

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE VILLAGE OF ARLINGTON HEIGHTS, GRANTING
A PRELIMINARY PLAT OF RESUBDIVISION, AND VARIATIONS
FROM CHAPTER 28 OF THE ARLINGTON HEIGHTS MUNICIPAL CODE**

WHEREAS, on June 26, 2019, pursuant to notice, the Plan Commission of the Village of Arlington Heights, in Petition Number 19-005, conducted a public hearing on a request for rezoning from an R-3 One Family Dwelling District to an R-7 Multiple Family Dwelling District, approval of a planned unit development to allow the construction of a 16-unit residential row home development and variations from Chapter 28 of the Municipal Code for the property located at 37-45 S Chestnut Ave and 36-40 S Highland Ave, Arlington Heights, Illinois; and

WHEREAS, the President and Board of Trustees have considered the report and recommendations of the Plan Commission and have determined that authorizing and granting said requests, 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 the Zoning Ordinance of the Village of Arlington Heights is hereby amended by reclassifying the property legally described as follows from an R-3 One Family Dwelling District to an R-7 Multiple Family Dwelling District:

Lots 12, 13, 14, 15, 16 and 17 in Block 2 in a subdivision of Lots 26, 27 and 28 and 29 in Assessor's Subdivision of Section 30, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

PIN 03-30-425-012, -013, -014, -021, -022, -023

commonly described as 37-45 S Chestnut Ave and 36-40 S Highland Ave, Arlington Heights, Illinois.

SECTION TWO: That a Planned Unit Development for Sigwalt 16 is hereby approved to allow a 16-unit residential row home development, on the property legally described in

SECTION ONE, which property is hereby designated as a planned unit development. The Zoning Map of the Village of Arlington Heights is hereby amended accordingly. Approval is hereby given for development of the Subject Property in substantial compliance with the following plans:

The following plans have been prepared by HKM:

Site Plan, dated June 6, 2019, consisting of one sheet;
Floor Plans-Typical Interior Unit, dated April 12, 2019, consisting of one sheet;
Floor Plans-Typical Corner Unit, dated April 12, 2019, consisting of one sheet;
Roof Plan/Equipment Plan, dated April 12, 2019, consisting of one sheet;
Landscape Plan, dated June 2, 2019, consisting of one sheet;
Exterior Elevations, dated May 22, 2019, consisting of two sheets;
Exterior Elevations and Section, dated May 22, 2019, consisting of one sheet;
Rendered View (Revised), dated July 15, 2019, consisting of two sheets;
Construction Plan, dated May 21, 2019, consisting of one sheet;

The following plans dated April 12, 2019 with revisions through June 6, 2019, have been prepared by RWG Engineering, LLC:

Title Sheet, consisting of sheet 1;
Existing Conditions Plan, consisting of sheet 2;
Demolition Plan, consisting of sheet 3;
Site Geometric and Paving Plan, consisting of sheet 4;
Soil Erosion and Sediment Control (SESC) Plan, consisting of sheet 5;
Grading Plan, consisting of sheet 6;
Utility Plan, consisting of sheet 7;
Project Notes and Specifications, consisting of sheet 8;
Construction Details and Standards, consisting of sheets 9 and 10;
Exhibit R – Maintenance Plan, dated April 5, 2019 consisting of sheet 1,

copies of which are on file with the Village Clerk and available for public inspection.

SECTION THREE: That variations from the requirements of certain provisions of Chapter 28, Zoning Regulations, of the Arlington Heights Municipal Code, are hereby granted so as to permit development of the Subject Property in accordance with the plans approved in SECTION TWO of this Ordinance, which variations are as follows:

1. A variation from Section 5.1-7.2, Minimum Area for Zoning District, to allow a reduction for an R-7 District from the minimum two acre requirement to approximately 1.39 acres.

2. A variation from Section 5.1-7.6, Required Minimum Yards, to allow a reduction from the minimum front yard setback for the townhome building along Highland Avenue from 25 feet to 12 feet.

3. A variation from Section 5.1-7.6, Required Minimum Yards, to allow a reduction from the minimum front yard setback for the townhome building along Chestnut Avenue from 25 feet to 17 feet.

4. A variation from Section 5.1-7.6, Required Minimum Yards, to allow a reduction from the side yard setback (north) for the building along Chestnut Avenue from 15 feet to 8 feet.

5. A variation from Section 5.1-7.10, Spacing Between Multi-Family Buildings, to allow a reduction from the spacing requirement between principal buildings from 25 feet to 5 feet.

