

Ordinance No. 14-41

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, ILLINOIS,
WAVING DEVELOPMENT REGULATIONS FOR A PORTION OF
THE TERRA BUSINESS PARK**

WHEREAS, the Village of East Dundee (the "*Village*") is a duly organized and validly existing home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

WHEREAS, Pal Land LLC ("*Pal Land*") owns certain property in the Terra Business Park in the Village that is shown on Exhibit A attached hereto and made a part hereof by reference as the Development Site Waiver Area (the "*DSWA*"); and,

WHEREAS, the DSWA is zoned In the M-1 Limited Manufacturing District subject to an approved planned unit development with modifications and variances; and,

WHEREAS, Pal Land agrees to develop said property situated west of Christina Drive and lying 1000 feet or more North of Route 72 (the "*West Property*") with one or more buildings to serve the trucking industry (the "*Anticipated Development*"); and,

WHEREAS, the Anticipated Development of the West Property will be promoted and enhanced by facilitating the parking and storage of trucks and semitrailers on the DSWA by waiving certain development regulations otherwise applicable to parking on the West Property; and,

WHEREAS, the East Dundee Zoning Chapter provides in Section 157.193 that certain development regulations may be waived by the Village Board provided such waivers would not endanger the health, safety and welfare of nearby residents; and,

WHEREAS, President and Board of Trustees (the “*Corporate Authorities*”) have reviewed the request of Pal Land and hereby make a finding that such waivers would not endanger the health, safety and welfare of nearby residents subject to the conditions imposed herein.

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

Section 1: That the Corporate Authorities do hereby incorporate the foregoing whereas clauses into this ordinance as though fully set forth herein.

Section 2: Subject to Section 3 below, that pursuant to Section 157.193 of the East Dundee Zoning Chapter the following developments regulations are hereby waived for the DSWA as follows:

A. *Paving.* A waiver is given for a crushed stone base or asphalt shavings for permanent driveway access to the Subject Property and parking lot, provided that all required off-street parking is provided and that steps are taken to control dust and other particulates from the parking surface pursuant to Sections 157.147 and 157.149 of the East Dundee Zoning Chapter.

B. *Curb and gutter.* A waiver of the requirement for installation of curb and gutter, provided however, that the developer shall take all steps necessary to comply with all applicable storm water drainage requirements pursuant to Section 157.244 of the East Dundee Zoning Chapter.

C. *Parking lot lighting.* A waiver of parking lot lightning provided that no activity is scheduled or planned to take place after dusk and so long as the proposed use remains a temporary use pursuant to Section 157.149 of the East Dundee Zoning Chapter.

D. *Parking lot landscaping.* A waiver of the requirement of parking lot landscaping, including placement of trees and shrubbery, pursuant to Section 157.149 of the East Dundee Zoning Chapter.

Section 3: That the waivers granted in Section 2 shall be subject to the following conditions and limitations:

A. That the waiver shall no longer apply as to any portion of the DSWA that may hereafter be developed with a building and other site improvements pursuant to a site plan

approved by the Village, and instead, such waiver shall then continue to apply only as to the remainder of the DSWA as to which no site plan has been approved.

B. That the waivers shall not apply to any parking area proposed to be constructed within thirty foot (30') of the west lot line.

Section 4: This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

Adopted this 1st day of December, 2014.

AYES: Trustees Skillicorn, Lynam, Gorman, Selep and Wood

NAYS: 0

ABSENT: Trustee Ruffulo

Approved this 1st day of Dec, 2014.



Village President

Attest:


Village Clerk

Published in pamphlet form:

December 3, 2014

DEVELOPMENT STANDARDS
WAIVER AREA

LOT 4

CHRISTINA
DRIVE

LOT 3

LOT 2

LOT 1

1000'

TERRA BUSINESS PARK
DEVELOPMENT WAIVER EXHIBIT
DEC. 4, 2014

