINEER:** Haeger Engineering, LLC

By: [Signature]  
Kimberly Lask, P.E. Project Manager  
Title



Attest: [Signature]  
Michele Small Office Manager  
Title



DATE: 12/20/2023

# ROCK ROAD BUSINESS PARK – EAST DUNDEE, IL

## STORMWATER MANAGEMENT MAINTENANCE PLAN

The responsibility for the overall maintenance of the stormwater management facilities and funding thereof shall be the responsibility of the property owner, which is currently:

High Street Logistics Properties  
One Premiere Plaza  
5605 Glenridge Drive  
Suite 350  
Atlanta, GA 30342  
(470) 474-1773

### Purpose and Objective

Adequate drainage must be maintained to keep water away from the buildings and provide positive unobstructed drainage into, through, and out of the stormwater management system.

Maintenance Program: Significant elements and aspects provided herein prescribe the maintenance program for the surface and subsurface stormwater management system elements. The maintenance is supplemented by repair as required or replacement as the case may be, depending on the wear and tear of the provisions of the drainage elements.

### Cost Considerations and Budgeting

Maintenance and replacement needs and costs should be part of a maintenance budget or reserve study. If the maintenance plan is consistently budgeted and followed in conjunction with a properly prepared reserve study schedule, the stormwater management system components will enjoy their maximum useful lives and related repair costs will be kept to a minimum. Keep records of all maintenance costs in order to determine typical annual costs that would be the basis for the annual maintenance fund. Frequent maintenance will likely lead to less frequent and less costly serious long term maintenance issues that could result in major repairs or replacements. The attached short term and long-term maintenance provisions may need to be adjusted based on performance and experience over the life of the stormwater management system.

### Stormwater Management System

Stormwater management areas include the following: Detention Systems, Water Quality Structures, Outlet Control Structures, Open-Grate Inlet Structures, Storm Sewers, Culverts, Swales, and Overland Flow Paths.

The stormwater management system consists of a variety of components that convey stormwater runoff, safely and without damage to structures, from the point of origin to the detention pond(s). Runoff enters the system through inlet grates. The grates must be kept clear of debris or water will not be able to enter the system quickly enough and local ponding may occur.

From the inlets, the water flows through the storm sewers to a water quality structure and the underground detention system. Storm sewers generally require little maintenance; however, they should be periodically inspected for accumulated debris and physical integrity, especially at the bottom (invert) and top (crown) of the pipe. Soil above a cracked storm sewer can be washed away resulting in a sinkhole forming or other type of ground failure.

The storm sewers discharge into the underground detention system. The purpose of the detention system is to slow the rate at which water leaves the site to help prevent downstream flooding. The detention system discharges to existing storm sewer that discharges to an existing regional detention basin.

#### Maintenance Considerations:

Cleaning and repairing of the onsite storm sewers, culverts, outflow pipes, structures, and other underground stormwater management system components is to be particularly guarded inasmuch as those elements are not visually obvious, as are the surface area elements of the stormwater management system such as ditches, swales and overflows. If these subsurface elements become clogged or obstructed, then water may flood the pavement surface and may cause extensive erosion damage or water flow blockage. It is therefore stated that the storm sewer, culvert, outflow pipe, and structure inspection and cleaning be made a routine maintenance activity which should be scheduled for several times a year and may also need to be carried out on an as-needed basis. Experience will show the required cleaning and maintenance frequencies for specific items. Timely maintenance and repairs are a must after a problem has been identified.

#### Water Quality Structure Maintenance

Hydro Downstream Defender system should be inspected at regular intervals and maintained when necessary to ensure optimum performance. The frequency of cleanout is determined in the field after installation. During the first year of operation, the unit should be inspected every six months to determine the rate of sediment and floatables accumulation. A simple probe can be used to determine the level of accumulated solids stored in the sump. The rate at which the system collects sediment and debris will depend upon on-site activities and site pollutant characteristics. For example, unstable soils or heavy winter sanding will cause the sediment storage sump to fill more quickly but regular sweeping of paved surfaces will slow accumulation.

Inspection is the key to effective maintenance and is easily performed. Pollutant transport and deposition may vary from year to year and regular inspections will help ensure that the system is cleaned out at the appropriate time.

A visual inspection should ascertain that the system components are in working order and that there are no blockages or obstructions in the inlet chamber, flumes or outlet channel. The inspection should also quantify the accumulation of hydrocarbons, trash and sediment in the system. Measuring pollutant accumulation can be done with a calibrated dipstick, tape measure or other measuring instrument. If absorbent material is used for enhanced removal of hydrocarbons, the level of discoloration of the sorbent material should also be identified during inspection. It is useful and often required as part of an operating permit to keep a record of each inspection.

Access to the Hydro Downstream Defender system is achieved through one manhole access cover. The opening allows for inspection and cleanout of the center chamber (cylinder) and sediment storage sump, as well as inspection of the inlet chamber.

The system should be cleaned before the level of sediment in the sump reaches the maximum sediment depth and/or when an appreciable level of hydrocarbons and trash has accumulated. It is recommended to maintain the system when sediment level reaches 50% of maximum storage volume. The level of sediment is easily determined by measuring the distance from the system outlet invert (standing water level) to the top of the sediment pile. To avoid underestimating the level of sediment in the chamber, the measuring device must be lowered to the top of the sediment pile carefully. Finer, silty particles at the top of the pile typically offer less resistance to the end of the rod than larger particles toward the bottom of the pile. Once this measurement is recorded, it should be compared to the invert of the sump to determine if the height of the sediment pile off the bottom of the sump floor exceeds 50% of the maximum sediment storage.

Cleaning of a Hydro Downstream Defender system should be done during dry weather conditions when no flow is entering the system. The use of a vacuum truck is generally the most effective and convenient method of removing pollutants from the system.

- Remove the manhole cover.
- Without entering the system, look down into the chamber to inspect the inside. Make note of any irregularities.
- Using the floatables port for access, remove oil and floatables stored on the surface of the water with the vactor hose or the skimmer net.
- Using a sediment probe, measure the depth of sediment that has collected in the sump of the vessel and record it in the maintenance log.
- Once all floatables have been removed, insert the vacuum tube down through the center chamber and into the sump via the central access port. The system should be completely drained down and the sump fully evacuated of sediment.
- The areas outside the center chamber should also be washed off if pollutant buildup exists in these areas.
- On the maintenance log, record the date, unit location, estimated volume of floatables and gross debris removed, and the depth of sediment measured. Also note any apparent irregularities such as damaged components or blockages.

In installations where the risk of petroleum spills is small, liquid contaminants may not accumulate as quickly as sediment. However, the system should be cleaned out immediately in the event of an oil or gasoline spill. Motor oil and other hydrocarbons that accumulate on a more routine basis should be removed when an appreciable layer has been captured. To remove these pollutants, it may be preferable to use absorbent pads since they are usually less expensive to dispose than the oil/water emulsion that may be created by vacuuming the oily layer. Trash and debris can be netted out to separate it from the other pollutants. Then the system should be power washed to ensure it is free of trash and debris.

Manhole covers should be securely seated following cleaning activities to prevent leakage of runoff into the system from above and to ensure proper safety precautions. Confined space entry procedures need to be followed if physical access is required. Disposal of all material removed from the Hydro Downstream Defender system must be done in accordance with local regulations.

#### Requirements under This Maintenance Plan

Specific areas of concern are identified below:

##### **General**

- \_\_\_\_\_ Remove accumulated trash and debris from around the site, especially from around inlets and outlets, and overland flow routes as-needed.
- \_\_\_\_\_ Accumulated sediment shall be removed and disposed of properly, along with any wastes generated during maintenance operations.
- \_\_\_\_\_ Pavement surface areas shall be washed, swept, vacuumed or otherwise cleaned on an as-needed basis.

