



**PLANNING AND ZONING COMMISSION  
AGENDA**

Thursday, October 7, 2021  
7:00 PM

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

**CALL TO ORDER**

**ROLL CALL / DECLARATION OF QUORUM**

**APPOINT AN ACTING CHAIRMAN**

**APPROVAL OF MINUTES**

1. [Planning and Zoning & Historic Commission Meeting Minutes dated September 2, 2021](#)

**PUBLIC COMMENT**

**HISTORIC COMMISSION**

**NEW BUSINES**

1. [PUBLIC HEARING \(PINs 03-25-426-009 and 03-25-426-010\) - to consider a request:](#)

- To Rezone the small western trapezoidal portion of the property to from B-3 Service Business District to M-1 Limited Manufacturing District.
- For a Variance from Sections 157.066(A)(6)(a) & 157.148 requiring the front yard to not be less than 40 feet in depth.
- For a Variance from Section 157.066(A)(6)(b) requiring side yards to be not less than 25 feet in width.
- For a Variance from Section 157.066(A)(5) requiring building height to be less than 35 feet in height.
- For a Variance from Sections 157.147(B)(2) requiring no driveway across the public property shall have a width exceeding 24 feet.

- a. Discussion and motion to approve/deny a request to rezone the small western trapezoidal portion of the property from B-3 Service Business District to M-1 Limited Manufacturing District with the recommended condition and the related Findings of Fact.
- b. Discussion and motion to approve/deny a variance from Sections 157.066(A)(6)(a) and 157.148 requiring the front yard to not be less than 40 feet; a variance from Section 157.066(A)(6)(b) requiring side yards to be not less than 25 feet in width; a variance from Section 157.066(A)(5) requiring building height to be less than 35 feet in height; and a variance from Section 157.147(B)(2) requiring no driveway across the public property shall have a width exceeding 24 feet; with the recommended condition and related Findings of Fact.

## **2. PUBLIC HEARING - to consider a request for:**

- A Special Use for outside vehicle and equipment parking and storage for Plote property with PINS 03-24-400-006, 03-24-400-007, and 03-25-200-046 in the M-1 Manufacturing District.
  - A Variance request from Section 157.147(B)(2) and 157.149(B) requiring off-street parking areas shall be paved with asphaltic concrete or comparable hard-surfaced, all-weather, dustless material.
  - A Variance from Section 157.149(C) requiring screening and landscaping for all open automobile parking areas containing more than four parking spaces on each side adjoining or fronting any residential or institutional property.
  - A Variance from Section 157.149(D) requiring illumination of an off-street parking area.
- a. Discussion and motion to approve/deny a Special Use for outside vehicle and equipment parking and storage for Plote properties with PINs 03-24-400-006, 03-24-400-007, and 03-25-200-046 in the M-1 Manufacturing District with the recommended conditions and related Findings of Fact.
  - b. Discussion and motion to approve/deny a variance from Sections 157.147(B)(2) and 157.149(B) requiring off-street parking areas shall be paved with asphaltic concrete or comparable hard-surfaced, all-weather, dustless material; a variance from Section 157.149(C) requiring screening and landscaping for all open automobile parking areas containing more than four parking spaces on each side adjoining or fronting any residential or institutional property; and a variance from Section 157.149(D) requiring illumination of an off-street parking area; with the recommended conditions and related Findings of Fact.

**3. PUBLIC HEARING - to consider a request for a Text Amendment to Chapter 157.087 of the East Dundee Village Code Regulating Fences as Permitted Obstructions in Yards**

- a. Discussion and motion to recommend approval/denial for an amendment to Chapter 157.087 Permitted Obstructions; Yards regulating fences as permitted obstructions in yards and permitting regulations in Section 151.006 Fences

**OTHER BUSINESS**

**ADJOURNMENT**

Village of East Dundee  
Kane County, IL  
Special Planning and Zoning & Historic Commission  
September 2, 2021

*Commissioner Scarpelli called the Planning and Zoning/Historic Commission meeting to order at 7:00 p.m.*

*Roll: 6 Present (Holliman, Scarpelli, Schock, Bernstein, Apke and Steneck). 2 Absent (Muscat and Meyer). Also present were Village Administrator Jennifer Ramsay, Assistant Village Administrator Brad Mitchell, Village Building Official Chris Ranieri and Village Clerk Katherine Diehl.*

**APPOINT AN ACTING CHAIRMAN:**

*Motion to appoint Commissioner Scarpelli as Acting Chairman by Schock/Bernstein.*

*6 Ayes (Holliman, Scarpelli, Schock, Bernstein, Apke and Steneck). 0 Nays. 2 Absent (Muscat and Meyer). Motion Carries.*

**APPROVAL OF MINUTES:**

**1. Special Planning and Zoning & Historic Commission Meeting Minutes dated May 13, 2021**

*Motion to approve the May 13, 2021 meeting minutes by Schock/Apke.*

*6 Ayes (Holliman, Scarpelli, Schock, Bernstein, Apke and Steneck). 0 Nays. 2 Absent (Muscat and Meyer). Motion Carries.*

**PUBLIC COMMENT:**

**HISTORIC COMMISSION:**

**1. Certificate of Appropriateness for Pergola: Aliano's Ristorante – 306/308 N. River Street**

- a. Discussion and Motion to Recommend Approval/Denial of a Certificate of Appropriateness for Pergola: Aliano's Ristorante – 306/308 N. River Street

Frank Tomasello is seeking approval to construct a pergola on the west end of the outdoor patio to reduce the sun exposure. Building Inspector Ranieri added that it is a basic pergola structure that will cover the balance of the uncovered portion of the patio.

*Motion to Approve the Certificate of Appropriateness for Pergola: Aliano's Ristorante – 306/308 N. River Street by Holliman/Bernstein.*

*6 Ayes (Holliman, Scarpelli, Schock, Bernstein, Apke and Steneck). 0 Nays. 2 Absent (Muscat and Meyer). Motion Carries.*

**NEW BUSINESS**

**1. PUBLIC HEARING (PIN 03-23-479-006) - to consider a request for a Special Use for the operation of a banquet hall located at 485 Dundee Avenue, East Dundee, IL 60118 in the B-3 Service Business District**

Motion to open the public hearing by Holliman/Apke.

*The Public Hearing was opened for discussion.*

Village of East Dundee  
Kane County, IL  
Special Planning and Zoning & Historic Commission  
September 2, 2021

Shirley Singleton, owner of Infinity Banquet Hall and Event Planners Inc., addressed the Commission with her request for a special use for a banquet hall operation. She stated that the facility will have a capacity of between 75-100 people and that she will be present at all events along with security personnel. She explained her intention to lower the music volume at 10:30 p.m and stated that live music would be permitted if it was requested by her client, but that noise volume would be monitored. She answered questions from the Board regarding her business plan, past experience and intended investment into the building. Building Inspector Ranieri explained that repairing the parking lot is a condition of the special use permit and the location of the address where the banquet hall would be located.

*Motion to close the public hearing by Berstein/Holliman.*

*6 Ayes (Holliman, Scarpelli, Schock, Bernstein, Apke and Steneck). 0 Nays. 2 Absent (Muscat and Meyer). Motion Carries.*

*Motion to recommend approval of a request for a Special Use for the operation of a banquet hall located at 485 Dundee Avenue, East Dundee, IL 60118 in the B-3 Service Business District and to include staff's recommendations and banquet operation restrictive hours of 12:00 a.m. to 9:00 a.m. by Holliman/Schock.*

*6 Ayes (Holliman, Scarpelli, Schock, Bernstein, Apke and Steneck). 0 Nays. 2 Absent (Muscat and Meyer). Motion Carries.*

*Motion to approve a Findings of Fact to recommend approval of a request for a Special Use for the operation of a banquet hall located at 485 Dundee Avenue, East Dundee, IL 60118 in the B-3 Service Business District by Schock/Steneck.*

*6 Ayes (Holliman, Scarpelli, Schock, Bernstein, Apke and Steneck). 0 Nays. 2 Absent (Muscat and Meyer). Motion Carries.*

**2. PUBLIC HEARING (PINs 03-23-311-001 & 03-23-311-002) - to consider a request for a Special Use for the operation of an Axe Throwing Lounge located at 315 4th Street, East Dundee, IL 60118 in the B-1 Service Business District**

Motion to open the public hearing by Holliman/Steneck.

*6 Ayes (Holliman, Scarpelli, Schock, Bernstein, Apke and Steneck). 0 Nays. 2 Absent (Muscat and Meyer). Motion Carries.*

Applicant Angelo Douros addressed the Commission with his request for a special use for an Axe Throwing Lounge operation. He said that the lounge would include indoor axe throwing bays and offer food to be brought in from local restaurants. Douros would eventually like to serve alcoholic beverage options and will go through the process to receive the required liquor license. He is also considering future expansion to include outdoor axe throwing bays in late winter/early spring 2022. He addressed safety measures and explained that the floor has rubber nuggets down to stop a fallen axe from bouncing around the floor.

East Dundee Resident, Lisa, stated that she lives on Railroad Street and voiced her concerns with parking in the neighborhood and noise made by the thrown axes. Douros responded that the target boards are made of cottonwood rather than pine which is softer and will minimize the noise. Administrator Ramsay stated that this business is less invasive for noise and parking than other businesses that have come to the Village with interest in this property. She advised that this business will be operating when parking is not at its highest peak time.

Village of East Dundee  
Kane County, IL  
Special Planning and Zoning & Historic Commission  
September 2, 2021

*Motion to close the public hearing by Holliman/Schock.*

*6 Ayes (Holliman, Scarpelli, Schock, Bernstein, Apke and Steneck). 0 Nays. 2 Absent (Muscat and Meyer).  
Motion carries,*

*Motion to recommend approval of a request for a Special Use for the operation of an Axe Throwing Lounge located at 315 4th Street, East Dundee, IL 60118 in the B-1 Service Business by Holliman/Schock.*

*6 Ayes (Holliman, Scarpelli, Schock, Bernstein, Apke and Steneck). 0 Nays. 2 Absent (Muscat and Meyer).  
Motion carries,*

*Motion to approve a Findings of Fact to recommend approval of a request for a Special Use for the operation of an Axe Throwing Lounge located at 315 4th Street, East Dundee, IL 60118 in the B-1 Service Business District by Schock/Bernstein.*

*6 Ayes (Holliman, Scarpelli, Schock, Bernstein, Apke and Steneck). 0 Nays. 2 Absent (Muscat and Meyer).  
Motion carries,*

**OTHER BUSINESS: None**

*Motion to adjourn the Planning and Zoning & Historic Commission Meeting at 8:20 p.m. by Schock/Apke.*

*6 Ayes (Holliman, Scarpelli, Schock, Bernstein, Apke and Steneck). 0 Nays. 2 Absent (Muscat and Meyer).  
Motion carries, Meeting adjourns.*

# EAST DUNDEE

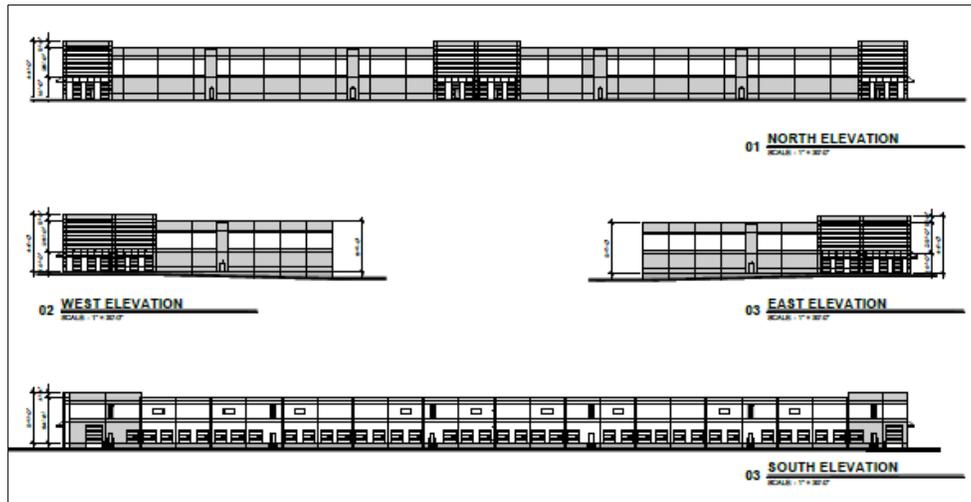
## Planning and Zoning Commission Meeting Memorandum

**To:** Planning and Zoning Commission  
**CC:** Jennifer Ramsay, Village Administrator  
**From:** Brad Mitchell, Assistant Village Administrator  
Chris Ranieri, Building Inspector  
Joseph D. Heinz, P.E.  
**Subject:** Lots 10 & 11 Rock Road Business Park  
**Date:** October 7, 2021

