

ORDINANCE NO. 2020 - O - 07

An Ordinance Approving a Final Planned Unit Development Amendment for Esplanade Phase II, Lots 3 through 5 (2301, 2351 & 2401 Millbrook Drive)

WHEREAS, the Village of Algonquin, McHenry and Kane Counties, Illinois, is a home rule municipality as contemplated under Article VII, Section 6, of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's home rule powers and functions as granted in the Constitution of the State of Illinois; and

WHEREAS, the Village of Algonquin has been requested by a petition signed by Andrew E. Plesko, the property owner, to approve a final planned unit development amendment on certain territory legally described as follows:

Lot 3, 4, 5 of Esplanade of Algonquin Phase II, a Subdivision of Part of the Southeast Quarter of Section 6, Township 42 North, Range 8, East of the Third Principal Meridian, in Kane County, Illinois as recorded per document 2008K089093.

and commonly known as 2301, 2351 & 2401 Millbrook Drive, Algonquin, IL 60102 ("Subject Property"); and

WHEREAS, a public hearing was held before the Algonquin Planning and Zoning Commission, after due notice in the manner provided by law; and

WHEREAS, the Algonquin Planning and Zoning Commission, after deliberation, has made a report and recommended the approval of said final planned unit development amendment for the Subject Property; and

WHEREAS, the Village Board of Trustees has considered the findings of fact, based upon the evidence presented at the public hearing to the Algonquin Planning and Zoning Commission by the petitioners.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the VILLAGE OF ALGONQUIN, McHenry and Kane Counties, Illinois, as follows:

SECTION 1: The final planned unit development amendment for Esplanade Phase II Lots 3 through 5 is hereby approved, which allows four residential apartment buildings of twenty (20) units each, in lieu of the two mixed-use commercial buildings previously approved, subject to the following documents and conditions:

- A. The developer shall be required to submit full engineering, landscape, photometric and other associated site plan drawings for review and approval by Village staff and consultants. Site construction shall not commence until a site development permit has been issued by the Village;
- B. The residential apartment buildings shall be consistent with the design and masonry materials included on the existing Algonquin Square Apartments renderings, as previously prepared by Balsamo, Olson and Lewis, LTD. The one-bedroom unit apartment buildings shall be consistent with the renderings prepared by Built Form, LLC dated December 21, 2019 and have masonry stone and brick material compatible with the design and materials of the existing Algonquin Square Apartments;

- C. Any commercial building proposed adjacent to Corporate Parkway on Lot 3 shall be required to come back before the Planning and Zoning Commission and Village Board for Final PUD approval in the future. The engineering plans, landscape plans, building elevations, and all other development plans associated with the commercial parcel shall be reviewed as part of the PUD process.

SECTION 2: That all requirements set forth in the Algonquin Zoning Ordinance, as would be required by any owner of property zoned in the same manner as the Subject Property shall be complied with, except as otherwise provided in this Ordinance.

SECTION 3: The findings of fact on the petition to approve the final planned unit development amendment on the Subject Property are hereby accepted.

SECTION 3: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

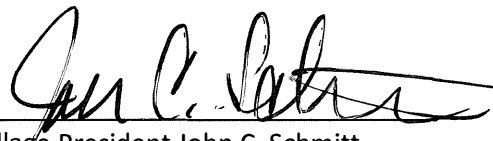
SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

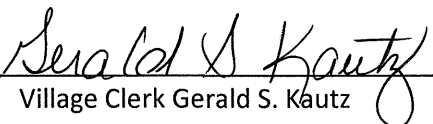
SECTION 5: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

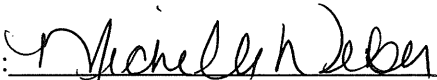
Aye: Sosine, Brehmer, Spella, Glogowski, Steigert, Jasper
Nay: None
Absent: None
Abstain: None

APPROVED:

(SEAL)


Village President John C. Schmitt

ATTEST: 
Village Clerk Gerald S. Kautz

by: 
Deputy Village Clerk, Michelle Weber

Passed: March 3, 2020
Approved: March 3, 2020
Published: March 4, 2020

Prepared by:
Village Staff

Reviewed by:
Kelly Cahill, Village Attorney
Zukowski, Rogers, Flood & McArdle
50 Virginia Street
Crystal Lake, Illinois 60014