

ORDINANCE NUMBER 19 - 19.

AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK
AND KANE COUNTIES, ILLINOIS GRANTING DEVELOPMENT WAIVERS
FOR 601 DUNDEE AVENUE
(SANTA'S VILLAGE SPLASH STRUCTURE)

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

WHEREAS, SV (EAST DUNDEE), L.L.C. ("Applicant") is the owner of the property located at 601 Dundee Avenue, East Dundee, Illinois, legally described in EXHIBIT A attached hereto and made a part hereof ("Subject Property"); and

WHEREAS, in order to improve the Subject Property with a splash structure and bathhouse improvements ("Project"), the Applicant desires that the Village grant certain development waivers from requirements of the Village of East Dundee Zoning Ordinance ("Zoning Ordinance") and Village of East Dundee Village Code ("Village Code"); and

WHEREAS, the Applicant filed an application with the Village seeking: (i) a temporary two (2) year waiver of the paving requirements in Section 157.149(B) of the Zoning Ordinance, per Section 157.193(A)(1) of the Zoning Ordinance, (ii) a temporary two (2) year waiver of the curb and gutter installation requirements in Section 57.101(F) of the Village Code, per Section 157.193(A)(2) of the Zoning Ordinance, (iii) a temporary two (2) year waiver of the parking lot lighting requirements in Section 157.149(D) of the Zoning Ordinance, per Section 157.193(A)(3) of the Zoning Ordinance, and (iv) a permanent waiver of the parking lot island areas or gaps requirements in Sections 57.101(C)(3) and 158.04(D)(2)(d) of the Village Code, per Section 157.193(A)(4) of the Zoning Ordinance ("Application"); and

WHEREAS, pursuant to Section 157.193 of the Zoning Ordinance, following a determination by the Village President and Board of Trustees (collectively the "Corporate Authorities") that a particular development and/or use would not endanger the health, safety and welfare of area residents, the Corporate Authorities are empowered to waive certain development requirements, including those requested in the Application; and

WHEREAS, the Corporate Authorities have received and considered the Application and find that granting the Application will not endanger the health, safety and welfare of residents in the area of the Project, and the Corporate Authorities further find it to be in the best interests of the health, safety and welfare of its residents to approve the Application and to granted the requested development waivers;

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

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

SECTION 2: Waivers. That the Corporate Authorities hereby grant the Application for the Project on the Subject Property, and the Corporate Authorities make the following waivers of certain development requirements related thereto, on the conditions set forth below:

1. The paving requirements in Section 157.149(B) of the Zoning Ordinance are temporarily waived for two (2) years from the date of passage of this Ordinance, per Section 157.193(A)(1) of the Zoning Ordinance;
2. The curb and gutter installation requirements in Section 57.101(F) of the Village Code are temporarily waived for two (2) years from the date of passage of this Ordinance, per Section 157.193(A)(2) of the Zoning Ordinance;
3. The parking lot lighting requirements in Section 157.149(D) of the Zoning Ordinance are temporarily waived for two (2) years from the date of passage of this Ordinance, per Section 157.193(A)(3) of the Zoning Ordinance; and
4. The parking lot island areas or gaps requirements in Sections 57.101(C)(3) and 158.04(D)(2)(d) of the Village Code are permanently waived, per Section 157.193(A)(4) of the Zoning Ordinance.

The waivers granted in this Ordinance are specific to the Project as proposed in the Application and shall not apply to any other development of the Subject Property.

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

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

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

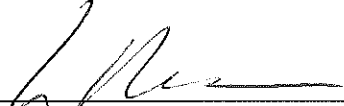
PASSED this 15th day of April, 2019 pursuant to a roll call vote as follows:

AYES: Trustees Lynam, Selep, Hall, Mahony and Andresen

NAYES: Ø

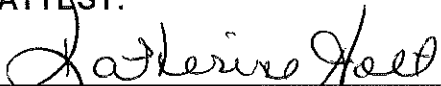
ABSENT: Trustee Wood

APPROVED by me this 15th day of April, 2019.



Lael Miller, Village President

ATTEST:



Katherine Holt, Village Clerk

Published in pamphlet form this 16th day of April, 2019, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on April 16, 2019.