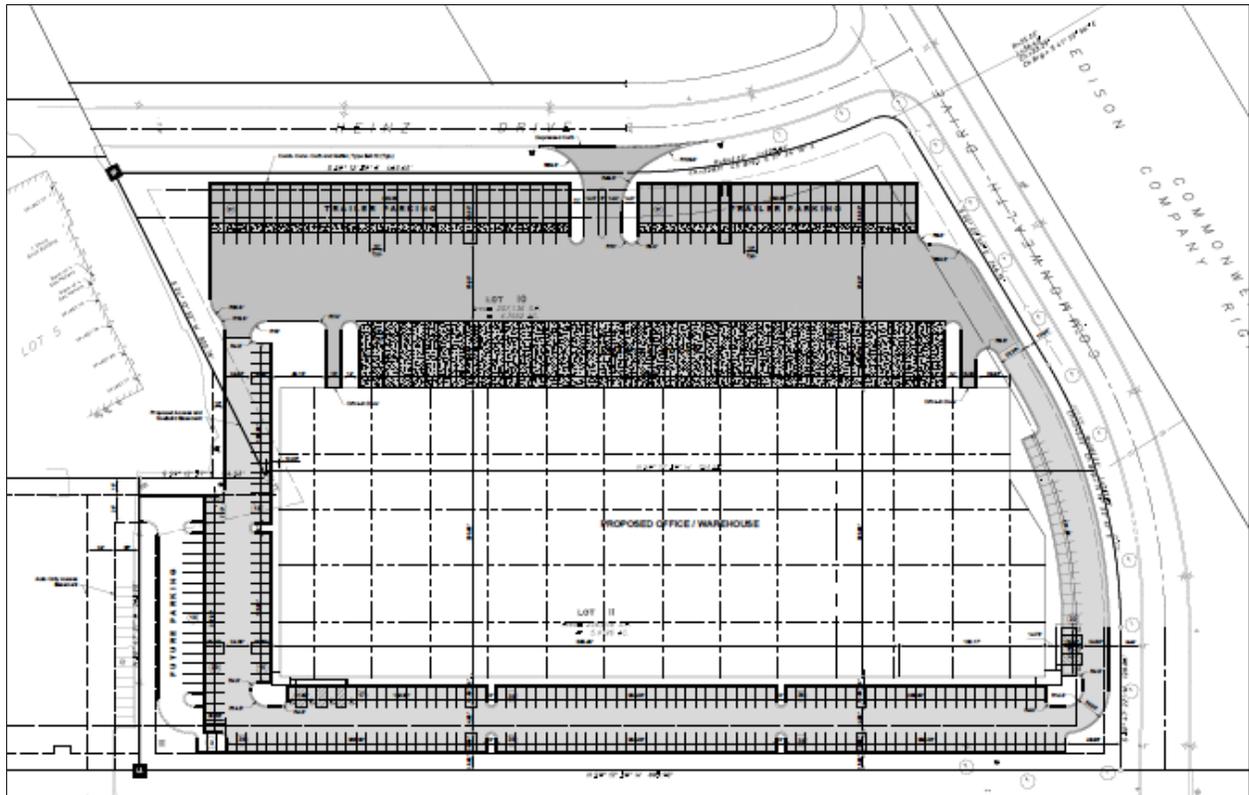
For approximately two years, the Village has been working with High Street Logistics (Developer) on the development of the parcels 03-25-426-009 and 03-25-426-010 owned by Plote Properties (Seller) as depicted below.

The Developer plans to erect an approximate 172,400 square foot industrial building containing approximately 8,620 square feet of office and 163,780 square feet of warehouse. Please note, a tenant is expected to be secured within twelve months. As such, the exact end user has not yet been identified. However, the tenant will need to meet all building and zoning code requirements.





There will be approximately 44 dock doors on the north side of the building and approximately 48 truck parking spaces along the north lot line. There will be no direct access to the site from Route 72 or Commonwealth Drive, with access limited to one curb-cut out to Heinz Drive. See conceptual site plan below.



The Village received an application for the following zoning items:

**REZONING REQUEST (PETITIONER)**

**Request #1: A request to rezone the small western trapezoidal portion of the property from B-3 Service Business District to M-1 Limited Manufacturing District.**

Per Village Code Section 157.223 and existing case law, for all map amendments, the Planning and Zoning Commission must consider the following factors:

1. Existing uses of property within the general area of the property in question.
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.
5. The extent to which property values are diminished by the particular zoning restrictions.
6. The extent to which the destruction of property values of promotes the health, safety, morals, and general welfare of the public.
7. The relative gain to the public as compared to the hardship imposed upon the individual property owner.
8. The length of time the property has been vacant as zoned considered in the context of land development in the vicinity of the subject property
9. The community need for the proposed use.
10. The care with which the community has undertaken to plan its land use development.

### **VARIANCES REQUESTS (PETITIONER)**

**Request #2: A variance request from Sections 157.066(A)(6)(a) and 157.148 requiring the front yard to not be less than 40 feet.**

- A variance is being requested to allow parking in the front yard.

**Request #3: A variance request from Section 157.066(A)(6)(b) requiring side yards to be not less than 25 feet in width.**

- A variance is being requested to reduce the required 25 feet side yard to 10 feet along the westerly side of the property.

**Request #4: A variance request from Section 157.066(A)(5) requiring building height to be less than 35 feet in height.**

- A variance is being requested increasing the maximum allowable building height from 35 feet to 40 feet.

**Request #5: A variance request from Section 157.147(B)(2) requiring no driveway across the public property shall have a width exceeding 24 feet.**

- A variance is being requested increasing the maximum driveway width across the public property from 24 feet to 35 feet.

In order to consider the variances, the Planning and Zoning Commission should consider the following standards. The Village's response is on the attached draft Findings of Fact. The attached application includes the petitioner's response to these standards.

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zoning district.
2. The plight of the owner is due to unique circumstances.
3. The variation, if granted, will not alter the essential character of the locality.
4. The particular physical surroundings, shape or topographical conditions of the specific property involved would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the regulations were strictly enforced.
5. The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification.
6. The purpose of the variation is not based exclusively upon a desire to make more money out of the property.
7. The alleged difficulty or hardship has not been created by any person presently having an interest in the property.
8. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
9. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the danger of fire or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood.

The Commission may require such conditions and restrictions by a variation(s) as may be necessary to comply with the standards set forth in the Village Code or reduce or minimize the injurious effect of the variation(s) upon the other property in the neighborhood. If the Planning and Zoning Commission were to consider approval of the variances, Village staff would recommend the following minimum condition:

1. That the variances will automatically expire if the High Street Logistics Development Project approved by Ordinance 21-30 is not completed or the terms of the Development Agreement, approved by Ordinance 21-30, are not fulfilled by the Seller or the Developer.

**STAFF RECOMMENDATION**

Village staff recommends that the Planning and Zoning Commission approve the rezoning and variances requests with the above noted condition.

## **ACTION REQUESTED**

1. Discussion and motion to approve/deny a request to rezone the small western trapezoidal portion of the property from B-3 Service Business District to M-1 Limited Manufacturing District with the recommended condition and the related Findings of Fact.
2. Discussion and motion to approve/deny a variance from Sections 157.066(A)(6)(a) and 157.148 requiring the front yard to not be less than 40 feet; a variance from Section 157.066(A)(6)(b) requiring side yards to be not less than 25 feet in width; a variance from Section 157.066(A)(5) requiring building height to be less than 35 feet in height; and a variance from Section 157.147(B)(2) requiring no driveway across the public property shall have a width exceeding 24 feet; with the recommended condition and related Findings of Fact.

## **ATTACHMENTS**

1. Application and related attachments
2. Public Notice
3. Findings of Facts



**APPLICATION FOR DEVELOPMENT APPROVAL:  
SPECIAL USE, REZONING AND VARIANCE REVIEW AND APPROVAL**

This form is to be used for all special use applications (except Planned Developments) to be heard by the Village of East Dundee. To complete the form properly, please review the accompanying *Village of East Dundee Instruction Manual for Application for Development Review*. Failure to complete this form properly will delay its consideration.

**PART I. GENERAL INFORMATION**

**A. Project Information**

- 1. Project/Owner Name: AG-HS Development Portfolio Subsidiary, L.L.C., a DE LLC
- 2. Project Location: NW corner of Higgins Road and Commonwealth Dr., East Dundee, IL
- 3. Brief Project Description:  
See attached narrative and site plan: Exhibit A
- 4. Project Property Legal Description:  
See attached Exhibit B
- 5. Project Property Size in Acres and Square Feet: 10.1748 (443,214.28 sq. ft.)
- 6. Current Zoning Status: Part commercial and part industrial
- 7. Current Use Status: parking / vacant
- 8. Surrounding Land Use Zoning: Industrial to the north and west; Com Ed. ROW to the East; mining and farming to the south
- 9. Zoning District Being Requested (if applicable): M-1, Limited Manufacturing District
- 10. Parcel Index Numbers of Property: 03-25-426-009 and 03-25-426-010

**B. Owner Information**

- 1. Signature: \_\_\_\_\_
- 2. Name: Chicago Title Land Trust Company, as successor trustee under trust # 11-5651
- 3. Address: c/o David R. Plote and Kevin Seay, Plote Properties, 1141 E. Main, E. Dundee, IL 60118
- 4. Phone Number: 847-560-1121 Fax: 847-468-1062 Email: kseay@plotoproperties.com

**C. Billing Information (Name and address all bills should be sent to)**

- 1. Name/Company: High Street Logistics, Attn: Michael Ruen
- 2. Address: 1S450 Summit Ave., #250, Oak Brook Terrace, IL 60181
- 3. Phone Number: 404-964-9391 Fax: \_\_\_\_\_ Email: mruen@highstreetlp.com

**PART III. JUSTIFICATION OF THE PROPOSED SPECIAL USE**

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. Applicants are encouraged to refer to drawings or other application materials as necessary to add clarity to their answers. Applicants are also encouraged to refer to Special Use Criteria Section 157.224(C)(2) or Variances, Section 157.207(C) or Rezoning.

**IF YOU ARE APPLYING FOR A REZONING PLEASE WRITE A PARAGRAPH ON WHAT THE CURRENT ZONING IS AND WHY YOU ARE REQUESTING A REZONING**

**FOR A SPECIAL USE COMPLETE THE FOLLOWING, FOR VARIANCES ONLY SKIP TO PAGE #4:**

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?

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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?

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

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

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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?

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**IF YOU ARE APPLYING FOR A VARIANCE COMPLETE THE FOLLOWING:**

1. From which specific standard of the Village Code is a Variance requested (include Code section number)?

See attached Exhibit C

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2. For this site, what does the Code require?

See attached Exhibit C

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3. What is proposed?

See attached narrative and site plan Exhibit A

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4. What unique circumstances have caused the need for a variance?

The land in question is irregularly shaped and bounded on three sides (the south, east and north) by public rights of way. The foregoing makes efficient development of the site impractical without the requested variances.

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5. What specific mitigation measures will be used to ensure that the essential character of the area will not be altered? (Suitability of Present Area)

The architecture of the building and the site design reflect mitigation measures.

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6. Specifically, how do the particular physical surroundings, shape, or topographical condition of the property result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations are carried out?

See answer to #4.

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7. Specifically, what conditions are present on the property that would not be applicable generally to other property within the same zoning classification? (Suitability of Zoning)

See answer to #4.

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8. Other than financial return, what other purposes is the variance request based on?

See answer to #4.

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9. Has the alleged difficulty been created by any person presently having an interest in the property?

No

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10. Please give an explanation for any questions answered YES .

- a. Will the granting of the variation be detrimental to the public welfare? (Circle)
- b. Injurious to surround properties? (Circle)
- c. Impair an adequate supply of light and air to adjacent property? (Circle)
- d. Endanger public health and safety? (Circle)
- e. Substantially diminish property values within the neighborhood? (Circle)
- f. Conformance to the Land Use Plan? (Circle)

<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO

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**PLANNING AND ZONING & HISTORIC COMMISSION MEETING SCHEDULE  
MEETING TIME 7:00PM  
\*THURSDAY EVENING UNLESS DENOTED**

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Planning & Zoning petitions must be received 35 days prior to meeting date for petitions requiring Public hearings. 15 days prior when no Public hearing is required.

**Historic Commission Meetings (as needed)**

Applications submittals must be received & approved by the Building official for presentation to the Commission minimum of 15 days prior to meeting date.

Per ordinance, the Historic Commission must meet within 15 days of application submittal acceptance date and be dully considered by the Commission or a Certificate of Appropriateness would be deemed issued for failure to meet in the designated time.



APPLICATION AGREEMENT  
TO PAY COSTS INCURRED AND HOLD THE VILLAGE HARMLESS

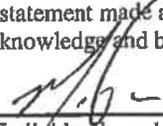
The Undersigned applicant acknowledges that the Village of East Dundee may seek advice and counsel from professional sources outside the employee staff of the Village of East Dundee in consideration of the application submitted to the Village of East Dundee by the applicant, including the services as those provided by the Village Staff, Village Attorney, Village Engineer, Planner and Fire Protection District.

The applicant further acknowledges that testimony of all witness at Public Hearings may be recorded before a court reporter and that full transcripts of the proceedings may be prepared and retained by the Village of East Dundee as part of the official record concerning the said applicant and the applicant's costs.

As an express condition in making the said application and the consideration thereof by the Village of East Dundee, the undersigned, both personally and on behalf of the applicant, agrees to hold the Village harmless and agrees to pay forthwith the costs and expenses that may be incurred by the Village of East Dundee for such professional services, including the costs and expenses of recording and transcribing any testimony at Public Hearings in connection with the said application.

The owner hereby authorizes, support and consents to this request for variation, and further authorizes, agrees and consents to allow the temporary installation and display by the Village of East Dundee of Public Notice (signage) upon the subject property.

The applicant, having read this application and fully understanding the purpose thereof, declares that the proceeding statement made are true and that the information provided herein is complete to the best of the applicant's knowledge and belief.

 \_\_\_\_\_ July 28, 2021  
Individually and for the Applicant Date

S450 Summit Ave., #250, Oak Brook Terrace, IL 60181 . 404-964-9391  
Address Phone Number

Project Description:  
Construction of an approximate 170,000 sq. ft. industrial building



**Affidavit of Ownership & Control**

I (We), AG-HS Development Portfolio Subsidiary, L.L.C., a DE LLC, contract purchaser do hereby certify or affirm that I am the owner(s), contract purchasers, or beneficiary(s) of the title holding trust for the aforesaid described property and hereby make application of such.

