Prepared by and Return to: Village of Arlington Heights Legal Department 33 S Arlington Heights Rd Arlington Heights, IL 60005

THIS SPACE FOR CLERK'S USE ONLY

VILLAGE OF ARLINGTON HEIGHTS

ORDINANCE NO. 2022-

AN ORDINANCE GRANTING A SPECIAL USE PERMIT AND VARIATIONS FOR A DAY CARE CENTER (1515-1519 W. DUNDEE ROAD)

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ARLINGTON HEIGHTS THIS 21st DAY OF NOVEMBER, 2022.

Published in pamphlet form by the authority of the President and Board of Trustees of the Village of Arlington Heights, Cook County, Illinois this 21st day of November, 2022

Village Clerk	

AN ORDINANCE GRANTING A SPECIAL USE PERMIT AND VARIATIONS FOR A DAY CARE CENTER (1515-1519 W. Dundee Rd.)

WHEREAS, Ecole 360 Child Development Center, LLC ("Applicant") is the contract purchaser of that certain property located in the B-3 General Service, Wholesale and Motor Vehicle District ("B-3 District"), commonly known as 1515-1519 W. Dundee Road, and legally described in Exhibit A attached to and, by this reference, made a part of this Ordinance ("Property"); and

WHEREAS, the Property is improved with an approximately 7,931 square foot building; and

WHEREAS, the Applicant desires to use the Property for operation of a day care center ("Proposed Use"); and

WHEREAS, pursuant to Section 5.5-1 of "the 2002 Comprehensive Amendment of the Zoning Ordinance of the Village of Arlington Heights," as amended ("Zoning Code"), the Property may only be used for a day care center upon issuance by the Village Board of Trustees of a special use permit therefor; and

WHEREAS, pursuant to Sections 28-8 and 28-12 of the Zoning Code, the Applicant has filed an application for approval of: (i) a special use permit to allow the Proposed Use on the Property; and (ii) variations from the following sections of the Zoning Code: Section 6.5-2 to allow accessory structures in a front yard; Section 6.5-7b to allow an accessory structure in excess of 300 square feet and Section 6.13-3a, to allow a six-foot tall solid fence in a front yard (collectively, the "Requested Relief"); and

WHEREAS, a public hearing of the Plan Commission of the Village to consider approval of the Requested Relief was duly advertised in the Daily Herald on October 11, 2022, and held on October 26, 2022; and

WHEREAS, on October 26, 2022, the Plan Commission made findings and recommendations in support of the Requested Relief, with conditions; and

WHEREAS, the President and Board of Trustees have determined that the Requested Relief meets the required standards for a special use permit and variations as set forth in Sections 28-8.2 and 28-12.2 of the Zoning Code; and

WHEREAS, the President and Board of Trustees have determined that it will serve and be in the best interest of the Village to grant the Requested Relief, subject to the conditions, restrictions, and provisions of this Ordinance;

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

- SECTION 1. RECITALS. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.
- SECTION 2. GRANT OF SPECIAL USE PERMIT. Subject to, and contingent upon, the conditions, restrictions, and provisions set forth in Section 4 of this Ordinance, and in accordance with, and pursuant to, Section 28-8 of the Zoning Code and the home rule powers of the Village, the Village hereby grants a special use permit to the Applicant for the operation of the Proposed Use on the Property.

- SECTION 3. GRANT OF VARIATIONS. Subject to, and contingent upon, the conditions, restrictions, and provisions set forth in Section 4 of this Ordinance, and in accordance with, and pursuant to, Section 28-11 of the Zoning Code and the home rule powers of the Village, the Village hereby grants the following variations to the Applicant in connection with the Proposed Use of the Property:
 - A. <u>Location of Accessory Structures</u>. A variation from Section 6.5-2 of the Zoning Code, to allow accessory structures (playground structure) in a front yard in connection with the Requested Relief.
 - B. <u>Maximum Size of Accessory Structure</u>. A variation from Section 6.5-7b of the Zoning Code, to allow an accessory structure (playground structure) in excess of 300 square feet in connection with the Requested Relief.
 - C. <u>Size, Type and Location of Fence</u>. A variation from Section 6.13-3a of the Zoning Code, to allow a six-foot tall solid fence within a front yard in connection with the Requested Relief.
- SECTION 4. CONDITIONS. Notwithstanding any use or development right that may be applicable or available pursuant to the provisions of the Zoning Code, the approvals granted pursuant to Sections 2 and 3 of this Ordinance are hereby expressly subject to, and contingent upon, the development, use, and maintenance of the Property in compliance with each and all of the following conditions:
 - A. <u>Location of Playground Equipment</u>. The playground equipment/shade structure shall be shifted east to avoid encroachment into the platted 40-foot setback along the western side of the site.
 - B. <u>Landscaping at Fence</u>. Within the two-foot space between the six-foot privacy fence and the curb, the Petitioner shall install landscaping between each bollard, which shall consist of salt/drought tolerant greenery such as ornamental grasses.
 - C. <u>Location of Bicycle Parking Spaces</u>. The bicycle parking spaces proposed within the parking stall shall be relocated to the triangular landscape area at the east of the primary building entrance.
 - D. <u>Stop Signs</u>. The Petitioners shall install stop signs for control of outbound movements from the site at the two exit drives where they each intersect with Wilke Road.
 - E. <u>Compliance with Plans</u>. Approval shall be in substantial conformance with the plans in Exhibit "B" ("Plans") attached to and, by this reference, made a part of this Ordinance.
 - F. <u>Compliance with Regulations</u>. Except to the extent specifically provided otherwise in this Ordinance, the development, use, operation, and maintenance of the Property must comply at all times with all applicable Federal, State and Village codes, regulations and policies, as the same have been or may be amended from time to time.
- SECTION 5. RECORDATION; BINDING EFFECT. A copy of this Ordinance will be recorded with the Cook County Clerk. This Ordinance and the privileges, obligations, and provisions contained herein inure solely to the benefit of, and are binding upon the Applicant and each of its heirs, representatives, successors, and assigns, except as provided in Section 5 of this Ordinance.

SECTION 6. FAILURE TO COMPLY WITH CONDITIONS. Upon the failure or refusal of the Applicant to comply with any or all of the conditions, restrictions, or provisions of this Ordinance, as applicable, the approval granted in Sections 2 and 3 of this Ordinance may, at the sole discretion of the Village President and Board of Trustees, by ordinance duly adopted, be revoked and become null and void; provided, however, that the Village President and Board of Trustees may not so revoke the approval granted in Sections 2 and 3 of this Ordinance unless they first provide the Applicant with two months advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the Village President and Board of Trustees. In the event of revocation, the development and use of the Property will be governed solely by the regulations of the B-3 District and the applicable provisions of the Village Code, as the same may, from time to time, be amended. Further, in the event of such revocation, the Village Manager and Village Attorney are hereby authorized and directed to bring such enforcement action as may be appropriate under the circumstances.

SECTION 7. AMENDMENTS. Any amendments to the approvals granted in Sections 2 and 3 of this Ordinance that may be requested by the Applicant after the effective date of this Ordinance may be granted only pursuant to the procedures, and subject to the standards and limitations, provided in the Village Code.

SECTION 8. SEVERABILITY. If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance are to remain in full force and effect, and will be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

SECTION 9. EFFECTIVE DATE.

- A. 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 Applicant with the Village Clerk of an Unconditional Agreement and Consent, in the form of Exhibit C 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.
- B. In the event the Applicant does not file fully executed copies of the Unconditional Agreement and Consent, as required by Section 10.A.2 of 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.

PASSED AND APPROVED THIS 21st day	y of November, 2022.	
NAYS:		
NIANG		
AYES:		
no force or effect.		