##### **Condition of Outlet and Inlet Structures and Piping**

- \_\_\_\_\_ The condition of the outlet and inlet structures and piping shall be inspected annually for signs of seepage, separation of joints, cracks, breaks, deterioration, ice or debris damage, and differential settlement and repaired as necessary.
- \_\_\_\_\_ Outlets and inlets shall be inspected for signs of scour and erosion, and be repaired, stabilized and/or re-vegetated.
- \_\_\_\_\_ Inspect downstream outlet conditions.

##### **Storage Volume**

- \_\_\_\_\_ Storage facilities shall be inspected annually to ensure that the constructed volume for detention and water quality is maintained.

- \_\_\_\_\_ All infiltration components expected to receive and / or trap debris and sediment must be inspected for proper functionality on an annual schedule, at a minimum. Upon inspection, if debris is noticeably visible in the sump, it should be removed via Vactor truck.
- \_\_\_\_\_ All debris and sediment should be removed and disposed of in accordance to local and state regulations. Frequency of cleaning will vary due to site conditions and storage capacity. During maintenance operations, oils and floatables should be removed first by skimming the top layer of water with a vacuum truck.

#### **Hydro Downstream Defender Water Quality Structure**

- \_\_\_\_\_ Inspect sediment level in structure at least every 6 months.
- \_\_\_\_\_ Clean when sediment reaches 50% of maximum storage volume. This should be done during dry weather conditions with a vacuum truck.

#### **StormTrap Detention System**

- \_\_\_\_\_ Inspect every 6 months during the first year of operation, adjust inspection interval based on previous observations of sediment accumulation and high water elevations.
- \_\_\_\_\_ Vacuum structure sump as required. Conduct jetting and vactoring annually or when inspection shows that maintenance is necessary.
- \_\_\_\_\_ The inlets and outlets of the system should be checked periodically on an as-needed basis to ensure that the flow is not blocked or otherwise obstructed by debris and shall be cleaned as necessary.
- \_\_\_\_\_ The outlet control structure/piping and related items should be inspected on a monthly basis and any debris or blockage shall be immediately removed.
- \_\_\_\_\_ All pipes and overflow routes should be checked for debris that may block or obstruct flow.

#### **Storm Sewers**

- \_\_\_\_\_ Storm water shall freely drain into open lid storm structures including trench drains or collection channels. Remove debris or obstructions as needed.
- \_\_\_\_\_ Catch basins shall be inspected and sediment shall be removed when more than 50% of basin sump is filled.
- \_\_\_\_\_ Storm sewers and culverts shall be inspected for siltation deposits and cleaned out as necessary.
- \_\_\_\_\_ Rim elevations shall be monitored for change. Elevations shall be retained as constructed and hire qualified person to bring back to grade as required.

#### **Vegetation**

- \_\_\_\_\_ Need for planting, reseeding or sodding. Supplement alternative vegetation if a significant portion has not established (50% of the surface area). Reseed with alternative compatible grass species if original grass cover has not successfully established.
- \_\_\_\_\_ Check for invasive vegetation and remove where possible.
- \_\_\_\_\_ Need for mowing. Non-native grass vegetation (lawn) areas shall be mowed as appropriate to maintain the aesthetic appearance and design velocity.
- \_\_\_\_\_ Dead, damaged or bare grass areas shall be repaired (stabilized and re-vegetated) as necessary with sodding, seeding with fertilization and blanket, or seeding with mulch as appropriate to re-establish vegetation and prevent erosion.

### Short-Term Maintenance Program

These are the items that need to be addressed through the year on an ongoing basis. This list is to be used as an example only and is not intended to be all inclusive

<b>Stormwater Area</b>	<b>Periodic Inspection</b>	<b>Things to Look For</b>	<b>Repair Work</b>
General – All Areas	March through November	Disturbed surface areas	Seed Area with grass or native vegetation Mulch to Protect soils
Emergency Outflow	March through November	Branches & Leaves/Trash Pipe Condition	Collect & Dispose Repair/Replace
Manholes	March & June & October	Branches & Leaves/Trash Pipe Condition	Collect & Dispose Repair/Replace
Detention System	Every 6 months for first year, then annually or as needed	Sediment buildup	As indicated in Maintenance section
Roadway Drainage System	All year as needed	Standard procedure	Prescribed Process
Water Quality Structure	Every 6 months and as needed	Debris and sediment buildup	Vacuum sediment
Dead Vegetation	April/May	Dead vegetation	Re-seed / plant plugs

Maintenance of Grassy Areas shall require application of fertilizer and related treatment to assure substantial grass growth and avoidance of soil erosion of barren or sparsely grassed soil surface areas. The prescribed periodic inspections for the short-term maintenance program are to be supplemented by additional inspections and maintenance work on an as-needed basis such as at times following periods of substantial rainfall or storm activities, such as high winds.

### Long-Term Maintenance Program

Long-term maintenance activities are those required that are typically conducted every several years. Some items only need to be addressed occasionally throughout the life of the stormwater management system. The short-term maintenance program is supplemented by long term repair/replacement of the various stormwater management features. For example, re-seating of sinking manholes might be needed. The maintenance intervals stated are typical, but all are on an as-needed basis as well. This list is to be used as an example only and is not intended to be all inclusive.

<b>Stormwater Area</b>	<b>Periodic Inspection</b>	<b>Repair Work</b>
Grassy Areas – swales	5-year intervals	Seed or sod
Erosion Prone Areas	Installed or plant as required	Ditch Checks to reduce flow velocities or plant native vegetation
Tree Trimming	5-year intervals	Cut back
Grassy Area	5-year intervals	Re-seed
Emergency Outflow Pipes	5-year intervals	Restore / replace Inflow & Outflow Openings
Manholes	As needed basis	Reset cover / lid



# HAEGER ENGINEERING LLC

consulting engineers

land surveyors

100 East State Parkway - Schaumburg, Illinois 60173

tel: 847.394.6600 fax: 847.394.6608

www.haegerengineering.com

## LETTER OF TRANSMITTAL

DATE: 12-20-2023 JOB NO.: 21-009

ATTENTION: Chris Ranieri

RE: Rock Road Business Park

East Dundee

TO:

Village of East Dundee

120 Barrington Avenue

East Dundee, IL 60118

WE ARE SENDING YOU



Attached via

UPS Ground



Shop Drawings



Prints



Plans



Specifications



Copy of Letter



Change Order



COPIES	DATE	NO.	DESCRIPTION
1			Certification Statement

THESE ARE TRANSMITTED as checked below:



For approval



Approved as submitted



Resubmit

\_\_\_\_\_ copies for approval



For your use



Approved as noted



Submit

\_\_\_\_\_ copies for distribution



As requested



Returned for correction



Return

\_\_\_\_\_ corrected prints



For review and comment



For bids due

\_\_\_\_\_ 2019



Prints returned after loan to us

REMARKS:

COPY TO:

SIGNED:

*Kim Lask*

Kim Lask, PE, PTOE, CFM  
Project Manager



# CERTIFICATION STATEMENT

By signature below, we certify that the improvements constructed at Lot 11 and part of lot 10 in Rock Road Business Park and part of Lot 5 in Rock Road Industrial Subdivision Unit 3, Kane County, common address 1191 E. Main Street, have been constructed in significant accordance with the approved plans and specifications prepared by Haeger Engineering, latest revision 6/28/2023, and therefore request that they be accepted by the Village of East Dundee.