Signature: [Handwritten Signature] - HS Devco Manager, LLC

Owner: AG-HS Development Portfolio Parent 1, L.L.C. a Delaware limited liability company

Address: 16450 Summit Ave., #250  
Oak Brook Terrace, IL 60181

Phone: 404-964-9391 (Mike Ruen)

SUBSCRIBED AND SWORN TO before me this 7th day of July, 2021.

[Handwritten Signature]  
(NOTARY SIGNATURE)





### Affidavit & Disclosure Agreement

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To cover the Village expenses relating to applications for site plans, Subdivisions, Annexations, Zoning Amendments, Special Uses, Variations and the like:

Applications shall deposit the sum required based on the type and extent of the applicants project. Any bills received by the village and any costs incurred by the Village related to the project will be billed to the applicant. Upon payment of all bills to the Village the applicant will receive their deposit back.

Signature: \_\_\_\_\_

*[Handwritten Signature]* - AG-HS Development Portfolio Manager, LLC

Print Name: \_\_\_\_\_

AG-HS Development Portfolio Subsidiary, L.L.C., a DE LLC

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

NW corner of Higgins Road and Commonwealth Dr., East Dundee, IL

**EXHIBIT A**  
**PROJECT DESCRIPTION**

The Developer, AG-HS Development Portfolio Subsidiary, L.L.C. (“**Developer**”) plans to erect on the Subject Property an approximate 172,400 square foot industrial building containing approximately 8,620 square feet of office and 163,780 square feet of warehouse. There will be approximately 44 dock doors on the north side of the building and approximately 48 truck parking spaces along the north lot line. There will be no direct access to the site from Route 72 or Commonwealth Drive, with access limited to one curb-cut out to Heinz Drive.

**EXHIBIT B  
LEGAL DESCRIPTION**

LOT 10 IN ROCK ROAD BUSINESS PARK , BEING A SUBDIVISION IN THE EAST HALF OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 11, 2004 AS DOCUMENT NUMBER 2004K059306, IN KANE COUNTY, ILLINOIS.

**Being a portion of the following described tract:**

THAT PART OF THE FOLLOWING DESCRIBED PARCEL LYING NORTHERLY OF THE NORTH RIGHT OF WAY LINE OF ILLINOIS STATE ROUTE 72, AND COMMONLY KNOWN AS NEW HIGGINS ROAD; THAT PART OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT: BEGINNING AT A POINT OF ON THE SOUTH LINE OF SAID SECTION 25, SAID POINT BEING THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36 IN TOWNSHIP AND RANGE AS AFORESAID; THENCE NORTH 80 DEGREES 23 MINUTES WEST 948.50 FEET; THENCE NORTH 00 DEGREES 14 MINUTES WEST 925.90 FEET; THENCE SOUTH 81 DEGREES 12 MINUTES EAST 1,447.30 FEET; THENCE NORTH 04 DEGREES 22 MINUTES EAST 2,365.00 FEET; THENCE SOUTH 80 DEGREES 19 MINUTES EAST 667.90 FEET TO THE EAST LINE OF SAID SECTION 25; THENCE SOUTH ON SAID SECTION LINE, 3,085.30 FEET TO THE SOUTH LINE OF SAID SECTION 25; THENCE WEST ON SAID SECTION LINE TO THE POINT OF BEGINNING, IN THE VILLAGE OF EAST DUNDEE, IN KANE COUNTY, ILLINOIS.

**AND**

LEGAL DESCRIPTION OF THE THAT PART OF PROPOSED LOT 11 FALLING WITHIN LOT 6 OF ROCK ROAD INDUSTRIAL SUBDIVISION UNIT NO. 3 THAT PART OF LOT 6 IN ROCK ROAD INDUSTRIAL SUBDIVISION UNIT NO. 3, BEING A SUBDIVISION OF PART OF THE EAST HALF OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID LOT 6; THENCE NORTH 58 DEGREES 49 MINUTES 51 SECONDS WEST ALONG THE SOUTHWESTERLY LINE OF SAID LOT 6, A DISTANCE OF 246.06 FEET; THENCE NORTH 31 DEGREES 10 MINUTES 09 SECONDS EAST, PERPENDICULAR TO THE SOUTHWESTERLY LINE OF SAID LOT 6, A DISTANCE OF 263.00 FEET TO THE NORTHEASTERLY LINE OF SAID LOT 6; THENCE SOUTH 58 DEGREES 49 MINUTES 51 SECONDS EAST ALONG SAID NORTHEASTERLY LINE, 114.50 FEET TO THE NORTHEAST CORNER OF SAID LOT 6; THENCE SOUTH 04 DEGREES 35 MINUTES 38 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 6, A DISTANCE OF 294.07 FEET TO THE POINT OF BEGINNING , IN KANE COUNTY, ILLINOIS.

**ALSO DESCRIBED AS:**

LOT 11 IN ROCK ROAD BUSINESS PARK , BEING A SUBDIVISION IN THE EAST HALF OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 11, 2004 AS DOCUMENT NUMBER 2004K059306, IN KANE COUNTY, ILLINOIS.

**Exhibit C**  
**High Street – NW Corner Route 72 and Commonwealth Drive**  
**List of Variances**

**Yards (M1 Zoning District)**

*Code Section 157.066(A)(6)(a) & 157.148*

Front Yard Required = 40' (applies to parking when abutting a street)

Parking Setback along Higgins Road = 15'

Parking Setback along Commonwealth Drive = 10'

Parking Setback along Heinz Drive = 8.5'

*Code Section 157.066(A)(6)(b)*

Side Yard Required = 25'

West Side Building Setback Proposed = 12.03'

**Access**

*Code Section 157.147(B)(2)*

Maximum Driveway Width = 24'

Proposed Driveway Width = 34'

# BROGDON DISTRIBUTION CENTER

783 Brogdon Road | Suwanee, Georgia 30024



**117,130 SF**

REAR LOAD INDUSTRIAL BUILDING

DELIVERS Q1 2022

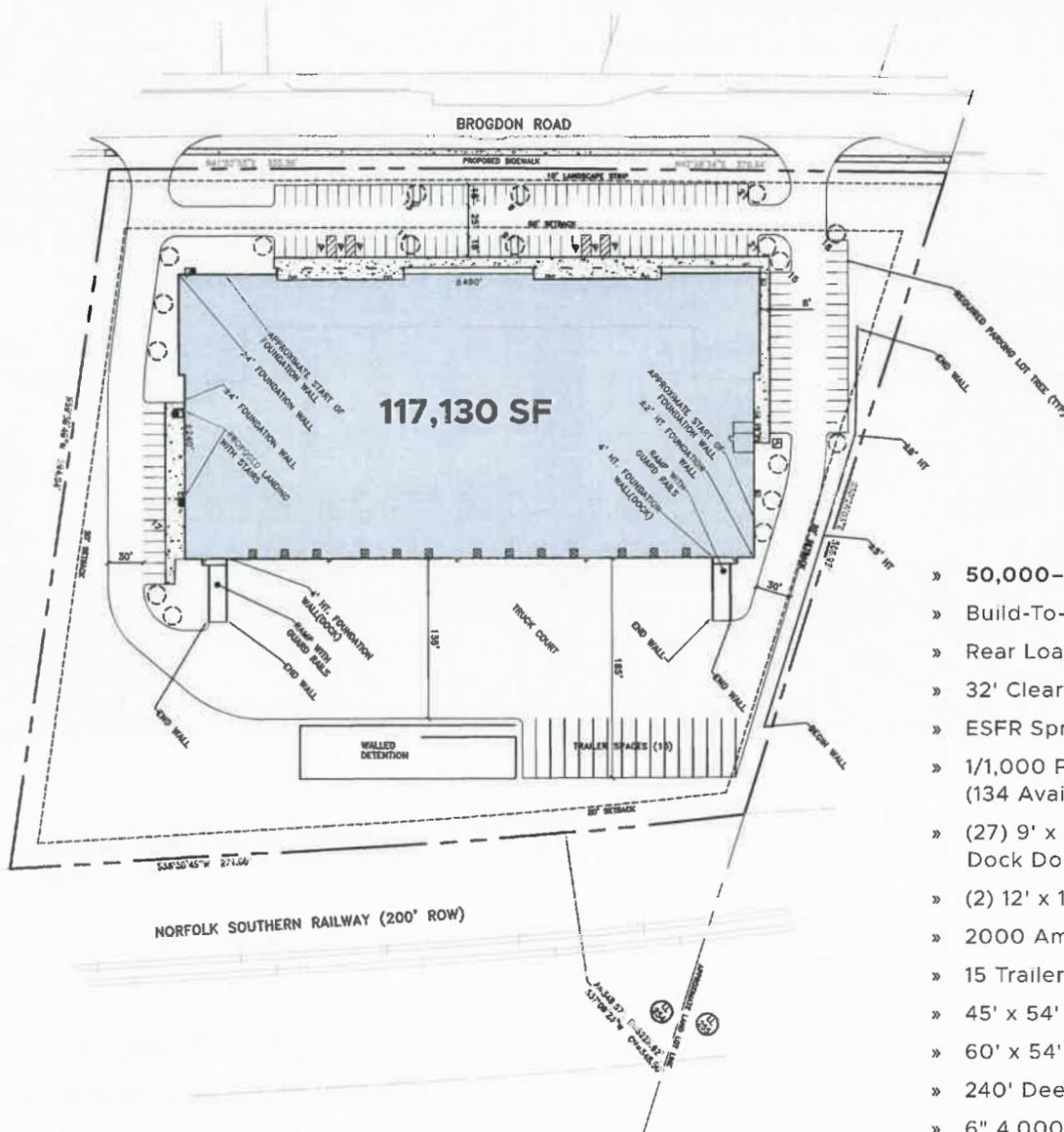
**NAI** Brannen Goddard

 **HIGH STREET**  
LOGISTICS PROPERTIES

# BROGDON DISTRIBUTION CENTER

783 Brogdon Road | Suwanee, GA 30024

## DULUTH / SUWANEE / BUFORD INDUSTRIAL SUBMARKET



- » 50,000–117,130 SF For Lease
- » Build-To-Suit Office
- » Rear Load
- » 32' Clear Height
- » ESFR Sprinkler System
- » 1/1,000 Parking Ratio (134 Available Parking Spaces)
- » (27) 9' x 10' Overhead Dock Doors, Insulated
- » (2) 12' x 14' Drive-In Doors, Insulated
- » 2000 Amp, 3-Phase, 277/480 Volt
- » 15 Trailer Drops
- » 45' x 54' Column Spacing
- » 60' x 54' at Speed Bay
- » 240' Deep Building
- » 6" 4,000 PSI Floor, Unreinforced
- » 45-Mil TPO Roof System
- » 135' Truck Court, 185' at Trailer Locations
- » 3.8 Miles to I-85
- » "In-Fill" Location
- » Delivers Q1 2022

# BROGDON DISTRIBUTION CENTER

783 Brogdon Road | Suwanee, GA 30024

## PROPERTY OVERVIEW

Brogdon Distribution Center, located in Suwanee, Georgia, is a 117,130 SF industrial building. It is strategically positioned within the Duluth/Suwanee/Buford Industrial submarket which appeals to a wide range of industrial users. The center is located only minutes to Peachtree Industrial Boulevard, Buford Highway, I-985 and I-85.



## SUWANEE

Suwanee is a forward-moving city of 30,000 residents situated 33 miles northeast of Downtown Atlanta. The city's economic strategy focuses on quality of life initiatives to grow businesses and employment. Suwanee is home to several industrial campuses and commercial centers and continues to actively plan for future diverse developments.

## NOTABLE DISTANCES

### MAJOR ARTERIES / INTERSTATES

Peachtree Industrial Boulevard	0.7 miles
Buford Highway	1.2 miles
Highway 20	3.2 miles
I-85	3.8 miles
I-985	4.8 miles
GA-316	9.3 miles
I-285	21.0 miles

### AIR

Hartsfield-Jackson Atlanta Int'l Airport	42 miles
--	----------

# BROGDON DISTRIBUTION CENTER

783 Brogdon Road | Suwanee, GA 30024



**NAI** Brannen Goddard

To arrange a tour, please contact:

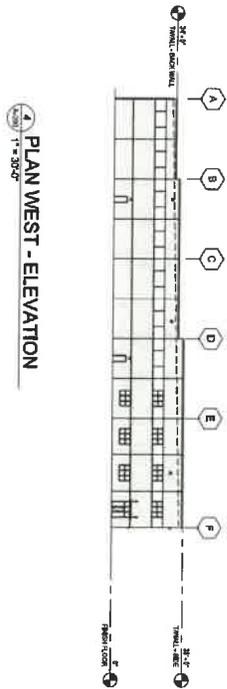
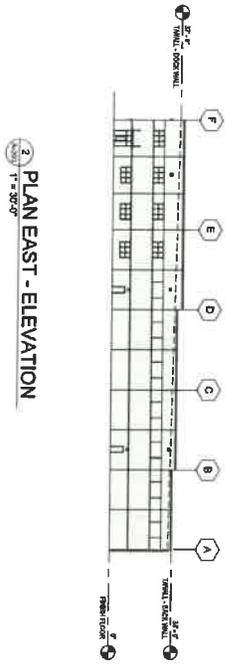
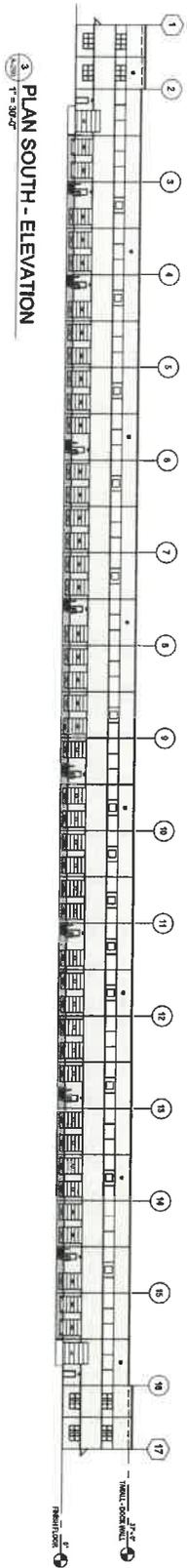
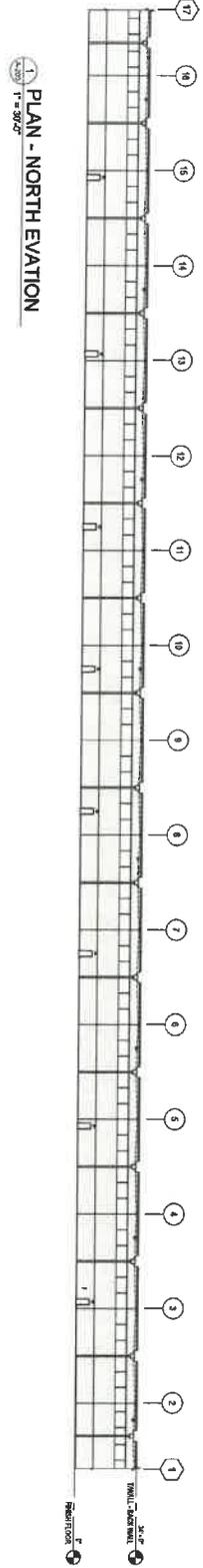
**Nathan Anderson**  
404 812 4020  
nanderson@naibg.com

**Matt Bentley**  
404 812 4079  
mbentley@naibg.com

 **HIGH STREET**  
LOGISTICS PROPERTIES

**Maggie Manusama**  
678 956 7155  
mmanusama@highstreetlp.com

Information is deemed from reliable sources. No warranty is made as to its accuracy.