EXHIBIT A

LEGAL DESCRIPTION OF THE SUBJECT PROPERTY

[legal description]

P.I.N.: 03-26-279-007

Commonly known as: 601 Dundee Avenue, East Dundee, Illinois 60118

REQUEST FOR WAIVERS TO THE VILLAGE CODE

PART I. GENERAL INFORMATION

A. Project Information

1. Project/Owner Name: Santas Village
2. Project Location: 601 Dundee Ave. East Dundee
3. Brief Project Description: Interactive Splash Structure / Bathroom addition
4. Current Zoning Status: B-3
5. Surrounding Land Use Zoning: M-1, B-2, B-3, R-4
6. Parcel Index Numbers of Property: 03-26-279-007

B. Owner Information

1. Signature: [Signature]
2. Name: Jason P. Sierpina
3. Address: 601 Dundee Ave. E. Dundee
4. Phone Number: 847-426-6751 Fax: 847-426-4703 Email: Jason@SVDundee.com

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

1. Name/Company: Santas Village LLC
2. Address: 601 Dundee Ave. East Dundee IL 60118
3. Phone Number: 847-426-6751 Fax: 847-426-4703 Email: Jason@SVDundee.com

Provide responses to all the questions for the waivers to the Village Code Standards

1. From which specific standard of the Village Code is a Waiver requested (include Code section number)?
 1. Section 157.193(A)(1) Parking lot paving, +/- 1/2 the parking lot shall be gravel for 2 years from the waiver approval
 2. Section 157.193(A)(3) Parking lot lighting for the gravel section, lights shall be installed within 2 years
 3. Section 157.193(A)(4) Parking lot Islands
 4. Section 157.193(A)(2) ~~20' curb~~ Curb & Gutter - for 2 years
 - 5.
 - 6.
 - 7.
2. For this site, what does the Code require?
 1. Section 157.193 (A)(1) Dust free parking surface, ie; asphalt, concrete or pavers.
 2. Section 157.193 (A)(3) Parking lot lights
 3. Section 157.193 (A)(4) Landscaping islands every 10 parking spaces.
 4. Section 157.193 (A)(2) Curb & Gutter
 - 5.
 - 6.
 - 7.

3. What is proposed?

1. +/- 1/2 the parking lot shall be gravel for 2 years from the waiver approval

2. Parking lot lights shall be installed within 2 years

3. Landscaping per the proposed engineering plans

4. Curb & Gutter within 2 years

5.

6.

7.

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

1. New Proposed paved lot area equal \pm to existing square footage of lot

2. Lighting to be added at time of new paved area w/in 2 yrs

3. Parking spaces available are most important. Added greenery will be added
Outside of parking lot

4.

5.

6.

7.

5. 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?

1. N/A

2. N/A

3. N/A

4.

5.

6.

7.

6. Other than financial return, what other purposes is the Waiver request based on?

None

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

No

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

a. Will the granting of the Waiver 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



Gerald L. Heinz & Associates, Inc.

Consulting Engineers and Professional Land Surveyors

MEMORANDUM

DATE: March 21, 2019

TO: Chris Ranieri, Building Official

AT: East Dundee

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

SUBJECT: Santa's Village Water Park Site Plan

Job No. ED-2140

We have received the following documents for review:

- Santa's Village- Splash Pad & Bath House Improvement Plans, prepared by Pinnacle Engineering Group, with a revised date of March 13, 2019
- Stormwater Management Report for Santa's Village- Splash Pad & Bath House, prepared by Pinnacle Engineering Group, with a revised date of March 14, 2019

The site improvement plans propose a water play structure, bath house, equipment building, stormwater management facility and parking lot. The following are our review comments on the proposed site improvement plans (repeat comments in *italics*):

General Comments

1. *A plat of survey should be submitted for review.*
2. *IEPA stormwater permit should be submitted when received.*
3. As stated in the comment letter an IEPA Sanitary Sewer permit will be required.

