

ORDINANCE NO. 23-24-06

An Ordinance Approving the Final Plans for the General Capital Townhome Housing Project Generally Located at the Southeast Corner of the Intersection of Johnsburg Road and Route 31, Johnsburg, Illinois.

WHEREAS, General Capital Development, LLC filed an application with the Village Clerk of the Village of Johnsburg, McHenry County, Illinois, requesting the granting of R-4 Zoning with a Conditional Use Permit for Planned Development to accommodate a Townhome Rental Housing Development on the Property generally located at the Southeast Corner of the intersection of Johnsburg Road and Illinois Route 31 and legally described in Exhibit A; and

WHEREAS, General Capital Development, LLC proposed the development of 49 townhome rental units consisting of 13 one bedroom units, 11 two bedroom units and 25 three bedroom units; and

WHEREAS, by way of background, following a public hearing before the Planning and Zoning Commission and upon reviewing of the report put forth by the Commission, the President and Board of Trustees approved Ordinance 22-23-04 zoning the Property R-4 Planned Development and approved a Conditional Use Permit to allow for the townhome rental development subject to the following conditions:

1. Final architectural elevations, floor plans, site plan, landscape plan, signage package, photometric plan/lighting package must be presented to the Village Engineer, Architectural Review Committee and Village Board for approval. Said plans shall be in substantial conformance with Exhibit A prepared by Hooker DeJong dated April 25, 2022, attached hereto. Landscaping between the subject property and neighboring lots shall be non-deciduous in nature and sufficient to provide heavy screening throughout the year. Lighting shall cast downward and not negatively affect neighboring properties while providing appropriate security for the residents of the development. A fence shall be provided along the south property line;
2. Building plans must comply with all applicable codes and be approved by the Village's Building Commissioner.
3. The property will be served by the Village's wastewater treatment and potable water systems;
4. The total number of residential units shall not exceed 49;

5. The dwelling units shall consist of 13 one bedroom units, 11 two bedroom units and 25 three bedroom units;
6. The total number of floors shall be limited to 2 with a total height to be determined;
7. There shall be 119 total parking spaces on the property with some covered parking provisions;
8. A community building and outdoor gathering space shall be provided for the residents of the community;
9. Ingress and Egress will be provided from both Johnsburg Road and Illinois Route 31 in accordance the requirements set forth by the McHenry County Division of Transportation and the Illinois Department of Transportation respectively. Signage shall be included prohibiting thru traffic;
10. Efforts will be made to preserve oak trees along the east property line;
11. Property shall be served by a full time manager and part time maintenance personnel.
12. Leases shall be a minimum of one year
13. The development must comply with all other applicable local, state and federal codes and regulations
14. A backup special service area shall be established for the property to provide maintenance to the detention; and.

WHEREAS, in accordance with Ordinance 22-23-04, the Village Engineer has reviewed the Final Plans, as defined below, and recommended they be presented to the Architectural Review Committee for approval; and

WHEREAS, in accordance with Ordinance 23-23-04 the Architectural Review Committee has held a public meeting to review the Final Plans consisting of the Overall Site Dimensional and Paving Plan, Landscape Plan, Signage Plan, Electrical Site Lighting and Power Plan, and Exterior Elevation Plan; and

WHEREAS, upon completing their review, recommended approval of said plans; and

WHEREAS, the President and Board of Trustees reviewed the report put forth by the Architectural Review Committee and the Final Plans submitted by General Capital Development LLC;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the VILLAGE OF JOHNSBURG, McHenry County, Illinois, as follows:

SECTION 1. The project shall be constructed in conformance with the final architectural elevations, floor plans, site plan, landscape plan, signage package, photometric plan/lighting package, including design standards and setbacks contained therein, as prepared by Manhard Consulting, Johnson & Lee, and Hooker DeJong and approved by the Village Engineer, Architectural Review Committee and Village Board and contained in Exhibit B, attached hereto (the "Final Plans");

SECTION 2. The total number of residential units shall not exceed 49 and shall consist of 13 one bedroom units, 11 two bedroom units and 25 three bedroom units;

Section 3. The total number of floors shall be limited to 2 with a total height not to exceed 35 feet;

SECTION 4. There shall be 117 total parking spaces on the property with some covered parking provisions;

SECTION 5. Ingress and Egress will be provided from both Johnsborg Road and Illinois Route 31 and shall be limited to right in/right out access only as required by the McHenry County Division of Transportation and the Illinois Department of Transportation respectively.

SECTION 6. The development shall comply with the other conditions set forth in Ordinance 22-23-04 and any applicable local, state and federal codes and regulations

SECTION 7: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 8: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Voting Aye:

Voting Nay:

Absent:

Abstain:

APPROVED:

Village President Edwin P. Hettermann

(SEAL)

ATTEST: _____

Village Clerk Claudett Sofiakis

Passed:

Approved:

Published:

Prepared by:

Claudett Sofiakis, Village Administrator

Village of Johnsborg

1515 Channel Beach Avenue

Johnsborg, IL 60051

C E R T I F I C A T I O N

I, CLAUDETT SOFIAKIS, do hereby certify that I am the duly appointed, acting and qualified Clerk of the Village of Johnsburg, McHenry County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village of Johnsburg.

I do hereby further certify that at a special meeting of the President and Board of Trustees of the Village of Johnsburg, held on the 12th day of September, 2023, the foregoing Ordinance entitled ***Ordinance 23-24-06 - An Ordinance Approving the Final Plans for the General Capital Townhome Housing Project Generally Located at the Southeast Corner of the Intersection of Johnsburg Road and Illinois Route 31***, was duly passed by the President and Board of Trustees of the Village of Johnsburg.

The pamphlet form of Ordinance No. 23-24-06, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the Village Hall, commencing on the 12th of September 2023 and continuing for at least 10 days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said Village for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and the seal of the Village of Johnsburg, Illinois, this 12th day of September, 2023

Claudett Sofiakis, Village Clerk
Village of Johnsburg,
McHenry County, Illinois

(SEAL)