6. A variation from Section 10.2-8, Additional Regulations-Parking, to allow a reduction in the two-way driveway width from 24 feet to 21 feet.

7. A variation from Section 10.2-9, Access, to allow tandem parking spaces.

8. A variation from Section 10.2-13, Maximum Number of Spaces, to exceed the Code by more than 50%.

9. A variation from Section 5.1-7.6, Required Minimum Yards, to allow a reduction in the front yard setback for the following lots:

- a. Lots 1 through 11, from 25 feet to 4.6 feet;
- b. Lots 12 through 16, from 25 feet to 4.3 feet.

10. A variation from Section 5.1-7.6, Required Minimum Yards, to allow a reduction in the side yard setback for interior walls for the following lots:

- a. Lots 1, 6 and 12, from 2.6 feet to 0 feet;
- b. Lots 2, 3, 4, 5, 8, 9, 10, 13, 14, and 15 from 2 feet to 0 feet;
- c. Lots 7, 11 and 16 from 2.1 feet to 0 feet.

11. A variation from Section 5.1-7.6, Required Minimum Yards, to allow a side yard setback for outer walls for the following lots:

- a. Lots 7, 11, and 15, from 2.1 feet to 0 feet;
- b. Lots 1 and 6, from 2.6 feet to 4.3 feet;
- c. Lot 12, from 2.6 feet to 4.6 feet.

12. A variation from, Section 5.1-7.6, Required Minimum Yards, to allow a reduction in a rear yard setback for Lots 1 through 16 from 30 feet to 0 feet.

13. A variation from Section 5.1-7.7, Maximum Building Lot Coverage, to allow an increase to the 200% maximum building lot coverage for the following lots:

- a. Lots 2 and 15, approximately 291%;
- b. Lots 3 and 8, approximately 290%;

- c. Lot 16, approximately 287%;
- d. Lots 7, 11, 13 and 14, approximately 284%;
- e. Lots 4, 5, 9 and 10, approximately 283%.

14. A variation from Section 5.1-7.11, Maximum Floor Area Ratio, to allow an increase to the 55% maximum floor area ratio for the following lots:

- a. Lot 1, approximately 73%;
- b. Lot 12, approximately 74%;
- c. Lot 6, approximately 75%;
- d. Lots 4, 5, 9, 10 and 14, approximately 84%;
- e. Lot 13, approximately 85%;
- f. Lots 7 and 11, approximately 87%;
- g. Lots 2, 3, 8 and 16, approximately 88%;
- h. Lot 15, approximately 89%.

SECTION FOUR: That the rezoning, planned unit development, and variations from Chapter 28 of the Arlington Heights Municipal Code are subject to the following conditions, to which the Petitioner has agreed:

1. Eight feet of land shall be dedicated for additional right-of-way along both Highland and Chestnut Avenues.

2. The Petitioner shall widen Chestnut Avenue approximately eight feet and construct four on-street parking spaces.

3. Brick paver sidewalks shall be required on Highland Avenue (five feet wide) including decorative street lights within the parkway.

4. An On-site Utility Management Agreement must be provided prior to building permit issuance.

5. All new above ground utility equipment, transformers, switch gear, and building-mounted mechanical equipment must be appropriately located and screened. All gas and electric meters, as well as all cable and phone connections, should be routed to the rear of each unit, as feasible, rooftop mechanicals shall be screened.

6. The Petitioner shall cooperate with implementation of a parking/loading zone on Sigwalt Ave, if required.

7. Final staging and construction plans shall be provided at building permit.

8. Architectural design shall be in substantial compliance with the Design Commission recommendation of May 8, 2019, except that Condition 4 does not apply.

9. Petitioner shall pay a fee of \$120,000 for affordable housing at time of building permit per the Housing Commission recommendation of June 11, 2019.

10. School, Park, and Library contributions shall be required per Village Code prior to the issuance of a building permit for each row home building.

11. The Petitioner shall comply with all Federal, State and Village Codes, Regulations and Policies.

SECTION FIVE: That the approval of the Planned Unit Development granted in SECTION TWO of this Ordinance shall be effective for a period no longer than 24 months from the date of this Ordinance, unless construction has begun or such approval has been extended by the President and Board of Trustees during that period.

SECTION SIX: That the Director of Building and Life Safety 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 SEVEN: 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 in the office of the Recorder of Cook County.

AYES:

NAYS:

PASSED AND APPROVED this 5th day of August, 2019.

Village President

ATTEST:

Village Clerk

PUD:Sigwalt 16