**EXISTING TREE LIST:**

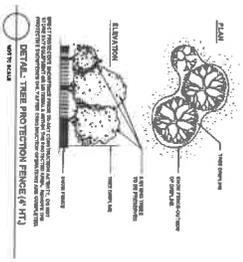
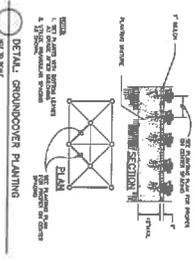
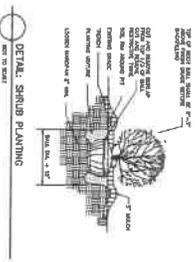
NO.	TREE IDENTIFICATION	SCIENTIFIC NAME	DBH (IN)	HEIGHT (FT)	CONDITION	REMARKS
01	Red Oak	Quercus rubra	12"	25'	GOOD	Preserve
02	White Oak	Quercus alba	10"	20'	GOOD	Preserve
03	Red Maple	Acer rubrum	8"	18'	GOOD	Preserve
04	White Maple	Acer spicatum	6"	15'	GOOD	Preserve
05	Black Walnut	Juglans nigra	14"	30'	GOOD	Preserve
06	Striped Bark Birch	Betula papyrifera	4"	12'	GOOD	Preserve
07	Yellow Birch	Betula flexilis	3"	10'	GOOD	Preserve
08	Green Ash	Fraxinus viridis	5"	14'	GOOD	Preserve
09	Black Ash	Fraxinus nigra	4"	12'	GOOD	Preserve
10	White Birch	Betula picea	3"	10'	GOOD	Preserve
11	Red Pine	Pinus strobus	6"	16'	GOOD	Preserve
12	White Pine	Pinus strobus	8"	20'	GOOD	Preserve
13	Scots Pine	Pinus sylvestris	5"	14'	GOOD	Preserve
14	Jack Pine	Pinus banksiana	4"	12'	GOOD	Preserve
15	White Spruce	Picea canadensis	3"	10'	GOOD	Preserve
16	Blue Spruce	Picea canadensis	2"	8'	GOOD	Preserve
17	Black Spruce	Picea canadensis	1"	6'	GOOD	Preserve
18	White Fir	Abies balsamea	2"	8'	GOOD	Preserve
19	Blue Fir	Abies balsamea	1"	6'	GOOD	Preserve
20	Black Fir	Abies balsamea	1"	6'	GOOD	Preserve

**TREE PRESERVATION PLAN NOTES:**

1. ALL EXISTING TREES TO BE PRESERVED SHALL BE IDENTIFIED AND MEASURED PRIOR TO CONSTRUCTION. THE TREE PRESERVATION PLAN SHALL BE PLACED WITHIN THE FOOTING OF ANY CONSTRUCTION. THE TREE PRESERVATION PLAN SHALL BE PLACED WITHIN THE FOOTING OF ANY CONSTRUCTION. THE TREE PRESERVATION PLAN SHALL BE PLACED WITHIN THE FOOTING OF ANY CONSTRUCTION.
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**PLANT SCHEDULE:**

SYMBOL	COMMON NAME	SIZE	COUNT	LOCATION
1	Red Oak	12" DBH	1	Area A
2	White Oak	10" DBH	1	Area B
3	Red Maple	8" DBH	1	Area C
4	White Maple	6" DBH	1	Area D
5	Black Walnut	14" DBH	1	Area E
6	Striped Bark Birch	4" DBH	1	Area F
7	Yellow Birch	3" DBH	1	Area G
8	Green Ash	5" DBH	1	Area H
9	Black Ash	4" DBH	1	Area I
10	White Birch	3" DBH	1	Area J
11	Red Pine	6" DBH	1	Area K
12	White Pine	8" DBH	1	Area L
13	Scots Pine	5" DBH	1	Area M
14	Jack Pine	4" DBH	1	Area N
15	White Spruce	3" DBH	1	Area O
16	Blue Spruce	2" DBH	1	Area P
17	Black Spruce	1" DBH	1	Area Q
18	White Fir	2" DBH	1	Area R
19	Blue Fir	1" DBH	1	Area S
20	Black Fir	1" DBH	1	Area T



**LANDSCAPE PLAN NOTES:**

1. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LANDSCAPE PLAN. THE LANDSCAPE PLAN SHALL BE PLACED WITHIN THE FOOTING OF ANY CONSTRUCTION. THE LANDSCAPE PLAN SHALL BE PLACED WITHIN THE FOOTING OF ANY CONSTRUCTION.
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Project Address: 100 East 20th Street, Chicago, IL 60611  
 Date: 03/20/2014  
 Project No: 14-009  
 Sheet: L13

**LANDSCAPE DETAILS PLAN**  
**ROCK ROAD BUSINESS PARK**  
**PRELIMINARY ENGINEERING**  
 EAST DUNDEE, ILLINOIS

**HAEGER ENGINEERING**  
 consulting engineers • land surveyors  
 100 East 20th Street, Schaumburg, IL 60172 • Tel: 630.394.6600 Fax: 630.394.6604  
 Kevin P. Adams Design Firm License No. 184-001152  
 www.haegerengineering.com

No. 0416221  
 Date: Revised  
 Name: Rock Road Business Park Preliminary Engineering  
 Barcodes





Rock Road Business Park Preliminary Engineering

24.0

HIGGINS ROAD



NOTE: SEE LANDSCAPE DETAILS PLAN, SHEET 1.13 FOR EXIST. TREE LIST PLAN NOTES AND TREE FENCE DETAIL.

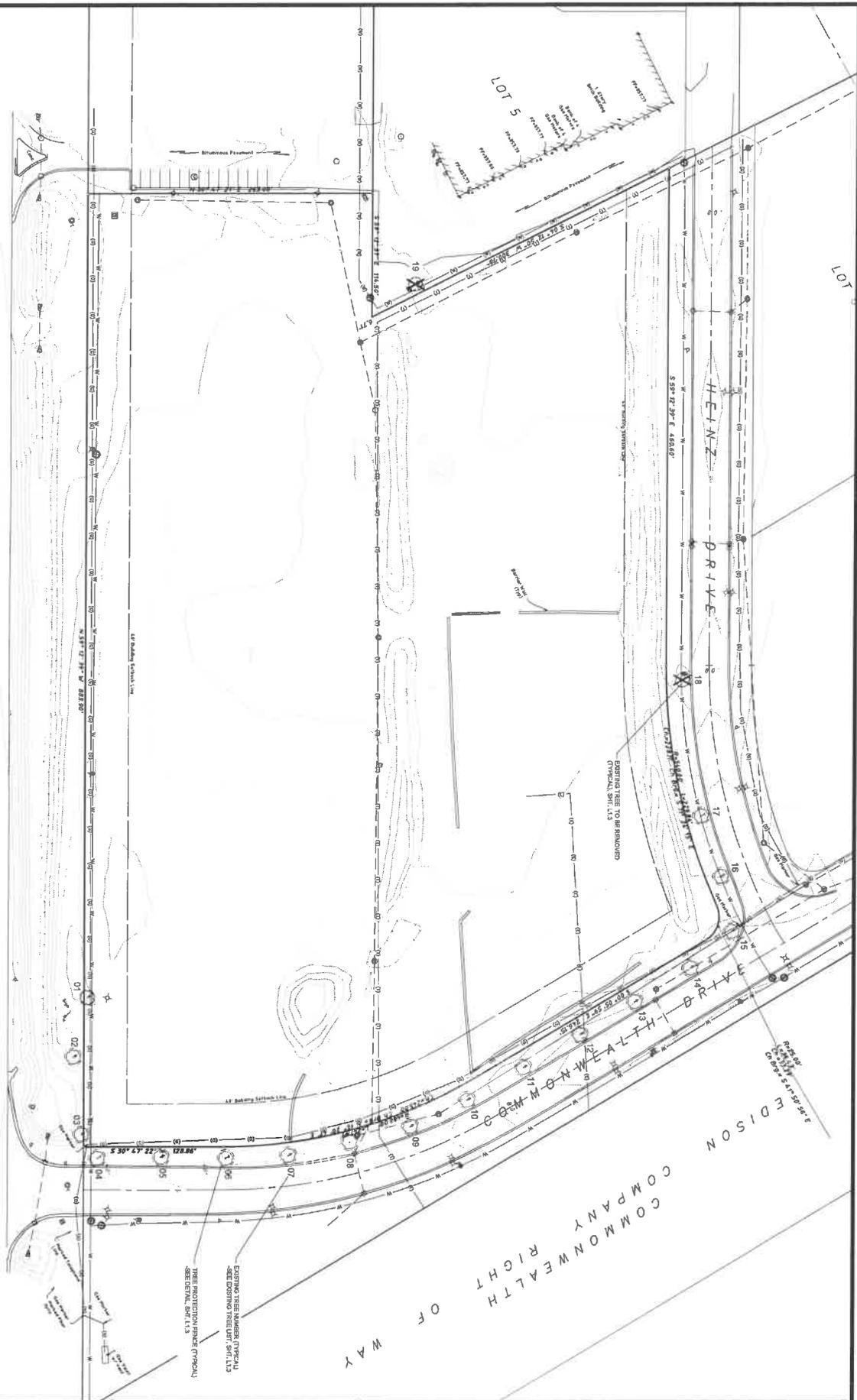


DAVITO DESIGN INC. LANDSCAPE ARCHITECTURAL DESIGN

TREE SURVEY & PRESERVATION PLAN  
ROCK ROAD BUSINESS PARK  
PRELIMINARY ENGINEERING  
EAST DUNDEE, ILLINOIS

HAEGER ENGINEERING  
Consulting Engineers & Land Surveyors  
100 East Deer Parkway, Schaumburg, IL 60176 • Tel. 815.391.6000 Fax 815.391.6008  
www.haegerengineering.com

No. 04-1-2-27 Date Revised  
Revised: 03/14/2021  
Project No. 21-0097  
Scale: 1/2" = 1' / 0





# 252,800 SF AVAILABLE FOR LEASE

## UNDER CONSTRUCTION



## 601 Stony Battery Road

East Hempfield Township, Lancaster, PA

### Development Highlights

- ▶ Zoned for warehouse/distribution and manufacturing
- ▶ 36' clear heights
- ▶ 4Q 2020 delivery
- ▶ Public utilities
- ▶ Corporate neighbors: QVC, Kelloggs, Graham Packaging, AmeriCold and Nissin



Leasing:



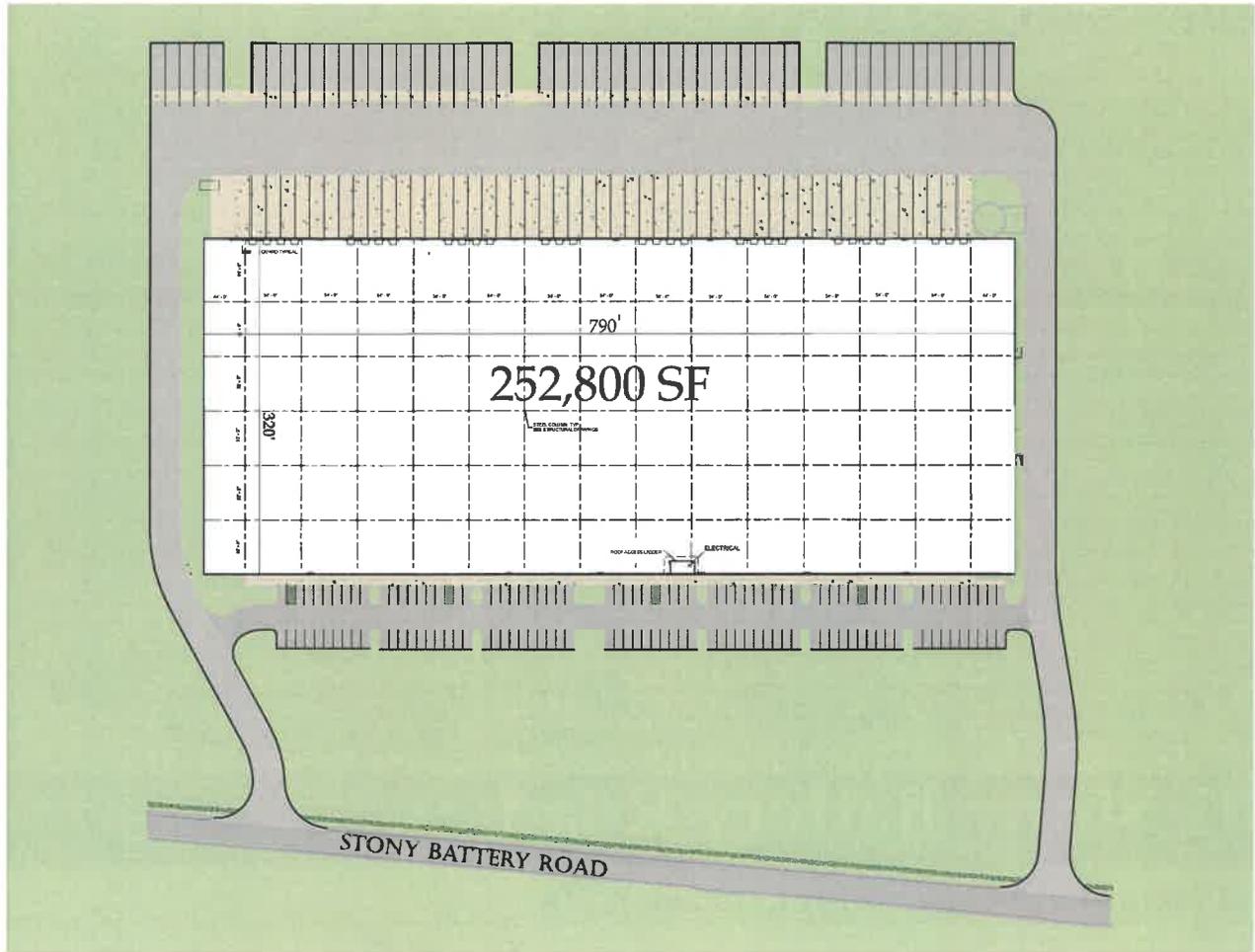
Owner:



# 601 Stony Battery Road

East Hempfield Township, Lancaster, PA

## Site Plan



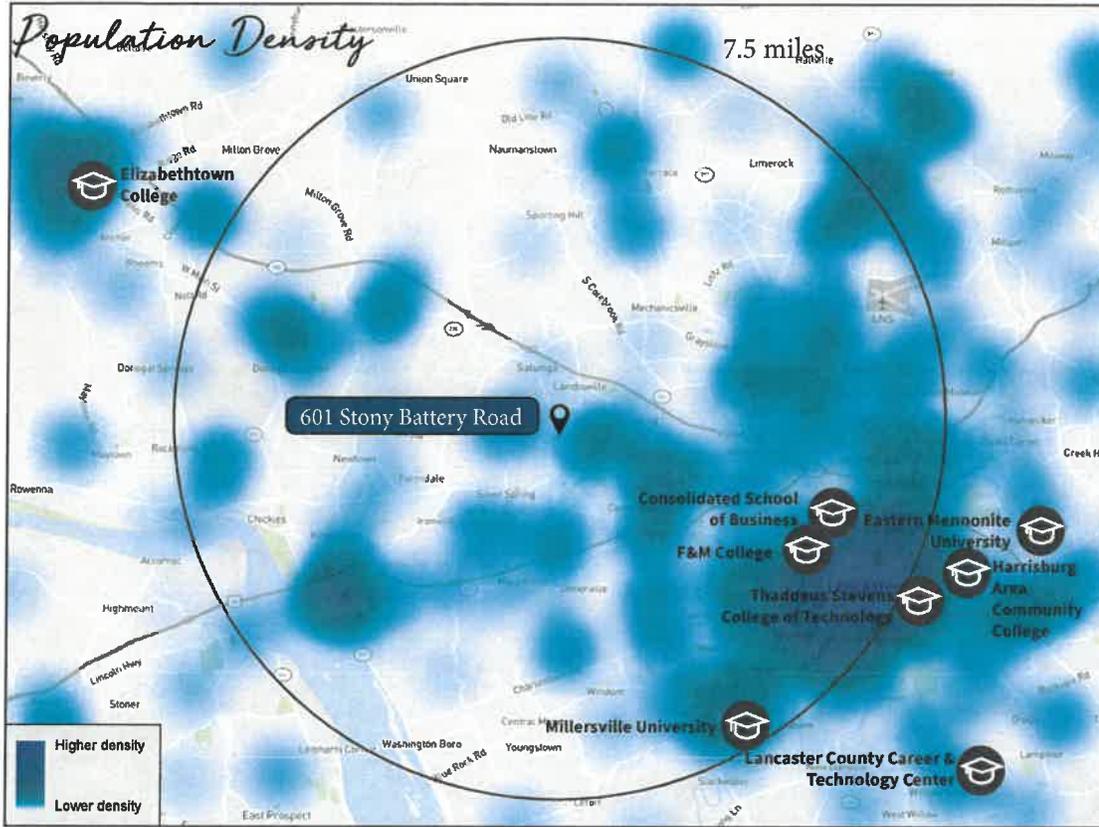
## Specifications

BUILDING SIZE (S.F.)	252,800 SF ON 19.4 ACRES	COLUMNS	52' x 54' TYPICAL 60' SPEED BAY
OFFICE	TO SUIT	FIRE SYSTEM	ESFR IN ACCORDANCE WITH NFPA - 2,000 GMP DIESEL FIRE PUMP WITH 120,000 GALLON STORAGE TANK
CLEAR HEIGHT	36' (INSIDE FIRST COLUMN LINE)	LIGHTING	LED W 30FC (OPEN ARRAY WITH MOTION SENSORS)
BUILDING DIMENSIONS	320'D x 790'W	POWER	3,000 AMP PRIMARY SERVICE; 3-PHASE 480V/277A
DOCK DOORS	30 LOADING DOORS; 2 DRIVE-INS (12' x 14'); ADDITIONAL KNOCK-OUTS AVAILABLE	HVAC	ROOF MOUNTED CAMBRIDGE, GAS FIRED HEATING UNITS AT 55° AT 0°F
CAR PARKING	107 PARKING SPACES (IN COMMON)	FLOOR SLAB	7" - 4,000 PSI; UNREINFORCED CONCRETE
TRAILER PARKING	54 OPPOSABLE SPACES	ROOF	FULLY ADHERED 60-MIL EPDM ROOF SYSTEM (R-30) WITH 20 YEAR WARRANTY
TRUCK COURT	FULL BUILDING CIRCULATION; 185' WITH 60' CONCRETE APRON; CAPABLE OF SECURED ACCESS		

# 601 Stony Battery Road

East Hempfield Township, Lancaster, PA

## Demographics



15 miles



489,587  
Total Population



263,051  
Total Labor Force

Key Infrastructure  
Travel Times

Distance (mi)      Drive Time (hrs)

### DISTANCES TO CITIES

Harrisburg, PA	33	39 min.
Baltimore, MD	74	1 hr. 24 min.
Allentown, PA	75	1 hr. 41 min.
Philadelphia, PA	85	1 hr. 50 min.
New York, NY	169	3 hr. 2 min.

### DISTANCES TO INTERMODAL

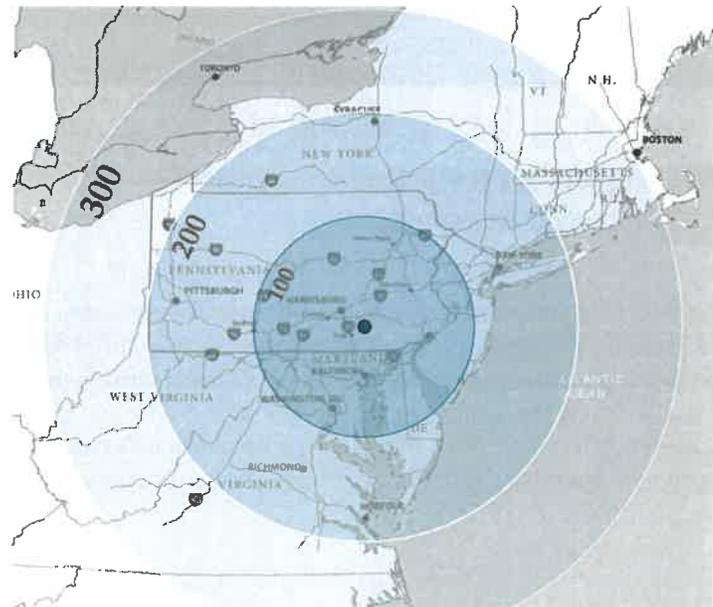
Norfolk Southern Lucknow	36	40 min.
Norfolk Southern Rutherford	29	32 min.

### DISTANCES TO PORTS

Port of Baltimore	74	1 hr. 28 min.
Ports of Philadelphia	90	2 hr. 3 min.
Port of NY/NJ	166	3 hr. 28 min.

### DISTANCES TO PARCEL

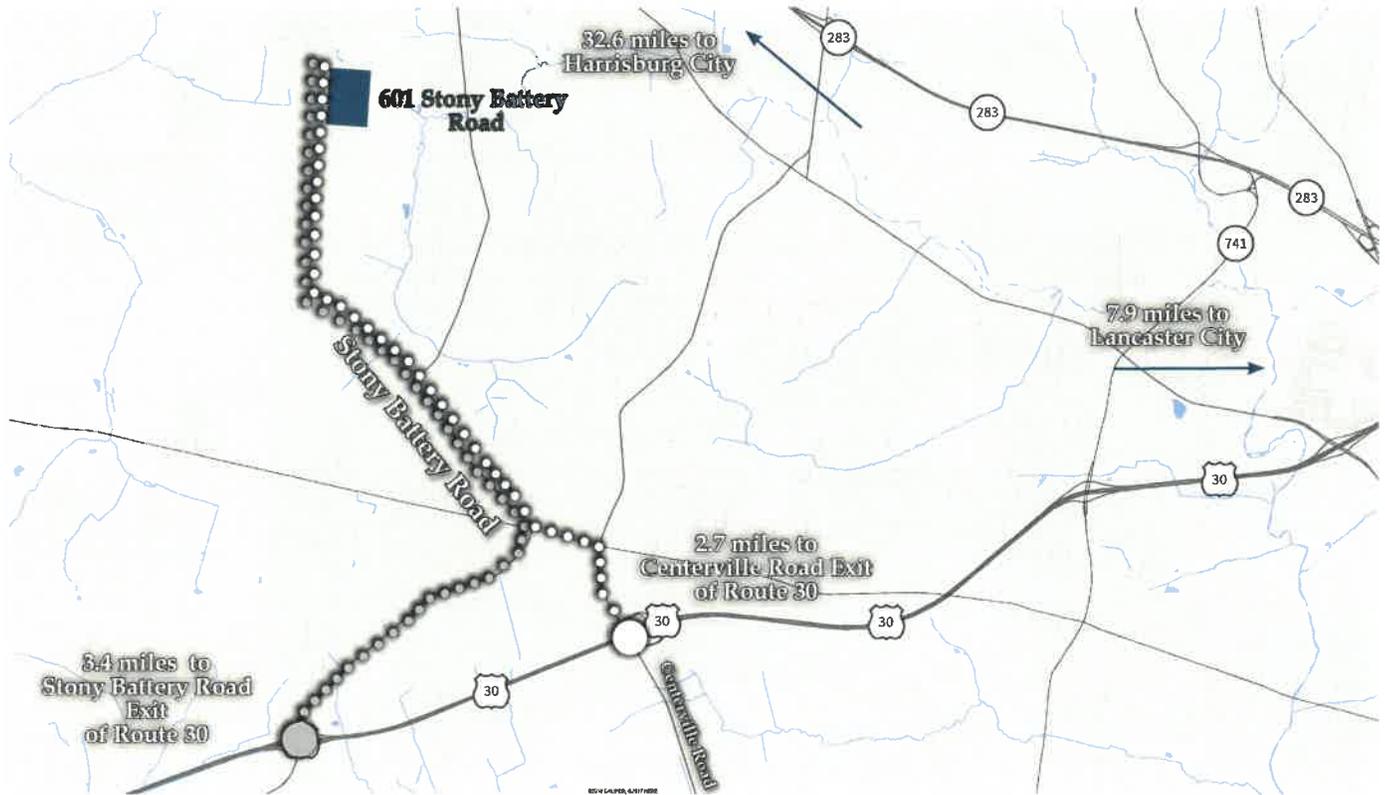
UPS Lancaster Hub	8	11 min.
UPS Harrisburg Hub	28	38 min.
FedEx Harrisburg Hub	23	25 min.
USPS Harrisburg Hub	35	41 min.