ATTEST:		
Village Clerk		

Special Use Permit:Ecole 360 Childcare Center

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

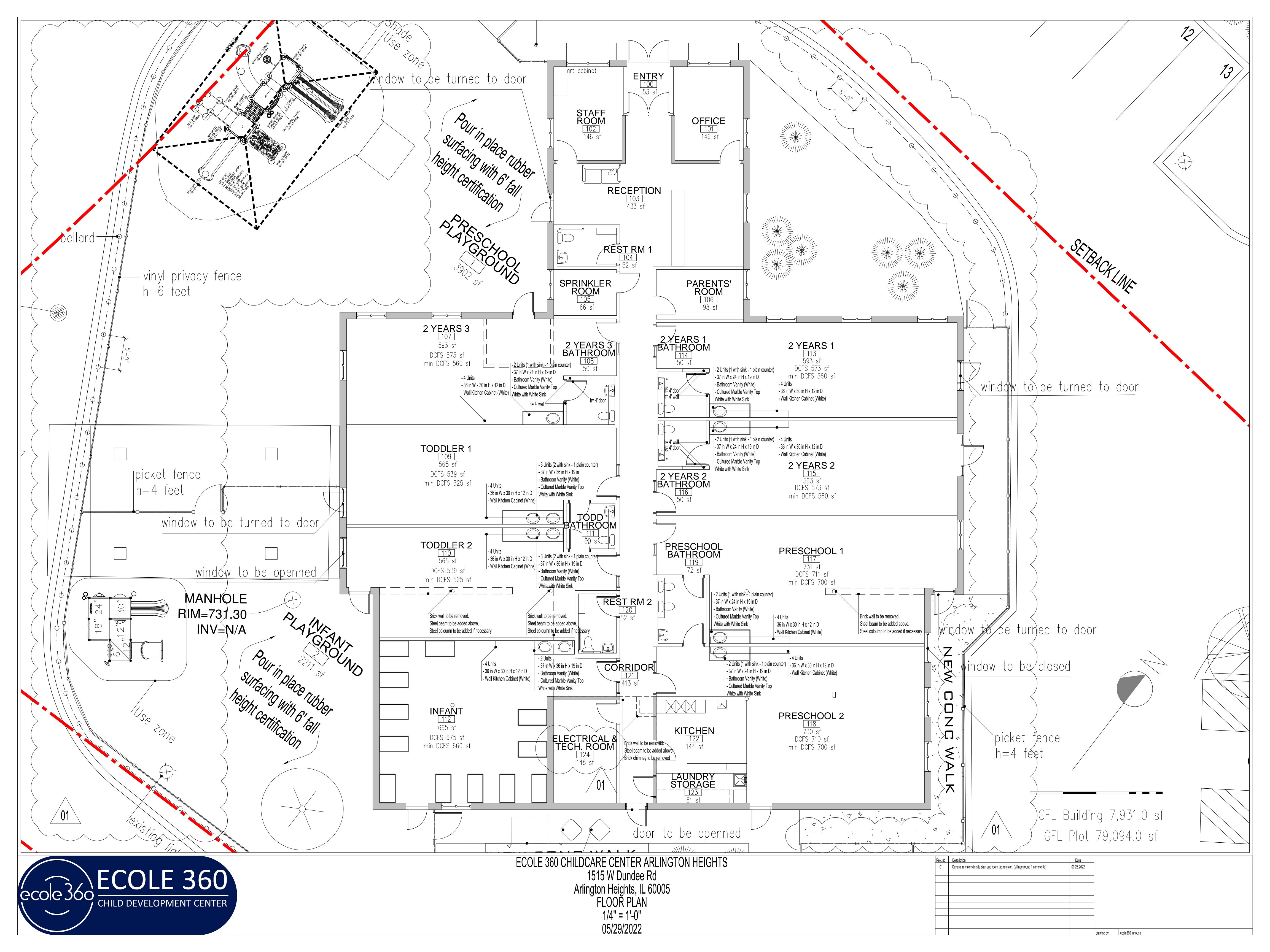
Lot 1 in Bill Knapp's Resubdivision, a resubdivision of Lot 4 in Arlington Industrial and Research Center Unit 12 in part of the Northwest ¼ of Section 7, Township 42 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded July 12, 1983 as Document 26683318, (except that part of Lot 1 described as follows: beginning at the Southeast corner of said Lot 1, thence Westerly along the South line of said Lot 1, 148.0 feet; thence North at right angles to said last described line, 25.00 feet; thence Easterly parallel with the South line of said Lot 1, 52.00 feet, thence Northerly parallel with the East line of said Lot 1, 141.16 feet to an intersection with a line 30.00 feet, as measured at right angles, southerly of and parallel with the Northerly line of said Lot 1; thence Westerly along said last described parallel line, 66.26 feet; thence Northerly at right angles to said last described line, 30.00 feet to an intersection with the Northerly line of said Lot 1; thence Easterly along the Northerly line of said Lot 1, 152.00 feet to an angle point in said Northerly line; thence Northeasterly along the Northerly line of said Lot 1, 11.63 feet to the Northeast corner of said Lot 1; thence Southerly along the East line of said Lot 1, 197.00 feet to the point of beginning, in Cook County, Illinois.