**OWNER:** AG-HS Rock Road Property Owner, L.L.C.

By: [Signature]  
Print name below Jay Puckhaber



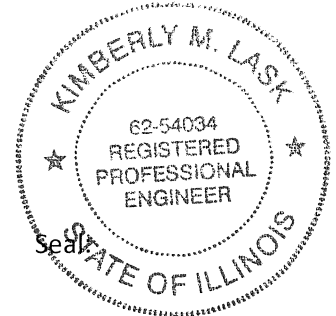
Attest: [Signature]  
Print name below UGBAKE WILLIAM EGUEGU

DATE: 12/14/2023

**ENGINEER:** Haeger Engineering, LLC

By: [Signature]  
Kimberly Lask, P.E.

Project Manager  
Title



Attest: [Signature]  
Michele Small  
Office Manager  
Title



DATE: 12/20/2023





## **Gerald L. Heinz & Associates, Inc.**

*Consulting Engineers and Professional Land Surveyors*

### **MEMORANDUM**

DATE: November 16, 2023

TO: Chris Ranieri, Building Official

AT: East Dundee

FROM: Joseph D. Heinz, P.E., P.L.S.

SUBJECT: 1191 E. Main Street Site Plan

Job No. ED-2190

The developer has satisfactorily completed the infrastructure installations for the 1191 East Main Street development. The following items need to be addressed before final acceptance by the Village:

#### **General Comments**

1. A certification statement of approval and acceptance signed by the owner and signed and sealed by the Design Engineer should be submitted for our records.
2. A copy of the Notice of Termination submitted to the Illinois Environmental Protection Agency once the site has been stabilized.
3. Submit waivers of lien for the constructed public watermain improvements.
4. Submit bill of sale for public watermain improvements.
5. Submit a copy of the recorded Plat of Easement for the watermain improvements.
6. Submit a Maintenance guarantee in the amount of \$12,462.45 (15% of required public watermain improvements) for 15 months from the date of village board acceptance.
7. Provide a long-term maintenance plan and set up a backup Special Service Area for the stormwater management facility will need to be in place prior to final acceptance.
8. Obtain the Village Attorney approval on all documents provided.
9. Acceptance of the required public improvements by means of a resolution.

Once submitted and reviewed, the Village Attorney will also need to review the documents and



**VILLAGE OF EAST DUNDEE**  
120 BARRINGTON AVE  
EAST DUNDEE IL 60118

847-426-2822 Phone

# INVOICE

Invoice Number: 354  
Invoice Date: 12/05/2023  
Customer Number: 991940  
Amount Due: \$12,462.45  
Due Date: 01/04/2024

**Bill To:** AG-HS DEVELOPMENT PORTFOLIO SU  
ONE PREMIER PLAZA  
5605 GLENRIDGE DRIVE, STE 350  
ATLANTA GA 30342

Quantity	Description	Unit Price	Net Amount
1	15 MONTH MAINTENANCE ESCROW	12,462.45	12,462.45
Invoice Total:			<b>\$12,462.45</b>

*Return This Portion with Your Payment*

12/05/2023 Customer Number: 991940

Amount Due: \$12,462.45

Amount Paid: 12,462.45

**Customer Name:** AG-HS DEVELOPMENT PORTFOLIO SU  
1191 E MAIN ST  
EAST DUNDEE IL 60118

**Invoice Number:** 354

**Make Check Payable to:**

☐ Check box for address change and  
print correct address on reverse side

**VILLAGE OF EAST DUNDEE**

120 BARRINGTON AVE  
EAST DUNDEE IL 60118

847-426-2822 Phone

BANK OF AMERICA - CONFIDENTIAL

PAGE: 1

DATE: AUGUST 17, 2022

IRREVOCABLE STANDBY LETTER OF CREDIT NUMBER: 68181558

APPLICANT

AG-HS ROCK ROAD PROPERTY OWNER, LLC  
245 PARK AVENUE, 25TH FLOOR  
NEW YORK, NY 10167

BENEFICIARY

VILLAGE OF EAST DUNDEE  
120 BARRINGTON AVE.  
EAST DUNDEE, IL 60118  
ATTN: CHRIS RANIERI

ISSUING BANK

BANK OF AMERICA, N.A.  
ONE FLEET WAY  
PA6-580-02-30  
SCRANTON, PA 18507-1999

AMOUNT

NOT EXCEEDING USD 1,177,401.97

NOT EXCEEDING ONE MILLION ONE HUNDRED SEVENTY SEVEN THOUSAND FOUR HUNDRED  
ONE AND 97/100'S US DOLLARS

EXPIRATION

AUGUST 10, 2023 AT OUR COUNTERS

TO WHOM IT MAY CONCERN:

WE HEREBY ESTABLISH IN FAVOR OF THE BENEFICIARY OUR IRREVOCABLE  
LETTER OF CREDIT NO. 68181558 ("LETTER OF CREDIT") IN THE AMOUNT OF  
ONE MILLION ONE HUNDRED SEVENTY SEVEN THOUSAND FOUR HUNDRED ONE AND  
97/100 UNITED STATES DOLLARS (\$1,177,401.97) AVAILABLE FOR  
NEGOTIATION OF YOUR DRAFTS AT SIGHT DRAWN ON BANK OF AMERICA N.A.  
("BANK") FOR THE ACCOUNT OF AG-HS ROCK ROAD PROPERTY OWNER, LLC.

WE ENGAGE WITH YOU THAT ANY DRAFT AT SIGHT DRAWN UNDER AND IN  
COMPLIANCE WITH THE TERMS OF THIS LETTER OF CREDIT WILL BY FULLY  
HONORED BY US PROVIDED THAT;

1. IT IS PRESENTED AT THIS OFFICE, LOCATED AT BANK OF AMERICA, N.A.,  
1 FLEET WAY, MC: PA6-580-02-30, SCRANTON, PA 18507-1999 ON OR BEFORE  
EXPIRATION DATE, OR ANY EXTENSION THEREOF AS PERMITTED BY THIS LETTER  
OF CREDIT;

2. IT IS ACCOMPANIED BY THE ORIGINAL OF THIS LETTER OF CREDIT; AND

3. IT IS ACCOMPANIED BY A STATEMENT SIGNED BY THE VILLAGE  
ADMINISTRATOR OF THE BENEFICIARY, THE VILLAGE OF EAST DUNDEE, THAT  
THE FUNDS ARE DRAWN UNDER LETTER OF CREDIT NO. 68181558 IN ACCORDANCE  
WITH THAT CERTAIN AGREEMENT ENTITLED "DEVELOPMENT AGREEMENT BY AND  
BETWEEN THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS  
AND AG-HS ROCK ROAD PROPERTY OWNER, LLC DATED September 13, 2021  
("AGREEMENT").

ORIGINAL

THIS IS AN INTEGRAL PART OF LETTER OF CREDIT NUMBER: 68181558

THIS IRREVOCABLE LETTER OF CREDIT EXPIRES ON AUGUST 10, 2023 PROVIDED, HOWEVER, IT IS A CONDITION OF THIS LETTER OF CREDIT THAT IT IS DEEMED TO BE AUTOMATICALLY EXTENDED WITHOUT AMENDMENT FOR A PERIOD(S) OF ONE YEAR EACH FROM THE CURRENT EXPIRY DATE HEREOF, OR ANY FUTURE EXPIRATION DATE, UNLESS AT LEAST NINETY (90) DAYS PRIOR TO ANY EXPIRATION DATE, WE NOTIFY YOU BY REGISTERED MAIL OR OVERNIGHT COURIER SERVICE AT THE ABOVE LISTED ADDRESS THAT WE ELECT NOT TO CONSIDER THIS LETTER OF CREDIT EXTENDED FOR ANY SUCH ADDITIONAL PERIOD.