# 601 Stony Battery Road

East Hempfield Township, Lancaster, PA

## Access



**HIGH STREET**  
LOGISTICS PROPERTIES

High Street Logistics Properties is a recognized private equity real estate investment management company with a proven track record of performance investing exclusively in institutional quality industrial and logistics properties located in major markets across the eastern two-thirds of the United States. With a cycle-tested fund investment strategy focused on the acquisition of small box regional, local and last mile distribution properties, and characterized by income, appreciation and moderate leverage, High Street has consistently adhered to its investment discipline and commitment to generating attractive risk-adjusted investment returns for its investors. [www.hsrealtyco.com](http://www.hsrealtyco.com)



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JLL | Jones Lang LaSalle  
4999 Louise Drive, Ste 202  
Mechanicsburg, PA 17055  
+1 717 791 2200

State of Illinois )  
County of Kane ) SS  
Village of East Dundee )

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Planning and Zoning Commission of the Village of East Dundee will hold a public hearing on October 7, 2021 at 7:00 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 requests:

1. A request to rezone the small western trapezoidal portion of the property to from B-3 Service Business District to M-1 Limited Manufacturing District.
2. A variance from Sections 157.066(A)(6)(a) & 157.148 requiring the front yard to not be less than 40 feet in depth.
3. A variance from Section 157.066(A)(6)(b) requiring side yards to be not less than 25 feet in width.
4. A variance from Section 157.066(A)(5) requiring building height to be not less than 35 feet in height.
5. A variance from Sections 157.147(B)(2) requiring no driveway across the public property shall have a width exceeding 24 feet.

**Property Legal Description:**

LOT 10 IN ROCK ROAD BUSINESS PARK , BEING A SUBDIVISION IN THE EAST HALF OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 11, 2004 AS DOCUMENT NUMBER 2004K059306, IN KANE COUNTY, ILLINOIS.

**Being a portion of the following described tract:**

THAT PART OF THE FOLLOWING DESCRIBED PARCEL LYING NORTHERLY OF THE NORTH RIGHT OF WAY LINE OF ILLINOIS STATE ROUTE 72, AND COMMONLY KNOWN AS NEW HIGGINS ROAD; THAT PART OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT: BEGINNING AT A POINT OF ON THE SOUTH LINE OF SAID SECTION 25, SAID POINT BEING THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36 IN TOWNSHIP AND RANGE AS AFORESAID; THENCE NORTH 80 DEGREES 23 MINUTES WEST 948.50 FEET; THENCE NORTH 00 DEGREES 14 MINUTES WEST 925.90 FEET; THENCE SOUTH 81 DEGREES 12 MINUTES EAST 1,447.30 FEET; THENCE NORTH 04 DEGREES 22 MINUTES EAST 2,365.00 FEET; THENCE SOUTH 80 DEGREES 19 MINUTES EAST 667.90 FEET TO THE EAST LINE OF SAID SECTION 25; THENCE SOUTH ON SAID SECTION LINE, 3,085.30 FEET TO THE SOUTH LINE OF SAID SECTION 25; THENCE WEST ON SAID SECTION LINE TO THE POINT OF BEGINNING, IN THE VILLAGE OF EAST DUNDEE, IN KANE COUNTY, ILLINOIS.

**AND**

LEGAL DESCRIPTION OF THE THAT PART OF PROPOSED LOT 11 FALLING WITHIN LOT 6 OF ROCK ROAD INDUSTRIAL SUBDIVISION UNIT NO. 3 THAT PART OF LOT 6 IN ROCK ROAD INDUSTRIAL SUBDIVISION UNIT NO. 3, BEING A SUBDIVISION OF PART OF THE EAST HALF OF SECTION 25,

TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID LOT 6; THENCE NORTH 58 DEGREES 49 MINUTES 51 SECONDS WEST ALONG THE SOUTHWESTERLY LINE OF SAID LOT 6, A DISTANCE OF 246.06 FEET; THENCE NORTH 31 DEGREES 10 MINUTES 09 SECONDS EAST, PERPENDICULAR TO THE SOUTHWESTERLY LINE OF SAID LOT 6, A DISTANCE OF 263.00 FEET TO THE NORTHEASTERLY LINE OF SAID LOT 6; THENCE SOUTH 58 DEGREES 49 MINUTES 51 SECONDS EAST ALONG SAID NORTHEASTERLY LINE, 114.50 FEET TO THE NORTHEAST CORNER OF SAID LOT 6; THENCE SOUTH 04 DEGREES 35 MINUTES 38 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 6, A DISTANCE OF 294.07 FEET TO THE POINT OF BEGINNING , IN KANE COUNTY, ILLINOIS.

**ALSO DESCRIBED AS:**

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**P.I.N 03-25-426-009 and 03-25-426-010**

**COMMONLY KNOWN AS** LOTS 10 & 11 ROCK ROAD BUSINESS PARK, EAST DUNDEE, ILLINOIS, 60118

All interested persons will be given an opportunity to be heard.



## Planning and Zoning Commission Meeting

### Findings of Fact – Rezoning

Property Location: Lots 10 & 11 Rock Road Business Park, East Dundee, IL 60118

Rezoning requested: Rezone the small western trapezoidal portion of the property from B-3 Service Business District to M-1 Limited Manufacturing District.

Hearing date: October 7, 2021

The Planning and Zoning Commission has made the following findings regarding the rezoning request:

1. Existing uses of property within the general area of the property in question.
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.
5. The extent to which property values are diminished by the particular zoning restrictions.
6. The extent to which the destruction of property values of promotes the health, safety, morals, and general welfare of the public.
7. The relative gain to the public as compared to the hardship imposed upon the individual property owner.
8. The length of time the property has been vacant as zoned considered in the context of land development in the vicinity of the subject property
9. The community need for the proposed use.

10. The care with which the community has undertaken to plan its land use development.

Based on the information contained in the application and the testimony and evidence presented at the public hearing, the Planning and Zoning Commission voted on the approval of these findings of fact and the requested variation(s) resulting in the following vote:

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

Date: \_\_\_\_\_  
\_\_\_\_\_ Planning and Zoning Commission Chairman



## Planning and Zoning Commission Meeting

### Findings of Fact – Variances

Property Location: Lots 10 & 11 Rock Road Business Park, East Dundee, IL 60118

Variances requested: Variance from Sections 157.066(A)(6)(a) and 157.148 requiring the front yard to not be less than 40 feet.

Variance from Section 157.066(A)(6)(b) requiring side yards to be not less than 25 feet in width.

Variance from Section 157.066(A)(5) requiring building height to be less than 35 feet in height.

Variance from Section 157.147(B)(2) requiring no driveway across the public property shall have a width exceeding 24 feet.

Hearing date: October 7, 2021

The Planning and Zoning Commission has made the following findings regarding the variation request:

- 1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zoning district; Circle one; Yes/No/Not Applicable(N.A.), Explain:**
  
- 2. The plight of the owner is due to unique circumstances; Yes/No/N.A. and**
  
- 3. The variation, if granted, will not alter the essential character of the locality. Yes/No/N.A.**

For the purpose of supplementing the above standards, the Planning and Zoning Commission, in making its decision whenever they are practical difficulties or particular hardship, shall also take into consideration the extent to which the following facts favorable to the applicant, have been established by the evidence that:

1. **The particular physical surroundings, shape or topographical conditions of the specific property involved would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the regulations were strictly enforced; Yes/No/N.A.**
  
2. **The conditions upon which the petition for variation is based would be applicable generally to other property within the same zoning classification; Yes/No/N.A.**
  
3. **The purpose of the variation is not based exclusively upon a desire to make more money out of the property; Yes/No/N.A.**
  
4. **The alleged difficulty or hardship has not been created by any person presently having an interest in the property; Yes/No/N.A.**
  
5. **The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; Yes/No/N.A.**
  
6. **The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the danger of fire or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood. Yes/No/N.A.**

Based on the information contained in the application and the testimony and evidence presented at the public hearing, the Planning and Zoning Commission voted on the approval of these findings of fact and the requested variation(s) resulting in the following vote:

\_\_\_ayes \_\_\_nays \_\_\_absent\_\_\_abstain

Date: \_\_\_\_\_  
 \_\_\_\_\_  
 Planning and Zoning Commission Chairman

# EAST DUNDEE

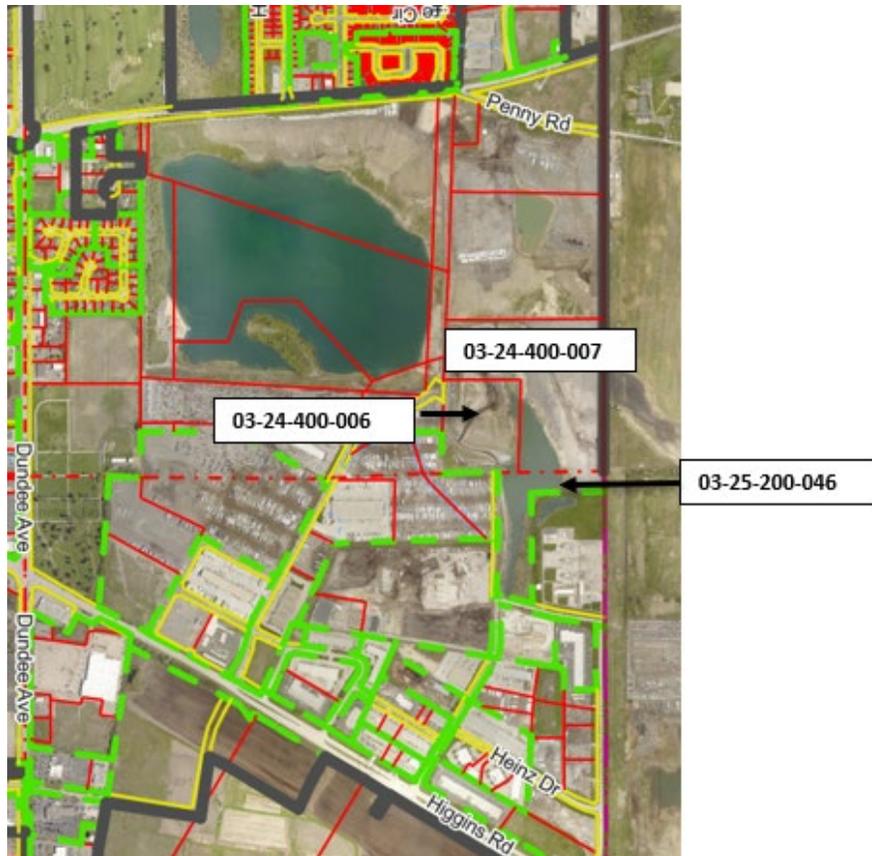
## Planning and Zoning Commission Meeting Memorandum

**To:** Planning and Zoning Commission  
**CC:** Jennifer Ramsay, Village Administrator  
**From:** Brad Mitchell, Assistant Village Administrator  
Chris Ranieri, Building Inspector  
Joseph D. Heinz, P.E.  
**Subject:** Relocation of Outside Storage on Plote Properties  
**Date:** October 7, 2021

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### BACKGROUND

The Village received an application for a special use and variances from Rock Road Development, LLC (Plote Properties) for the relocation of vehicle and equipment parking and outside storage of materials from Lots 10 & 11 in the Rock Road Business Park to PIN's 03-25-200-046, 03-24-400-006 and 03-24-400-007 (currently vacant and owned by Plote Properties).



This property is located within the M-1 Manufacturing District and is north of Rock Road Drive and Power Driver in East Dundee. The purpose of this relocation is to supplement the proposed development from High Street Logistics on Lots 10 & 11 which is owned by Plote Properties, and currently being used for outside storage. High Street Logistics plans to erect an approximate 172,400 square foot industrial building containing approximately 8,620 square feet of office and 163,780 square feet of warehouse. Please note that the special use and variances being requested by Plote Properties is only contingent upon the approval of the proposed development by High Street Industries.

### **SPECIAL USE REQUEST (PETITIONER)**

**Request #1: A request for a Special Use for outside vehicle and equipment parking and storage for Plote property with PINs 03-24-400-006, 03-24-400-007, and 03-25-200-046 in the M-1 Manufacturing District.**

In order to consider a special use permit, the Planning and Zoning Commission should consider the following standards. For each of these standards, the petitioner's responses are provided in italics below.

1. The special 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.

***Applicant Response:*** *The Special Use will not be injurious. The proposed use is consistent with the use that is being relocated from Lots 10 & 11 in the Rock Road Business Park, as well as the use of surrounding properties.*

2. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

***Applicant Response:*** *The Special Use will not impede the orderly development of surrounding properties. The proposed site is a former mine and is currently being filled and reclaimed.*

3. Adequate utilities, access roads, drainage or necessary facilities have been or will be provided.

***Applicant Response:*** *Access and drainage has been addressed through an approved stormwater management plan and grading plan.*

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.

***Applicant Response:*** *The property is at the terminus of Rock Road. Ingress and egress into the property will not impact traffic flows or traffic congestion.*

## **VARIANCES REQUESTS (PETITIONER)**

**Request #2: A variance request from Section 157.147(B)(2) and 157.149(B) requiring off-street parking areas shall be paved with asphaltic concrete or comparable hard-surfaced, all-weather, dustless material.**

*The Petitioner proposes the use of crushed stone base or asphalt shavings.*

**Request #3: A variance request from Section 157.149(C) requiring screening and landscaping for all open automobile parking areas containing more than four parking spaces on each side adjoining or fronting any residential or institutional property.**

*The Petitioner proposes no landscaping around the site. However, for security purposes, the Petitioner proposes providing a chain link fence around the property.*

**Request #4: A variance request from Section 157.149(D) requiring illumination of an off-site parking area.**

*The Petitioner proposes no parking lot lighting.*

In order to consider the variances, the Planning and Zoning Commission should consider the following standards. The Village's response is on the attached draft Findings of Fact. The attached application includes the petitioner's response to these standards.

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zoning district.
2. The plight of the owner is due to unique circumstances.
3. The variation, if granted, will not alter the essential character of the locality.
4. The particular physical surroundings, shape or topographical conditions of the specific property involved would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the regulations were strictly enforced.
5. The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification.
6. The purpose of the variation is not based exclusively upon a desire to make more money out of the property.
7. The alleged difficulty or hardship has not been created by any person presently having an interest in the property.
8. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
9. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the danger of fire or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood.

