

Withdrawn by Petitioner November 1, 2022

ORDINANCE NO. 2022-53

**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, ILLINOIS UNDER SECTION 82-83
FOR THE PROPERTY COMMONLY KNOWN AS
3349 MILL ROAD, CHERRY VALLEY, IL
(PIN: 16-01-151-001)**

WHEREAS, a zoning request has been filed by Jason Shull (“Developer”) 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 multi-family development at 3349 Mill Road, Cherry Valley, Illinois, see attached “**Exhibit A**”; and,

WHEREAS, over the preceding months, the Village of Cherry Valley has negotiated with the Developer of the proposed PUD; and,

WHEREAS, on October 19, 2022 the Planning and Zoning Commission did review the proposed zoning and Planned Unit Development Agreement; and,

WHEREAS, at the October 19, 2022 meeting of the Planning and Zoning Commission, the Commission found that the necessary findings of facts had partially been met with one of the findings of fact receiving only 2 votes; and

WHEREAS, at the October 19, 2022 meeting of the Planning and Zoning Commission, a motion and second to approve the special use permit request was made by Commission members; and

WHEREAS, the vote on the motion received three ayes, two nays with two absences; and

WHEREAS, a concurrent vote of four members of the Planning and Zoning Commission is needed in order for a positive recommendation for approval to be made by the Commission on a zoning request; and

WHEREAS, due to the special use permit request only receiving 3 ayes, the special use

permit request does not come with positive recommendation for approval by the Commission.

NOW, THEREFORE, 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 which is attached hereto as “Exhibit A” 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 the property commonly known as 3349 Mill Road, Cherry Valley, Illinois (PIN: 16-01-151-001).

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 _____

SECONDED BY _____

BY ROLL CALL VOTE THIS _____ DAY OF _____, 2022

AS FOLLOWS:

VOTING “AYE”: _____

VOTING “NAY”: _____

ABSENT, ABSTAIN, OTHER _____

ATTEST: APPROVED _____, 2022

VILLAGE CLERK

VILLAGE PRESIDENT