

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

WHEREAS, on May 13, 2020, pursuant to notice, the Plan Commission conducted a public hearing on the application of Kevin Polka, Paragon Mechanical, Inc., ("Petitioner") for rezoning from an R-1 One-Family Zoning District and B-3 General Service, Wholesale and Motor Vehicle District to a B-2 General Business District, a land use variation to allow a Contractor Shop in a B-2 General Business District and variations from Chapter 28 of the Arlington Heights Municipal Code, for the property located at 2400 S Arlington Heights Rd, Arlington Heights Illinois; 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 the Zoning Ordinance of the Village of Arlington Heights is hereby amended by reclassifying that portion of the Subject Property that is within an R-1 One Family Dwelling District and that portion of the Subject property that is within the B-3 General Service, Wholesale and Motor Vehicle District to a B-2 General Business District classification, for the property legally described as follows:

Parcel 1:

That part of Lot 7 of August Busse's Division of parts of the East half of Section 16, Township 41 North, Range 11, East of the Third Principal Meridian in the County of Cook, State of Illinois, described as follows:

Commencing at the Southwest corner of said Lot 7; thence Easterly along the South line of said Lot 7, a distance of 190.00 feet to a point on the South line of Lot 7 for a point of beginning, said point being 229.37 feet West of the Southeast corner of said Lot 7; thence

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Northerly and perpendicular to said South line of Lot 7 a distance of 160.80 feet to a point; thence Southwesterly along a compound curve to the left having a radius of 420.00 feet for an arc distance of 44.70 feet, which forms an angle at point of tangent of 104° 11' 50" to the left of said last North line extended; thence Southwesterly along a curve to the left having a radius of 123.00 feet for an arc distance of 182.21 feet to a point on the South line of Lot 7; thence a Easterly along the South line of Lot 7 a distance of 118.71 feet to the point of beginning.

Parcel 2:

That part of Lot 7 of August Busse's Division of parts of the East 1/2 of Section 16, Township 41 North, Range 11, East of the Third Principal Meridian, in Cook County, Illinois, described as follows:

Commencing at the Southwest corner of said Lot 7; thence Easterly along the South line of said Lot 7, a distance of 190.00 feet to a point on the South line of Lot 7 for a point of beginning, said point being 229.37 feet West of the Southeast corner of said Lot 7; thence continuing Eastward along said South line for a distance of 178.01 feet to a point; thence Northerly and perpendicular to said South line 166.87 feet to a point; thence Northwesterly along a curve to the left having a radius of 420.00 feet for an arc distance of 179.48 feet which forms an angle at a point of tangent of 79° 42' 48" to the left of said last North line extended; thence Southerly along a line, said line being parallel with the last described North line for a distance of 160.80 feet to the point of beginning.

Parcel 3:

That part of Lot 8 (lying Northerly of the Northerly line of that part of said Lot 8 conveyed to the Illinois State Toll Highway Commission by Deed recorded October 15, 1956 as Document 16726440) in August Busse's Division of parts of the East half of Section 16, Township 41 North, Range 11, East of the Third Principal Meridian, (excepting from said Lot 8 that part thereof conveyed to the Illinois State Toll Highway Authority by Warranty Deed recorded April 21, 1970 as Document 21139137 and recorded May 3, 1970 as Document 21154328, and also excepting from said Lot 8 that part taken by Condemnation in Case 96150469 described as follows: beginning at the intersection of the Easterly line of said Lot 8 with the Northerly right of way line of the Northwest Tollway according to Document 16726440; thence on an assumed bearing of North 58 degrees 23 minutes 56 seconds West along the said Northerly right of way line of the Northwest Tollway according to Document 16726440 a distance of 33.75 feet; thence North 7 degrees 44 minutes 56 seconds East 255.25 feet to the Northerly line of said Lot 8; thence South 82 degrees 56 minutes 03 seconds East along the said Northerly line of Lot 8 a distance of 27.48 feet to the Northeast corner of Lot 8; thence South 7 degrees 01 minutes 35 seconds West along the Easterly line of said Lot 8 a distance of 269.24 feet to the point of beginning, as described in the final judgment order recorded March 17, 1999 as Document 99260978) in Cook County, Illinois.

Parcel 4:

That part of Lot 7 in August Busse's Division of parts of the East 1/2 of Section 16, Township 41 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois, according to the plat thereof recorded May 15, 1928 as Document 10023115, described as follows:

Commencing at the Southeast corner of said Lot 7; thence North 82 degrees 56 minutes 03 seconds West, along the South line of said Lot 7, a distance of 27.48 feet to the point of beginning; thence North 7 degrees 44 minutes 56 seconds East, 61.80 feet; thence North 3 degrees 56 minutes 06

seconds East, 116.50 feet; thence North 82 degrees 15 minutes 15 seconds West, 44.00 feet; thence South 7 degrees 44 minutes 45 seconds West, 7.92 feet to a point on a non-tangential curve, having a radius of 420.00 feet, concave to the Southwest with a central angle of 3 degrees 33 minutes 09 seconds, a chord length of 26.04 feet and a chord bearing of South 74 degrees 25 minutes 16 seconds East; thence Southeasterly along said curve, 26.04 feet; thence South 7 degrees 03 minutes 57 seconds West, 166.87 feet to the South line of said Lot 7; thence South 82 degrees 56 minutes 03 seconds East, along said South line, 23.96 feet to the point of beginning, in Cook County, Illinois.

PIN 08-16-400-033, -035

commonly described as 2400 S Arlington Heights Rd, Arlington Heights, Illinois.

SECTION TWO: That a land use variation is hereby granted to permit a Contractor Shop in a B-2 General Business District at the property legally described in SECTION ONE which shall be in compliance with the following plans:

Floor Plan, prepared by K.F. Brandeis Architects, consisting of sheet A-2;

Phased Landscape Plan, prepared by the Village of Arlington Heights, dated May 8, 2020, consisting of one sheet;

Conceptual Rendering, prepared by Paragon Mechanical, consisting of five sheets,

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

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

1. A variation from Section 5.1-11, General Business District, to allow the reduction of a B-2 zoning area from four acres to 2.36 acres.

2. A variation from Section 6.12-1(2), Traffic Engineering Approval for Projects Requiring Plan Commission Review, waiving the requirement for a traffic and parking study by a certified traffic engineer.

SECTION FOUR: That the amendment to the Zoning Ordinance, 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 Land Use Variation shall apply to Paragon Mechanical only.

2. Any contractor vehicle, which shall be defined as any contractor truck owned by the Petitioner or employees of the Petitioner (regardless of the presence of signage) or any passenger vehicle with contractor signage, is prohibited from parking at the front of the site. Such vehicles, whether during the day or overnight, shall only park behind the building so as to not be visible from Arlington Heights Road or shall be parked within one of the interior parking spaces.

3. The Petitioner shall be required to implement the phased landscape plan prepared by the Village of Arlington Heights and dated May 8, 2020. Phase One landscape improvements shall

be completed no later than September 30, 2020, and Phase Two landscape improvements shall be completed no later than September 30, 2022.

4. The Petitioner shall install a code compliant dumpster enclosure, or alternatively, the salt dome can be used as the dumpster enclosure, provided that the dumpster is not visible from Arlington Heights Road.

5. Outdoor storage of materials shall be prohibited.

6. The following signage restrictions shall apply:

- a. No ground signage shall be allowed along the on-ramp frontage or tollway frontage. The ground sign along the Arlington Heights Road frontage shall be a monument style ground sign, to be no taller than six feet in height.
- b. No wall signage shall be allowed on the accessory structures located on the Subject Property.

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

8. Within two years of ordinance approval, the petitioner shall submit a complete Plan Commission application and redevelopment plan for the property. If no application is submitted and subsequently approved, the Land Use Variation shall become null and void.

SECTION FIVE: 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 SIX: 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.

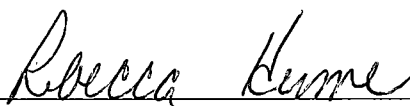
AYES: PADOVANI, CANTY, BALDINO, SCHWINGBECK, LABEDZ

NAYS: ROSENBERG, HAYES

PASSED AND APPROVED this 20th day of July, 2020.

ATTEST:


Village President


Village Clerk

Land Use Variation: Paragon Mechanical