ANY SUCH NOTICE SHALL BE EFFECTIVE WHEN SENT BY US AND UPON SUCH NOTICE TO YOU, YOU MAY DRAW AT ANY TIME PRIOR TO THE THEN CURRENT EXPIRATION DATE, UP TO THE FULL AMOUNT THEN AVAILABLE HEREUNDER, AGAINST YOUR DRAFT(S) DRAWN ON US AT SIGHT ACCOMPANIED BY YOUR STATEMENT, SIGNED BY AN AUTHORIZED SIGNATORY, ON YOUR LETTERHEAD STATING THAT YOU ARE IN RECEIPT OF BANK OF AMERICA, N.A.'S NOTICE OF NON EXTENSION UNDER LETTER OF CREDIT NO. 68181558 AND THE APPLICANT'S OBLIGATION TO YOU REMAINS.

DRAFTS UNDER THIS LETTER OF CREDIT SHALL BEAR UPON THEIR FACE THE WORDS "DRAWN UNDER LETTER OF CREDIT NO. 68181558 DATED 08/17/2022."

THE AMOUNT OF ANY DRAFT SHOWN UNDER THIS CREDIT MUST BE ENDORSED ON THE REVERSE SIDE HEREOF, AND THIS LETTER OF CREDIT SHALL BE PROMPTLY RETURNED TO THE BENEFICIARY AFTER PRESENTATION OF ANY DRAFT WHICH DOES NOT EXHAUST THE AMOUNT OF THIS LETTER OF CREDIT. THE BANK SHALL IMMEDIATELY NOTIFY THE BENEFICIARY OF ANY DEFECTS OR PROBLEMS WITH ANY ATTEMPT TO PRESENT THIS LETTER OF CREDIT OR TO OTHERWISE DRAW FUNDS HEREUNDER, WHICH MAY DELAY OR ADVERSELY IMPACT ANY DISBURSEMENT OF FUNDS HEREUNDER, IN ORDER TO ALLOW THE BENEFICIARY THE CLEAR OPPORTUNITY TO CORRECT ANY SUCH DEFECT OR PROBLEM.

THIS DOCUMENTARY LETTER OF CREDIT IS SUBJECT TO THE .UNIFORM CUSTOMS AND PRACTICES FOR DOCUMENTARY CREDITS, . UCP600 (2007 REVISION).

ANY REFERENCE IN THIS LETTER OF CREDIT TO THE AGREEMENT IS FOR IDENTIFICATION PURPOSES ONLY, AND SUCH AGREEMENT DOES NOT FORM A PART OF THIS LETTER OF CREDIT.

THIS LETTER OF CREDIT IS NOT TRANSFERABLE.

SINCERELY,

BANK OF AMERICA N.A.

 .

TITLE: AVP .

DATE: 8-17-22 .

ORIGINAL



FINAL WAIVER OF LIEN

STATE OF ILLINOIS  
COUNTY OF KANE

Gty #  
Escrow #

TO WHOM IT MAY CONCERN:

WHEREAS the undersigned has been employed by Alston Construction Company, Inc.  
to furnish Water Main Improvements  
for the premises known as HIGH STREET ROCK ROAD  
of which High Street Logistics Properties, LLC is the owner.

THE undersigned, for and in consideration of Seventy five thousand five hundred thirty (\$75,530.00) Dollars, and and other good and valuable considerations, the receipt whereof is hereby acknowledged, do(es) hereby waive and release any and all lien or claim of, or right to, lien, under the statutes of the State of Illinois, relating to mechanics' liens, with respect to and on said above-described premises, and the improvements thereon, and on the material, fixtures, apparatus or machinery furnished, and on the moneys, funds or other considerations due or to become due from the owner, on account of all labor, services, material, fixtures, apparatus or machinery, heretofore furnished, or which may be furnished at anytime hereafter by the undersigned for the above-described premises, INCLUDING EXTRAS.\*

DATED November 25, 2023 COMPANY NAME MVP Plumbing

ADDRESS 1995 Aucutt Rd., Montgomery, Illinois, 60538

SIGNATURE AND TITLE

*Matthew Weisz*

President

\*EXTRAS INCLUDE BUT ARE NOT LIMITED TO CHANGE ORDERS, BOTH ORAL AND WRITTEN, TO THE CONTRACT

---

CONTRACTOR'S AFFIDAVIT

STATE OF ILLINOIS

COUNTY OF KANE

TO WHOM IT MAY CONCERN:

THE UNDERSIGNED, Matthew Weisz BEING DULY SWORN, DEPOSES  
AND SAYS THAT HE OR SHE IS President OF  
MVP Plumbing WHO IS THE  
CONTRACTOR FURNISHING Water Main Improvements WORK ON THE BUILDING  
LOCATED AT Rock Road Business Park, East Dundee, Illinois, 60118  
OWNED BY High Street Logistics Properties, LLC

That the total amount of the contract including extras\* is \$75,530.00 on which he or she has received payment of \$0.00 prior to this payment. That all waivers are true, correct and genuine and delivered unconditionally and that there is no claim either legal or equitable to defeat the validity of said waivers. That the following are the names and addresses of all parties who have furnished material or labor, or both, for said work and all parties having contracts or sub contracts for specific portions of said work or for material entering into the construction thereof and the amount due or to become due to each, and that the items mentioned include all labor and material required to complete said work according to plans and specifications:

NAME AND ADDRESSES	WHAT FOR	CONTRACT PRICE INCLUDING EXTRAS*	AMOUNT PAID	THIS PAYMENT	BALANCE DUE
MVP Plumbing Corp.	Water Main Improvements	75,530.00	0.00	75,530.00	0.00
TOTAL LABOR AND MATERIAL INCLUDING EXTRAS* TO COMPLETE.		75,530.00	0.00	75,530.00	0.00

That there are no other contracts for said work outstanding, and that there is nothing due or to become due to any person for material, labor or other work of any kind done or to be done upon or in connection with said work other than above stated.

DATE November 25, 2023

SIGNATURE Matthew Weisz  
President (22-005#1A)

SUBSCRIBED AND SWORN TO BEFORE ME THIS  
25th Day of November 2023

\*EXTRAS INCLUDE BUT ARE NOT LIMITED TO CHANGE  
ORDERS, BOTH ORAL AND WRITTEN, TO THE CONTRACT.

Danielle Youngs  
NOTARY PUBLIC  
My Commission Expires: 10/13/2027

f.1722 R5/96

Provided by Chicago Title Insurance Company



## Memorandum



**To:** Village President and Board of Trustees

**From:** Franco Bottalico, Assistant to the Village Administrator

**Subject:** Findings of Fact Regarding the Request to Rezone 309 Jackson St.

**Date:** June 3, 2024

---

### Action Requested

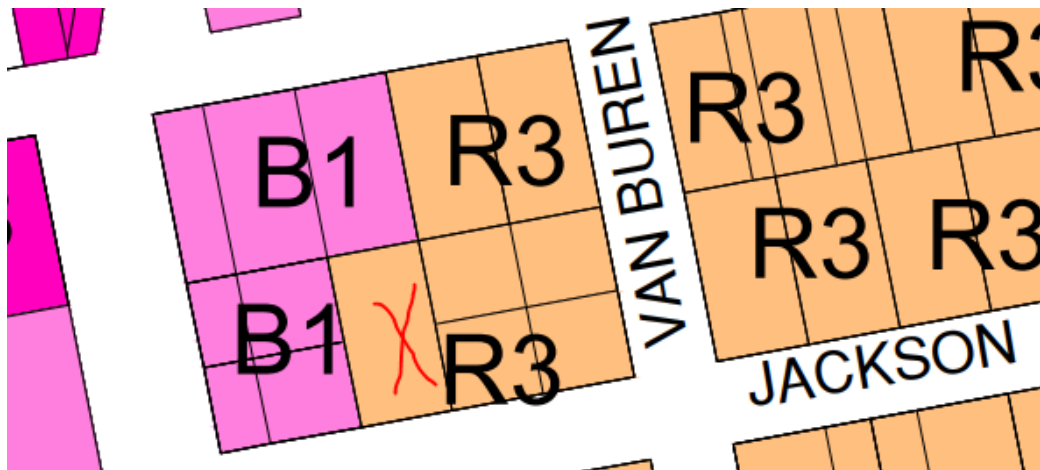
Staff recommends a motion for approval of the Findings of Fact regarding a request to rezone 309 Jackson Street, East Dundee IL, 60118, PIN 03-23-320-006 from R3-Single Family Residence District to B1-Downtown Business District.

