
**THE VILLAGE OF WILLOW SPRINGS
COOK COUNTY, ILLINOIS**

**ORDINANCE
NUMBER 2019-O-10**

**AN ORDINANCE APPROVING
AMENDMENT TO WEST POINT BUILDERS PLANNED UNIT DEVELOPMENT
WILLOW GLEN DEVELOPMENT**

JOHN M. CARPINO, President

MARY JANE MANNELLA, Clerk

**THOMAS E. BIRKS
TERRANCE M. CARR
MICHAEL C. KENNEDY
MELISSA N. NEDDERMEYER
FRED POSCH
KATHRYN STANPHILL**

TRUSTEES

VILLAGE OF WILLOW SPRINGS

ORDINANCE 2019-O-10

ORDINANCE OF THE VILLAGE BOARD
VILLAGE OF WILLOW SPRINGS

GRANTING AN AMENDMENT PLANNED UNIT DEVELOPMENT SPECIAL USE
(WEST POINT BUILDERS – 8850-8900-8930-8960-8968-8980 ARCHER AVENUE) TO
INCLUDE AS 8950 ARCHER AVENUE (PIN # 23-05-201-053-0000)

WHEREAS, this Village Board has received Findings and Recommendations from the Planning and Zoning Commission, dated February 12, 2019 recommending the granting of an amendment to a planned development special use upon the real estate commonly known as 8850-8900-8930-8960-8968-8980 Archer Avenue, Willow Springs, Illinois to include the property commonly known as 8950 Archer Avenue ; and

WHEREAS said findings and recommendations are subject to certain conditions and restrictions;

NOW THEREFORE, BE IT ORDAINED, by the Village Board of the Village of Willow Springs, Cook County, Illinois, as follows:

SECTION 1: That the Findings and Recommendations of the Village of Willow Springs Planning and Zoning Commission, dated February 12, 2019 a copy of which is attached hereto as Exhibit A, are hereby concurred with by this Village Board and adopted as a part of this ordinance, by reference, as though the same were fully set forth herein.

SECTION 2: That the planned development special use is amended to include the real estate commonly known as 8950 Archer Avenue, Willow Springs, Illinois, and legally described as follows:

8950 Archer Avenue
PIN # 23-05-201-053-0000

LOT 17 (EXCEPT THE NORTHEASTERLY 281.0 FEET THEREOF, AS MEASURED
ALONG THE EASTERLY AND WESTERLY LINE THEREOF) IN S.T. COOPER'S

ADDITION TO WILLOW SPRINGS, BEING A SUBDIVISION IN THE NORTHEAST ¼ OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

SECTION 3: That said amendment to the planned development special use is granted solely for the purposes, and subject to all conditions and restrictions, set forth in said Findings and Recommendations of the Planning and Zoning Commission attached hereto as Exhibit A.

SECTION 4: The granting of said amendment to the special use variation shall not alleviate or negate the requirement of compliance with all applicable Village codes and ordinances, except that portion of the Village Zoning Ordinance which would otherwise prohibit the land use permitted hereby.

SECTION 5: This Ordinance shall not be held to repeal a former ordinance as to any offense committed against the former ordinance or as to any act done, any penalty, forfeiture or punishment so incurred, or any right accrued or claim arising under the former ordinance, or in any way whatsoever affect any such offense or act so committed or so done, or any penalty, forfeiture or punishment so incurred to any right accrued to claims arising before this Ordinance takes effect, save only that the proceedings thereafter shall conform to the ordinance in force at the time of such proceedings, as far as practicable.

SECTION 6: That if any part or parts of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of the remaining parts of this Ordinance. The Village Board declare hereby that they would have passed the remaining parts of this Ordinance, if they had known that such part or parts thereof would be declared unconstitutional.

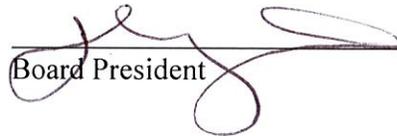
SECTION 7: The Village Clerk of the Village of Willow Springs is directed hereby to publish this Ordinance in pamphlet form.

SECTION 8: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form.

(THIS SPACE INTENTIONALLY LEFT BLANK)

Ordinance 2019-O-10, approved and adopted by the President and Board of Trustees of the Village of Willow Springs, Cook County, Illinois this 14th day of February 2019 pursuant to a roll call vote, as follows:

	PRESENT	ABSENT	YES	NO	ABSTAIN
Trustee Birks	✓		✓		
Trustee Carr	✓		✓		
Trustee Kennedy	✓		✓		
Trustee Neddermeyer	✓		✓		
Trustee Posch	✓		✓		
Trustee Stanphill	✓		✓		
President Carpino	✓				
TOTAL	7	0	6	0	0


 Board President

ATTEST:


 Village Clerk

Published in pamphlet form by order of the Village Board this 14th day of February, 2019.


