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4/7/86

ORDINANCE NO. 2632

AN ORDINANCE AMENDING ORDINANCE NO. 1611, AMENDING
THE ZONING ORDINANCE OF THE VILLAGE OF SCHAUMBURG
AND GRANTING A SPECIAL USE AND VARIATION

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WHEREAS, on September 12, 1978, the President and Board of Trustees of the Village of Schaumburg passed and approved Ordinance No. 1611; and

WHEREAS, the Zoning Board of Appeals of the Village of Schaumburg conducted a public hearing on November 20, 1985 to consider a request for an amendment to Ordinance No. 1611 and special use for a PUD, rezoning from B-2 PUD to R-6 PUD, variation to the minimum PUD size and site plan approval for Clipper Cove PUD Phase II, located at the northwest corner of Algonquin and Plum Grove Roads, Case No. Z8509-11; and

WHEREAS, the Zoning Board of Appeals has recommended that said amendment to Ordinance No. 1611, the rezoning from B-2 PUD to R-6 PUD and a special use and variation be granted, subject to certain terms, conditions and plans;

WHEREAS, the President and Board of Trustees of the Village of Schaumburg have determined that the application for said rezoning meets the requirements of the Zoning Ordinance of the Village of Schaumburg and that amending Ordinance No. 1611 and granting a special use and variation are in the best interests of the Village; and

WHEREAS, the President and Board of Trustees of the Village of Schaumburg have determined that the variation herein granted will not alter the essential character of the locality and the strict application of the zoning requirements would result in practical difficulty and particular hardship to the applicant;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF SCHAUMBURG:

SECTION ONE: That an amendment to Ordinance No. 1611 and the approved PUD site plan, rezoning from B-2 PUD to R-6 PUD, special use for a planned unit development, variation to the minimum PUD size and site plan approval for 198 garden apartment units on 13.953 acres of land for Clipper Cove PUD, Phase II, be and the

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same are hereby granted on property legally described as:

THAT PART OF SECTION 34, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTER LINE OF PLUM GROVE ROAD (ALSO KNOWN AS OLD PLUM GROVE ROAD) WITH THE NORTHERLY LINE OF ALGONQUIN ROAD AS PER DOCUMENT NO. 1195798; THENCE NORTH 66 DEGREES 50 MINUTES 41 SECONDS WEST ALONG SAID NORTHERLY LINE OF ALGONQUIN ROAD, 89.04 FEET TO THE MOST WESTERLY CORNER OF PROPERTY CONDEMNED FOR ROAD PURPOSES AS PER CASE NO. 71L11410; THENCE NORTH 57 DEGREES 00 MINUTES 18 SECONDS EAST ALONG THE NORTHWESTERLY LINE OF SAID LAND CONDEMNED FOR ROAD PURPOSES, 38.99 FEET TO A LINE 50.0 FEET, MEASURED AT RIGHT ANGLES, WESTERLY OF AND PARALLEL WITH THE CENTER LINE OF SAID PLUM GROVE ROAD; THENCE NORTH 00 DEGREES 51 MINUTES 17 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, BEING ALSO THE WEST LINE OF LAND CONDEMNED FOR ROAD PURPOSES AS PER CASE NO. 71L11410, 659.03 FEET TO A POINT FOR A PLACE OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE CONTINUING NORTH 00 DEGREES 51 MINUTES 17 SECONDS EAST ALONG SAID LAST DESCRIBED WEST LINE OF LAND CONDEMNED FOR ROAD PURPOSES, AND A NORTHERLY EXTENSION THEREOF, 712.92 FEET TO AN INTERSECTION WITH A LINE 90.0 FEET, AS MEASURED AT RIGHT ANGLES, WESTERLY OF AND PARALLEL WITH THE WESTERLY LINE OF LOT 1 AS STAKED AND MONUMENTED IN OLD PLUM GROVE SUBDIVISION OF PART OF SAID SECTION 34, ACCORDING TO THE PLAT THEREOF RECORDED MAY 25, 1943 AS DOCUMENT NO. 13080952; THENCE NORTH 05 DEGREES 39 MINUTES 28 SECONDS WEST ALONG SAID LAST DESCRIBED PARALLEL LINE, 111.79 FEET,

THENCE SOUTH 89 DEGREES	59 MINUTES	50 SECONDS WEST,	189.99 FEET ;
" SOUTH 00 "	00 "	10 " EAST,	180.0 " ;
" SOUTH 89 "	59 "	50 " WEST,	585.0 " ;
" NORTH 00 "	00 "	10 " WEST,	105.0 " ;
" SOUTH 89 "	59 "	50 " WEST,	255.0 " ;
" NORTH 00 "	00 "	10 " WEST,	90.0 " ;
" SOUTH 89 "	59 "	50 " WEST,	180.0 FEET TO A POINT

427.0 FEET, AS MEASURED AT RIGHT ANGLES, SOUTH OF THE SOUTH LINE OF 66 FEET WIDE OLD PLUM GROVE ROAD (ALSO KNOWN AS HARTUNG ROAD); THENCE SOUTH 00 DEGREES 00 MINUTES 10 SECONDS EAST, 305.64 FEET; THENCE SOUTH 20 DEGREES 27 MINUTES 51 SECONDS WEST, 76.55 FEET; THENCE SOUTH 69 DEGREES 32 MINUTES 09 SECONDS EAST, 1320.47 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

which property is located at the northwest corner of Algonquin Road and Plum Grove Road; and the corresponding changes shall be made on the Zoning District Map.

