

**AN ORDINANCE GRANTING A
SPECIAL USE PERMIT FOR A BANQUET HALL**

WHEREAS, on June 23, 2021, pursuant to notice, the Plan Commission of the Village of Arlington Heights, in Petition Number 21-008, conducted a public hearing on a request for a special use permit to allow a banquet hall within a B-2 General Business District for the property located at 1863 W Central Rd, Arlington Heights, Illinois; and

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

WHEREAS, the President and Board of Trustees hereby find that a banquet hall in that location is desirable for the public convenience and that such facility is compatible with other uses in the vicinity of the site,

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

SECTION ONE: That a special use permit to allow a banquet hall in a B-2 General Business District, is hereby granted for the property legally described as:

Parcel 1: Lot 2 in Wilke-Central Subdivision of part of factional Sections 5 and 8, Township 41 North, Range 11, East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 2: Non-exclusive easements for ingress and egress for the benefit of Parcel 1, as set established by the Declaration dated December 8, 1978 and recorded June 22, 1979 as Document 25018565 and amended by Agreement recorded June 16, 1980 as Document 25487047, over and across the following: Lot 1 in Wilke-Central Subdivision aforesaid. (Note: Parcel 2 is blanket in nature and provides for ingress and egress and passage of pedestrians into, out of, on, over and across the common areas which are the areas not covered by the buildings.)

PIN 08-08-201-005-0000

and commonly known as 1863 W Central Rd, Arlington Heights, Illinois. This approval shall be in substantial conformance with the following plans:

The following plans dated January 13, 2021 with revisions through January 25, 2021, have been prepared by Construction Design Architects, Ltd.:

Cover Sheet, consisting of sheet A100;

Floor Plan, consisting of sheet A101;

Reflected Ceiling Plan, consisting of sheet A102;

Toilet Plan & Elevations, consisting of sheet A103;

Finish Schedule-Door Schedule, consisting of sheet A104;

ADA, consisting of sheet A105,

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

SECTION TWO: That the Special Use Permit granted by this Ordinance is subject to the following conditions, to which the Petitioner has agreed:

1. For outdoor seating, the Petitioner shall provide a minimum separation of five feet between the outdoor tables and the edge of the sidewalk (or other obstructions).

2. Banquet hall indoor capacity shall be limited to 145 guests/patrons.

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

SECTION THREE: The Director of Building and Life Safety is hereby directed to issue permits, upon proper application and after compliance with all applicable ordinances of the Village of Arlington Heights.

SECTION FOUR: That this Ordinance shall be recorded by the Village in the Office of Cook County Clerk. This Ordinance and the privileges, obligations, and provisions contained herein will run with the Property, and will inure to the benefit of, and be binding upon, the Petitioner and its personal representatives, successors and assigns.

SECTION FIVE: This Ordinance will be effective only upon the occurrence of all of the following events:

1. Passage by the Village President and Board of Trustees in the manner required by law; and
2. The filing by the Petitioner with the Village Clerk of an Unconditional Agreement and Consent, in the form of Exhibit A attached to and, by this reference, made a part of this Ordinance, to accept and abide by each and all of the terms,

conditions, and limitations set forth in this Ordinance and to indemnify the Village for any claims that may arise in connection with the approval of this Ordinance.

In the event the Petitioner does not file fully executed copies of the Unconditional Agreement and Consent pursuant to this Ordinance, within 30 days after the date of final passage of this Ordinance, the Village President and Board of Trustees will have the right, in their sole discretion, to declare this Ordinance null and void and of no force or effect.

AYES:

NAYS:

PASSED AND APPROVED this 21st day of July, 2021.

Village President

ATTEST:

Village Clerk

EXHIBIT A
UNCONDITIONAL AGREEMENT AND CONSENT

TO: The Village of Arlington Heights, Illinois ("Village"):

WHEREAS, Murat Murati ("Petitioner") is a tenant of that certain property located at the address commonly known as 1863 W Central Rd and legally described in SECTION ONE of this Ordinance ("Property"); and

WHEREAS, Ordinance No. 2021-_____, adopted by the Village President and Board of Trustees, on July 21, 2021 ("Ordinance"), grants a Special Use Permit for the Property as described in the Ordinance; and

WHEREAS, SECTION FIVE of the Ordinance provides, among other things, that the Ordinance will be of no force or effect unless and until the Petitioner files, within 30 days following the passage of the Ordinance, their unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in the Ordinance;

NOW, THEREFORE, the Petitioner does hereby agree and covenant as follows:

1. The Petitioner hereby unconditionally agrees to, accept, consent to, and will abide by, each and all of the terms, conditions, limitations, restrictions, and provisions of the Ordinance.
2. The Petitioner acknowledges that public notices and hearings have been properly given and held with respect to the adoption of the Ordinance, has considered the possibility of the revocation provided for in the Ordinance, and agrees not to challenge any such revocation on the grounds of any procedural infirmity or a denial of any procedural right.
3. The Petitioner acknowledges and agrees that the Village is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's granting a special use permit for the Property or its adoption of the Ordinance, and that the Village's approvals do not, and will not, in any way, be deemed to insure the Petitioner against damage or injury of any kind and at any time.
4. The Petitioner hereby agrees to hold harmless and indemnify the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of such parties in connection with the Village's adoption of the Ordinance granting a special use permit for the Property.

[SIGNATURES ON FOLLOWING PAGE]

Dated: _____, 2021

ATTEST:

By: _____

By: _____

Its: _____

Its: _____