

**AN ORDINANCE GRANTING A LAND USE VARIATION  
AND VARIATIONS FROM CHAPTER 28 OF  
THE ARLINGTON HEIGHTS MUNICIPAL CODE**

WHEREAS, on July 25, 2018, pursuant to notice, the Plan Commission conducted a public hearing on the application of Napleton's Arlington Heights, CJB, ("Petitioner") for a land use variation to allow a motor vehicle sales parking lot not contiguous to an automobile sales room within the M-1 Research, Development and Light Manufacturing District and variations from Chapter 28 of the Arlington Heights Municipal Code for the property located at 3435 N Kennicott Ave, Arlington Heights Illinois; and

WHEREAS, the Plan Commission has recommended the granting of a land use variation and variations from the Zoning Ordinance for the subject property; and

WHEREAS, the President and Board of Trustees, having considered the report and recommendation of the Plan Commission, have determined that authorizing and granting said request, subject to certain conditions hereinafter described, would be in the best interests of the Village of Arlington Heights,

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ARLINGTON HEIGHTS:

SECTION ONE: That a land use variation is hereby granted to permit a motor vehicle sales parking lot not contiguous to an automobile sales room within the M-1 Research, Development and Light Manufacturing District at the property legally described as:

Lot 4 (except the South 16.85 feet as measured along the East line thereof) in Arlington Industrial and Research Center Unit 8, being a subdivision in the North half of Section 7, Township 42 North, Range 11 East of the Third Principal Meridian, according to Document Number 23476051, in Cook County, Illinois.

PIN 03-07-200-046-0000

commonly described as 3435 N Kennicott Ave, Arlington Heights, Illinois, in compliance with the landscape plan submitted by the Petitioner, dated May 31, 2018 with revisions through June 10, 2018, consisting of sheet A1.0, copies of which are on file with the Village Clerk and available for public inspection.

SECTION TWO: That the following variations from Chapter 28, are hereby granted:

1. A variation from Section 10.2-9, Access, to allow tandem parking where certain spaces do not open directly upon a drive aisle.
2. A variation from Section 10.4, Schedule of Parking Requirements, to allow a reduction in the number of required parking spaces from 166 parking spaces to 150 parking spaces.

SECTION THREE: That the land use variation and variations from Chapter 28 of the Arlington Heights Municipal Code granted by this Ordinance are subject to the following conditions, to which the Petitioner has agreed:

1. The total number of vehicles to be parked by Napleton on the subject property shall not exceed 100.
2. The Land Use Variation is solely for Arlington Napleton and/or their future assignees and subject to their maintaining a central dealership facility in Arlington Heights.
3. If the lease to allow Napleton to park automobiles on the subject property is terminated for any reason, the parking variation shall become null and void.
4. In the event that the subject property is redeveloped, or if Napleton discontinues use of the parking area on the subject property, the Village shall repeal the Ordinance that grants approval of this Land Use Variation.
5. The Petitioner shall obtain a permit to repair areas of deteriorated pavement and curbing within the area that they have leased to park automobiles. Such repairs should take place within 60 days of ordinance approval.
6. Parking lot landscape screening shall be installed along Kennicott Avenue within 60 days of ordinance approval. A detailed landscape plan that includes information on the species and quantities to be planted shall be required when a building permit is obtained for the required parking lot repairs.
7. All dead trees within the parking lot landscape islands shall be replaced.
8. No vehicle repairs shall be allowed on the subject property.
9. There shall be no "For Sale" advertising on any of the automobiles parked on the subject property.

10. The Petitioner shall comply with all applicable Federal, State, and local laws, codes, policies, and procedures.

SECTION FOUR: That the Director of Building of the Village of Arlington Heights is hereby directed to issue permits for the facility herein approved, upon proper application and after compliance with all applicable ordinances of the Village of Arlington Heights.

SECTION FIVE: That this Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law and shall be recorded by the Village Clerk in the Office of the Recorder of Cook County.

AYES:

NAYS:

PASSED AND APPROVED this 4<sup>th</sup> day of September, 2018.

---

Village President

ATTEST:

---

Village Clerk

Land Use Variation: Napleton – Arlington Lanes