

ORDINANCE NO. 2022-06

**AN ORDINANCE APPROVING A PLANNED UNIT DEVELOPMENT (PUD)
AS A SPECIAL USE UNDER SECTION 82-54 OF THE CODE OF ORDINANCES
FOR THE VILLAGE OF CHERRY VALLEY UNDER SECTION 82-83 FOR
MILLBROOK TOWNHOMES f/k/a BELL VALLEY TOWNHOMES
(PIN: 12-35-251-019)**

WHEREAS, a zoning request has been filed with the Village of Cherry Valley, Illinois, requesting that a special use permit be issued authorizing the Village to execute a Planned Unit Development Agreement (“PUD”) for a development named “Millbrook Townhomes” f/n/a Bell Valley Townhomes; and,

WHEREAS, over the preceding months, the Village of Cherry Valley has negotiated with the developer of the proposed PUD to address concerns not only located within the PUD boundaries, but also road, utility and water extensions, dedications and environmental concerns; and,

WHEREAS, on December 15, 2021 the Planning and Zoning Commission did review the proposed zoning and Planned Unit Development Agreement; and,

WHEREAS, on December 15, 2021 the Planning and Zoning Commission did make the necessary findings by a vote of 3 ayes, 2 nays and 2 absences and vacancies; did recommend approval of the zoning request; and,

WHEREAS, the Village of Cherry Valley has before it a Planned Unit Development Agreement with the developers of Millbrook Townhomes and the Board of Trustees for the Village of Cherry Valley wish to execute the PUD Agreement, see attached “Exhibit A”.

NOW, WHEREFORE, be it ordained by the President and Board of Trustees for the Village of Cherry Valley, Illinois, as follows:

SECTION 1: The President and Clerk for the Village of Cherry Valley, Illinois, shall be and hereby are authorized to execute the Planned Unit Development Agreement for Millbrook Townhomes and grant as a special use under Section 82-54 of the Code of Ordinances for the

Village of Cherry Valley, Illinois under Section 82-83 for Millbrook Townhomes f/k/a Bell Valley Townhomes. A copy of said Planned Unit Development Agreement is attached hereto and marked as "Exhibit A".

SECTION 2: This Ordinance shall be in full force and effect from and after its approval, passage and publication of this Ordinance.

PASSED UPON MOTION BY: NANCY BELT

SECONDED BY: SALLY HOLLEMBEAK

BY ROLL CALL VOTE THIS 1ST DAY OF FEBRUARY, 2022.

AS FOLLOWS:

VOTING "AYE": NANCY BELT, JEFF FUSTIN, SALLY HOLLEMBEAK,
MIKE NEVILLE, BRANDI PEARSE

VOTING "NAY": NONE

ABSENT, ABSTAIN, OTHER: NONE

ATTEST:



KATHY TRIMBLE, VILLAGE CLERK

APPROVED: FEBRUARY 1, 2022



DAVID SCHROEDER, VILLAGE PRESIDENT