

ORDINANCE NO _____
Date Passed: March 12, 2012

AN ORDINANCE
APPROVING A REZONING OF CERTAIN PROPERTY FROM B-2, HIGHWAY
COMMERCIAL DISTRICT TO PLANNED UNIT DEVELOPMENT-COMMERCIAL
DISTRICT (PUD-C) AND THE PRELIMINARY PLANNED UNIT DEVELOPMENT
PLAT AND PLAN FOR RESUBDIVISION OF LOT 4 IN CARON RIDGE
SUBDIVISION

WHEREAS, Walter Wayne Development has filed a petition for the rezoning of certain property from B-2, Highway Commercial District to Planned Unit Development- Commercial District (PUD-C) and the approval of a Preliminary Planned Unit Development Plan and Plat for the Resubdivision of Lot 4 in Caron ridge Subdivision which is legally described in Exhibit “A”; and

WHEREAS, Walter Wayne Development submitted a Preliminary Planned Unit Development Plan and Plat shown in Exhibit “B”; and

WHEREAS, as part of the request two ground signs were requested. One which will replace the existing ground sign shown as Exhibit “C” and a new one to be located at the east end of the development along IL Route 36 shown as Exhibit “D”; and

WHEREAS, the petition was reviewed by the Planning and Zoning Commission at a public hearing at their meeting of March 5, 2012 and the Planning and Zoning Commission, by a vote of 3-2, recommended that City Council consider denying the petition due to the requested Planned Unit Development size being less than 20 acres; and

WHEREAS, after review of the facts of the hearing the City Council did not concur with the recommendation of the Planning and Zoning Commission; and

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of Rochelle, Ogle County, Illinois, as follows:

Section 1. That the subject property legally described in Exhibit “A” is hereby rezoned from B-2, Highway Commercial District to Planned Unit Development – Commercial District (PUD-C).

Section 2. That a Conditional (Special Use) Permit for the Preliminary Planned Unit Development Plan and Plat for the Resubdivision of Lot 4 in Caron Ridge Subdivision (Exhibit “B”) be approved subject to the following:

- 1) Final Stormwater management plan be approved by staff.
- 2) That a variance be granted to allow a Planned Unit Development to be smaller than 20 acres.
- 3) The final landscaping plan be submitted and revised as needed per staff review.
- 4) Final Engineering being approved by staff.

- 5) The Final Plat and Plan being modified where necessary from staff comments prior to recording.
- 6) Posting of required surety prior to the recording of the Final Plat and Plan.
- 7) That all of the B-2 Highway Commercial uses be allowed in this development.
- 8) That the proposed concept replacement monument sign as shown in Exhibit "C" be allowed.
- 9) That second requested concept monument sign as shown in Exhibit "D" be allowed and that it be no larger than what the current sign code allows.

Section 3. All other provisions of the Rochelle Zoning Ordinance and Rochelle Municipal Code, and its subsequent amendments shall remain in full force and effect.

Section 4. That this Ordinance shall be in force and effect from and after its passage, approval and adoption in pamphlet form as provided by law.

PASSED AND APPROVED this 12 day of March, 2012.

Ayes:_____ Nays: ____ Abstain:_____

Mayor

Attested: _____
City Clerk

Exhibit "A"

THAT PART OF LOTS 3 AND 4 IN CARON RIDGE SUBDIVISION, BEING A SUBDIVISION OF PART OF THE FRACTIONAL WEST HALF OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 40 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 10, 1987 IN PLAT FILE A ON PAGE 76, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 4; THENCE SOUTH 89 DEGREES 51 MINUTES 08 SECONDS WEST, ALONG THE NORTH LINE OF SAID LOTS 3 AND 4, A DISTANCE OF 421.72 FEET, TO THE NORTHWEST CORNER OF SAID LOT 3; THENCE SOUTH 0 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE WEST LINE OF SAID LOT 3 AND ITS EXTENSION, 452.38 FEET; THENCE NORTH 89 DEGREES 51 MINUTES 08 SECONDS EAST, ALONG A LINE PARALLEL WITH THE SOUTH LINE OF SAID LOT 4, A DISTANCE OF 21.52 FEET; THENCE SOUTH 0 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG A LINE PARALLEL WITH THE EAST LINE OF SAID LOT 4, A DISTANCE OF 123.50 FEET; THENCE NORTH 89 DEGREES 51 MINUTES 08 SECONDS EAST, ALONG A LINE PARALLEL WITH THE SOUTH LINE OF SAID LOT 4, A DISTANCE OF 135.50 FEET; THENCE SOUTH 0 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG A LINE PARALLEL WITH THE EAST LINE OF SAID LOT 4, A DISTANCE OF 124.12 FEET, TO THE SOUTH LINE OF SAID LOT 4; THENCE NORTH 89 DEGREES 51 MINUTES 08 SECONDS EAST, ALONG SAID SOUTH LINE, 264.70 FEET, TO THE SOUTHEAST CORNER OF SAID LOT 4; THENCE NORTH 0 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 4, A DISTANCE OF 700.00 FEET, TO THE POINT OF BEGINNING, IN OGLE COUNTY, ILLINOIS.