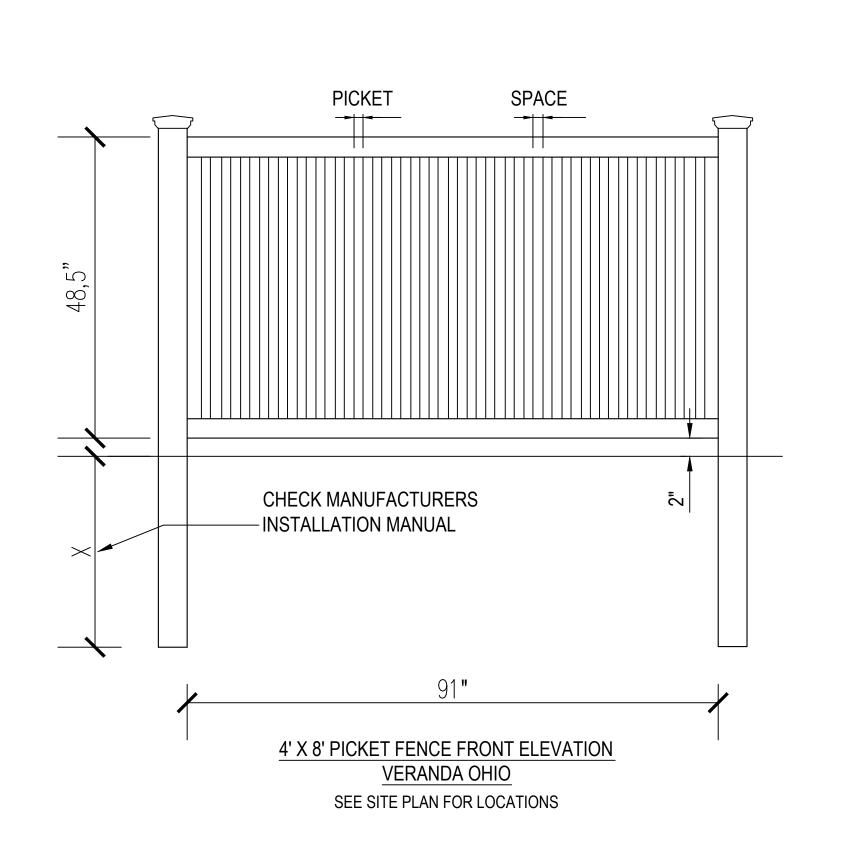
EXHIBIT B

PLANS

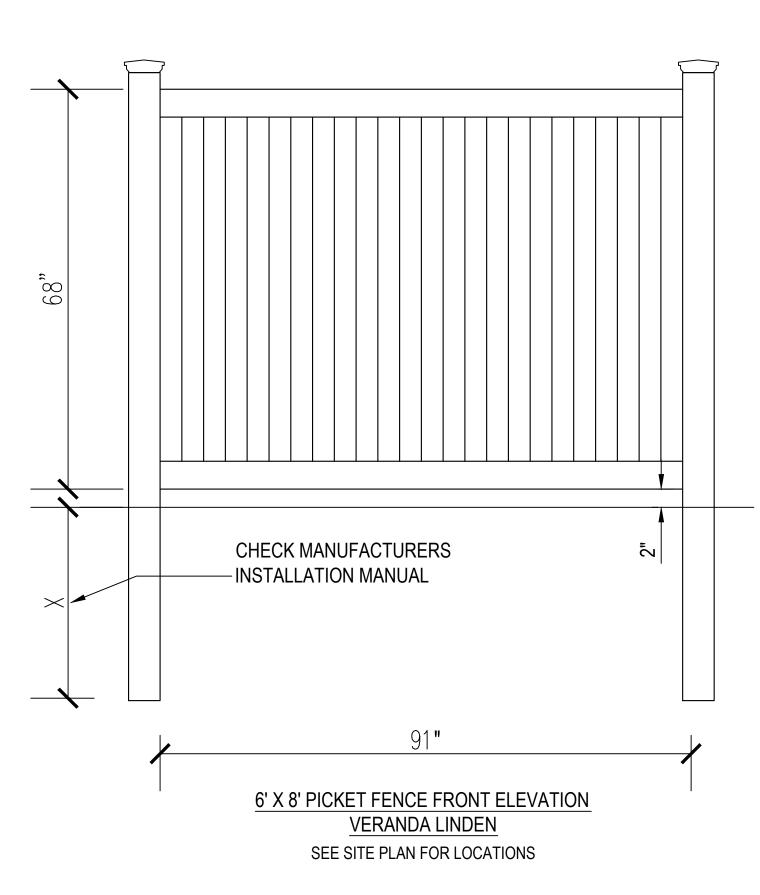




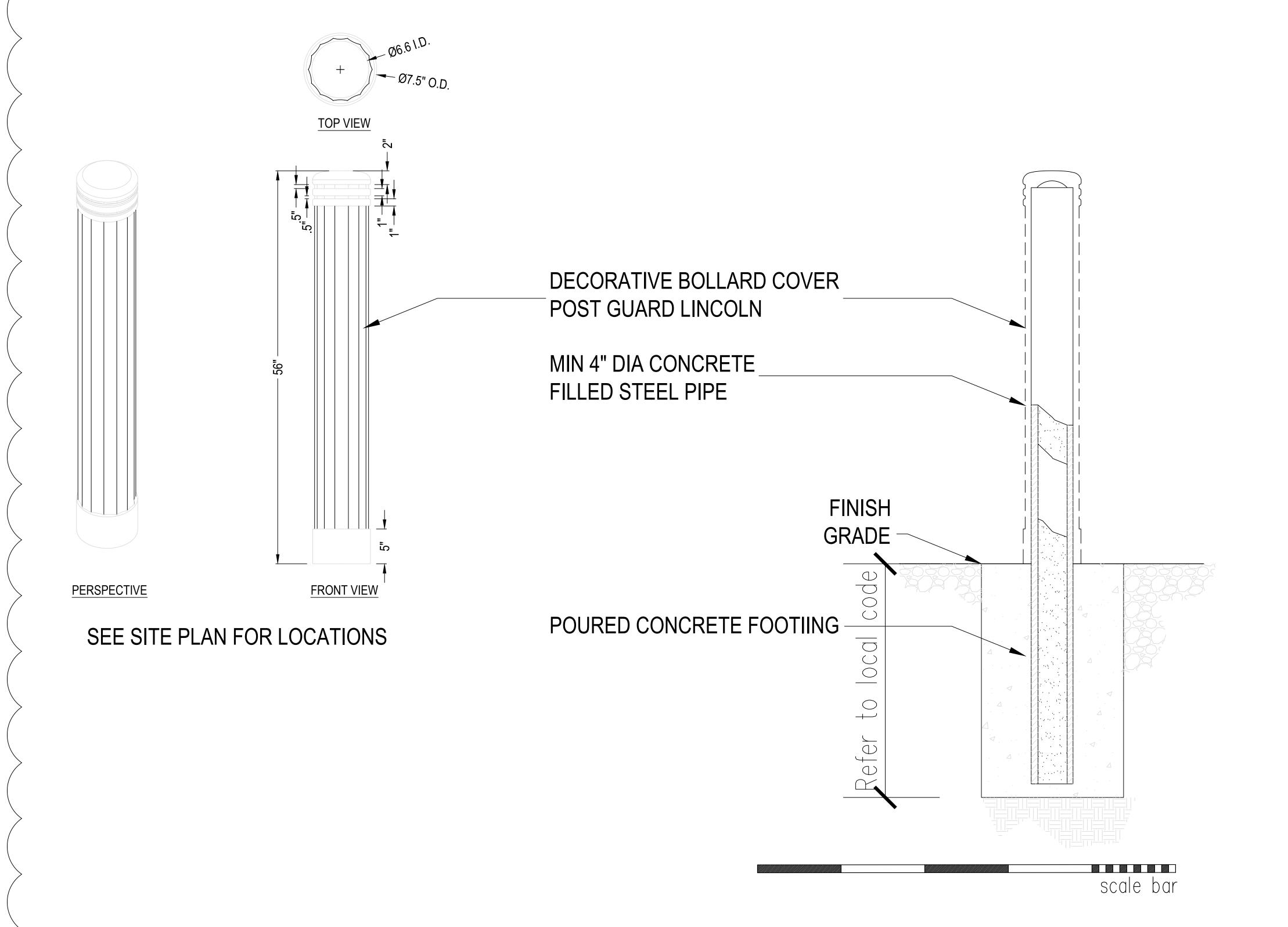




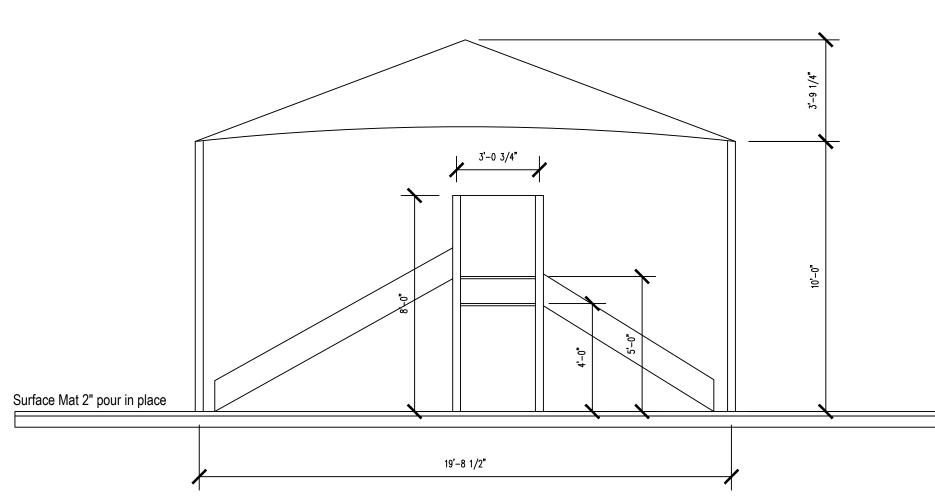
01 - Picket fence principal details



02 - Privacy fence principal details



03 - Bollard principle detail



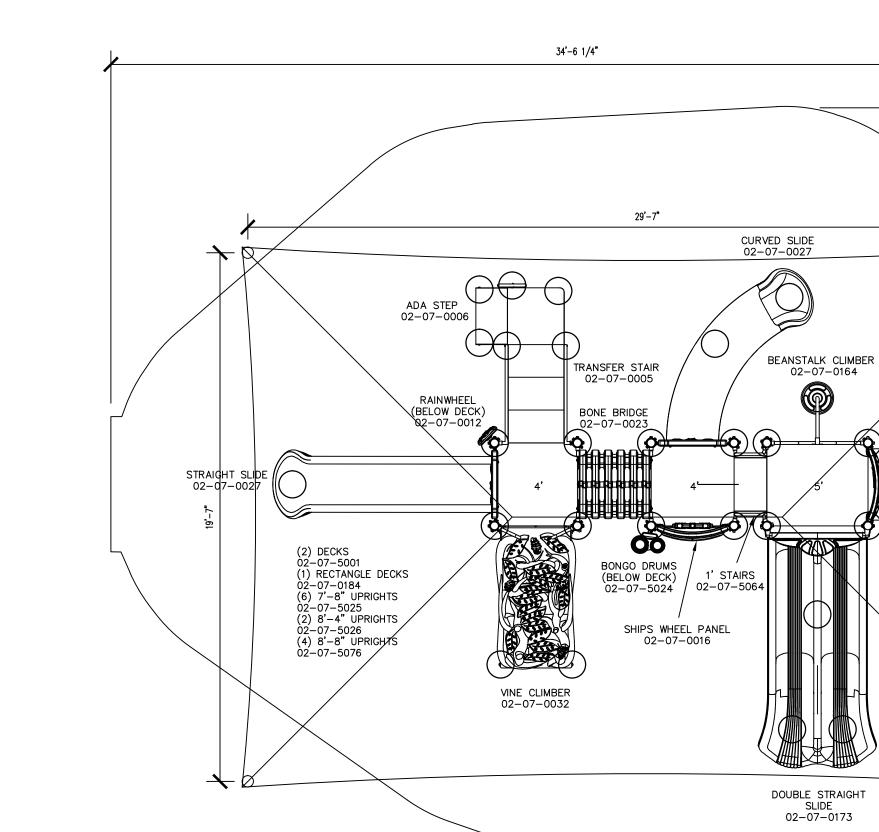
05 - Preschool playset elevation 1



07 - Preschool playset visual Willy Goat - Keegan's Kastle Play System - 2 to 5 Years



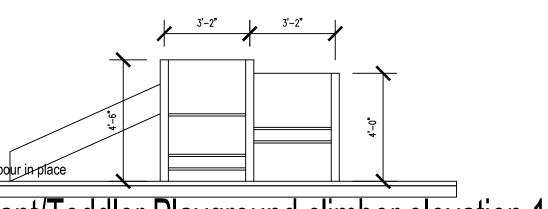
08 - Preschool playground shade visual (color is indicative)



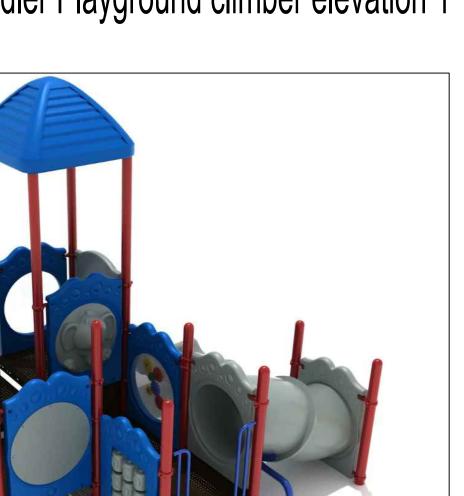
06 - Preschool playset elevation 2

Surface Mat 2" pour in place

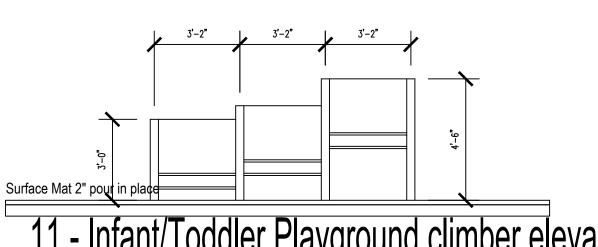
04 - Preschool playset and shade plan Use zone 30' 6" x 34' 6"



10 - Infant/Toddler Playground climber elevation 1