Due to the usual nature of the operation of special uses that may give rise to unique problems with respect to their impact upon neighboring property or public facilities, the Village may stipulate conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the use as deemed necessary for the

protection of the public interest. In addition, the Commission may require such conditions and restrictions by a variation(s) as may be necessary to comply with the standards set forth in the Village Code or reduce or minimize the injurious effect of the variation(s) upon the other property in the neighborhood. If the Planning and Zoning Commission were to consider approval of this special use and variances, Village staff would recommend the following minimum conditions:

1. The Special Use Permit and variances cannot be transferred and shall expire at such time Rock Road Development, LLC ceases outside storage at PIN's 03-25-200-046, 03-24-400-006 and 03-24-400-007.
2. That the special use permit/variances will automatically expire if the High Street Logistics Development Project approved by Ordinance 21-30 is not completed or the terms of the Development Agreement, approved by Ordinance 21-30, are not fulfilled by the Seller or the Developer.

### **STAFF RECOMMENDATION**

Village staff recommends that the Planning and Zoning Commission approve the special use and variances requests with the above noted conditions.

### **ACTION REQUESTED**

1. Discussion and motion to approve/deny a Special Use for outside vehicle and equipment parking and storage for Plote properties with PINs 03-24-400-006, 03-24-400-007, and 03-25-200-046 in the M-1 Manufacturing District with the recommended conditions and related Findings of Fact.
2. Discussion and motion to approve/deny a variance from Sections 157.147(B)(2) and 157.149(B) requiring off-street parking areas shall be paved with asphaltic concrete or comparable hard-surfaced, all-weather, dustless material; a variance from Section 157.149(C) requiring screening and landscaping for all open automobile parking areas containing more than four parking spaces on each side adjoining or fronting any residential or institutional property; and a variance from Section 157.149(D) requiring illumination of an off-street parking area; with the recommended conditions and related Findings of Fact.

### **ATTACHMENTS**

1. Special Use/Variance Application
2. Site Plan
3. Public Notice
4. Findings of Fact

VILLAGE OF EAST DUNDEE



APPLICATION FOR DEVELOPMENT APPROVAL:  
SPECIAL USE, REZONING AND VARIANCE REVIEW AND APPROVAL

This form is to be used for all special use applications (except Planned Developments) to be heard by the Village of East Dundee. To complete the form properly, please review the accompanying *Village of East Dundee Instruction Manual for Application for Development Review*. Failure to complete this form properly will delay its consideration.

PART I. GENERAL INFORMATION

A. Project Information

- 1. Project/Owner Name: Rock Road Development LLC
- 2. Project Location: north of Rock Road Drive and Power Drive, East Dundee, IL
- 3. Brief Project Description:  
Relocation of Special Use Permit, for vehicle and equipment parking and the outdoor storage of materials, from Lots 10 & 11 in the Rock Road Business Park to PINs 03-25-200-046, 03-24-400-006 and 03-24-400-007
- 4. Project Property Legal Description:  
See attached legal descriptions
- 5. Project Property Size in Acres and Square Feet: 11.20 + 13.88 + 33.40 = 58.48 acres (2,547,389sf.)
- 6. Current Zoning Status: M1
- 7. Current Use Status: Vacant
- 8. Surrounding Land Use Zoning: M1 to the north and south; ComEd easement to the east; R1 to the west
- 9. Parcel Index Numbers of Property: 03-25-200-046; 03-24-400-006; 03-24-400-007

B. Owner Information

- 1. Signature: [Handwritten Signature]
- 2. Name: Rock Road Development LLC
- 3. Address: P.O. Box 957825, Hoffman Estates, IL 60195-7825
- 4. Phone Number: 847-428-1000 Fax: \_\_\_\_\_ Email: ksey@ploteproperties.com  
x222

C. Billing Information (Name and address all bills should be sent to)

- 1. Name/Company: Rock Road Development LLC
- 2. Address: 1141 E. Main St., Suite 100, East Dundee, IL 60118
- 3. Phone Number: 847-428-1000 Fax: \_\_\_\_\_ Email: ksey@ploteproperties.com  
x222

## Application for Special Use

### Legal Descriptions:

PIN 03-25-200-046

PT OF THE E ½ NE ¼ SEC 25-42-8 AS DESC IN DOC 1999K121435 12/28/99 EX THAT PART  
DESC IN DOC 2001K042571 5/8/01 RANGE CODE: 8 E TWSHP 42N

PIN 03-24-400-006

THAT PT OF SEC 24-42-8 AS DESC IN DOC 2008K010945 EX AS DIVIDED PER DOC  
2010K069033

PIN 03-24-400-007

THAT PT OF SEC 24-42-8 AS DESC IN DOC 2008K010945 EX AS DIVIDED PER DOC  
2010K069033 EX PT DESC IN DOC 2017K009141

## PART II. APPLICATION REQUIREMENTS

The following table provides the type and quantity of materials required to be submitted with a special use application. The number associated with each material corresponds with the number used in Part II of the *Village of East Dundee Instruction Manual for Application for Development Approval* where each material is described in greater detail.

Please note that when two quantities of drawings are required (such as: 5/15), the first number indicates the number of full-size drawings to be submitted (at a scale of at least 1" = 20' and no larger than 30" x 42") and the second number indicates the number of reduced (11"x17") copies to be submitted. At least one of the original full-size drawings should be signed and sealed by the preparer. For ease of distribution, please collate into packets all of the materials where multiple copies are required. Packet contents should be assembled in order, except for drawings which should all be collated together at the back of the packet.

The required materials and number of copies shown below are the minimum necessary to submit a complete application. Village staff, consultants, review agencies, commissions, and boards may require additional materials and/or copies as necessary to fully evaluate the proposed project.

### Official Use Only

Item # <sup>(a)</sup>	Application Material	Initial Application		Revisions		Second Set of Revisions	
		# Copies Required	# Copies Received	# Copies Required	# Copies Received	# Copies Required	# Copies Received
1.	Completed Development Application AND a) Agreement to Pay Costs Incurred and Hold the Village Harmless b) Affidavit of Ownership & Control c) Affidavit & Disclosure d) Findings of Fact	1					
2.	Project Narrative	20					
3.	Basic Application Fee	X					
4.	Property Owners within 250 feet	X					
7.	Survey / Legal Description	5/15					
9.	Photographs of Existing Property and Area	20					
11.	Site Plan	5/15					
12.	Building Elevations	5/15					
13.	Floor Plans	5/15					
14.	Roof Plan	5/15					
15.	Color Rendering	20					
17.	Landscape Plan	20					
20.	Simple Drainage Plan	1/12					
23.	Utility Impact Report <sup>(b)</sup>	20					
24.	Utility Improvement Plan <sup>(b)(c)</sup>	5/15					
25.	Traffic Study <sup>(b)</sup>	12					

<sup>(a)</sup> Please see *Village of East Dundee Instruction Manual* for complete description of item.

<sup>(b)</sup> Applies only to projects with more than 15,000 sq. ft. of commercial/industrial floor area or more than 25 residential units.

<sup>(c)</sup> Applies only to projects proposing to remove or construct public utilities.

**PART III. JUSTIFICATION OF THE PROPOSED SPECIAL USE**

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. Applicants are encouraged to refer to drawings or other application materials as necessary to add clarity to their answers. Applicants are also encouraged to refer to Special Use Criteria Section 157.224(C)(2) or Variances, Section 157.207(C) or Rezoning.

**IF YOU ARE APPLYING FOR A REZONING PLEASE WRITE A PARAGRAPH ON WHAT THE CURRENT ZONING IS AND WHY YOU ARE REQUESTING A REZONING**

**FOR A SPECIAL USE COMPLETE THE FOLLOWING, FOR VARIANCES ONLY SKIP TO PAGE #4:**

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?

*The Special Use will not be injurious. The proposed use is consistent with the use that is being relocated from Lots 10 & 11 in the Rock Road Business Park, as well as the use of surrounding properties.*

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?

*The Special Use will not impede the orderly development of surrounding properties. The proposed site is a former mine, and is currently being filled and reclaimed.*

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

*Access and drainage has been addressed through an approved stormwater management plan and grading plan.*

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

*The property is at the terminus of Rock Road. Ingress and egress into the property will not impact traffic flows or traffic congestion.*

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 proposed Special Use is consistent with the M1 zoning District. We are requesting to relocate a use from the Rock Road Industrial Park (which fronts Rt. 72) to a much less visible location to the north.*

# Waiver Request # 1 of 4

## IF YOU ARE APPLYING FOR A VARIANCE COMPLETE THE FOLLOWING:

1. From which specific standard of the Village Code is a Variance requested (include Code section number)?

Sections 157.147 (B)(2) and 157.149 (B)

2. For this site, what does the Code require?

Paving with hot-mix asphalt or concrete

3. What is proposed?

We propose the use of a crushed stone base or asphalt shavings.

4. What unique circumstances have caused the need for a variance?

The site is still being remediated/filled. We have not yet determined what the long term use for the property will be. In addition, this is a relocation of use from the Rock Road Business Park, which is not paved.

5. What specific mitigation measures will be used to ensure that the essential character of the area will not be altered? (Suitability of Present Area)

We will provide dust control, if necessary, which will include a dust control plan. The dust control plan will address methods of dust prevention and emergency contacts.

6. Specifically, how do the particular physical surroundings, shape, or topographical condition of the property result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations are carried out?

The site is currently being filled, and the proposed waiver is consistent with the parking and outside storage areas in the vicinity.

7. Specifically, what conditions are present on the property that would not be applicable generally to other property within the same zoning classification? (Suitability of Zoning)

We are asking to use crushed stone and/or asphalt shavings, consistent with other parking and outside storage areas, within the M1 District, in the vicinity

8. Other than financial return, what other purposes is the variance request based on?

We are relocating the use from a site that does not have paving

9. Has the alleged difficulty been created by any person presently having an interest in the property?

No.

10. Please give an explanation for any questions answered YES .

- |  |     |                                     |
|--|-----|-------------------------------------|
| a. Will the granting of the variation be detrimental to the public welfare? (Circle) | YES | <input checked="" type="radio"/> NO |
| b. Injurious to surround properties? (Circle)  | YES | <input checked="" type="radio"/> NO |
| c. Impair an adequate supply of light and air to adjacent property? (Circle)         | YES | <input checked="" type="radio"/> NO |
| d. Endanger public health and safety? (Circle)                                       | YES | <input checked="" type="radio"/> NO |
| e. Substantially diminish property values within the neighborhood? (Circle)          | YES | <input checked="" type="radio"/> NO |
| f. Conformance to the Land Use Plan? (Circle)  | YES | NO                                  |

# Waiver Request # 2 of 4

## IF YOU ARE APPLYING FOR A VARIANCE COMPLETE THE FOLLOWING:

1. From which specific standard of the Village Code is a Variance requested (include Code section number)?

Section 57.101(F)

2. For this site, what does the Code require?

The Code requires curb and gutter.

3. What is proposed?

We propose not providing curb and gutter around the parking/storage areas and the access drive.

4. What unique circumstances have caused the need for a variance?

The site is currently being filled, and we do not yet know the boundaries of the storage areas.

5. What specific mitigation measures will be used to ensure that the essential character of the area will not be altered? (Suitability of Present Area)

The ordinance allows for the request if storm water drainage is addressed. A site grading plan, that includes stormwater management, has been approved and permitted.

6. Specifically, how do the particular physical surroundings, shape, or topographical condition of the property result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations are carried out?

*The site is being filled, so the topography of the site is changing as that process continues.*

7. Specifically, what conditions are present on the property that would not be applicable generally to other property within the same zoning classification? (Suitability of Zoning)

*The site is in the process of being filled.*

8. Other than financial return, what other purposes is the variance request based on?

*The site is being filled.*

9. Has the alleged difficulty been created by any person presently having an interest in the property?

*The site is a former quarry that was owned by Prairie. We are remediating the property*

10. Please give an explanation for any questions answered YES .

- a. Will the granting of the variation be detrimental to the public welfare? (Circle) YES  NO
- b. Injurious to surround properties? (Circle) YES  NO
- c. Impair an adequate supply of light and air to adjacent property? (Circle) YES  NO
- d. Endanger public health and safety? (Circle) YES  NO
- e. Substantially diminish property values within the neighborhood? (Circle) YES  NO
- f. Conformance to the Land Use Plan? (Circle) YES NO

# Waiver Request # 3 of 4

## IF YOU ARE APPLYING FOR A VARIANCE COMPLETE THE FOLLOWING:

1. From which specific standard of the Village Code is a Variance requested (include Code section number)?

Sections 57.140 and 157.149(D)

2. For this site, what does the Code require?

The Code requires parking lot lighting.

3. What is proposed?

We propose no parking lot lighting.

4. What unique circumstances have caused the need for a variance?

We do not have electricity to the site.

5. What specific mitigation measures will be used to ensure that the essential character of the area will not be altered? (Suitability of Present Area)

We will stipulate to our tenants that no activities will take place at the site after dusk.

6. Specifically, how do the particular physical surroundings, shape, or topographical condition of the property result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations are carried out?