### Summary

At the December 4, 2023 Village Board meeting, the Board passed [Ordinance 23-51](#) which authorized the execution of a real estate purchase and sale agreement acquiring 304 Hill Street and 309 Jackson Street by the Village to build a proposed parking garage.

As part of the direction from the Village Board to move forward with contract and construction for the parking garage, Staff is requesting the Village Board approve a rezoning, and map amendment to the official Zoning Map of East Dundee, to make 309 Jackson a B-1 zoning, which would then require a special use permit for parking.

As you can see from the zoning map, B-1 is an appropriate zoning request that is suitable and congruent to the property in question and the general area.



At the May 2, 2024 Planning, Zoning, and Historic Commission ("PZHC") Meeting, the PZHC conducted a public hearing and reviewed the Findings of Fact ("FOF") regarding the Village's

request to rezone 309 Jackson Street from an R3-Single Family Residence to a B1-Downtown Business District zoning. The PZHC voted to approve the Findings of Fact as follows:

	Motion	Aye	Nay
Scarpelli	2 <sup>nd</sup>	X	
Brunner		X	
Myers	1 <sup>st</sup>	X	
Krueger		X	

**Attachments**

Findings of Fact for Village Board Approval





**Village Board of Trustees Meeting**

**Findings of Fact – Rezoning and/or Amendments**

Property Location: 309 Jackson Street (PIN 03-23-320-006)

Hearing Date: June 3, 2024

Request: Rezoning

The below are guidelines to help determine the Findings of Fact:

1. *The use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.*
2. *The zoning classification of property within the general area of the property in question.*
3. *The suitability of the property in question to the uses permitted under the existing zoning classification.*
4. *The trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place since the day the property in question was placed in its present zoning classification.*

Based on the information contained in the application and the testimony and evidence presented at the public hearing, the Village Board of Trustees voted on the approval of these findings of fact related to the initial application request resulting in the following vote:

\_\_\_\_ ayes \_\_\_\_ nays \_\_\_\_ absent \_\_\_\_ abstain

Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
Village President Lynam

## Memorandum



**To:** Village President and Board of Trustees

**From:** Franco Bottalico, Assistant to the Village Administrator

**Subject:** Ordinance Granting a Request to Rezone 309 Jackson St.

**Date:** June 3, 2024

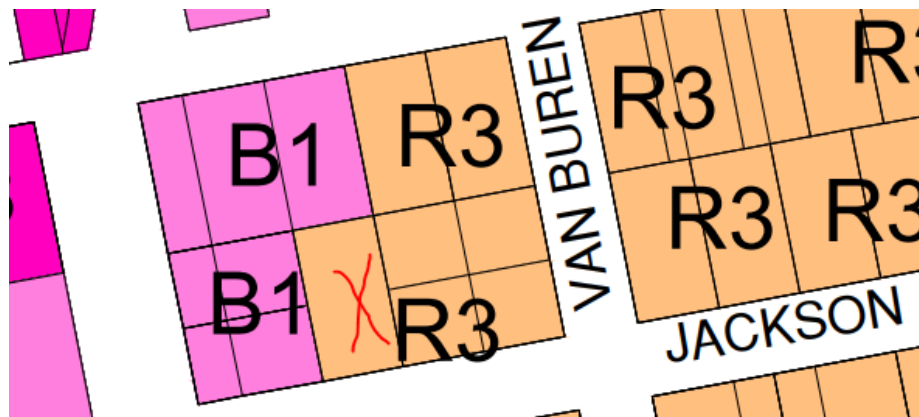
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### Action Requested

The Planning, Zoning and Historic Commission and Staff recommends Village Board approval of an ordinance rezoning 309 Jackson Street, East Dundee IL, 60118, PIN 03-23-320-006 from R3-Single Family Residence District to B1-Downtown Business District.

### Summary

At the May 2, 2024 Planning, Zoning, and Historic Commission ("PZHC") Meeting, the PZHC conducted a public hearing and reviewed the Findings of Fact regarding the Village's request to rezone 309 Jackson Street from an R-3 Single Family Residence to a B-1 Downtown Business District zoning. Staff communicated to the PZHC that rezoning to the B1 is an appropriate and congruent zoning classification for this parcel.



With three concurring votes of those PZHC members present, and one abstention, the PZHC recommended granting the rezoning. The PZHC voted as follows:

	Motion	Abstain	Aye	Nay
Scarpelli		X		
Brunner	1 <sup>st</sup>		X	
Myers	2 <sup>nd</sup>		X	
Krueger			X	

**Attachments**

Ordinance with Findings of Fact Exhibit

Daily Herald Certificate of Publication

Application

PZHC Signed Findings of Fact

**ORDINANCE NUMBER 24 - \_\_**

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK  
AND KANE COUNTIES, GRANTING A REQUEST TO REZONE 309 JACKSON  
STREET, EAST DUNDEE, IL 60118, (PIN 03-23-320-006) FROM R-3 SINGLE  
FAMILY RESIDENCE TO B-1 DOWNTOWN BUSINESS DISTRICT**

**WHEREAS**, the Village is the owner of record of that certain property commonly known as 309 Jackson Street, and legally described in **Exhibit A** attached to and, by this reference, made a part of this Ordinance (collectively, the “Property”); and

**WHEREAS**, the Village submitted an application to rezone the Property from the R-3 Single-Family Residence District (“R-3 District”) to the B-1 Downtown Business District (“B-1 District”); and

**WHEREAS**, the Village of East Dundee Zoning Ordinance (“Zoning Ordinance”), regulates amendments to the Village of East Dundee Zoning Map (“Zoning Map”); and

**WHEREAS**, public notice of a public hearing was published in the Northwest Suburbs Daily Herald on April 12, 2024 regarding the Application before the Village’s Planning and Zoning Commission was duly given, and a public hearing was held on the Application on May 2, 2024 concerning amendments to the Zoning Map to rezone the Property from the R-3 District into the B-1 District (“Requested Rezoning”); and

**WHEREAS**, at the conclusion of the public hearing, the Planning, Zoning and Historic Commission made findings and recommended that the Village President and Board of Trustees of the Village (“Corporate Authorities”) approve the Requested Rezoning of Property, as set forth in this Ordinance; and

**WHEREAS**, public notice of a second public hearing was published in the Northwest Suburbs Daily Herald on May 17, 2024 regarding the Application before the Village President and Board of Trustees was duly given, and a second public hearing was held on the Application on June 3, 2024 concerning the Requested Rezoning; and

**WHEREAS**, on June 3, 2024, the Corporate Authorities adopted the Findings of Fact as set forth and attached hereto and incorporated herewith as **Exhibit B**, recommending that the Village Board approve the Requested Rezoning; and

**WHEREAS**, having considered the findings of fact and recommendations, the Corporate Authorities have found and determined that it will serve and be in the best interest of the Village and its residents to approve the Requested Rezoning and rezone the Property into the B-1 District;

**NOW, THEREFORE, BE IT ORDAINED** by the Village President and Board of Trustees of the Village of East Dundee, Cook and Kane Counties, Illinois, as follows:

**SECTION 1: Incorporation.** That each Whereas paragraph above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Ordinance.

**SECTION 2: Zoning Map Amendment.** The Zoning Map of the Village is hereby amended to rezone the Property into the B-1 District, in accordance with, and pursuant to, Section 157.223 of the Zoning Code and the home rule powers of the Village.