 Village Clerk



Exhibit “A”

**VILLAGE OF WILLOW SPRINGS
PLANNING AND ZONING COMMISSION**

**REPORT OF FINDINGS AND RECOMMENDATIONS
ON APPLICATION FOR AN AMENDMENT TO PLANNED DEVELOPMENT
SPECIAL USE
(WEST POINT BUILDERS – 8850-8900-8930-8960-8968-8980 ARCHER AVENUE)**

TO INCLUDE

8950 Archer Avenue

TO: The Village Board
1 Village Circle
Willow Springs, IL 60480

RE: Application of West Point Builders for an Amendment to a Special Use to Develop a Planned Unit Development at 8850-8900-8930-8960-8968-8980 Archer Avenue to also include 8950 Archer Avenue

Pursuant to all relevant provisions of Title 9A of the Municipal Code, being the Zoning Code of the Village of Willow Springs, a public hearing was held on February 12, 2019 on the application of West Point Builders to consider an amendment to a Special Use Variation permitting a Planned Development upon the real estate commonly known as 8850-8900-8930-8960-8968-8980 Archer Avenue to also include the property commonly known as 8950 Archer Avenue in the Planned Unit Development. This Planning and Zoning Commission finds as follows:

- (A) Notice of said hearing was duly published and served by the Applicant in accordance with the provisions of the Illinois Municipal Code;
- (B) An owner of the subject property testified as to its ownership thereof or interest therein as required by the relevant Village codes so that this Planning and Zoning Commission has jurisdiction over the subject matter and the parties hereto;
- (C) The following testimony and exhibits in support of the proposition to grant an amendment to the Special Use for the subject property were received and considered during said hearing and during the deliberations to consider these findings and recommendation:
 - (1) Application of Applicant in its entirety is made a part hereof by reference and a portion of which is attached hereto in part.
 - (2) Testimony as to the character of the subject property and its immediately

adjoining and surrounding area, as well as the general nature of the proposed development of the site was given by Larry Freidman, attorney for the Applicant. It was stated that the original plan presented to the Planning and Zoning Commission and later approved by the Village Board included this property but that the original legal description did not. As such, the original plans did not change only 8950 Archer Avenue is being added to the legal description.

- (D) No objections, oral or written, to the proposed Amendment to the Special Use have been received by this Planning and Zoning Commission prior to, during, or subsequent to said hearing.

Giving consideration to the standards imposed by Section 9A-1-5-1 of the Willow Springs Zoning Code for granting a Special Use, this Commission makes the following additional findings:

- (A) **Establishment, maintenance or operation of the amendment to the use will not be detrimental to or endanger the public safety, morals, comfort or general welfare:** Based upon all of the evidence, testimony and exhibits presented we find the establishment, maintenance or operation of the proposed amendment to the planned development use will not be detrimental to or endanger the public safety, morals, comfort or general welfare.
- (B) **The amendment to the use will not be 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:** Based upon all of the evidence, testimony and exhibits previously presented and that the proposed amendment to the planned development is consistent with other currently existing uses, the surrounding uses and the Willow Springs Comprehensive Plan, we find the amendment to the use will not be 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.
- (C) **The establishment of the amendment to the use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district:** For the reasons stated in Paragraphs (A) and (B) above, we find that the proposed amendment to the use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
- (D) **Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided:** Based upon all of the prior evidence, testimony and exhibits presented, we find that adequate utilities, access roads, drainage and other necessary facilities are being provided.
- (E) **That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets:** Based upon all of the prior evidence, testimony and exhibits presented, we find

that adequate measures have been taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

- (F) **The amendment to the use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the Village Board, pursuant to the recommendation of this Planning and zoning Commission:** Based upon all of the prior evidence, testimony and exhibits presented, this Commission finds that the amendment to the use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may be modified by now Village Board pursuant to the recommendation of this Commission.

Therefore, the Planning and Zoning Commission of the Village of Willow Springs recommends to the Village Board of the Village of Willow Springs that the following amendment to the special use planned unit development be granted to West point Builders or their successor in interest subject to the following conditions

1. That the construction of the Planned Development previously approved be substantially as shown and depicted in the Application filed herein, and all attachments and exhibits thereto, including any and all updated attachments and exhibits herein, except as such documents may be modified in strict compliance with applicable Village codes, ordinances and regulations; and
2. All construction and operation permitted by such Amended Special Use Permit should be subject to all applicable codes, ordinances, and regulations of the Village of Willow Springs, except as may be modified by such amended Special Use, from time to time in effect.

Further, that said amendment to the special use variation be granted for and apply only to the real estate legally described as follows and which should be added to the properties approved by such original planned unit development special use:

8950 Archer Avenue
PIN # 23-05-201-053-0000

LOT 17 (EXCEPT THE NORTHEASTERLY 281.0 FEET THEREOF, AS MEASURED ALONG THE EASTERLY AND WESTERLY LINE THEREOF) IN S.T. COOPER'S ADDITION TO WILLOW SPRINGS, BEING A SUBDIVISION IN THE NORTHEAST ¼ OF SECTION 5, TOWNSHIP 37 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Dated this the 12th day of February 2019.

**PLANNING AND ZONING COMMISSION
VILLAGE OF WILLOW SPRINGS, ILLINOIS**

By: William Sotoriello
Chairman