

Ordinance No. 15-37

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, WAVING DEVELOPMENT REGULATIONS FOR THE NORTHEAST CORNER OF TERRA BUSINESS PARK**

**WHEREAS**, the Village of East Dundee, Cook and Kane Counties, Illinois (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**, Enterprise Leasing Company of Chicago, LLC d/b/a Enterprise Holdings or its affiliate (“*Purchaser*”) intends to purchase certain property in the Village located in the northeast corner of the Terra Business Park, as depicted on Exhibit A attached hereto and made a part hereof (the “*Subject Property*”), and intends to develop and use the Subject Property as a staging area for rental vehicles or related permitted uses, which is a permitted use pursuant to Section 157.065(A)(1)(g)4 of the East Dundee Zoning Chapter (Motor vehicle dealer, new or used); and,

**WHEREAS**, in order to develop the Subject Property for the foregoing use, Purchaser desires that the Village grant certain waivers in connection with certain vehicle parking areas that may hereafter be established on the Subject Property; and,

**WHEREAS**, pursuant to Section 157.193(A) of the East Dundee Zoning Chapter as identified in Chapter 157 of the Code of the Village of East Dundee, the Village Board is empowered to waive certain development regulations provided that it determines that the particular development and/or use would not endanger the health, safety and welfare of area residents; and,

**WHEREAS**, having determined that the abovementioned development and use and the waivers of these development regulations will not endanger the health, safety and welfare of area residents, the Village is prepared to waive said development regulations as hereinafter set forth for as long as Purchaser owns and uses the Subject Property for storing, its rental vehicles and related permitted uses.

**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.* That the above recitals are incorporated herein and made a part of this Ordinance.

*Section 2.* That pursuant to Section 157.193(A) of Chapter 157 of the Code of the Village of East Dundee the following development regulations are hereby waived for the development and use of the Subject Property by Purchaser for as long as the Subject Property is owned and used by Purchaser or any successor in interest for storage of rental vehicles and related permitted uses, excluding however from the waiver, the driveway into the site and the parking lot for any building constructed on the Subject Property:

- a) The requirement for paving of a permanent roadway or parking lot, provided that all required off-street parking shall have a crushed stone base or asphalt shavings; that all required off-street parking is provided for, including handicapped parking; and that steps are taken to control dust and other particulates from the parking surface area;
- b) The requirement for installation of curbs and gutters pursuant to Section 57.101(F) of Chapter 57 of the Code of the Village of East Dundee, provided that the developer takes all steps otherwise necessary to comply with all applicable storm water drainage requirements;

c) The requirement for parking lot lighting pursuant to Section 157.149 of Chapter 157 of the Code of the Village of East Dundee, provided that minimal business activity shall take place after dusk on the condition that the Purchaser the install low-level security lighting for the parking lot to the reasonable satisfaction of the Village of East Dundee); and,

d) The requirement of parking lot landscaping, including placement of tree and shrubbery, pursuant to Section 157.149 of Chapter 157 of the Code of the Village of East Dundee.

*Section 3.* That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

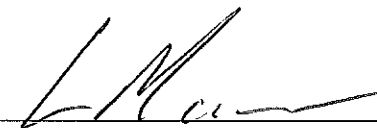
*Passed* by the Village President and the Board of Trustees of the Village of East Dundee, Cook and Kane Counties, Illinois, this 10<sup>th</sup> day of August, A.D. 2015, pursuant to a roll call vote, as follows:

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


NAYS:  $\emptyset$

ABSENT:  $\emptyset$

**APPROVED** by me, as Village President of the Village of East Dundee, Cook and Kane Counties, Illinois, this 10<sup>th</sup> day of August, A.D. 2015.

  
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Village President

*Attest:*

  
\_\_\_\_\_  
Village Clerk

Published in pamphlet form:

August 11, 2015