**SECTION 3: Severability.** That if any Section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph, or provision shall not affect any of the remaining provisions of this Ordinance.

**SECTION 4: Effect.** That this Ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

[SIGNATURE PAGE FOLLOWS]

**PASSED** this \_\_\_\_ day of \_\_\_\_\_ 2024 pursuant to a roll call vote as follows:

AYES: \_\_\_\_\_

NAYES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED** by me this \_\_\_\_ day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
Jeffrey Lynam, Village President

**ATTEST:**

\_\_\_\_\_  
Katherine Diehl, Village Clerk

Published in pamphlet form this \_\_\_\_\_ day of \_\_\_\_\_ 2024, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on \_\_\_\_\_, 2024.

The Applicant acknowledges hereby the reasonableness of the above and foregoing terms and conditions in the Ordinance, and hereby accepts the same.

Date: \_\_\_\_\_, 2024

**EXHIBIT A**

**LEGAL DESCRIPTION**

LOT 8 IN BLOCK 2 OF EAST DUNDEE, IN THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 23,  
TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN  
THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS

PIN: 03-23-320-006

Common Address: 309 Jackson Street, East Dundee IL, 60118

**EXHIBIT B**

**Findings of Fact**



State of Illinois }  
Counties of Cook and Kane } SS  
Village of East Dundee }

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Village Board of Trustees of the Village of East Dundee will hold a public hearing on June 3, 2024, at 6:30 P.M. at the East Dundee Police Station 2nd Floor Meeting Room, 115 E. 3rd Street, East Dundee, Illinois, to consider the following request:

A request to rezone 309 Jackson Street, East Dundee IL, 60118, PIN 03-23-320-006 from R3-Single Family Residence District to B1-Downtown Business District as described in Section 157.051.

PIN: 03-23-320-006

Legal Description: LOT 8 IN BLOCK 2 OF EAST DUNDEE, IN THE SOUTHWEST ¼ OF SECTION 23, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS

All interested persons will be given an opportunity to be heard. Any questions regarding this public hearing process may be directed to Franco Bottalico, 120 Barrington Avenue, East Dundee, Illinois, 60118 via email at [FBottalico@eastdundee.net](mailto:FBottalico@eastdundee.net), or by phone at (847) 815-0472.  
Published in Daily Herald May 17, 2024 (4615914)

**CERTIFICATE OF PUBLICATION**

**Paddock Publications, Inc.**

**Fox Valley**  
**Daily Herald**

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **Fox Valley DAILY HERALD**. That said **Fox Valley DAILY HERALD** is a secular newspaper, published in Elgin, Kane County, State of Illinois, and has been in general circulation daily throughout Kane County, continuously for more than 50 weeks prior to the first Publication of the attached notice, and a newspaper as defined by 715 ILCS 5/5.

I further certify that the **Fox Valley DAILY HERALD** is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 05/17/2024

in said **Fox Valley DAILY HERALD**. This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

BY

*Danula Baltz*

Designee of the Publisher of the Daily Herald

Control # 4615914



## Application for Rezoning, Special Use, and/or Variance

Please review the accompanying PZHC Requirements packet for all requirements applicable.

Failure to complete this form properly will delay its consideration.

Note: Attach a Word Doc. that includes the project property PIN, legal description, and common address.

### 1) Applicant Information

Date: May 2, 2024 Project Location: 304 Hill and 309 Jackson St.

Applicant Name: Village of East Dundee

Applicant Address: 120 Barrington Ave. East Dundee, IL 60118

Applicant Phone: \_\_\_\_\_

Applicant Email: \_\_\_\_\_

Applicant Signature: Franco Bottalico

Digitally signed by Franco Bottalico  
Date: 2024.04.24 08:19:15 -05'00'

Check each box being requested and provide the project description in the lines provided below:

Rezoning:

☒

Special Use:

☐

Variance:

☐

PIN: 03-23-320-006

Project property size in acres/sq. ft.: +/- 8,125 sq. ft. parcel

### 2) Curent Zoning Districts

Indicate what the property is currently zoned as below (choose one):

E ☐ R-1 ☐ R-2 ☐ R-3 ☒ R-4 ☐ B-1 ☐ B-2 ☐ B-3 ☐ B-4 ☐ OD ☐ AG-1 ☐ M-1 ☐ M-2 ☐

Current use at the property: vacant land

Surrounding land use zoning (may be more than one): R3 and B1

Zoning district being requested per PIN: B1

### 3) Owner Information (If different than the applicant)

Owner Name: Village of East Dundee Owner Signature: Franco Bottalico

Digitally signed by Franco Bottalico  
Date: 2024.04.24 08:21:07 -05'00'

Owner Address: \_\_\_\_\_

Owner Phone: \_\_\_\_\_

Owner Email : \_\_\_\_\_

### 4) Billing Information (Include the name and address that all bills should be sent to)

Legal Name: N/A

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_



## Planning, Zoning, and Historic Commission Meeting

### Findings of Fact – Rezoning and/or Amendments

Property Location: 309 Jackson Street (PIN 03-23-320-006)

Hearing Date: May 2, 2024

Request: Rezoning

Section 157.223(D) states the following:

*Within 45 days after the close of the hearings on a proposed text or zoning amendment, the Planning and Zoning Commission shall make written findings of fact, when required, and shall submit same, together with its recommendations to the President and Board of Trustees. When the purpose and effect of the proposed amendment is to change the zoning classification of particular property, the Planning and Zoning Commission shall make findings based upon the evidence presented to it in each specific case with respect to the following matters*

Further, Section 157.223 (E)(1)(a) states the following:

*The Plan Commission shall not recommend the adoption of a proposed amendment until after it finds that the adoption of the amendment is in the public interest and is not solely for the interest of the applicant. The Plan Commission may recommend the adoption of an amendment changing the zoning classification of the property in question to any other zoning classification.*

Utilize the below findings of fact from Sections 157.223 and 157.224 as a guide for the PZHC to consider during its motion and recommendation to the Board:

- 1. The use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.*
- 2. The zoning classification of property within the general area of the property in question.*
- 3. The suitability of the property in question to the uses permitted under the existing zoning classification.*

4. *The trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place since the day the property in question was placed in its present zoning classification.*

Based on the information contained in the application and the testimony and evidence presented at the public hearing, the Planning, Zoning, and Historic Commission voted on the approval of these findings of fact related to the initial application request resulting in the following vote:

4 ayes \_\_\_\_ nays 3 absent \_\_\_\_ abstain

Date:

5-2-2024

Signature:



Chair Brunner

Planning, Zoning, and Historic Commission

## Memorandum



**To:** Village President and Board of Trustees

**From:** Franco Bottalico, Assistant to the Village Administrator

**Subject:** Findings of Fact Regarding the Special Use for a Parking Garage

**Date:** June 3, 2024

---

### **Action Requested**

Staff recommends a motion for approval of the Findings of Fact regarding a special use permit for a parking garage for the properties located at 309 Jackson Street (PIN 03-23-320-006) and 304 Hill Street (PIN 03-23-320-001), East Dundee, IL 60118.

### **Summary**

At the May 2, 2024 Planning, Zoning, and Historic Commission ("PZHC") Meeting, the PZHC conducted a public hearing and reviewed the Findings of Fact ("FOF") regarding the Village's request for a special use permit for a parking garage.