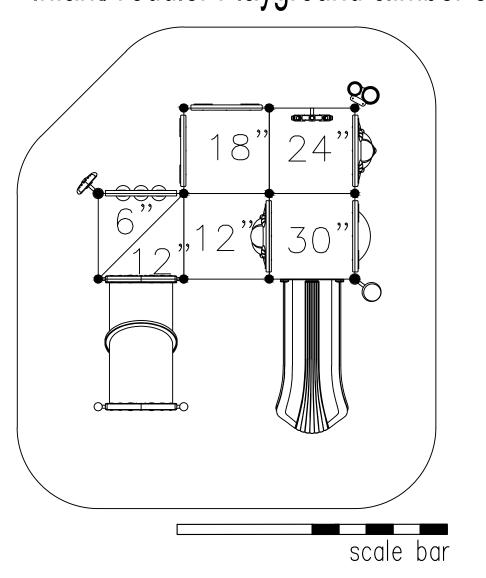


12 - Infant/Toddler Playground climber visual Willy Goat - Stamford Playground - 6 to 24 Months



11 - Infant/Toddler Playground climber elevation 2

scale bar

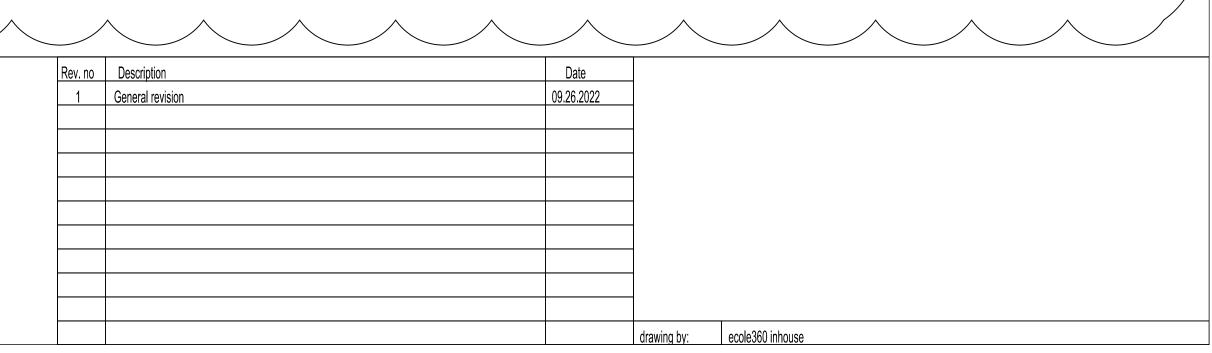


09 - Infant/Toddler Playground climber plan Use zone 15' 6" x 17' 10"

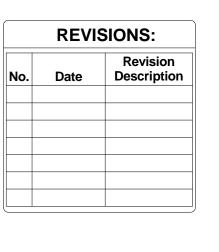


ECOLE 360 CHILDCARE CENTER ARLINGTON HEIGHTS 1515 W Dundee Rd Arlington Heights, IL 60005 SITE DETAILS Scale various

05/29/2022









1515 W DUNDEE RD.,
ARLINGTON HEIGHTS IL 60004

AERIAL PERSPECTIVE

SHEET NUMBER:

A01





1 PERSPECTIVE VIEW N.T.S.



3 PERSPECTIVE VIEW N.T.S.

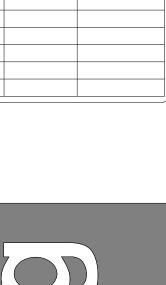


2 PERSPECTIVE VIEW N.T.S.



4 PERSPECTIVE VIEW N.T.S.

	REVI	SIONS:
No.	Date	Revision Description



1515 W DUNDEE RD., ARLINGTON HEIGHTS IL

DRAWING TITLE: PERSPECTIVE VIEW

SHEET NUMBER:

GENERAL NOTES:

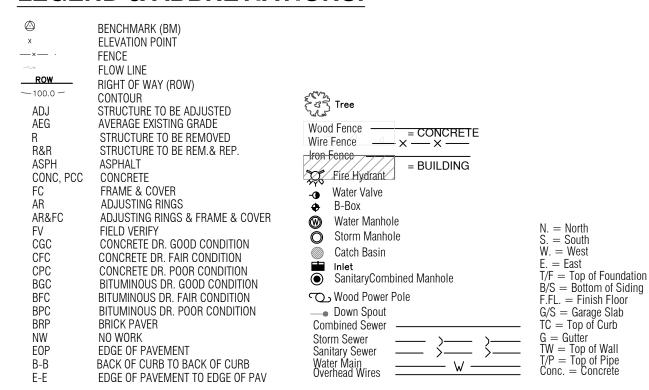
- 1. CALL JULIE 1-800-892-0123 BEFORE EXCAVATING.
- 2. GENERAL CONTRACTOR TO PROMPTLY REMOVE ANY EXCAVATED MATERIAL NOT REQUIRED FOR SITE BACKFILL.
- 3. GENERAL CONTRACTOR IS RESPONSIBLE FOR KEEPING ROADWAY FREE OF EXCESSIVE DEBRIS AT ALL TIMES. STREET SHOULD BE OPEN TO TRAFFIC AT ALL TIMES.
- 4. ALL UTILITY STRUCTURES, POWER POLE, FIRE HYDRANTS, TREES, & ETC. AFFECTED BY THE IMPROVEMENT ARE TO BE RELOCATED AT DEVELOPERS OR HOMEOWNER'S EXPENSE.
- 2. NO CONCENTRATED DISCHARGE OF STORM WATER TO ADJACENT PROPERTIES SHALL BE ALLOWED. ALL STORM DRAINAGE SHALL BE CONVEYED TOWARD FRONT OR REAR OF PROPERTY SO IT DOES NOT ADVERSELY AFFECT ADJACENT PROPERTIES.
- 3. PROPER TRAFFIC CONTROL (IDOT STANDARDS) SHALL BE USED FOR ALL OBSTRUCTIVE STREET WORK.
- GENERAL CONTRACTOR SHALL NOTIFY CITY / VILLAGE PRIOR TO THE START OF CONSTRUCTION.
 ALL SITE IMPROVEMENTS MUST CONFORM TO THE GOVERNING VILLAGE'S OR CITY'S ENGINEERING
- STANDARDS AND SPECIFICATIONS.

 6. REFER TO THE APPROVED ZONING APPLICATION FOR ALL SETBACK DIMENSIONS.
- 7. ANY VILLAGE STREET THAT IS DISTURBED WILL BE RESTORED AS FOLLOWS:
- 7.1. ASPHALT PAVEMENTS (2-INCH BITUMINOUS SURFACE COURSE AND 8-INCH BAM)
- 7.2. CONCRETE PAVEMENTS (7" PCC CLASS PP WITH #6 BARS DOWELED 30"O.C. INTO THE ADJACENT PAVEMENT).
- 8. ANY EXISTING BROKEN OR CRACKED SIDEWALK SQUARES AND/OR DAMAGED SIDEWALK RESULTING FROM THE PROPOSED IMPROVEMENTS MUST BE REMOVED AND REPLACED TO THE SATISFACTION OF THE VILLAGE PUBLIC IMPROVEMENT INSPECTOR. THE SIDEWALK SHALL BE COMPRISED OF FIVE-INCHES OF CLASS SI CONCRETE, SIX-INCHES THROUGH DRIVEWAYS, OVER A THREE-INCH COMPACTED CA-6 STONE BASE. THE SIDEWALK SHOULD DRAIN AT 1/4" PER FOOT TOWARD THE ROADWAY.
- 17. AGGREGATE BASE COURSE FOR DRIVEWAY & SIDEWALKS SHALL CONSIST OF MINIMUM 4" CA-6 COMPACTED TO 95% STANDARD PROCTOR DENSITY.
- 18. THE CONTRACTOR MUST CONTACT THE PERMIT COORDINATORS AT LEAST 48 HOURS IN ADVANCE TO SCHEDULE INSPECTIONS FOR ALL PROPOSED SANITARY SEWER, WATER SERVICE, STORM SEWER AND RELATED DRAINAGE STRUCTURES, FINAL GRADING AND DRIVEWAY/PATIOS/WALKS INSTALLATION.
- 19. ALL VEHICLES ASSOCIATED WITH ANY CONSTRUCTION PROJECT IN RESIDENTIAL AREAS SHALL BE REQUIRED TO PARK ON THE SITE UNLESS OTHERWISE ALLOWED BY CITY / VILLAGE.
- 20. ALL WORK MUST BE PERFORMED ACCORDING TO THE APPROVED DEMOLITION / DEVELOPMENT / TREE PRESERVATION PLAN.
- 21. AN APPROVED DEMOLITION / DEVELOPMENT / TREE PRESERVATION PLAN MUST BE AVAILABLE ON THE BUILDING SITE.
- 22. STAY WITHIN DESIGNATED WORK ACCESS AREAS SHOWN ON THE PLAN.
- 23. ALL UTILITY STRUCTURES, POWER POLES, FIRE HYDRANTS, TREES, ETC. AFFECTED BY THE IMPROVEMENT ARE TO BE RELOCATED AT DEVELOPER'S OR HOMEOWNER'S EXPENSE.
- 24. ALL WORK SHALL BE COMPLETED SAFELY AND IN COMPLIANCE WITH OSHA, IDOT, ADA, AND LOCAL GOVERNING VILLAGE/TOWNSHIP/CITY STANDARDS.
- 25. RECORD DRAWINGS SHALL BE PROVIDED FOLLOWING CONSTRUCTION
- 26. ALL WORK SHALL BE IN COMPLIANCE WITH THE CURRENT VERSION OF THE STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION IN ILLINOIS AND THE STANDARD SPECIFICATIONS FOR WATER AND SEWER MAIN CONSTRUCTION IN ILLINOIS.

SOIL EROSION / SEDIMENT CONTROL NOTES:

- 1. ALL EXISTING CATCH BASIN INLETS SHALL BE PROTECTED USING A BASKET FILTER PER DETAILS ER-8 AND ER-9.
- 2. INSPECT SEDIMENT CONTROL DEVICES AFTER EACH RAINFALL AS INCREASED SEDIMENT AND OTHER MATERIALS TEND TO ACCUMULATE DURING STORMS.

LEGEND & ABBREVIATIONS:



SITE PROTECTION NOTES:

- 1. PROVIDE A 6-FOOT HIGH LINK FENCE AROUND WORK AREA BEFORE STARTING CONSTRUCTION (ORANGE SNOW FENCE IS NOT PERMITTED). FENCING MUST REMAIN IN PLACE THROUGHOUT ENTIRE DURATION OF
- CONSTRUCTION UNTIL VILLAGE ALLOWS REMOVAL.

 2. PRIOR TO COMMENCEMENT OF ANY WORK ON SITE, THE PROTECTIVE FENCING SHALL BE REVIEWED BY THE INSPECTIONAL SERVICES DEPARTMENT.
- 3. ATTACHMENTS (WIRES, FENCES, ETC.) OTHER THAN THOSE APPROVED FOR GUYING, BRACING, OR WRAPPING MUST NOT BE ATTACHED TO LANDMARK/PROTECTED TREES.
- 4. ANY OPEN EXCAVATIONS, OR POTENTIALLY DANGEROUS AREAS SHALL BE FENCED OR GUARDED IN AN ACCEPTABLE MANNER AT THE END OF EACH DAY FOR THE PROTECTION OF THE CONTRACTOR'S EMPLOYEES AND GENERAL PUBLIC SAFETY.
- 5. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UNDERGROUND OR OVERHEAD UTILITIES EVEN THOUGH THEY MAY NOT BE SHOWN ON THE PLANS. ANY UTILITY THAT IS DAMAGED DURING CONSTRUCTION SHALL BE REPAIRED TO THE SATISFACTION OF THE VILLAGE AND THE OWNER, OR REPLACED.