SECTION TWO: That said Amendment to Ordinance No. 1611, rezoning from B-2 PUD to B-6 PUD, special use, variation and site plan approval herein granted are subject to the following terms, conditions and plans:

1. A Police and Fire Fund donation of \$250 per acre, or a total of \$3,488.25 (\$250 x 13.953 acres), shall be paid prior to the issuance of the first building permit.
2. A Medical Fund donation of \$100 per unit, or a total of \$19,800 (\$100 x 198 units), shall be paid prior to the issuance of each occupancy permit.
3. A Cultural Center Fund donation of \$100 per unit, or a total of \$19,800 (\$100 x 198 units), shall be paid prior to the issuance of each occupancy permit.
4. A donation to School District No. 15 of \$100 per unit, or a total of \$19,800 (\$100 x 198 units), shall be paid prior to the issuance of each occupancy permit.
5. A donation to the Palatine Park District of \$100 per unit, or a total of \$19,800 (\$100 x 198 units), shall be paid prior to the issuance of each occupancy permit.
6. The total cost of the play equipment in each tot lot shall be worth a minimum of \$6,150 in January 1985 dollars.

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7. Prior the issuance of a building permit, the petitioner shall submit a written agreement with the owner of Phase I governing the shared access and maintenance costs for Clipper Drive. This agreement shall be subject to the review and approval of the Village Attorney.
8. Prior to the issuance of the first occupancy permit, the petitioner shall obtain an approved Final Plat of Subdivision from the Village of Schaumburg.
9. Prior to the issuance of a Land Development Permit, the petitioner shall make a cash payment of \$3,400 (\$200 x 17 trees) to the Village of Schaumburg in lieu of planting parkway trees along that section of the property abutting Plum Grove Road. The Village shall assume responsibility for installing the trees.
10. Prior to the issuance of a Land Development Permit, the petitioner shall make a cash payment of \$10,303.88 to the Village of Schaumburg in lieu of installing street lights along that portion of the property abutting Plum Grove Road.
11. The petitioner shall provide a minimum separation of five (5) feet between the north side of the bicycle path and the south side of the street to accommodate the installation of street lights.
12. The petitioner shall provide an interconnect driveway to the property located southwest of this site. The location shall be subject to the review and approval of the Engineering Department.
13. Parking lot lighting shall be subject to the review and approval of the Engineering Department when the Photometrics Printout is submitted at time of Final Engineering.
14. Existing detention ponds shall be upgraded to comply with current Village of Schaumburg standards.
15. The proposed pavement sections are inadequate and must be revised prior to Final Engineering to meet current Village of Schaumburg standards.
16. Fire hydrants No. 3 and 4 are too far apart (440 feet). Fire hydrant No. 4 shall be relocated from the east side of the parking area entrance to the west side of the entrance (40 feet west).
17. The petitioner shall construct a left-turn bay on northbound Plum Grove Road at the entrance to Phase II. The design and placement of the turning bay shall be subject to the review and approval of the Cook County Highway Department and the Village of Schaumburg Engineering Department. Construction shall be completed prior to the issuance of the first occupancy permit.
18. The petitioner shall construct depressed curbs on the perimeter of the main driving aisle where parking stalls directly abut the roadway pavement.
19. Prior to the issuance of the first building permit, the petitioner shall submit plans for a duck refuge area in substantial compliance with established standards of wildlife experts. Said plans shall be subject to the review and approval of the Planning Department.
20. The following plans shall be adopted as part of the governing ordinance:
 - a. Site Plan and Preliminary Plat, prepared by Johnston Associates, Inc., dated 0/12/85 and revised 11/11/85 and 11/27/85.
 - b. Landscape Plan, prepared by Johnston Associates, Inc., dated 9/15/85 and revised 10/20/85.
 - c. Typical Foundation Plans, prepared by Johnston Associates, Inc., dated 9/15/85 and revised 10/20/85.

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- d. Preliminary Engineering Plan, Sheets 1-3, prepared by Gewalt-Hamilton Associates, dated 10/23/85.
- e. Floor Plans, prepared by Stanley deFurgalski, dated 5/28/85 and revised 9/06/85.
- f. Building Elevations and Footprints, no date or preparer's name
- g. Refuse Disposal Area Screening, prepared by Johnston Associates, Inc., dated 9/12/85.
- h. Clipper Cove PUD, Phase II, Plum Grove Road Channelization Plan, prepared by Village of Schaumburg Engineering Department, dated 1/21/86.

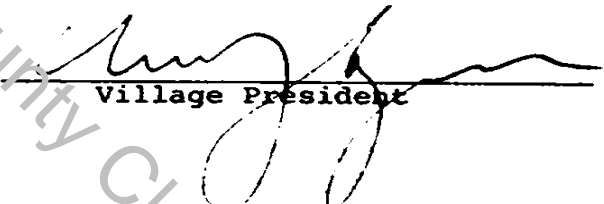
SECTION THREE: The Director of Building of the Village of Schaumburg is hereby directed to issue necessary permits upon proper application to effectuate the provisions of this ordinance.

SECTION FOUR: This ordinance shall be in full force and effect from and after its passage, approval and publication in the manner provided by law.

AYES: Trustees Larson, Gogue, Charvat, Mazzeffi, Niemann, LeBeau
NAYS: None

PASSED & APPROVED this 8th day of April, 1986.

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Village President

ATTEST:


Village Clerk



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