

ORDINANCE NUMBER 24 - 21

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

[SIGNATURE PAGE FOLLOWS]

PASSED this 3rd day of June 2024 pursuant to a roll call vote as follows:

AYES: Mahony, Kunze, Brittin, Treiber and Sauden

NAYES: Ø

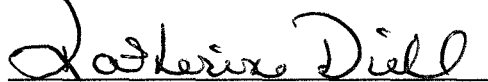
ABSENT: Saviano

APPROVED by me this 3rd day of June 2024.



Jeffrey Lynam, Village President

ATTEST:



Katherine Diehl, Village Clerk

Published in pamphlet form this 3rd day of June 2024, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on June 4, 2024.

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

Date: _____, 2024

EXHIBIT A

LEGAL DESCRIPTION

309 Jackson Street, East Dundee, Illinois

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

PIN: 03-23-320-006

304 Hill Street, East Dundee, Illinois

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

PIN: 03-23-320-001

EXHIBIT B

Findings of Fact

EAST DUNDEE

Village Board of Trustees Meeting

Findings of Fact – Special Use

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

Hearing Date: June 3, 2024

Special Use
Requested: Parking Garage

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

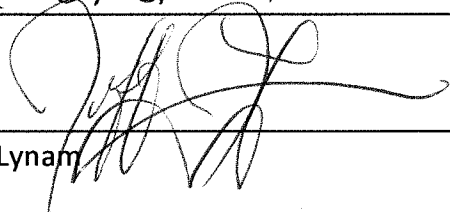
The 2002 Comp Plan states the following commercial development goal: "To provide for an adequate and attractive commercial base to serve the needs of Village residents". The 2002 Comp Plan also states the following access and transportation goal: "To provide safe, convenient, and pleasant access between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

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

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

4 ayes ___ nays 1 absent ___ abstain 1 present

Date: June 3, 2024

Signature: 
Village President Lynam