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Karen A. Yarbrough
Cook County Recorder of Deeds
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VILLAGE OF LEMONT

ORDINANCE NO. O-38-14

AN ORDINANCE GRANTING PRELIMINARY PLAN/PLAT APPROVAL, SPECIAL
USE FOR A PLANNED UNIT DEVELOPMENT (PUD) AND ZONING MAP
AMENDMENT FOR A NINETEEN-LOT RESIDENTIAL SUBDIVISION LOCATED
SOUTH OF 127TH STREET AND WEST OF INTERSTATE 355 IN LEMONT, IL
(Birch Park)

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ORDINANCE NO. D-38-14

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(Birch Path)

ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF LEMONT
THIS 9TH DAY OF JUNE, 2014

Published in pamphlet form by
authority of the President and
Board of Trustees of the Village
of Lemont, Cook, DuPage, and Will
Counties, Illinois this 9th day of
June, 2014

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(Birch Path)

WHEREAS, Tempo Development, Inc., (herein referred to as the "Petitioner") is the contract purchaser of a property covering approximately 6.5 acres located south of 127th St, west of Interstate 355 (PIN# 22-31-200-007) and shown on the Plat of Annexation, attached hereto and incorporated herein as **Exhibit B**; and

WHEREAS, the Petitioner made application under the provisions of the Lemont Unified Development Ordinance for preliminary plan/plat approval, special use for a planned unit development and zoning map amendment from Cook County R-4 Single-Family Residence District to Lemont R-4 Single-Family Residential District; and

WHEREAS, the Planning and Zoning Commission of the Village of Lemont, Illinois, in accordance with Lemont Unified Development Ordinance, conducted a public hearing on the petition on November 20, 2013, and did not recommend approval of the petitioner's request; and

WHEREAS, a notice of the aforesaid Public Hearing was made in the manner provided by law and was published in the *Lemont Reporter-Met*, a newspaper of general circulation within the Village; and

WHEREAS, the President and Board of Trustees of the Village have reviewed the matter herein and have determined that the same is in the best interest of the public health, safety and welfare of the residents of the Village of Lemont, and hereby adopt the finding of facts as set forth in **Exhibit C**.

NOW, THEREFORE BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LEMONT, COUNTIES OF COOK, DEPAGE AND WILL, ILLINOIS:

SECTION 1: Incorporation of Recitals. The foregoing findings and recitals are hereby adopted as Section 1 of this Ordinance and are incorporated by reference as if set forth verbatim herein.

SECTION 2: Special Use & Zoning Map Amendment. A special use for a planned unit development and a zoning map amendment from Cook County R-4 Single-Family Residence District to Lemont R-4 Single-Family Residential District is granted for the subject property.

SECTION 3. Conditions. The special use for a planned unit development shall have the following conditions:

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1. Prior to final plat approval, a tree preservation plan shall be submitted and approved.
2. Prior to final plat approval, a final landscape plan shall be submitted and approved.
3. Prior to final plat approval, an executed copy of the Tollway Permit NS 14-01 shall be submitted.
4. Prior to final plat approval, residential design standards or home plans shall be submitted and approved.

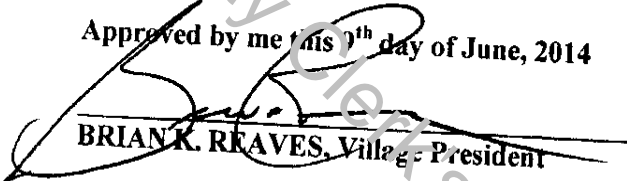
SECTION 4: The Village Clerk of the Village of Lemont be and is directed hereby to publish this Ordinance in pamphlet form, pursuant to the Statutes of the State of Illinois, made and provided.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage, approval and publication provided by law.

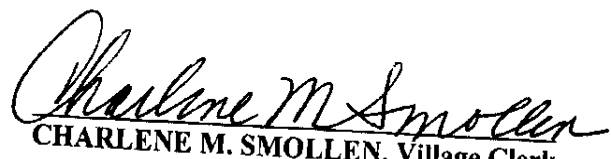
PASSED AND APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LEMONT, COUNTIES OF COOK, WILL, AND DuPAGE, ILLINOIS, on this 9th day of June, 2014.