DEMOLITION NOTES:

- 1. AN APPROVED DEMOLITION PLAN/PERMIT MUST BE AVAILABLE ON THE BUILDING SITE.
- 2. EXISTING UTILITY SERVICES SHALL REMAIN AND BE PROTECTED IN PLACE.
- 3. MATERIALS SHALL BE DISPOSED IN ACCORDANCE WITH APPLICABLE LOCAL ORDINANCES

GRADING & DRAINAGE NOTES:

- 1. CALL J.UL.I.E. FOR UTILITY LOCATIONS BEFORE DIGGING OR TREE PLANTING.
- PROPOSED GROUND ELEVATION AT FOUNDATIONS AS NOTED ON PLANS. PROPOSED ELEVATIONS ARE TOP OF SOD OR IMPERVIOUS SURFACE. FINISHED DIRT GRADE IN LAWN AREAS SHALL BE 2" BELOW TOP OF SOD.
- 2. RUNOFF FROM ROOF OF STRUCTURE TO BE COLLECTED BY GUTTERS, AND DOWNSPOUTS ARE TO DISCHARGE A MINIMUM OF 10 FEET FROM ANY PROPERTY LINE.
- 3. ALL NEW PLANTINGS SHALL CONFORM TO THE MOST RECENTLY ADOPTED AMERICAN STANDARD FOR NURSERY STOCK.
- 4. CONTRACTOR MUST CONTACT THE CITY / VILLAGE TO SCHEDULE INSPECTIONS FOR PROPOSED GRADING WORK.
- 5. EXCEPT AS NOTED ON THE PLAN, THERE IS TO BE NO ALTERATION OF EXISTING GROUND ELEVATION ANYWHERE ON THE SUBJECT PROPERTY IN ORDER TO MAINTAIN THE EXISTING DRAINAGE PATTERN AND NOT OBSTRUCT ANY TRIBUTARY DRAINAGE FROM THE SURROUNDING PROPERTIES.
- 6. ALL TRIBUTARY AREAS FROM ADJACENT PROPERTIES WILL CONTINUE TO DRAIN INTO THE SUBJECT PROPERTY AND THE CONTRACTOR WILL MAKE ANY FIELD ADJUSTMENTS NECESSARY TO ADHERE TO THIS REQUIREMENT.
- 7. ALL DISTURBED PARKWAY LAWN AREAS WILL BE RESTORED WITH SIX-INCHES OF TOPSOIL & SOD WITHIN FIVE DAYS OF COMPLETION OF PERTINENT WORK, WEATHER PERMITTING. ALL SOD MUST BE WATERED TO SUSTAIN GROWTH.
- 8. GRADE SHALL BE MATCHED AT ALL NEIGHBORING PROPERTY LINES.

LEGAL DESCRIPTION:

PARCEL 1: LOT 1 IN BILL KNAPP'S RESUBDIVISION, A RESUBDIVISION OF LOT 4 IN ARLINGTON INDUSTRIAL AND RESEARCH CENTER UNIT 12 IN PART OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 12, 1983 AS DOCUMENT 26683318, (EXCEPT THAT PART OF LOT 1 DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID LOT 1, 148.0 FEET; THENCE NORTH AT RIGHT ANGLES TO SAID LAST DESCRIBED LINE 25.00 FEET; THENCE EASTERLY PARALLEL WITH THE SOUTH LINE OF SAID LOT 1, 52.00 FEET; THENCE NORTHERLY PARALLEL WITH THE EAST LINE OF SAID LOT 1, 141.16 FEET TO AN INTERSECTION WITH A LINE 30.00 FEET, AS MEASURED AT RIGHT ANGLES, SOUTHERLY OF AND PARALLEL WITH THE NORTHERLY LINE OF SAID LOT 1 : THENCE WESTERLY ALONG SAID LAST DESCRIBED PARALLEL LINE, 66.26 FEET; THENCE NORTHERLY AT RIGHT ANGLES TO SAID LAST DESCRIBED LINE, 30.00 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF SAID LOT 1 : THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID LOT 1 , 152.00 FEET TO AN ANGLE POINT IN SAID NORTHERLY UNE ; THENCE NORTHEASTERLY ALONG THE NORTHERLY UNE OF SAID LOT 1, 11.63 FEET TO THE NORTHEAST CORNER OF SAID LOT 1 : THENCE SOUTHERLY ALONG THE EAST LINE OF SAID LOT 1, 197.00 FEET TO THE POINT OF BEGINNING), IN COOK COUNTY. ILLINOIS

PARCEL 2 : EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY EASEMENT AGREEMENT ENTERED INTO BY AND BETWEEN LASALLE NATIONAL BANK , A A NATIONAL BANKING ASSOCIATION , AS TRUSTEE UNDER TRUST AGREEMENT DATED AUGUST 24 , 1977 AND KNOWN AS TRUST NUMBER 53022 , DUNDEE WILKE VENTURE , AN ILLINOIS GENERAL PARTNERSHIP , THE OWNER OF 100 PERCENT OF THE BENEFICIAL INTEREST OF TRUST NO . 53022 AND BILL KNAPP'S PROPERTIES , INC . , DATED JUNE 21 , 1983 AND RECORDED JULY 12 , 1983 AS DOCUMENT 26684378 , FOR INGRESS AND EGRESS , CONSTRUCTION , MAINTENANCE AND UPKEEP OVER , UPON AND ACROSS THE FOLLOWING DESCRIBED LAND : THE NORTH 17.5 FEET OF THE WEST 170 FEET OF LOT 2 (SAID 170 FEET AS MEASURED ON THE NORTH LINE OF LOT 2) IN BILL KNAPP'S RESUBDIVISION , A RESUBDIVISION OF LOT 4 IN ARLINGTON INDUSTRIAL AND RESEARCH CENTER UNIT NUMBER 12 , BEING A SUBDIVISION IN PART OF THE NORTHWEST 1/4 OF SECTION 7 , TOWNSHIP 42 NORTH , RANGE 11 , EAST OF THE THIRD PRINCIPAL MERIDIAN , ACCORDING TO THE PLAT THEREOF RECORDED JULY 13 , 1978 AS DOCUMENT 24533497 , IN COOK COUNTY . ILLINOIS .