The PZHC voted to approve the Special Use Findings of Fact as follows:

	Motion	Abstain	Aye	Nay
Scarpelli		X		
Brunner			X	
Myers	1 <sup>st</sup>		X	
Krueger	2 <sup>nd</sup>		X	

### **Attachments**

Findings of Fact for Village Board Approval



## **Village Board of Trustees Meeting**

### **Findings of Fact – Special Use**

Property Location: 304 Hill Street (PIN 03-23-320-001) and 309 Jackson Street (PIN 03-23-320-006)

Hearing Date: June 3, 2024

Special Use  
Requested: Parking Garage

- 1. The use is not injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood; Yes/No/Not Applicable (NA):**  
Yes
- 2. The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district; Yes/No/NA:**  
Yes
- 3. Adequate utilities, access roads, drainage or necessary facilities have been or will be provided; Yes/No/NA:**  
Yes
- 4. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; Yes/No/NA:**  
Yes
- 5. How is the proposed special use in harmony with the purposes, goals, objectives, policies and standards of the Village of East Dundee Comprehensive Plan, the Zoning Ordinance, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice, by the Village?**

The 2002 Comp Plan states the following commercial development goal: "To provide for an adequate and attractive commercial base to serve the needs of Village residents". The 2002 Comp Plan also states the following access and transportation goal: "To provide safe, convenient, and pleasant access between and circulation within residential areas, employment districts, and supporting business, education, civic, and leisure activities. Lastly, the 2002 Comp Plan states the following office/industrial development goal with regards to

retail and commercial store front included in the proposed parking garage: "To ensure a strong diversified employment base which will provide jobs and strengthen the economy in E.D."

Based on the information contained in the application and the testimony and evidence presented at the public hearing, the Village Board of Trustees voted on the approval of these findings of fact related to the initial application request resulting in the following vote:

\_\_\_\_ ayes \_\_\_\_ nays \_\_\_\_ absent \_\_\_\_ abstain

Date: \_\_\_\_\_

Signature: \_\_\_\_\_  
Village President Lynam

## Memorandum



**To:** Village President and Board of Trustees

**From:** Franco Bottalico, Assistant to the Village Administrator

**Subject:** Request for Special Use Permit for Parking Garage

**Date:** June 3, 2024

---

### **Action Requested**

The Planning, Zoning & Historic Commission and Staff recommend Village Board approval of an ordinance granting a special use permit for a parking garage for the properties located at 309 Jackson Street (PIN 03-23-320-006) and 304 Hill Street (PIN 03-23-320-001), East Dundee, IL 60118 as described in Section 157.050(F)(1)(g)(3) of the Zoning Ordinance.

### **Summary**

At the May 2, 2024 Planning, Zoning, and Historic Commission ("PZHC") Meeting, the PZHC conducted a public hearing and reviewed the Village's request for a special use permit for parking. Section 157.050(F)(1)(g)(3) describes "Parking lot; commercial" permitted by special use permit. Staff recommends the Village Board approval.

With three concurring votes of "aye" of those PZHC members present, and one "nay", the PZHC recommended granting the special use. The PZHC voted as follows:

	Motion	Abstain	Aye	Nay
Scarpelli				X
Brunner	1 <sup>st</sup>		X	
Myers	2 <sup>nd</sup>		X	
Krueger			X	

### **Attachments**

Ordinance with Findings of Fact Exhibit  
Daily Herald Certificate of Publication  
Application  
PZHC Signed Findings of Fact



**ORDINANCE NUMBER 24 - \_\_**

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK  
AND KANE COUNTIES, ILLINOIS GRANTING A SPECIAL USE PERMIT FOR A  
PARKING GARAGE FOR THE PROPERTIES LOCATED AT  
309 JACKSON STREET (PIN 03-23-320-006) AND 304 HILL STREET (PIN 03-23-  
320-001), EAST DUNDEE, IL 60118 AS DESCRIBED IN SECTION 157.050(F)(1)(g)(3)  
OF THE ZONING ORDINANCE**

**WHEREAS**, the Village of East Dundee (“Village”) is a home rule unit of local government pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, pursuant to Section 157.224 of the Village of East Dundee Zoning Ordinance (“Zoning Ordinance”) and the Village’s home rule authority, the Village President and Board of Trustees of the Village (“Corporate Authorities”) may provide for and allow the classification of special uses in its zoning districts; and

**WHEREAS**, pursuant to the Zoning Ordinance, any person owning or having an interest in property may file an application to use such property for one or more of the special uses provided for in the zoning district in which the land is situated; and

**WHEREAS**, the Village is the legal title holder of that certain parcel of real property commonly known as 309 Jackson Street and 304 Hill Street, East Dundee, Illinois, (“Property”), and legally described in **Exhibit A** attached to and, by this reference, made a part of this Ordinance; and

**WHEREAS**, the Village filed an application (“Application”) with the Village seeking a special use permit for a commercial parking lot at the Property, which is located B-1 Downtown Business District, as more fully described in the Application; and

**WHEREAS**, public notice of a public hearing was published in the Northwest Suburbs Daily Herald on April 12, 2024 regarding the Application before the Village’s Planning, Zoning, and Historic Commission was duly given, and a public hearing was held on the Application on May 2, 2024; and

**WHEREAS**, the Planning, Zoning, and Historic Commission reviewed the standards set forth in Section 157.224 of the Zoning Ordinance for a special use permit and recommended approval of the Application, and related findings of fact; and

**WHEREAS**, public notice of a second public hearing was published in the Northwest Suburbs Daily Herald on May 17, 2024 regarding the Application before the Village President and Board of Trustees was duly given, and a second public hearing was held on the Application on June 3, 2024; and

**WHEREAS**, on June 3, 2024, the Corporate Authorities adopted the Findings of Fact as set forth and attached hereto and incorporated herewith as **Exhibit B**, recommending that the Village Board approve the requested special use permit; and

**WHEREAS**, the Corporate Authorities have reviewed the Planning, Zoning, and Historic Commission's findings of fact and recommendations on the Application, and find it to be in the best interests of the health, safety and welfare of its residents to approve the requested special use for a parking garage on the Property;

**NOW, THEREFORE, BE IT ORDAINED** by the Village President and Board of Trustees of the Village of East Dundee, Cook and Kane Counties, Illinois, as follows:

**SECTION 1: Incorporation.** That each Whereas paragraph above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Ordinance.

**SECTION 2: Approval of Special Use Permit.** The Corporate Authorities hereby approve the Application and grant a special use permit for the Property legally described as:

PIN 03-23-320-006, 03-23-320-001

LEGAL DESCRIPTION –The legal description for the Property is attached hereto and incorporated herewith as **Exhibit A**;

Commonly known as 309 Jackson Street and 304 Hill Street, East Dundee, Illinois 60118 for a commercial parking lot.

**SECTION 3: Severability.** That if any Section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

**SECTION 4: Repeal.** That all ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

**SECTION 5: Effect.** That this Ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

[SIGNATURE PAGE FOLLOWS]

**PASSED** this \_\_\_\_ day of \_\_\_\_\_ 2024 pursuant to a roll call vote as follows:

AYES: \_\_\_\_\_

NAYES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED** by me this \_\_\_\_ day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
Jeffrey Lynam, Village President

**ATTEST:**

\_\_\_\_\_  
Katherine Diehl, Village Clerk

Published in pamphlet form this \_\_\_\_\_ day of \_\_\_\_\_ 2024, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on \_\_\_\_\_, 2024.

The Applicant acknowledges hereby the reasonableness of the above and foregoing terms and conditions in the Ordinance, and hereby accepts the same.

Date: \_\_\_\_\_, 2024

**EXHIBIT A**

**LEGAL DESCRIPTION**

309 Jackson Street, East Dundee, Illinois

LOT 8 IN BLOCK 2 OF EAST DUNDEE, IN THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 23, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS

PIN: 03-23-320-006

304 Hill Street, East Dundee, Illinois

LOTS 3 AND 4 AND LOT 5 (EXCEPT THE WEST 30 FEET) IN BLOCK 2 OF THE PLAT OF DUNDEE, IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS.