	<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
DEBBY BLATZER	✓			
PAUL CHIALDIKAS	✓			
CLIFFORD MIKLOS	✓			
RICK SNIEGOWSKI	✓			
RON STAPLETON	✓			
JEANNETTE VIRGILIO	✓			

Approved by me this 9th day of June, 2014


 BRIAN K. REAVES, Village President

Attest:


 CHARLENE M. SMOLLEN, Village Clerk

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PLAT OF ANNEXATION TO THE VILLAGE OF LEMONT

LEGAL DESCRIPTION

THAT PART OF THE EAST HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID EAST HALF; THENCE SOUTH 88 DEGREES 21 MINUTES 42 SECONDS WEST, ALONG THE SOUTH LINE OF SAID EAST HALF, 271.47 FEET TO A POINT OF BEGINNING; THENCE NORTH 18 DEGREES 31 MINUTES 47 SECONDS WEST 1504.78 FEET TO THE WEST LINE OF SAID EAST HALF; THENCE SOUTH 1 DEGREE 31 MINUTES 54 SECONDS EAST, ALONG SAID WEST LINE, 1424.25 FEET TO THE SOUTH LINE OF SAID EAST HALF; THENCE NORTH 86 DEGREES 21 MINUTES 42 SECONDS EAST, ALONG SAID SOUTH LINE, 389.42 FEET TO THE POINT OF BEGINNING; IN COOK COUNTY, ILLINOIS.

EXHIBIT B

COOK COUNTY PIN: 22-31-200-007-0000



MAYFAIR ESTATES

TOLLWAY

EXISTING VILLAGE LIMITS
WEST LINE OF E 1/2 W 1/2 NE 1/4 SEC 31-37-11

AREA = 6.50 AC
(more or less)

APPROVED AND ACCEPTED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LEMONT, COOK, WILL AND DUPAGE COUNTIES, ILLINOIS, AT A PUBLIC MEETING HELD

THIS _____ DAY OF _____ A.D. 20____

By: _____
Village President

Attest: _____
Village Clerk

POINT OF COMMENCEMENT:
S.E. CORNER E 1/2 W 1/2
NE 1/4 SEC 31-37-11

N 082°14' E
389.42'
POINT OF BEGINNING
SOUTH LINE OF NE 1/4 SECTION 31-37-11

271.47'
S 86°21'42" W

PREPARED FOR:
TEMPO DEVELOPMENT, INC.

PREPARED BY:
LANDMARK
ENGINEERING LLC

7808 WEST 103RD STREET
PALOS HILLS, ILLINOIS 60465-1529
Phone (708) 599-3737

PROJECT No. 13-04-081-ANNEX-R3

STATE OF ILLINOIS)
COUNTY OF COOK) SS

I, MARK H. LANDSTROM, ILLINOIS PROFESSIONAL LAND SURVEYOR No. 2825, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE-DESCRIBED TRACT OF LAND FOR THE PURPOSE OF ANNEXATION TO THE VILLAGE OF LEMONT, ILLINOIS, AND THAT THIS PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY. DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF AND BEARINGS ARE BASED ON TRUE NORTH DETERMINED BY GPS MEASUREMENT USING THE NORTH AMERICAN DATUM OF 1983 ILLINOIS EAST STATE PLANE COORDINATE SYSTEM. FURTHERMORE, I HEREBY DESIGNATE THE VILLAGE OF LEMONT TO ACT AS MY AGENT FOR THE PURPOSE OF RECORDING THIS DOCUMENT.

DATED AT PALOS HILLS, THIS 28TH DAY OF MAY, A.D. 2014.

MARK H. LANDSTROM
I.P.L.S. No. 2825

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EXHIBIT C

FINDINGS OF FACT

FINDINGS. Based upon the evidence and testimony presented in the public hearing, the Planning & Zoning Commission finds the following:

- a. The requested rezoning is consistent with the 2002 Comprehensive Plan as it does call for residential development. The 2002 Plan, however, calls for low-density development where this proposal is medium-density.
- b. The preliminary plan with reduced lot sizes and subsequently smaller homes is consistent with the draft 2030 Comprehensive Plan update which includes goals of increasing affordable housing options and increasing diversity in housing stock.
- c. The location, size, and proximity of the subject parcel to the I-355 tollway create development constraints that necessitate a PUD.
- d. Residential design guidelines, required as part of this PUD approval will ensure an aesthetically pleasing product.

Property of Cook County Clerk's Office