*The site is being filled, and there is no electrical infrastructure in place to provide parking lot lighting.*

7. Specifically, what conditions are present on the property that would not be applicable generally to other property within the same zoning classification? (Suitability of Zoning)

*No electrical infrastructure.*

8. Other than financial return, what other purposes is the variance request based on?

*No electrical infrastructure.*

9. Has the alleged difficulty been created by any person presently having an interest in the property?

*No*

10. Please give an explanation for any questions answered YES .

- a. Will the granting of the variation be detrimental to the public welfare? (Circle) YES NO
- b. Injurious to surround properties? (Circle) YES NO
- c. Impair an adequate supply of light and air to adjacent property? (Circle) YES NO
- d. Endanger public health and safety? (Circle) YES NO
- e. Substantially diminish property values within the neighborhood? (Circle) YES NO
- f. Conformance to the Land Use Plan? (Circle) YES NO

# Waiver Request # 4 of 4

IF YOU ARE APPLYING FOR A VARIANCE COMPLETE THE FOLLOWING:

1. From which specific standard of the Village Code is a Variance requested (include Code section number)?

Section 157.149 (c)

2. For this site, what does the Code require?

The code requires parking lot landscaping

3. What is proposed?

We propose no landscaping around the site. However, for security purposes, we propose providing a chain link fence around the property.

4. What unique circumstances have caused the need for a variance?

The site is being filled, so the topography is changing as that process continues. In addition, we are proposing to relocate the special use from Lots 10 & 11 in the Rock Road Business Park to this location. Lots 10 & 11 have neither landscaping or fencing.

5. What specific mitigation measures will be used to ensure that the essential character of the area will not be altered? (Suitability of Present Area)

Our proposal is consistent with surrounding uses.

6. Specifically, how do the particular physical surroundings, shape, or topographical condition of the property result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations are carried out?

*The site is being filled, and the topography is changing as that process continues.*

7. Specifically, what conditions are present on the property that would not be applicable generally to other property within the same zoning classification? (Suitability of Zoning)

*Filling operation is in progress.*

8. Other than financial return, what other purposes is the variance request based on?

*We are reclaiming the site, so the topography is changing*

9. Has the alleged difficulty been created by any person presently having an interest in the property?

*No.*

10. Please give an explanation for any questions answered YES .

- |  |     |                                     |
|--|-----|-------------------------------------|
| a. Will the granting of the variation be detrimental to the public welfare? (Circle) | YES | <input checked="" type="radio"/> NO |
| b. Injurious to surround properties? (Circle)  | YES | <input checked="" type="radio"/> NO |
| c. Impair an adequate supply of light and air to adjacent property? (Circle)         | YES | <input checked="" type="radio"/> NO |
| d. Endanger public health and safety? (Circle)                                       | YES | <input checked="" type="radio"/> NO |
| e. Substantially diminish property values within the neighborhood? (Circle)          | YES | <input checked="" type="radio"/> NO |
| f. Conformance to the Land Use Plan? (Circle)  | YES | NO                                  |

VILLAGE OF EAST DUNDEE



**PLANNING AND ZONING & HISTORIC COMMISSION MEETING SCHEDULE**  
**MEETING TIME 7:00PM**  
**\*THURSDAY EVENING UNLESS DENOTED**

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Planning & Zoning petitions must be received 35 days prior to meeting date for petitions requiring Public hearings. 15 days prior when no Public hearing is required.

**Historic Commission Meetings (as needed)**

Applications submittals must be received & approved by the Building official for presentation to the Commission minimum of 15 days prior to meeting date.

Per ordinance, the Historic Commission must meet within 15 days of application submittal acceptance date and be dully considered by the Commission or a Certificate of Appropriateness would be deemed issued for failure to meet in the designated time.

VILLAGE OF EAST DUNDEE



APPLICATION AGREEMENT  
TO PAY COSTS INCURRED AND HOLD THE VILLAGE HARMLESS

The Undersigned applicant acknowledges that the Village of East Dundee may seek advice and counsel from professional sources outside the employee staff of the Village of East Dundee in consideration of the application submitted to the Village of East Dundee by the applicant, including the services as those provided by the Village Staff, Village Attorney, Village Engineer, Planner and Fire Protection District.

The applicant further acknowledges that testimony of all witness at Public Hearings may be recorded before a court reporter and that full transcripts of the proceedings may be prepared and retained by the Village of East Dundee as part of the official record concerning the said applicant and the applicant's costs.

As an express condition in making the said application and the consideration thereof by the Village of East Dundee, the undersigned, both personally and on behalf of the applicant, agrees to hold the Village harmless and agrees to pay forthwith the costs and expenses that may be incurred by the Village of East Dundee for such professional services, including the costs and expenses of recording and transcribing any testimony at Public Hearings in connection with the said application.

The owner hereby authorizes, support and consents to this request for variation, and further authorizes, agrees and consents to allow the temporary installation and display by the Village of East Dundee of Public Notice (signage) upon the subject property.

The applicant, having read this application and fully understanding the purpose thereof, declares that the proceeding statement made are true and that the information provided herein is complete to the best of the applicant's knowledge and belief.

Individually and for the Applicant

Date

1141 E. Main St., Suite 100, East Dundee, IL 60118 (847) 428-1000 x222

Address

Phone Number

Project Description:

Special use permit for vehicle and equipment parking, and the outside storage of materials.

VILLAGE OF EAST DUNDEE



Affidavit of Ownership & Control

I (We), Daniel R. Plote do hereby certify or affirm that I am the owner(s), contract purchasers, or beneficiary(s) of the title holding trust for the aforesaid described property and hereby make application of such.

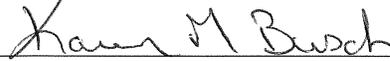
Signature: 

Owner: Rock Road Development LLC

Address: P.O. Box 957825  
Hoffman Estates, IL 60195

Phone: (847) 428-1000 x222

SUBSCRIBED AND SWORN TO before me this  
7<sup>th</sup> day of June, 2021.

  
(NOTARY SIGNATURE)



(NOTARY STAMP)

VILLAGE OF EAST DUNDEE



**Affidavit & Disclosure Agreement**

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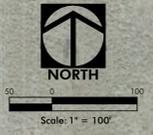
To cover the Village expenses relating to applications for site plans, Subdivisions, Annexations, Zoning Amendments, Special Uses, Variations and the like:

Applications shall deposit the sum required based on the type and extent of the applicants project. Any bills received by the village and any costs incurred by the Village related to the project will be billed to the applicant. Upon payment of all bills to the Village the applicant will receive their deposit back.

Signature: 

Print Name: Dan Plote

Project Address: 1141 E. Main St., Suite 100  
East Dundee, IL 60118



No.	Date	Revision

**HAEGER ENGINEERING**  
 consulting engineers • land surveyors  
 100 East State Parkway, Schaumburg, IL 60173 • Tel: 847.394.6600 Fax: 847.394.6608  
 Illinois Professional Design Firm License No. 184-003152  
 www.haegerengineering.com

**PROPOSED OUTDOOR  
 PARKING PLAN**  
**ROCK ROAD  
 DEVELOPMENT**  
 EAST DUNDEE, ILLINOIS

Project Manager:	M L A
Engineer:	M L A
Date:	06.09.2021
Project No.:	16-209
Sheet	1 / 1

State of Illinois )  
County of Kane ) SS  
Village of East Dundee )

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Planning and Zoning Commission of the Village of East Dundee will hold a public hearing on October 7, 2021 at 7:00 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 requests:

1. A request for a Special Use for outside vehicle and equipment parking and storage for Plote property with PINS 03-24-400-006, 03-24-400-007, and 03-25-200-046 in the M-1 Manufacturing District.
2. A variance request from Section 157.147(B)(2) and 157.149(B) requiring off-street parking areas shall be paved with asphaltic concrete or comparable hard-surfaced, all-weather, dustless material.
3. A variance from Section 157.149(C) requiring screening and landscaping for all open automobile parking areas containing more than four parking spaces on each side adjoining or fronting any residential or institutional property.
4. A variance from Section 157.149(D) requiring illumination of an off-street parking area.

**Property Legal Description:**

PIN 03-25-200-046

PT OF THE E ½ NE ¼ SEC 25-42-8 AS DESC IN DOC 1999K121435 12/28/99 EX THAT PART  
DESC IN DOC 2001K042571 5/8/01 RANGE CODE: 8 E TWSHP 42N

PIN 03-24-400-006

THAT PT OF SEC 24-42-8 AS DESC IN DOC 2008K010945 EX AS DIVIDED PER DOC  
2010K069033

PIN 03-24-400-007

THAT PT OF SEC 24-42-8 AS DESC IN DOC 2008K010945 EX AS DIVIDED PER DOC  
2010K069033 EX PT DESC IN DOC 2017K009141

**COMMONLY KNOWN AS** North of Rock Road Drive and Power Drive, EAST DUNDEE, ILLINOIS,  
60118

All interested persons will be given an opportunity to be heard.

## **VILLAGE OF EAST DUNDEE, ILLINOIS**

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

Property Location: PINs 03-24-400-006, 03-24-400-007 and 03-25-200-046

Special Use requested: A Special Use for outside vehicle and equipment parking and storage for Plote properties with PINs 03-24-400-006, 03-24-400,007 and 03-25-200-046 in the M-1 Manufacturing District with the recommended conditions.

Hearing date: October 7, 2021

The Planning and Zoning Commission has made the following findings regarding the special use request:

- 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; Circle one; Yes/No/Not Applicable(N.A.), Explain:**

*The Special Use will not be injurious. The proposed use is consistent with the use that is being relocated from Lots 10 & 11 in the Rock Road Business Park, as well as the use of surrounding properties*

- 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/N.A.**

*The Special Use will not impede the orderly development of surrounding properties. The proposed site is a former mine and is currently being filled and reclaimed.*

- 3. Adequate utilities, access roads, drainage or necessary facilities have been or will be provided; Yes/No/N.A.**

*Access and drainage has been addressed through an approved stormwater management plan and grading plan.*

- 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/N.A.**

*The property is at the terminus of Rock Road. Ingress and egress into the property will not impact traffic flows or traffic congestion.*

Based on the information contained in the application and the testimony and evidence presented at the public hearing, the Planning and Zoning Commission voted on the approval of these findings of fact and the requested special use(s) resulting in the following vote:

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

Date: \_\_\_\_\_  
Chairman Planning and Zoning Commission



## Planning and Zoning Commission Meeting

### Findings of Fact – Variances

Property Location: PINs 03-24-400-006, 03-24-400-007 and 03-25-200-046

Variances requested: Variance from Sections 157.147(B)(2) and 157.149(B) requiring off-street parking areas shall be paved with asphaltic concrete or comparable hard-surfaced, all-weather, dustless material with recommended conditions.

Variance from Section 157.149(C) requiring screening and landscaping for all open automobile parking areas containing more than four parking spaces on each side adjoining or fronting any residential or institutional property with the recommended conditions.

Variance from Section 157.149(D) requiring illumination of an off-street parking area with the recommended conditions.

Hearing date: October 7, 2021

The Planning and Zoning Commission has made the following findings regarding the variation request:

- 1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zoning district; Circle one; Yes/No/Not Applicable(N.A.), Explain:**

Yes

- 2. The plight of the owner is due to unique circumstances; Yes/No/N.A. and**

Yes

- 3. The variation, if granted, will not alter the essential character of the locality. Yes/No/N.A.**

Yes

For the purpose of supplementing the above standards, the Planning and Zoning Commission, in making its decision whenever they are practical difficulties or particular hardship, shall also take into consideration the extent to which the following facts favorable to the applicant, have been established by the evidence that:

- 1. The particular physical surroundings, shape or topographical conditions of the specific property involved would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the regulations were strictly enforced; Yes/No/N.A.**

Yes

- 2. The conditions upon which the petition for variation is based would be applicable generally to other property within the same zoning classification; Yes/No/N.A.**

Yes

- 3. The purpose of the variation is not based exclusively upon a desire to make more money out of the property; Yes/No/N.A.**

No

- 4. The alleged difficulty or hardship has not been created by any person presently having an interest in the property; Yes/No/N.A.**

No

- 5. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; Yes/No/N.A.**

No

- 6. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the danger of fire or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood. Yes/No/N.A.**

No

Based on the information contained in the application and the testimony and evidence presented at the public hearing, the Planning and Zoning Commission voted on the approval of these findings of fact and the requested variation(s) resulting in the following vote:

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

Date: \_\_\_\_\_  
\_\_\_\_\_ Planning and Zoning Commission Chairman



## Planning and Zoning Commission Meeting Memorandum

**To:** Planning and Zoning Commission  
**CC:** Jennifer Ramsay, Village Administrator  
**From:** Brad Mitchell, Assistant Village Administrator  
Chris Ranieri, Building Inspector  
Joseph D. Heinz, P.E.  
**Subject:** Text Amendment – Chapter 157.087 Permitted Obstructions; Yards  
**Date:** October 7, 2021

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The Village Board will soon be considering a Village Code text amendment to the regulation of fences. Village staff has recognized that a portion of the Zoning Code regulates fences in regards to permitted obstructions in yards. The purpose of this text amendment is to provide a reference between the Fence Code (Chapter 151.006) and the Zoning Code (Chapter 157.087). It should be noted that any amendments to the Village Code regulating fences does not require Planning and Zoning recommendation. Village staff is recommending that the following Village Code text amendment be made:

### 157.087 Permitted Obstructions; Yards

(A) For the purpose of this chapter, the following shall not be considered as obstructions when located in the yards indicated ***or as permitted in Section 151.006, Fences.***

### **ACTION REQUESTED**

1. Discussion and motion to recommend to approve/ an amendment to Chapter 157.087 Permitted Obstructions; Yards regulating fences as permitted obstructions in yards and permitting regulations in Section 151.006 Fences.

### **ATTACHMENT**

1. Public Notice

State of Illinois                    )  
County of Kane                    )        SS  
Village of East Dundee         )

**NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Planning and Zoning Commission of the Village of East Dundee will hold a public hearing on October 7, 2021 at 7:00 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 request for a text amendment to Chapter 157.087 of the East Dundee Village Code regulating fences as permitted obstructions in yards.

All interested persons will be given an opportunity to be heard.