PIN: 03-23-320-001

**EXHIBIT B**

**Findings of Fact**

State of Illinois }  
Counties of Cook and Kane } SS  
Village of East Dundee }

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Village Board of Trustees of the Village of East Dundee will hold a public hearing on June 3, 2024, at 6:30 P.M. at the East Dundee Police Station 2nd Floor Meeting Room, 115 E. 3rd Street, East Dundee, Illinois, to consider the following request:

In conjunction with a request to rezone the property, a request for a special use permit for "parking lot; commercial" as described in Section 157.050(F)(1)(g)(3) to be located at 309 Jackson Street, East Dundee, IL, 60118, PIN 03-23-320-006, in the R-3 Single-Family Residence District, and to be located at 304 Hill Street, East Dundee, IL, 60118, PIN 03-23-320-001, in the B-1 Downtown Business District.

**PINs and Legal Descriptions:**

03-23-320-006 (309 Jackson Street)

LOT 8 IN BLOCK 2 OF EAST DUNDEE, IN THE SOUTH-WEST ¼ OF SECTION 23, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS

03-23-320-001 (304 Hill Street)

LOTS 3 AND 4 AND LOT 5 (EXCEPT THE WEST 30 FEET) IN BLOCK 2 OF THE PLAT OF DUNDEE, IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS.

All interested persons will be given an opportunity to be heard. Any questions regarding this public hearing process may be directed to Franco Bottalico, 120 Barrington Avenue, East Dundee, Illinois, 60118 via email at [FBottalico@eastdundee.net](mailto:FBottalico@eastdundee.net), or by phone at (847) 815-0472.

Published in Daily Herald May 17, 2024 (4615913)

**CERTIFICATE OF PUBLICATION**

**Paddock Publications, Inc.**

**Fox Valley  
Daily Herald**

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **Fox Valley DAILY HERALD**. That said **Fox Valley DAILY HERALD** is a secular newspaper, published in Elgin, Kane County, State of Illinois, and has been in general circulation daily throughout Kane County, continuously for more than 50 weeks prior to the first Publication of the attached notice, and a newspaper as defined by 715 ILCS 5/5.

I further certify that the **Fox Valley DAILY HERALD** is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 05/17/2024

in said **Fox Valley DAILY HERALD**. This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

BY

*Danula Baltz*

Designee of the Publisher of the Daily Herald

Control # 4615913



PZHC#: \_\_\_\_\_

## Application for Rezoning, Special Use, and/or Variance

Please review the accompanying PZHC Requirements packet for all requirements applicable.  
Failure to complete this form properly will delay its consideration.

Note: Attach a Word Doc. that includes the project property PIN, legal description, and common address.

### 1) Applicant Information

Date: May 2, 2024 Project Location: 304 Hill

Applicant Name: Vilalge of East Dundee

Applicant Address: 120 Barrington Ave. East Dundee, IL 60118

Applicant Phone: \_\_\_\_\_

Applicant Email: \_\_\_\_\_

Applicant Signature: Franco Bottalico

Digitally signed by Franco Bottalico  
Date: 2024.04.24 09:54:58 -05'00'

Check each box being requested and provide the project description in the lines provided below:

Rezoning:

☐

Special Use:

☒

Variance:

☐

PIN: 0323320006 / 0323320001 Project property size in acres/sq. ft.: +/- 29,375

### 2) Curent Zoning Districts

Indicate what the property is currently zoned as below (choose one):

E ☐ R-1 ☐ R-2 ☐ R-3 ☒ R-4 ☐ B-1 ☒ B-2 ☐ B-3 ☐ B-4 ☐ OD ☐ AG-1 ☐ M-1 ☐ M-2 ☐

Current use at the property: Vacant land

Surrounding land use zoning (may be more than one): R3 and B1

Zoning district being requested per PIN: \_\_\_\_\_

### 3) Owner Information (If different than the applicant)

Owner Name: Village of East Dundee Owner Signature: Franco Bottalico

Digitally signed by Franco Bottalico  
Date: 2024.04.24 09:55:31 -05'00'

Owner Address: \_\_\_\_\_

Owner Phone: \_\_\_\_\_

Owner Email : \_\_\_\_\_

### 4) Billing Information (Include the name and address that all bills should be sent to)

Legal Name: N/A

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**B. SPECIAL USE - FINDINGS OF FACT FOR APPLICANT TO ANSWER (157.244 (C)(2))**

The questions contained in this part are directly related to the criteria in the Code that the Village must use to evaluate the project. Under the Code, most of the actions taken by the PZHC and Village Board require a "findings of fact" that a particular project meets all the applicable criteria. Accordingly, it's important that as much evidence of compliance as possible be provided with the application. **Please be sure to review the actual requirements in the relevant sections of the Code to assist you in preparing your responses.**

Please answer all questions but be concise and brief in your answers. **If additional pages are needed to complete your answers, please be sure to include the appropriate and complete question number for each response.** You are encouraged to refer to drawings, pictures, or other materials as necessary to add clarity to your answers.

1. Will the Special Use be injurious to the enjoyment of other property in the immediate vicinity for the purposes already permitted, nor will the special use substantially diminish and impair property values within the neighborhood?

No

2. Will the establishment of the Special Use impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district?

No

3. Have or will adequate utilities, access roads, drainage or necessary facilities be provided for?

Yes

4. Have or will adequate measures be taken to provide ingress and egress to minimize traffic congestion in the public streets?

Yes

5. How is the proposed special use in harmony with the purposes, goals, objectives, policies, and standards of the Village of East Dundee Comprehensive Plan, the Zoning Ordinance, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice, by the Village?

The 2002 Comp Plan states the following commercial development goal: "To provide for an adequate and attractive commercial base to serve the needs of Village residents". The 2002 Comp Plan also states the following access and transportation goal: "To provide safe, convenient, and pleasant access between and circulation within residential areas, employment districts, and supporting business, education, civic, and leisure activities. Lastly, the 2002 Comp Plan states the following office/industrial development goal with regards to retail and commercial store front included in the proposed parking garage: "To ensure a strong diversified employment base which will provide jobs and strengthen the economy in E.D."





**Planning, Zoning, and Historic Commission Meeting**

**Findings of Fact – Special Use**

**Property Location:** 304 Hill Street (PIN 03-23-320-001) and 309 Jackson Street (PIN 03-23-320-006)

**Hearing Date:** May 2, 2024

**Special Use  
Requested:** Parking Structure

Utilize the below findings of fact from Section 157.224 as a guide for the PZHC to consider during its motion and recommendation to the Board:

1. The use is not injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood; **Yes/No/Not Applicable (NA):**
2. The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district; **Yes/No/NA:**
3. Adequate utilities, access roads, drainage or necessary facilities have been or will be provided; **Yes/No/NA:**
4. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; **Yes/No/NA:**
5. How is the proposed special use in harmony with the purposes, goals, objectives, policies and standards of the Village of East Dundee Comprehensive Plan, the Zoning Ordinance, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice, by the Village?

The 2002 Comp Plan states the following commercial development goal: "To provide for an adequate and attractive commercial base to serve the needs of Village residents". The 2002 Comp Plan also states the following access and transportation goal: "To provide safe, convenient, and pleasant access between and circulation within residential areas, employment districts, and supporting business, education, civic, and leisure activities. Lastly,

the 2002 Comp Plan states the following office/industrial development goal with regards to retail and commercial store front included in the proposed parking garage: "To ensure a strong diversified employment base which will provide jobs and strengthen the economy in E.D."

Based on the information contained in the application and the testimony and evidence presented at the public hearing, the Planning, Zoning, and Historic Commission voted on the approval of these findings of fact related to the initial application request resulting in the following vote:

3 ayes      nays 3 absent 1 abstain

Date:

05-02-2024

Signature:



Chair Brunner

Planning, Zoning, and Historic Commission