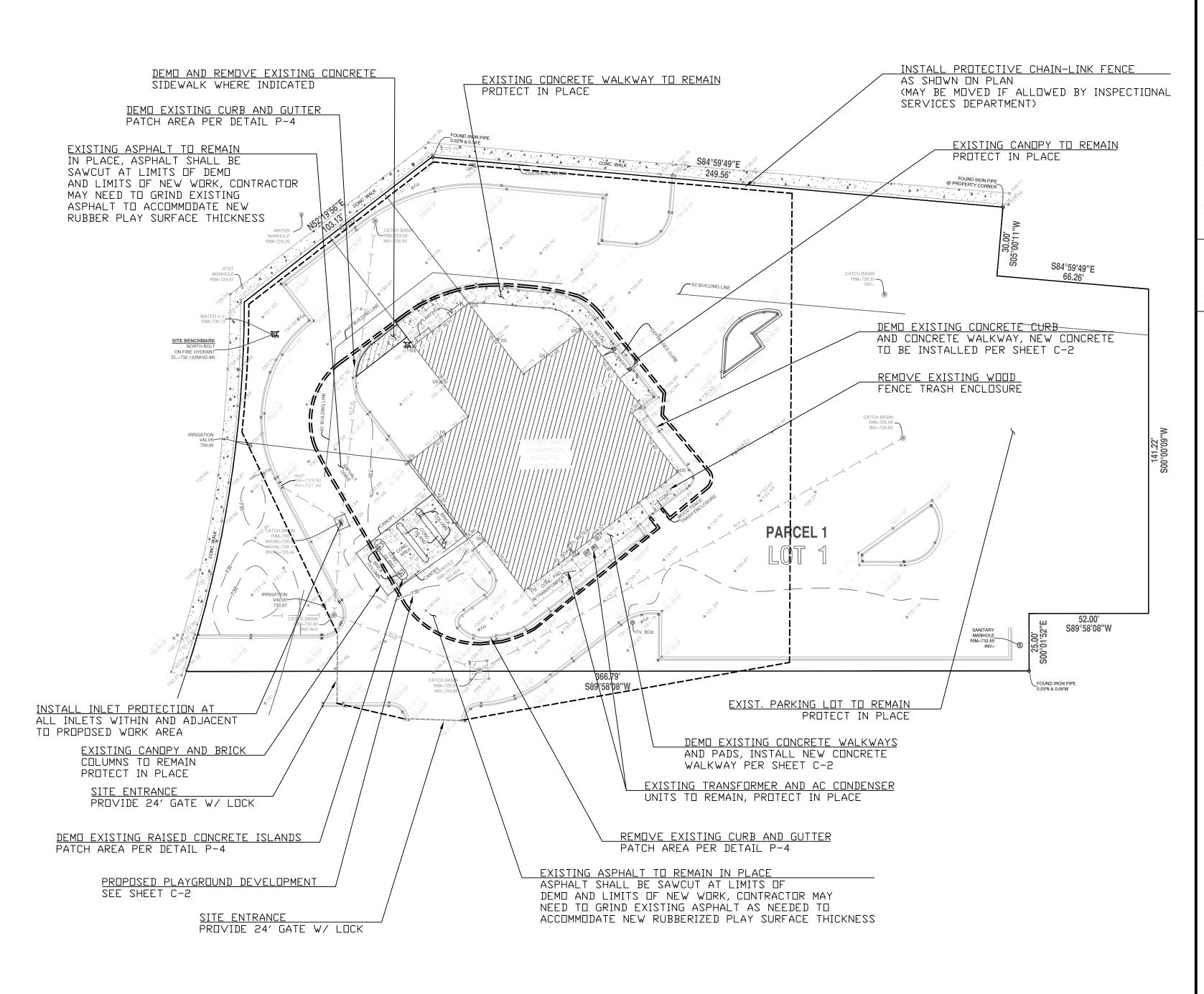
PARCEL 3 EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY EASEMENT AGREEMENT ENTERED INTO BY AND BETWEEN LA QUINTA MOTOR INNS, INC., A TEXAS CORPORATION AND BILL KNAPPS 'PROPERTIES, INC., A MICHIGAN CORPORATION DATED MAY 29, 1987 AND RECORDED APRIL 19, 1988 AS DOCUMENT 88160821, AS MODIFIED BY MODIFICATION OF COMMON - ACCESS AND CROSS - PARKING EASEMENT AGREEMENT FOR ROADWAYS AND DRIVEWAYS FOR INGRESS AND EGRESS BY VEHICULAR AND PEDESTRIAN TRAFFIC UPON THAT PORTION OF THE COMMON AREA OF THE LA QUINTA MOTOR PARCEL.

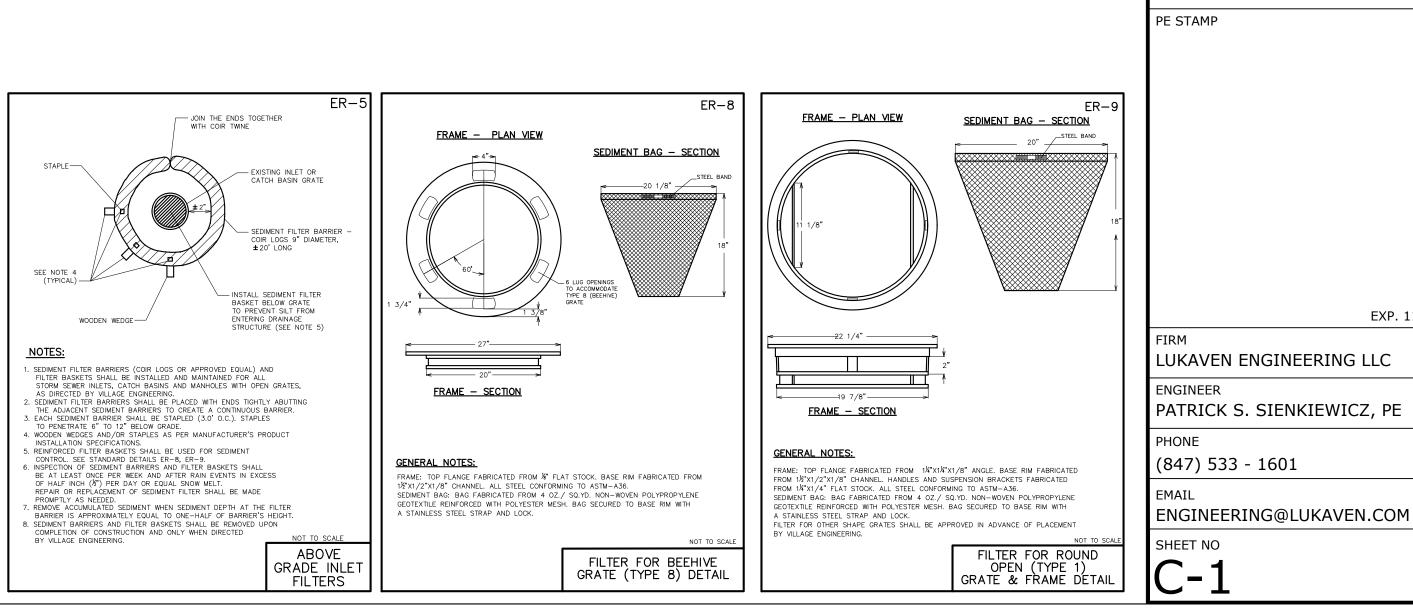
AREA = 79,325 SQ. FT. OR 1.821 ACRE

LOT COVERAGE SUMMARY:

TOTAL AREA: 79,325 SF

	EXISTING IMP. AREA	PROPOSED IMP. AREA	NET CHANGE
BUILDING	7,925 SF	7,925 SF	+ 0 SF
IMPERVIOUS SURFACES	57,770 SF	59,904 SF	+ 2,134 SF
TOTAL	65,695 SF	67,829 SF	+ 2,134 SF
% OF LOT	82.8 %	85.5 %	+ 2.7 %