Existing Conditions and Demolition Plan (C-3)

4. *The topographic information should be expanded to include all of the areas that improvements are proposed and 100 feet beyond the boundary. The aerial indicates that there are existing structures in the area of the proposed bath house.*
5. *The boundary lines and geometric information should be clearly labeled.*
6. *The legal description should be shown on the plan.*
7. *The setback lines and existing easements should be added to the plan. If there are no existing easements which encumber the property a statement should be added to indicate as such.*
8. *Existing trees 6" or greater should be added to the plan and noted for removal or protection.*
9. *The village maps show a hydrant in the vicinity of the bath house area, if accurate, it*

- should be added to the plan.*
10. *There are additional utility poles to the west and near the pier that are not shown on the plan.*
 11. *The existing driveway/pavement in the northeast corner should be depicted and shown as removed*

Site Dimensional and Paving Plan (C-4)

12. *The owner will have to request a Waiver of Development per section §157.193(A)(1) to allow for the proposed gravel parking lot. Parking calculations must be submitted to verify that the minimum required parking is being provided for on asphalt pavement.*
13. *The owner will have to request a Waiver of Development per section §157.193(A)(3) to allow for not providing parking lot lights in the proposed gravel parking lot.*
14. *The owner will have to request a Waiver of Development per section §157.193(A)(4) to allow for not providing landscaped islands at a 10 stall interval.*
15. *The setback lines and existing easements should be added to the plan.*
16. *The plan view should be expanded to show where the proposed aggregate path terminates.*
17. *A stormwater management easement is required to be platted over the stormwater basin facility.*

Grading Plan (C-5)

18. *The pavement grades should be revised to provide a minimum 1% slope. The grades for the area west of the northwest handicap stall area need to be adjusted to provide a minimum of 1% slope where it is currently around 0.3%.*
19. *Spot grades should be added to the driveway entrance where the proposed pavement meets the existing pavement.*
20. *The proposed gabions should be added to the plan. The designer has revised the gabions to a rock check dam. The proposed elevations should be revised so that the rock check dam will function properly.*
21. *An overflow detail should be added to the plan. The overflow detail should indicate how the area is to be protected against erosion from overflow.*
22. *A storm water detention volume table should be added to the plan. The table provided should be amended to include the retention volume calculations.*
23. *The storm water detention basin note should also include required and provided retention volumes. The provided basin information should match the stormwater report. The required detention is noted as 3.48 Ac.Ft. on the plans whereas the stormwater report lists it as 3.54 Ac.Ft.. The provided detention volume is noted as 3.64 Ac.Ft. on the plans whereas the stormwater report lists it as 3.79 Ac.Ft..*

Site Stabilization Plan (C-7)

24. *The storm water detention spillway should incorporate erosion control measures to*

protect against berm failure if overtopped. The proposed SC-150 blanket is designed to eventually break down. A permanent measure should be provided for erosion control over the spillway and the proposed measures should also be wider than the spillway.

Construction Standards (C-8 thru C-11)

25. The typical detention basin detail should indicate the type of fill material, compaction requirements, topsoil depths, and proposed vegetation.
26. *The Asphalt Pavement Section detail should be revised to match the thickness and materials shown on sheet C-4.* The section shown on C-4 calls for N50 and the detail notes N70.
27. *The Handicap Sign detail notes the Van Accessible sign as 1 out of 6 spaces and the plan shows 2.* The note should be revised to state “2 of 6” to match the plans.

Stormwater Management Report

28. *The village wetland consultant will need to review the permit application and sign off on the wetland portion of the permit.*
29. *The stormwater report should include stormwater modeling calculations for the existing conditions with and without off-site tributary areas for a 100 year storm event and determining the peak run-off rate using critical duration analysis.* The provided calculations do not include the upstream tributary to the east.
30. *The stormwater report should include stormwater modeling calculations for the proposed conditions with off-site tributary areas for a 100 year storm event determining the peak run-off rate using critical duration analysis with an assumed clogged orifice.* The provided calculations do not include the upstream tributary to the east. The storm input data for the calculations should be revised to calculate a 100 year 24 hour storm event and not as noted for a 2 year 24 hour storm event
31. *Overland/storm sewer analysis should be provided to show the site can safely pass the off-site stormwater flows thru the site.* The provided calculations do not include the upstream tributary to the east. The existing pond to the east has been known to overtop, so we are concerned with the flood routing thru the site if this were to happen under the proposed conditions.
32. Table 4 should be revised to match the data in the report.
33. The proposed conditions calculations should be revised to use 0.92 cfs as the stated maximum release rate.
34. The weir input information lists a 5' sharp-crested weir. The plans call for a 10' trapezoidal broad crested weir. The proposed conditions calculations should reflect the design.

Please let me know if you have any questions on my comments.

cc Jennifer Johnsen, Village Administrator
Phil Cotter, Dir. Of Public Works