EXISTING SITE PLAN

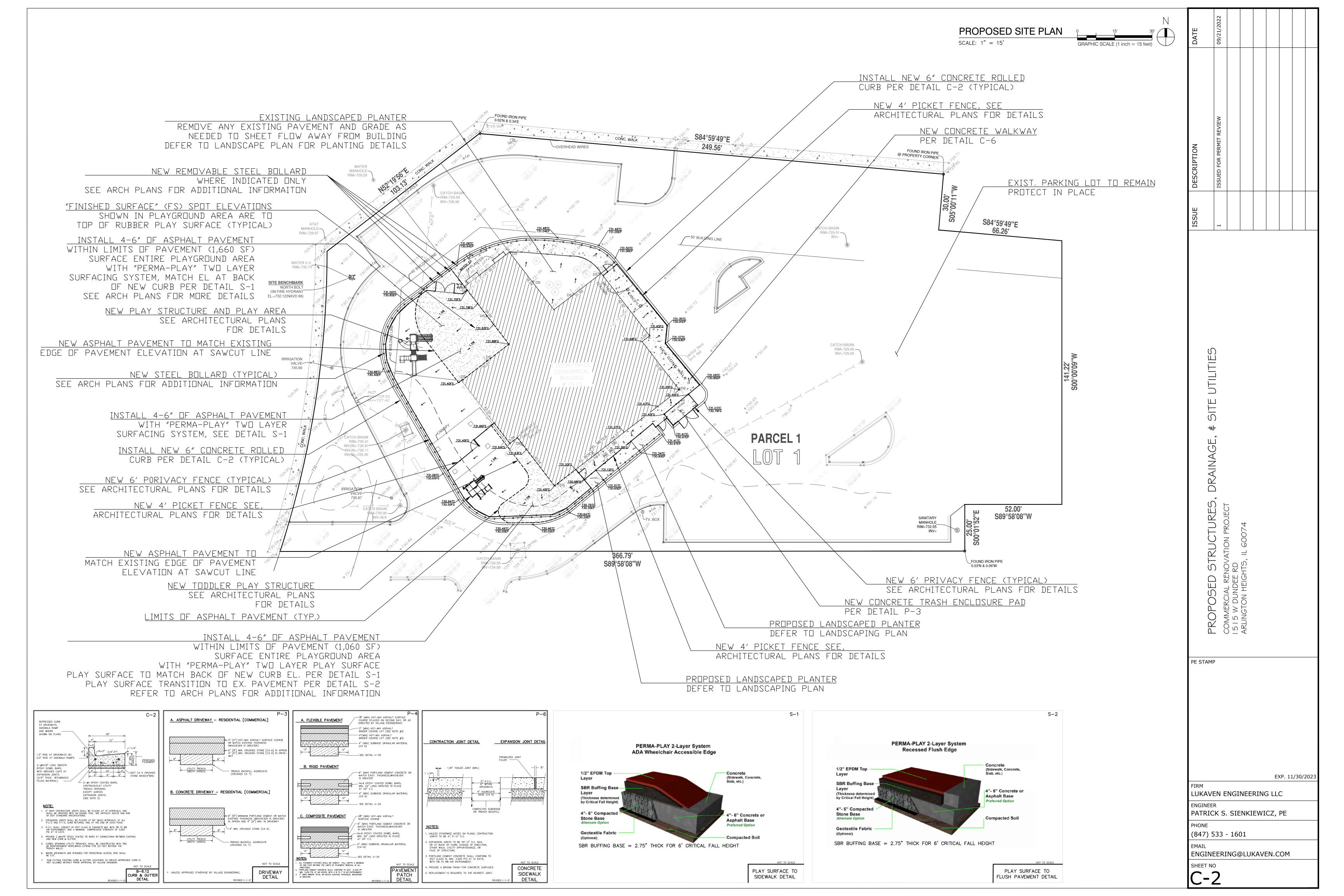
GRAPHIC SCALE (1 inch = 20 feet)

CONDITION

EXISTING

EXP. 11/30/2023

SCALE: 1" = 30'



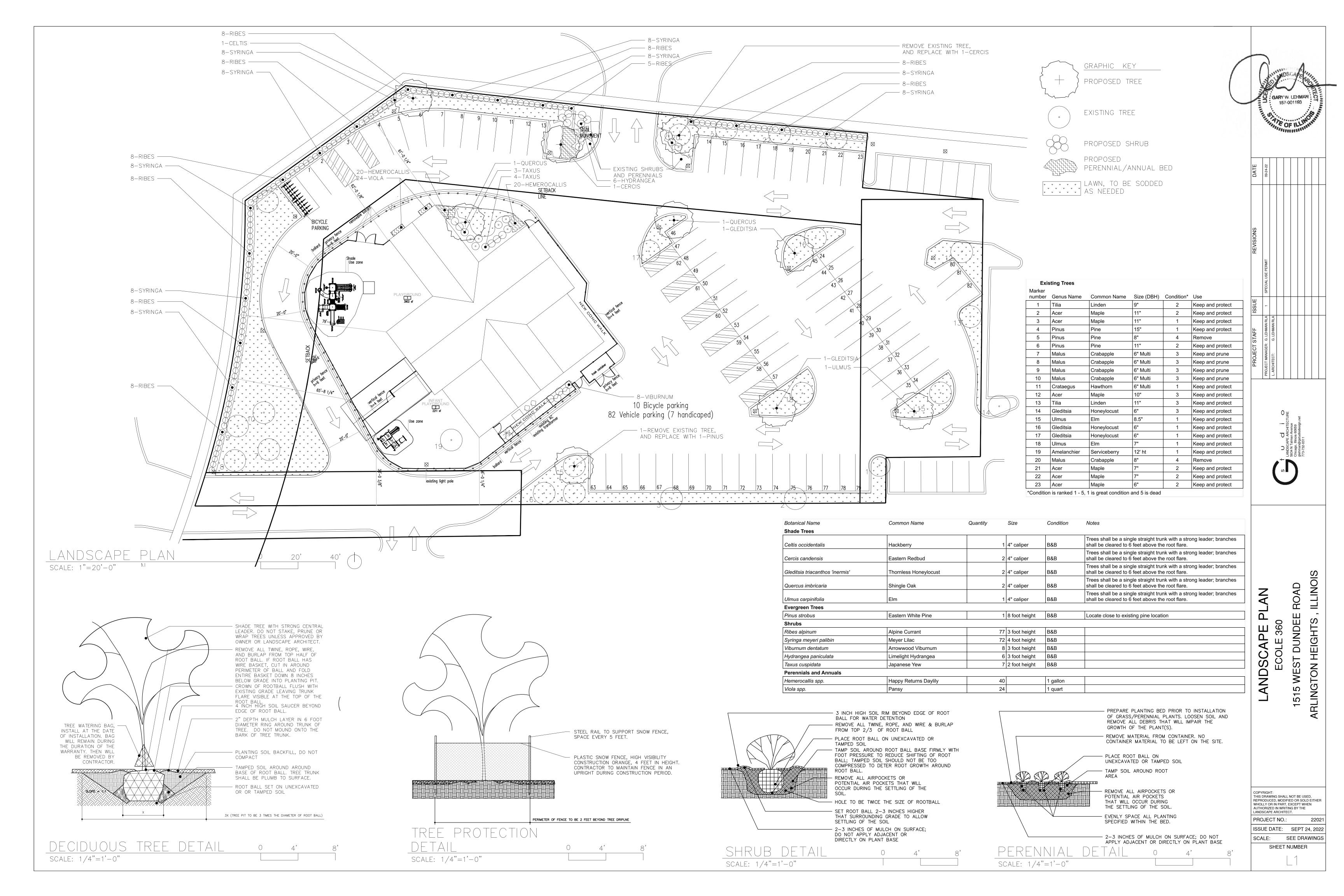


EXHIBIT C

UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, Ecole 360 Child Development Center, LLC, ("Applicant") is the contract purchasers of that certain property located in the B-3 General Service, Wholesale and Motor Vehicle District ("B-3 District"), commonly known as 1515-1519 W. Dundee Road ("Property"); and

WHEREAS, Ordinance No. 2022-_____, adopted by the Village President and Board of Trustees on November 21, 2022 ("Ordinance"), grants a special use permit and variations to the Applicant for the operation of a day care center on the Property; and

WHEREAS, Section 10 of the Ordinance provides, among other things, that the Ordinance will be of no force or effect unless and until the Applicant 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 Applicant does hereby agree and covenant as follows:

- 1. The Applicant 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 Applicant 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 Applicant 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 of the special use permit and variations 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 Applicant against damage or injury of any kind and at any time.
- 4. The Applicant 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 the special use permit and variations for the Property.

[SIGNATURES ON FOLLOWING PAGE]

Dated:, 2022	
ATTEST:	ECOLE 360 CHILDCARE CENTER
Ву:	Ву:
Its:	Its: