

Prepared by and return to:
Village of Arlington Heights
33 S. Arlington Heights Road
Arlington Heights, Illinois 60005
Attention: Village Clerk

THIS SPACE FOR COUNTY CLERK'S USE ONLY

VILLAGE OF ARLINGTON HEIGHTS

ORDINANCE NO. 2024-_____

AN ORDINANCE GRANTING SIGN VARIATIONS
(1 E. Algonquin Road, 15 E. Algonquin Road, and 111 E. Algonquin Road, and
2355 S. Arlington Heights Road)

ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE VILLAGE OF ARLINGTON HEIGHTS
THIS 6TH DAY OF MAY, 2024.

Published in pamphlet form
by the authority of the
President and Board of Trustees
of the Village of Arlington Heights,
Cook County, Illinois this
6th day of May, 2024

Village Clerk

AN ORDINANCE GRANTING SIGN VARIATIONS FOR
ARLINGTON GATEWAY DEVELOPMENT
(1, 15, 111 E. Algonquin Road and 2355 S. Arlington Heights Road)

WHEREAS, Bradford Allen Arlington Heights Development Phase I, LLC (“*Owner*”) is the record title owner of that certain property located in the B-3 General Service, Wholesale and Motor Vehicle District (“*B-3 District*”), commonly known as 1, 15, 111 E. Algonquin Road and 2355 S. Arlington Heights Road, Arlington Heights, Illinois, and legally described in Exhibit A attached to and, by this reference, made a part of this Ordinance (collectively, the “*Property*”); and

WHEREAS, the Property is currently improved with vacant buildings, and the Owner desires to redevelop and place temporary signs on the Property; and

WHEREAS, Chapter 30 of the “Municipal Code of Arlington Heights, Illinois, 1995,” as amended (“*Sign Code*”), sets forth regulations for the installation and maintenance of signs in the Village; and

WHEREAS, pursuant to Section 30-601.a of the Sign Code, temporary signs may be posted on property in non-residential zoning districts of the Village, so long as the total square footage of such signs does not exceed the lesser of 32 square feet per sign or 64 square feet in the aggregate; and

WHEREAS, as part of redevelopment of the Property, the Owner desires to install five different sign types including: (1) four 72 square-foot signs containing development information, (2) three 72 square-foot signs containing development renderings, (3) six 72 square-foot signs to read “Clark Construction,” (4) six 48 square-foot signs containing prairie grasses, and (5) four 16 square-foot signs to read “AHgateway.com” (collectively, the “*Proposed Signs*”), in violation of Section 30-601.a of the Sign Code; and

WHEREAS, in order to permit the installation of the Proposed Signs, Thomas Roszak Architecture, LLC (“*Applicant*”), on behalf of Owner, has submitted an application for variations from Section 30-601.a of the Sign Code (“*Requested Relief*”); and

WHEREAS, notification of a public meeting of the Design Commission of the Village to consider approval of the Requested Relief was provided by the Owner pursuant to Section 30-904 of the Sign Code by posting signage at the Property and serving written notice on neighboring property owners; and

WHEREAS, on April 2, 2024, the Design Commission conducted a public meeting to consider the Requested Relief, and made findings and recommendations that the Village Board approve the Requested Relief to permit installation of the Proposed Signs; and

WHEREAS, the Village President and Board of Trustees have considered the Proposed Signs and the recommendations of the Design Commission, and have determined that the Proposed Signs meet the required standards for sign variations in Section 30-902 of the Sign 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 VARIATIONS. Subject to, and contingent upon, the conditions, restrictions, and provisions set forth in Section 3 of this Ordinance, and in accordance with, and pursuant to, Section 30-901 of the Sign Code and the home rule powers of the Village, the Village hereby grants the Owner variations from Section 30-601.a of the Sign Code to increase the total square footage for all temporary signs from 64 square feet to 1,288 square feet, and to increase the maximum individual temporary sign size from 32 square feet to 72 sf, to permit the Proposed Signs to be posted as temporary signs on the Property.

SECTION 3. CONDITIONS. Notwithstanding any use or development right that may be applicable or available pursuant to the provisions of the Sign Code, or any other provisions of the “Municipal Code of Arlington Heights, Illinois, 1995,” as amended (“*Village Code*”), the approvals granted pursuant to Section 2 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. Compliance with Regulations. Except to the extent specifically provided otherwise in this Ordinance, the development, use, operation, and maintenance of the Proposed Signs and the Property must comply at all times with all applicable Federal, State, and Village statutes, codes, ordinances, and regulations, as the same have been or may be amended from time to time, including, without limitation, the Village Code, the Sign Code, and “The 2002 Comprehensive Amendment of the Zoning Ordinance of the Village of Arlington Heights,” as amended, except as varied in this Ordinance.
- B. Removal of Proposed Signs. The Proposed Signs must be removed upon the earlier of completion of construction on the Property or issuance of a written removal notice from the Village.
- C. Compliance with Plans. Except for minor changes approved by the Village Director of Building & Life Safety (for matters within their permitting authority) in accordance with all applicable Village standards, the installation, use, operation, and maintenance of the Proposed Signs must be substantially compliant with the Signage Plans prepared by Thomas Roszak Architecture, LLC, dated March 14, 2024, a copy of which is attached to and, by this reference, made a part of this Ordinance as Exhibit B, but only to the extent the Signage Plans are consistent with the variations granted for the Proposed Signs in Section 2 of this Ordinance.

SECTION 4. RECORDATION; BINDING EFFECT. A copy of this Ordinance will be recorded with the Cook County Clerk’s Recording Division. This Ordinance and the privileges, obligations, and provisions contained herein inure solely to the benefit of, and are binding upon the Owner each of its heirs, representatives, successors, and assigns.

SECTION 5. FAILURE TO COMPLY WITH CONDITIONS. Upon the failure or refusal of the Owner or the Applicant to comply with any or all of the conditions, restrictions, or provisions of this Ordinance, as applicable, the approvals granted in Section 2 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 approvals granted in Section 2 of this Ordinance unless they first provide the Owner 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 6. AMENDMENTS. Any amendments to the approvals granted in Section 2 of this Ordinance that may be requested by the Owner 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 Sign Code and the Village Code.

SECTION 7. 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 8. 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 Owner and 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 Owner or the Applicant do not file fully executed copies of the Unconditional Agreement and Consent, as required by Section 8.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.

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AYES:

NAYS:

PASSED AND APPROVED THIS 6th day of May, 2024

Village President

ATTEST:

Village Clerk

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

PARCEL 1:

THAT PART OF THE FOLLOWING DESCRIBED PARCELS A AND B TAKEN AS A TRACT, LYING EASTERLY OF A LINE DRAWN FROM A POINT ON THE NORTH LINE OF SAID TRACT, SAID POINT BEING 238.93 FEET EAST OF THE NORTH MOST CORNER OF SAID TRACT, AS MEASURED ALONG THE NORTH LINE THEREOF, TO A POINT ON THE SOUTH LINE OF THE NORTH 76.83 FEET OF THE SOUTH 104.41 FEET OF LOT 4 AFORESAID, SAID POINT BEING 286.44 FEET EASTERLY OF THE SOUTHWEST CORNER OF SAID TRACT, AS MEASURED ALONG THE SOUTH LINE THEREOF:

PARCEL A:

THE NORTH 76.83 FEET OF THE SOUTH 104.41 FEET OF LOT 4, TOGETHER WITH THAT PART OF THE WEST 182.08 FEET LYING NORTH OF SAID SOUTH 104.41 FEET AND LYING SOUTH OF THE NORTH 175.00 FEET OF LOT 4, ALL AS MEASURED ALONG AND PERPENDICULAR TO THE WESTERLY LINE THEREOF, IN AUGUST BUSSE'S DIVISION OF PART OF THE EAST 1/2 OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

EXCEPTING THEREFROM THAT PART TAKEN BY THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF

ILLINOIS BY ORDER ENTERED JANUARY 20, 1994 IN CASE NO. 93L50915 AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTH 76.83 FEET OF THE SOUTH 104.41 FEET OF SAID LOT 4; THENCE ON AN ASSUMED BEARING OF NORTH 7 DEGREES 01 MINUTES 35 SECONDS EAST ALONG THE WESTERLY LINE OF SAID LOT 4 A DISTANCE OF 227.08 FEET TO THE SOUTH LINE OF THE NORTH 175.00 FEET OF SAID LOT 4; THENCE SOUTH 82 DEGREES 53 MINUTES 55 SECONDS EAST ALONG THE SOUTH LINE OF THE NORTH 175.00 FEET OF SAID LOT 4 A DISTANCE OF 16.00 FEET; THENCE SOUTH 7 DEGREES 01 MINUTES 35 SECONDS WEST ALONG A LINE 16.00 FEET NORMALLY DISTANT EASTERLY OF AND PARALLEL WITH THE WESTERLY LINE OF SAID LOT 4 A DISTANCE OF 227.08 FEET TO THE SOUTH LINE OF THE NORTH 76.83 FEET OF THE SOUTH 104.41 FEET OF SAID LOT 4; THENCE NORTH 82 DEGREES 53 MINUTES 55 SECONDS WEST ALONG SAID SOUTH LINE OF THE NORTH 76.83 FEET OF THE SOUTH 104.41 FEET OF SAID LOT 4 A DISTANCE OF 16.00 FEET TO THE POINT OF BEGINNING.

PARCEL B:

LOT 4 (EXCEPTING THE SOUTH 104.41 FEET THEREOF, AND ALSO EXCEPTING THAT PART OF THE WEST 182.08 FEET LYING NORTH OF SAID SOUTH 104.41 FEET AND LYING SOUTH OF THE NORTH 175.00 FEET OF SAID LOT 4, AND ALSO EXCEPTING THE NORTH 175.00 FEET OF THE WEST 165.08 FEET OF SAID LOT 4, ALL AS MEASURED ALONG AND PERPENDICULAR TO THE WESTERLY LINE OF SAID LOT 4) 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.

EXCEPTING THEREFROM THAT PART TAKEN BY THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF

ILLINOIS BY ORDER ENTERED APRIL 22, 1994 IN CASE NO. 94L50128 AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 4; THENCE ON AN ASSUMED BEARING OF SOUTH 26

DEGREES 24 MINUTES 20 SECONDS WEST ALONG THE EASTERLY LINE OF SAID LOT 4 A DISTANCE OF 13.45 FEET; THENCE NORTH 63 DEGREES 24 MINUTES 45 SECONDS WEST ALONG A LINE 13.45 FEET NORMALLY

DISTANT SOUTHWESTERLY OF AND PARALLEL WITH THE NORTHERLY LINE OF SAID LOT 4 A DISTANCE OF 249.44 FEET TO THE EAST LINE OF SAID WEST 165.08 FEET OF LOT 4; THENCE NORTH 7 DEGREES 01 MINUTES 35 SECONDS EAST ALONG SAID EAST LINE OF THE WEST 165.08 FEET OF LOT 4 A DISTANCE OF 14.27 FEET TO THE NORTHERLY LINE OF SAID LOT 4; THENCE SOUTH 63 DEGREES 24 MINUTES 45 SECONDS EAST ALONG SAID NORTHERLY LINE OF LOT 4 A DISTANCE OF 254.18 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

THAT PART OF LOT 2 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, ACCORDING TO THE PLAT THEREOF RECORDED MAY 15, 1928 AS DOCUMENT NO. 10023115 IN BOOK 258 OF PLATS, PAGE 32, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 2; THENCE SOUTHEASTERLY ALONG THE NORTH LINE OF LOT 2, BEING THE SOUTHERLY LINE OF ALGONQUIN ROAD, FOR 23 FEET; THENCE SOUTHWESTERLY ALONG A LINE PARALLEL TO THE WESTERLY LINE OF SAID LOT 2 FOR 295.92 FEET TO A POINT IN A SOUTHERLY LINE OF SAID LOT 2; THENCE NORTHWESTERLY ALONG THE AFORESAID SOUTHERLY LINE OF SAID LOT 2 FOR 24.38 FEET TO THE MOST WESTERLY CORNER OF LOT 2; THENCE NORTHEASTERLY ALONG A WESTERLY LINE OF LOT 2 FOR 304.02 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

EXCEPTING THEREFROM THAT PART TAKEN BY THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF

ILLINOIS BY ORDER ENTERED APRIL 14, 1994 IN CASE NO. 93L51106 AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 2; THENCE ON AN ASSUMED BEARING OF SOUTH 63

DEGREES 24 MINUTES 45 SECONDS EAST ALONG THE NORTHERLY LINE OF SAID LOT 2 A DISTANCE OF 23.00

FEET; THENCE SOUTH 26 DEGREES 24 MINUTES 20 SECONDS WEST ALONG A LINE PARALLEL WITH THE WESTERLY LINE OF SAID LOT 2 A DISTANCE OF 13.45 FEET; THENCE NORTH 63 DEGREES 24 MINUTES 45

SECONDS WEST ALONG A LINE 13.45 FEET NORMALLY DISTANT SOUTHWESTERLY OF AND PARALLEL WITH THE NORTHERLY LINE OF SAID LOT 2 A DISTANCE OF 23.00 FEET TO THE WESTERLY LINE OF SAID LOT 2; THENCE NORTH 26 DEGREES 24 MINUTES 20 SECONDS EAST ALONG SAID WESTERLY LINE OF LOT 2 A DISTANCE OF 13.45 FEET TO THE POINT OF BEGINNING.

PARCEL 5:

THAT PART OF LOTS 1 AND 2 IN LINCOLN-EXECUTIVE PLAZA RESUBDIVISION, BEING A RESUBDIVISION OF PART OF LOT 2 IN AUGUST BUSSE'S DIVISION OF PART OF THE EAST 1/2 OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 12, 1981 AS DOCUMENT 26056020, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE SOUTH 27 DEGREES 05 MINUTES 35 SECONDS WEST ALONG THE WESTERLY LINE OF SAID LOT 1, 11.27 FEET TO A POINT OF BEGINNING AT THE SOUTHWESTERLY LINE OF ALGONQUIN ROAD AS WIDENED; THENCE SOUTH 63 DEGREES 11 MINUTES 02 SECONDS EAST ALONG SAID SOUTHWESTERLY LINE OF ALGONQUIN ROAD AS WIDENED 16.70 FEET (SAID SOUTHWESTERLY LINE OF ALGONQUIN ROAD AS WIDENED BEING A STRAIGHT LINE DRAWN FROM SAID POINT ON THE WESTERLY LINE OF SAID LOT 1, 11.27 FEET, AS MEASURED ALONG SAID WESTERLY LINE SOUTHERLY OF THE NORTHWEST CORNER OF SAID LOT 1 TO A POINT ON THE EAST LINE OF SAID LOT 1, 11.18 FEET AS MEASURED ALONG SAID EAST LINE, SOUTH OF THE NORTHEAST CORNER OF SAID LOT 1); THENCE SOUTH 28 DEGREES 48 MINUTES 58 SECONDS WEST, 21.29 FEET; THENCE SOUTH 06 DEGREES 56 MINUTES 53 SECONDS EAST, 22.07 FEET; THENCE SOUTH 49 DEGREES 43 MINUTES 46 SECONDS EAST, 33.35 FEET; THENCE SOUTH 40 DEGREES 16 MINUTES 14 SECONDS WEST, 104.60 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG A CURVED LINE CONVEX NORTHWESTERLY, HAVING A RADIUS OF 225.00 FEET AND BEING TANGENT TO SAID LAST DESCRIBED LINE AT SAID LAST DESCRIBED POINT, AN ARC DISTANCE OF 5.12 FEET TO THE WEST LINE OF SAID LOT 1 (THE CHORD OF SAID ARC BEARS SOUTH 39 DEGREES 37 MINUTES 07 SECONDS WEST, 5.12 FEET); THENCE SOUTH 00 DEGREES 01 MINUTES 27 SECONDS WEST ALONG THE WEST LINE OF SAID LOT, BEING ALSO THE EAST LINE OF SAID LOT 2, 34.16 FEET TO A POINT 505.81 FEET, AS MEASURED ALONG SAID EAST LINE OF LOT 2, NORTH OF THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH 89 DEGREES 58 MINUTES 33 SECONDS WEST, 152.02 FEET TO A CORNER OF SAID LOT 2; THENCE NORTH 82 DEGREES 20 MINUTES 08 SECONDS WEST ALONG A SOUTH LINE OF SAID LOT 2, 93.22 FEET TO A SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 27 DEGREES 05 MINUTES 35 SECONDS EAST ALONG THE WESTERLY LINE OF SAID LOT 2, 282.19 FEET TO THE SOUTHWESTERLY LINE OF ALGONQUIN ROAD AS WIDENED; THENCE SOUTH 63 DEGREES 52 MINUTES 35 SECONDS EAST ALONG SAID SOUTHWESTERLY LINE OF ALGONQUIN ROAD AS WIDENED, 126.70 FEET TO AN ANGLE POINT IN SAID LINE; THENCE SOUTH 63 DEGREES 11 MINUTES 02 SECONDS EAST ALONG THE SOUTHWESTERLY LINE OF ALGONQUIN ROAD AS WIDENED, 45.36 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 8:

THAT PART OF LOT 4 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, DESCRIBED AS FOLLOWS:

COMMENCING AT INTERSECTION OF SOUTHERLY LINE OF ALGONQUIN ROAD WITH THE EASTERLY LINE OF

ARLINGTON HEIGHTS ROAD AS LAID OUT IN SAID BUSSE'S DIVISION RUNNING THENCE SOUTHERLY ALONG

EASTERLY LINE OF SAID ARLINGTON HEIGHTS ROAD, 175 FEET, THENCE EASTERLY AT RIGHT ANGLES TO SAID EASTERLY LINE OF ROAD 165.08 FEET, THENCE NORTHERLY PARALLEL WITH SAID EASTERLY LINE OF SAID ROAD, 116.92 FEET TO A POINT IN THE SOUTHERLY LINE OF SAID ALGONQUIN ROAD WHICH IS 175 FEET

EASTERLY OF THE PLACE OF BEGINNING, THENCE WESTERLY ALONG SAID SOUTHERLY LINE OF ROAD, 175

FEET TO PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS;

EXCEPTING THEREFROM THAT PORTION OF THE ABOVE DESCRIBED PREMISES CONVEYED BY WARRANTY

DEED DATED JANUARY 7, 1970 TO THE STATE OF ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PART OF THAT PART OF LOT 4 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, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTHERLY LINE OF ALGONQUIN ROAD WITH THE EASTERLY LINE OF ARLINGTON HEIGHTS ROAD AS LAID OUT IN THE SUBDIVISION; RUNNING THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID ARLINGTON HEIGHTS ROAD, 175 FEET; THENCE EASTERLY AT RIGHT ANGLES TO SAID EASTERLY LINE OF ROAD 165.08 FEET; THENCE NORTHERLY PARALLEL WITH SAID EASTERLY LINE OF SAID ROAD, 116.92 FEET TO A POINT IN THE SOUTHERLY LINE OF SAID ALGONQUIN ROAD WHICH IS 175 FEET EASTERLY OF THE POINT OF BEGINNING; THENCE WESTERLY ALONG SAID SOUTHERLY LINE OF SAID ROAD 175 FEET, TO THE POINT OF BEGINNING; BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY LINE OF ALGONQUIN ROAD WITH THE EASTERLY LINE OF ARLINGTON HEIGHTS ROAD AS LAID OUT IN AFOREMENTIONED SUBDIVISION, THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID ARLINGTON HEIGHTS ROAD, 25 FEET, TO A POINT; THENCE NORTHEASTERLY ALONG A STRAIGHT LINE, A DISTANCE OF 29.086 FEET MORE OR LESS TO A POINT ON THE SOUTHERLY LINE OF SAID ALGONQUIN ROAD, WHICH IS 25 FEET EASTERLY OF THE POINT OF BEGINNING; THENCE WESTERLY ALONG SAID SOUTHERLY LINE OF SAID ROAD 25 FEET, TO THE POINT OF BEGINNING;

ALSO EXCEPTING THEREFROM THAT PORTION OF THE ABOVE PREMISES CONVEYED TO THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF ILLINOIS BY CONDEMNATION PROCEEDINGS AS SET FORTH IN FINAL JUDGMENT ORDER NO. 93 L 51012, FILED IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS ON MAY 2, 1996, SAID PREMISES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PART OF LOT 4 IN AUGUST BUSSE'S DIVISION, BEING A SUBDIVISION OF PART 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 NORTHWEST CORNER OF SAID LOT 4; THENCE ON AN ASSUMED BEARING OF SOUTH 63 DEGREES 24 MINUTES 45 SECONDS EAST ALONG THE NORTHERLY LINE OF SAID LOT 4 A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 63 DEGREES 24 MINUTES 45 SECONDS EAST ALONG THE SAID NORTHERLY LINE OF LOT 4 A DISTANCE OF 150.19 FEET; THENCE SOUTH 7 DEGREES 01 MINUTES 35 SECONDS WEST 14.27 FEET TO A POINT 13.45 FEET NORMALLY DISTANT SOUTHWESTERLY OF THE NORTHERLY LINE OF SAID LOT 4; THENCE NORTH 63 DEGREES 24 MINUTES 45 SECONDS WEST ALONG A LINE 13.45 FEET NORMALLY DISTANT SOUTHWESTERLY AND PARALLEL WITH THE SAID NORTHERLY LINE OF LOT 4 A DISTANCE OF 108.63 FEET; THENCE SOUTHERLY ALONG A TANGENTIAL CURVE CONCAVE TO THE SOUTHEAST, RADIUS 35.00 FEET, CENTRAL ANGLE 109 DEGREES 33 MINUTES 40 SECONDS, 66.93 FEET TO A POINT 16.00 FEET NORMALLY DISTANT EASTERLY OF THE WESTERLY LINE OF SAID LOT 4; THENCE SOUTH 7 DEGREES 01 MINUTES 35 SECONDS WEST ALONG A LINE 16.00 FEET NORMALLY DISTANT EASTERLY AND PARALLEL WITH THE WESTERLY LINE OF SAID LOT 4 A DISTANCE OF 105.48 FEET; THENCE NORTH 82 DEGREES 53 MINUTES 55 SECONDS WEST 16.00 FEET TO THE WESTERLY LINE OF SAID LOT 4; THENCE NORTH 7 DEGREES 01 MINUTES 35 SECONDS EAST ALONG THE WESTERLY LINE OF SAID LOT 4 A DISTANCE OF 150.00 FEET; THENCE NORTH 61 DEGREES 48 MINUTES 25 SECONDS EAST 28.84 FEET, TO THE POINT OF BEGINNING.

PARCEL 9A:

THE NORTH 76.83 FEET OF THE SOUTH 104.41 FEET OF LOT 4, TOGETHER WITH THAT PART OF THE WEST 182.08 FEET LYING NORTH OF SAID SOUTH 104.41 FEET AND LYING SOUTH OF THE NORTH 175.00 FEET OF LOT 4, ALL AS MEASURED ALONG AND PERPENDICULAR TO THE WESTERLY LINE THEREOF, IN AUGUST BUSSE'S DIVISION OF PART OF THE EAST 1/2 OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

EXCEPTING THEREFROM THAT PART TAKEN BY THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF

ILLINOIS BY ORDER ENTERED JANUARY 20, 1994 IN CASE NO. 93L50915 AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTH 76.83 FEET OF THE SOUTH 104.41 FEET OF SAID LOT 4; THENCE ON AN ASSUMED BEARING OF NORTH 7 DEGREES 01 MINUTES 35 SECONDS EAST ALONG THE WESTERLY LINE OF SAID LOT 4 A DISTANCE OF 227.08 FEET TO THE SOUTH LINE OF THE NORTH 175.00 FEET OF SAID LOT 4; THENCE SOUTH 82 DEGREES 53 MINUTES 55 SECONDS EAST ALONG THE SOUTH LINE OF THE NORTH 175.00 FEET OF SAID LOT 4 A DISTANCE OF 16.00 FEET; THENCE SOUTH 7 DEGREES 01 MINUTES 35 SECONDS WEST ALONG A LINE 16.00 FEET NORMALLY DISTANT EASTERLY OF AND PARALLEL WITH THE WESTERLY LINE OF SAID LOT 4 A DISTANCE OF 227.08 FEET TO THE SOUTH LINE OF THE NORTH 76.83 FEET OF THE SOUTH 104.41 FEET OF SAID LOT 4; THENCE NORTH 82 DEGREES 53 MINUTES 55 SECONDS WEST ALONG SAID SOUTH LINE OF THE NORTH 76.83 FEET OF THE SOUTH 104.41 FEET OF SAID LOT 4 A DISTANCE OF 16.00 FEET TO THE POINT OF BEGINNING.

PARCEL 9B:

LOT 4 (EXCEPTING THE SOUTH 104.41 FEET THEREOF, AND ALSO EXCEPTING THAT PART OF THE WEST 182.08 FEET LYING NORTH OF SAID SOUTH 104.41 FEET AND LYING SOUTH OF THE NORTH 175.00 FEET OF SAID LOT 4, AND ALSO EXCEPTING THE NORTH 175.00 FEET OF THE WEST 165.08 FEET OF SAID LOT 4, ALL AS MEASURED ALONG AND PERPENDICULAR TO THE WESTERLY LINE OF SAID LOT 4) 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.

EXCEPTING THEREFROM THAT PART TAKEN BY THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF

ILLINOIS BY ORDER ENTERED APRIL 22, 1994 IN CASE NO. 94L50128 AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 4; THENCE ON AN ASSUMED BEARING OF SOUTH 26 DEGREES 24 MINUTES 20 SECONDS WEST ALONG THE EASTERLY LINE OF SAID LOT 4 A DISTANCE OF 13.45 FEET; THENCE NORTH 63 DEGREES 24 MINUTES 45 SECONDS WEST ALONG A LINE 13.45 FEET NORMALLY DISTANT SOUTHWESTERLY OF AND PARALLEL WITH THE NORTHERLY LINE OF SAID LOT 4 A DISTANCE OF 249.44 FEET TO THE EAST LINE OF SAID WEST 165.08 FEET OF LOT 4; THENCE NORTH 7 DEGREES 01 MINUTES 35 SECONDS EAST ALONG SAID EAST LINE OF THE WEST 165.08 FEET OF LOT 4 A DISTANCE OF 14.27 FEET TO THE NORTHERLY LINE OF SAID LOT 4; THENCE SOUTH 63 DEGREES 24 MINUTES 45 SECONDS EAST ALONG SAID NORTHERLY LINE OF LOT 4 A DISTANCE OF 254.18 FEET TO THE POINT OF BEGINNING.

EXCEPTING FROM SAID PARCELS 9A AND 9B ABOVE A TRACT OF LAND LYING EASTERLY OF A LINE DRAWN FROM A POINT ON THE NORTH LINE OF SAID TRACT, SAID POINT BEING 238.93 FEET EAST OF THE NORTH MOST CORNER OF SAID TRACT, AS MEASURED ALONG THE NORTH LINE THEREOF, TO A POINT ON THE SOUTH LINE OF THE NORTH 76.83 FEET OF THE SOUTH 104.41 FEET OF LOT 4 AFORESAID, SAID POINT BEING 286.44 FEET EASTERLY OF THE SOUTHWEST CORNER OF SAID TRACT, AS MEASURED ALONG THE SOUTH LINE THEREOF IN COOK COUNTY, ILLINOIS.

Commonly known as: 1, 15, 111 E. Algonquin Road, and 2355 S. Arlington Heights Road

PIN: 08-16-401-018; 08-16-401-030; 08-16-401-036; 08-16-401-039; 08-16-401-043; 08-16-401-045;
08-16-401-046

EXHIBIT B

PLANS

(attached)

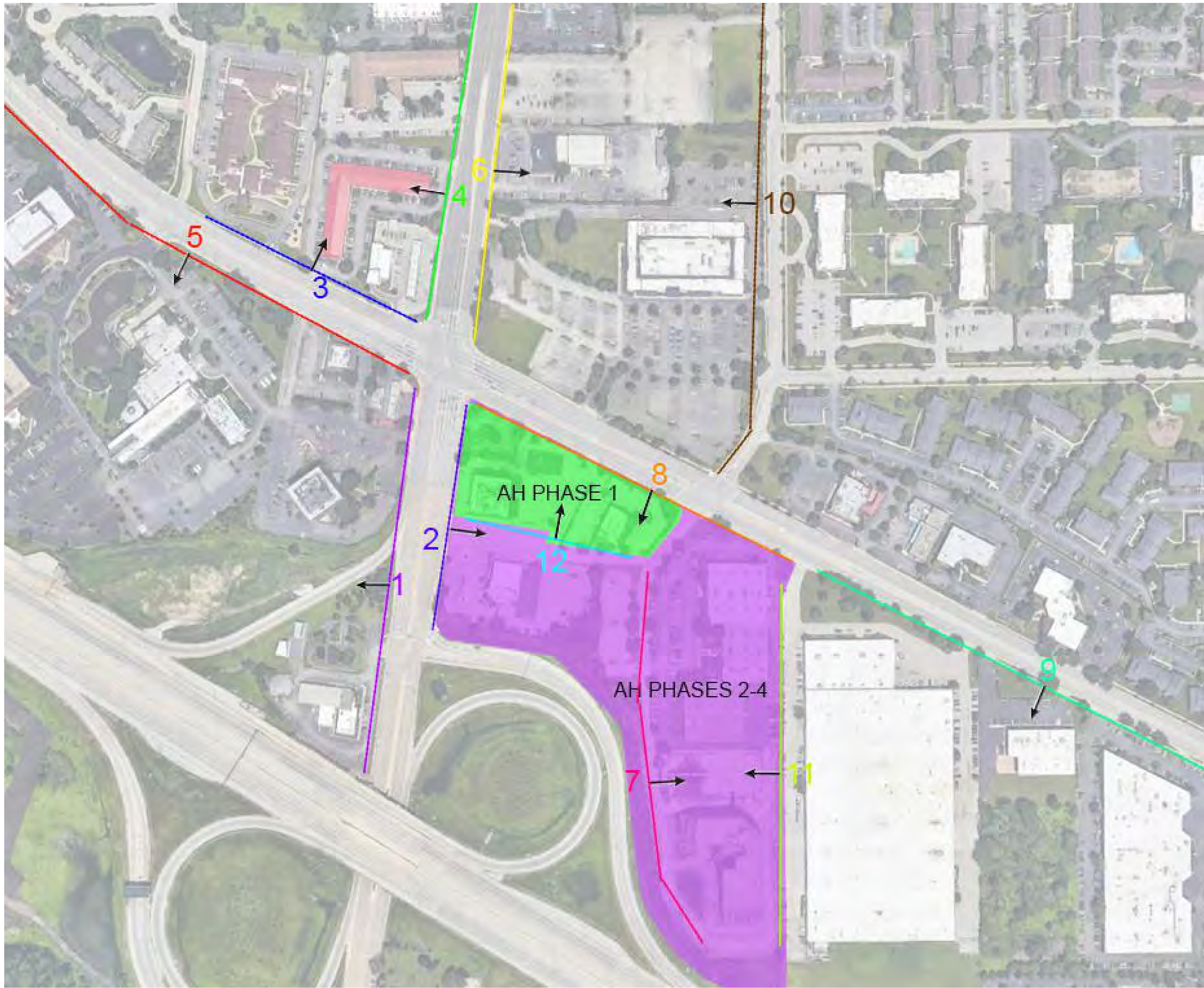
PROJECT LOCATION MAP (NOT TO SCALE):



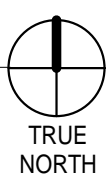
2355 S Arlington Heights Rd, Arlington Heights, IL 60005

PIN: 08-16-401-018-0000
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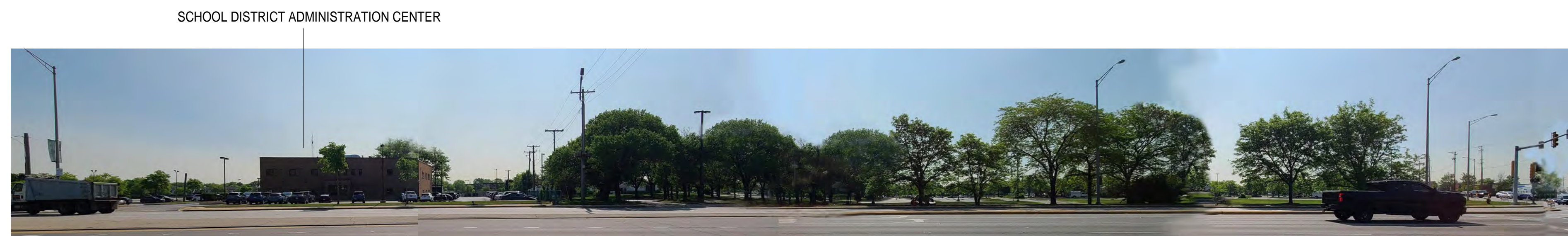




13 PANORAMA LOCATION DIAGRAM
3/4" = 1'-0"



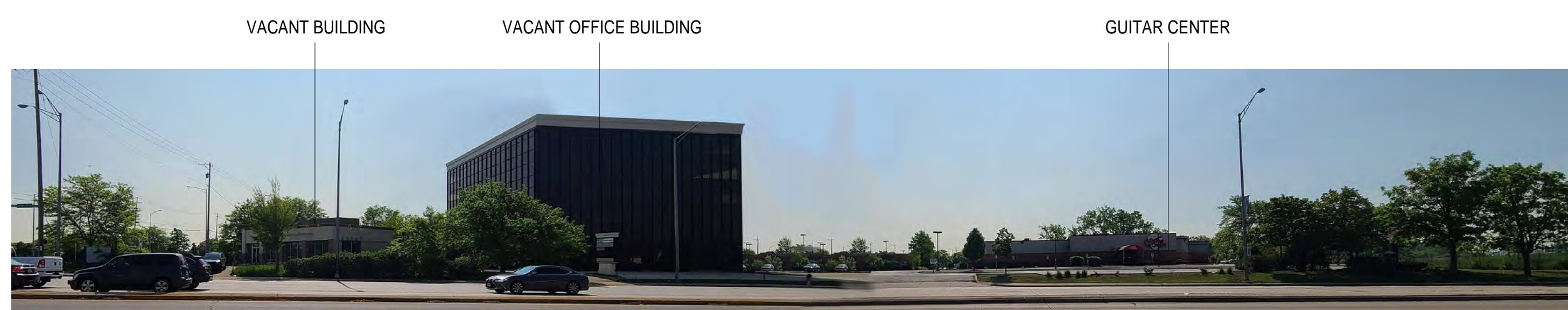
VIEW 8 - SOUTH VIEW - EAST ALGONQUIN RD



VIEW 6 - EAST VIEW - SOUTH ARLINGTON HEIGHTS RD



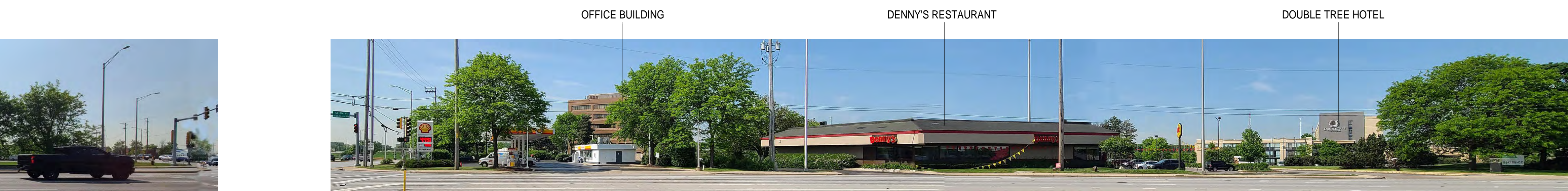
VIEW 4 - WEST VIEW - SOUTH ARLINGTON HEIGHTS



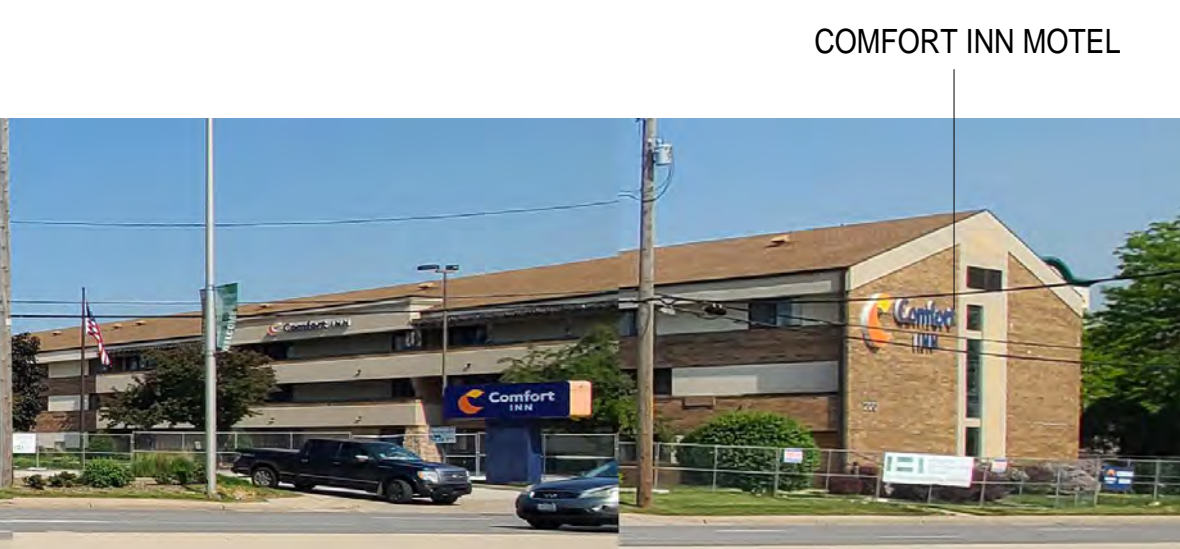
VIEW 2 - EAST VIEW - SOUTH ARLINGTON HEIGHTS RD



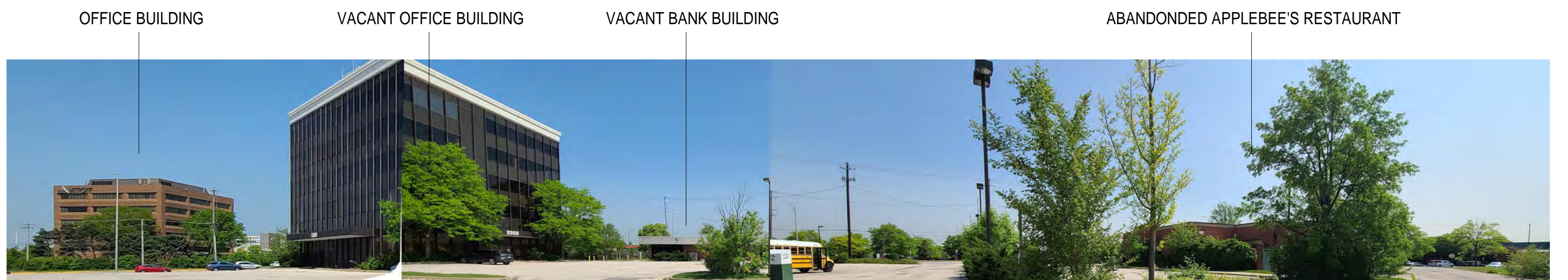
VIEW 7 - EAST VIEW - SOUTH TONNE DR



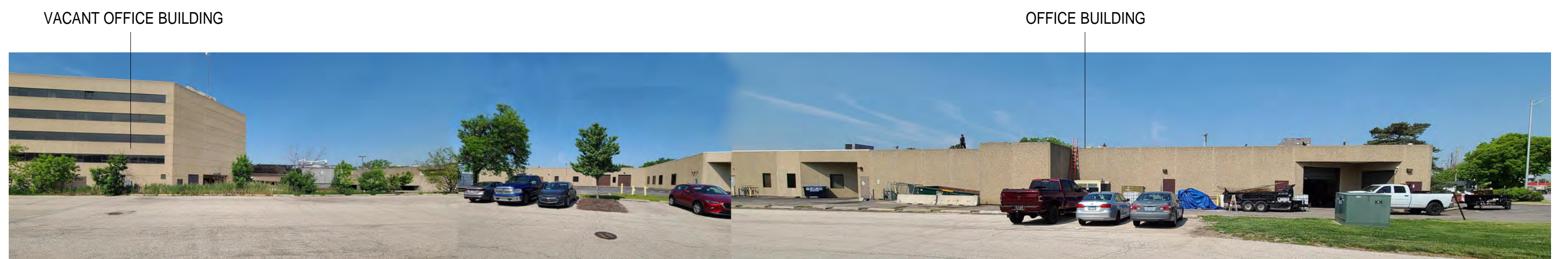
VIEW 5 - SOUTH VIEW - WEST ALGONQUIN RD



VIEW 1 - WEST VIEW - SOUTH ARLINGTON HEIGHTS RD



VIEW 12 - NORTH VIEW - NEW ACCESS RD



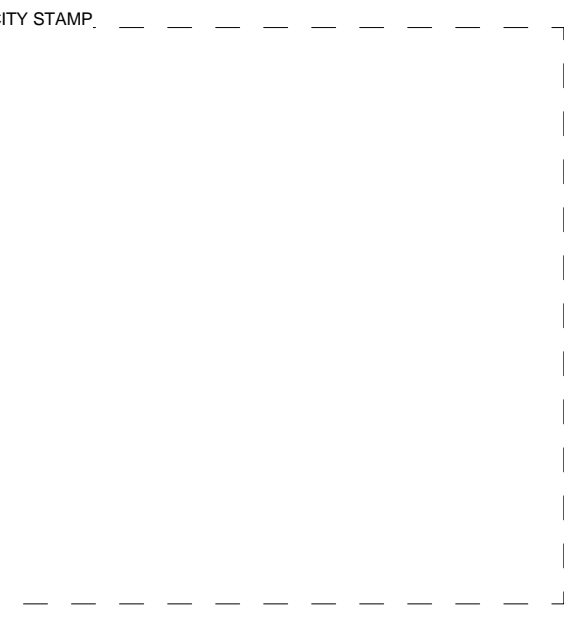
VIEW 11 - WEST VIEW - SOUTH TONNE DR



VIEW 10 - WEST VIEW - SOUTH TONNE DR



VIEW 9 - SOUTH VIEW - EAST ALGONQUIN RD



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SIGNATURE SEAL

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ILLINOIS
THOMAS A. ROSZAK
REGISTERED ARCHITECT
#001 019175
EXPIRATION DATE:
NOVEMBER 30, 2024

I CERTIFY THAT THESE DRAWINGS WERE PREPARED UNDER MY DIRECT SUPERVISION AND TO THE BEST OF MY PROFESSIONAL KNOWLEDGE THEY COMPLY TO THE VILLAGE OF ARLINGTON HEIGHTS BUILDING CODE.

No.	Date	Description
4	9/15/2023	90% CD's
2	7/26/2023	80% CD's
1	6/30/2023	50% CD's

ARLINGTON HEIGHTS PHASE I

2355 S. Arlington Heights Rd.,
Arlington Heights, IL 60005

OWNER
Bradford Allen
300 S. Wacker Dr., 35th Floor
Chicago, IL 60606
Tel: 312-384-5700

DESIGNER
Moceri + Roszak
145 S. Wells St., Suite 700
Chicago, IL 60606
Tel: 312-423-7989

ARCHITECT
Thomas Roszak Architecture, LLC
145 S. Wells St., Suite 700
Chicago, IL 60606
Tel: 312-423-7989

CONSTRUCTION MANAGER
SteelGrass, LLC
145 S. Wells St., Suite 700
Chicago, IL 60606
Tel: 312-423-7989

DEVELOPMENT CONSULTANT
TR Management + Consulting
145 S. Wells St., Suite 700
Chicago, IL 60606
Tel: 312-423-7989

LANDSCAPE ARCHITECT
Thomas Roszak Architecture, LLC
145 S. Wells St., Suite 700
Chicago, IL 60606
Tel: 312-423-7989

CIVIL ENGINEER
V3 Companies
7325 Janer Avenue
Woodridge, IL 60517
Tel: 630-724-0200

STRUCTURAL ENGINEER
Thornton Tomasetti
330 N. Wabash Avenue, Suite 1500
Chicago, IL 60611
Tel: 312-555-2000

MEP DESIGN CONSULTANT
Cosentini Associates
145 S. Wells St., Suite 700
Chicago, IL 60606
Tel: 312-281-7451

GENERAL CONTRACTOR
Clark Construction Group
216 S. Jefferson Street, Suite 502
Chicago, IL 60601
Tel: 312-474-5500

MECHANICAL DESIGN/BUILD CONTRACTOR

PLUMBING DESIGN/BUILD CONTRACTOR

ELECTRICAL DESIGN/BUILD CONTRACTOR

FIRE PROTECTION DESIGN/BUILD CONTRACTOR

SHEET TITLE

SITE PANORAMAS

SCALE

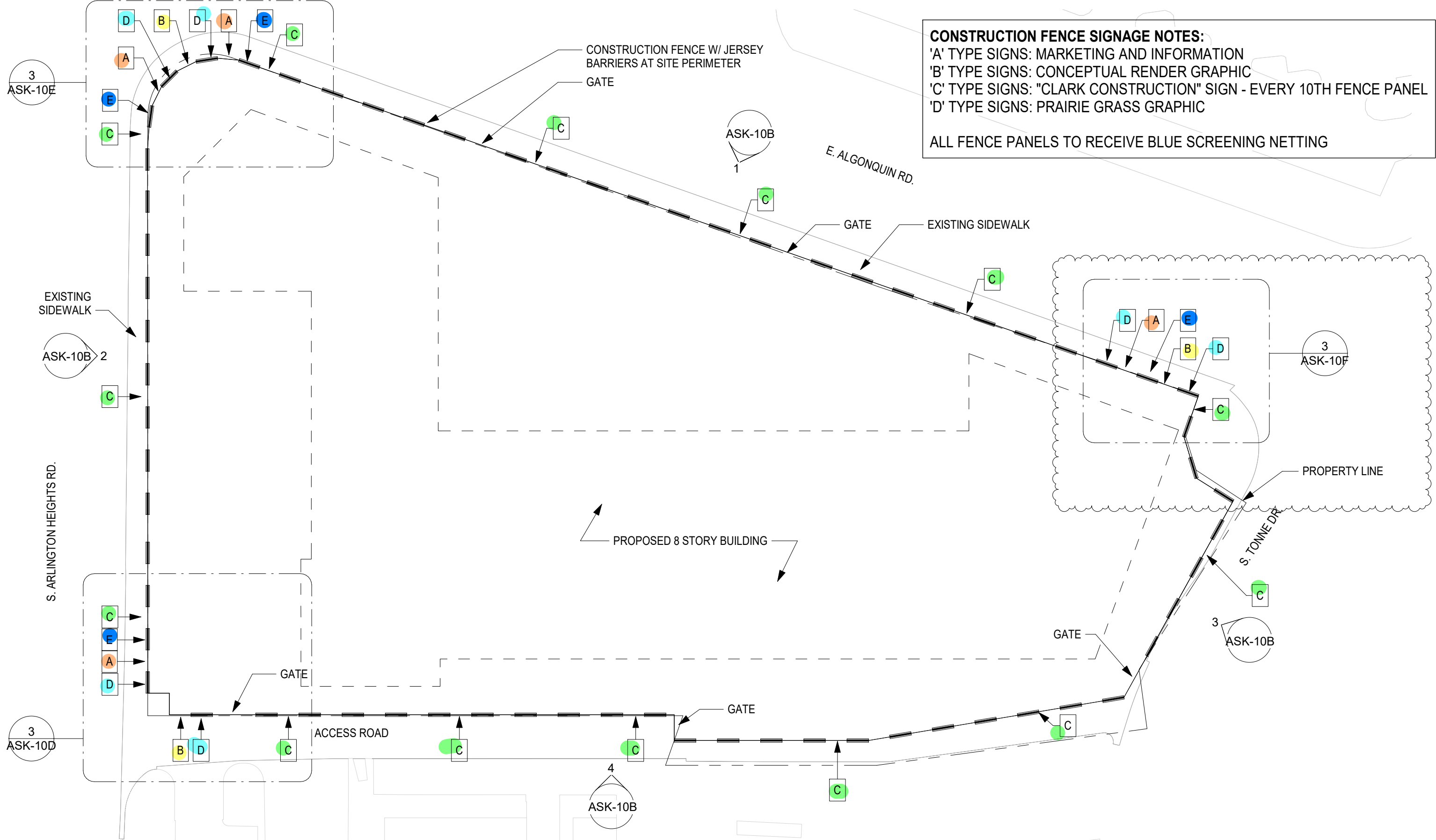
3/4" = 1'-0"

DATE

09/07/2023

SHEET NUMBER

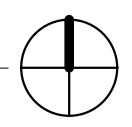
G-101



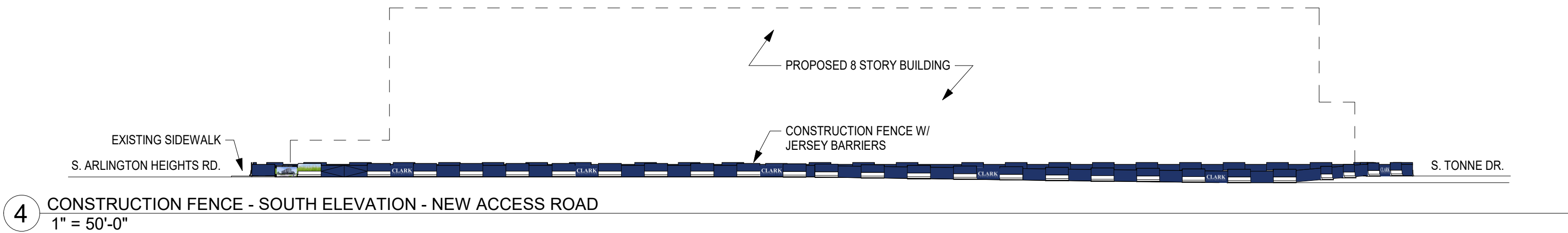
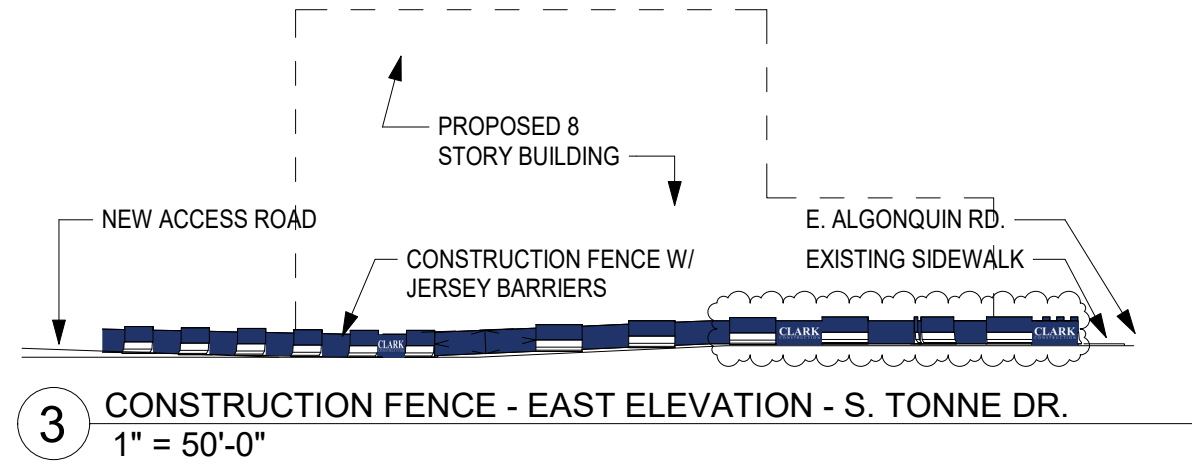
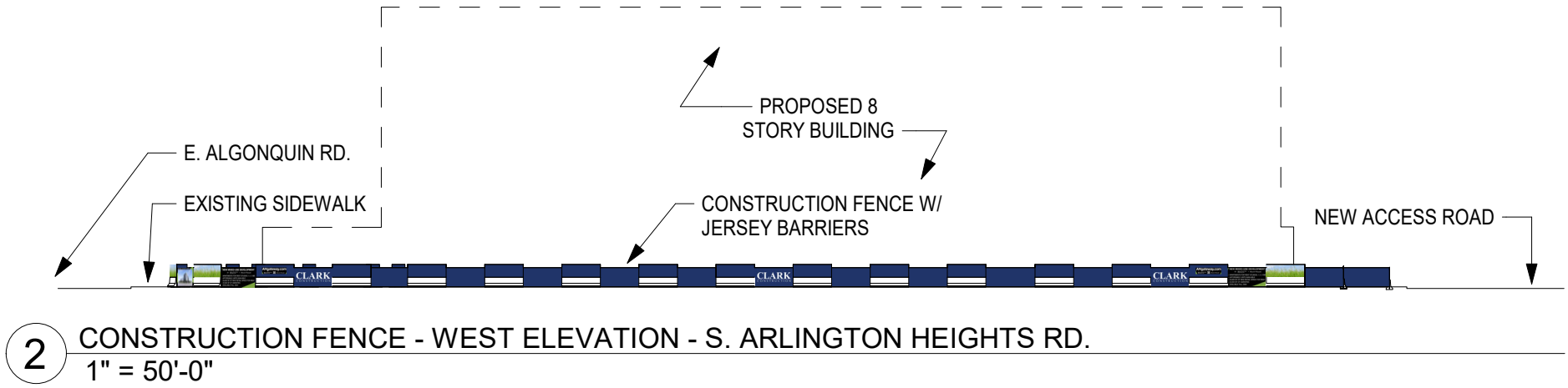
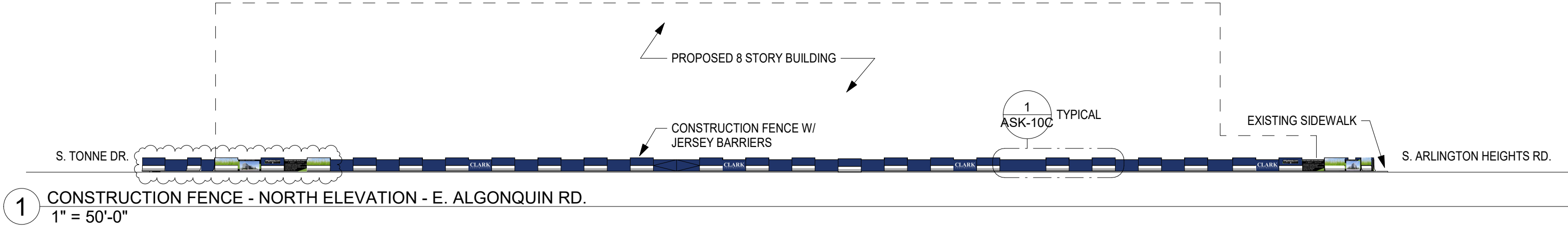
CONSTRUCTION FENCE SIGNAGE NOTES:
'A' TYPE SIGNS: MARKETING AND INFORMATION
'B' TYPE SIGNS: CONCEPTUAL RENDER GRAPHIC
'C' TYPE SIGNS: "CLARK CONSTRUCTION" SIGN - EVERY 10TH FENCE PANEL
'D' TYPE SIGNS: PRAIRIE GRASS GRAPHIC

ALL FENCE PANELS TO RECEIVE BLUE SCREENING NETTING

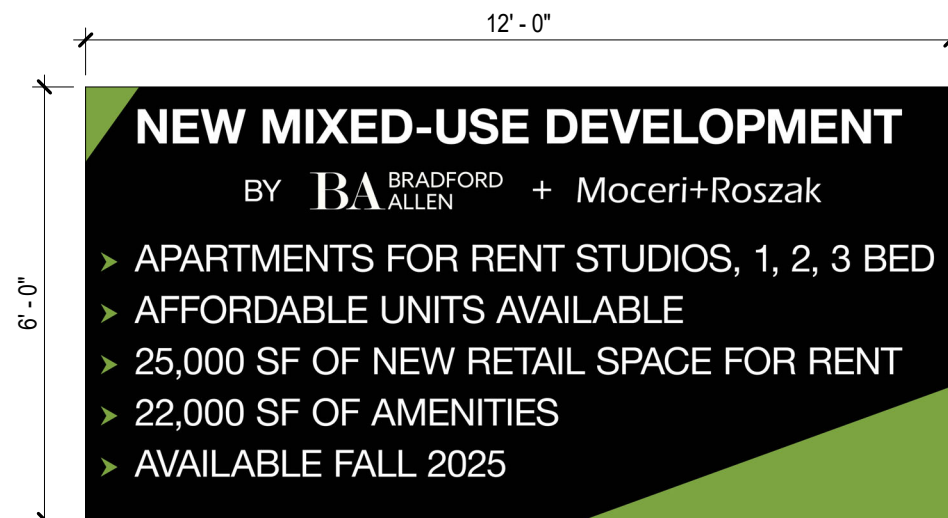
1 CONSTRUCTION OVERALL PLAN
1" = 50'-0"



ASK-10A



ASK-10B



A 'A' TYPE SIGN
3/8" = 1'-0"



B1 'B' TYPE SIGN - SW CORNER
3/8" = 1'-0"



B2 'B' TYPE SIGN - NE CORNER
3/8" = 1'-0"



B3 'B' TYPE SIGN - NW CORNER
3/8" = 1'-0"



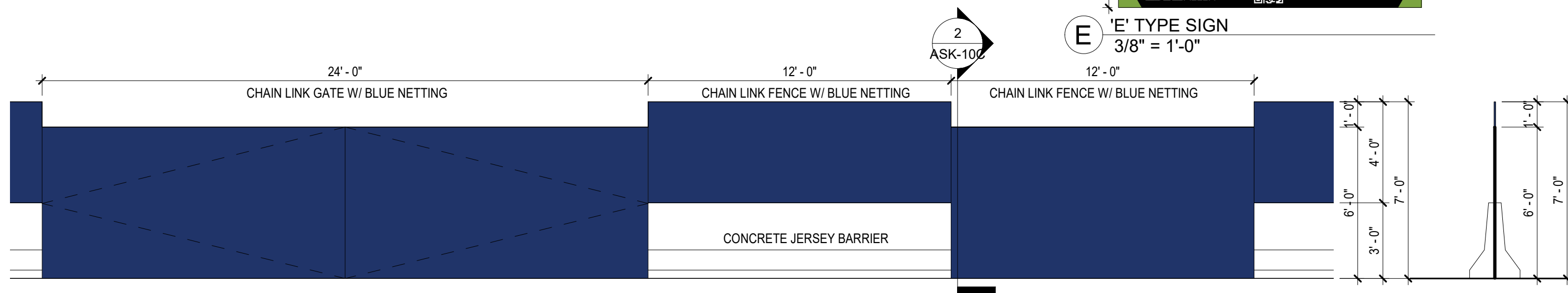
C 'C' TYPE SIGN
3/8" = 1'-0"



D 'D' TYPE SIGN
3/8" = 1'-0"

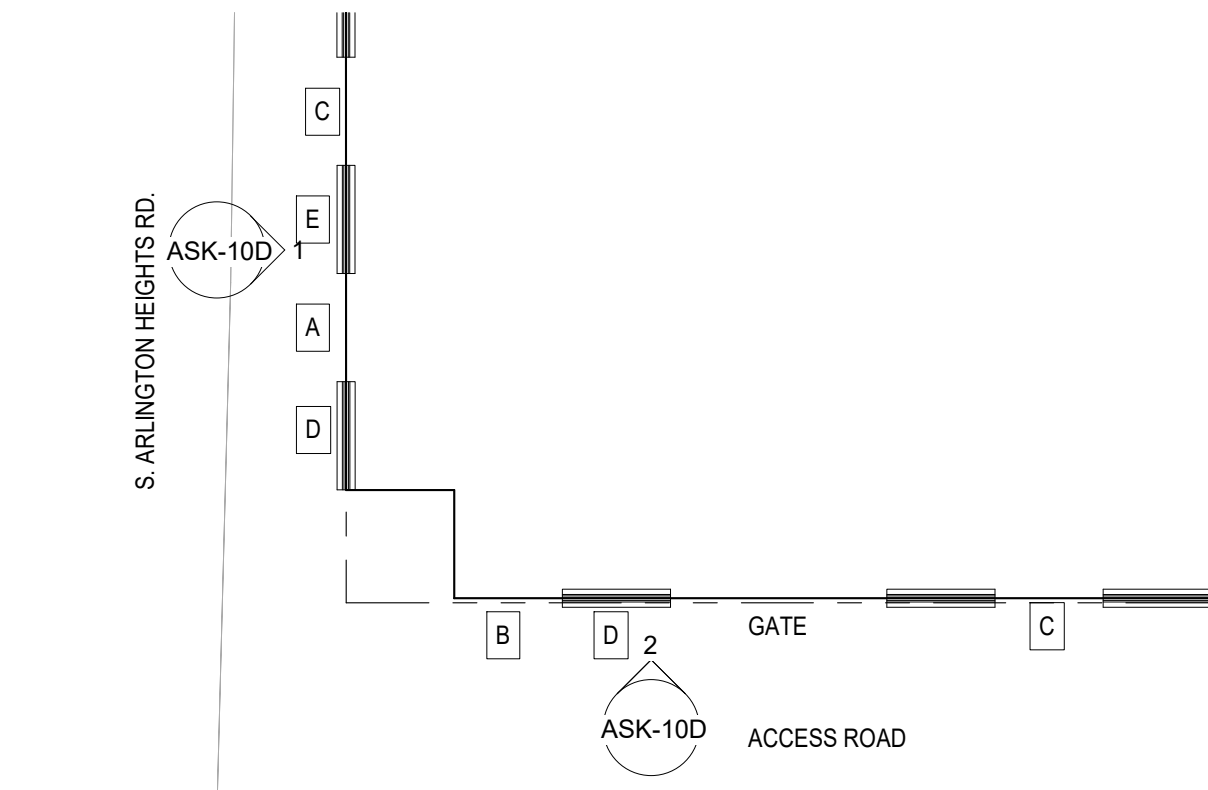


E 'E' TYPE SIGN
3/8" = 1'-0"

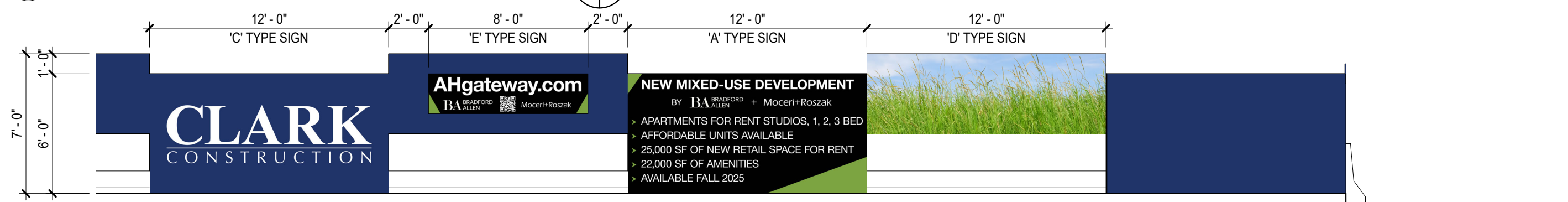


1 CONSTRUCTION FENCE - TYPICAL ENLARGED ELEVATION
1/4" = 1'-0"

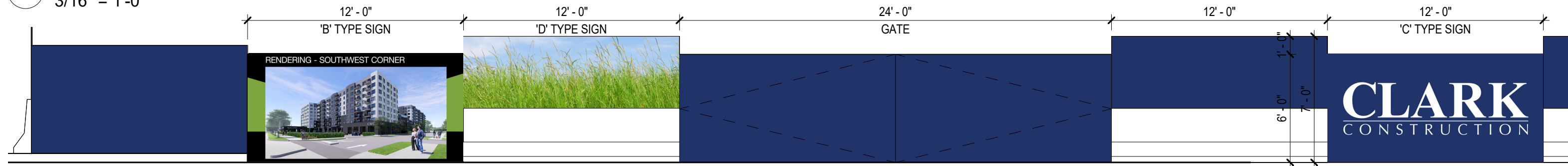
2 TYPICAL FENCE SECTION
1/4" = 1'-0" ASK-10C



3 CONSTRUCTION FENCE PLAN DIAGRAM - SW CORNER
3/64" = 1'-0"

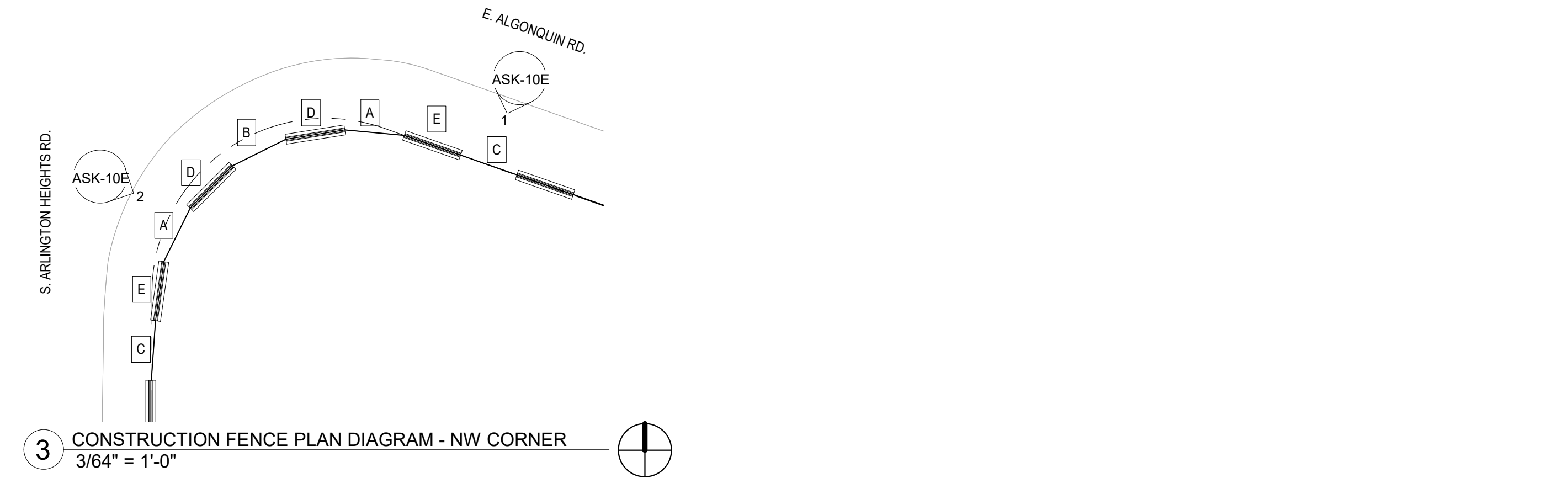


1 SW CORNER - FENCE ELEVATION 1
3/16" = 1'-0"

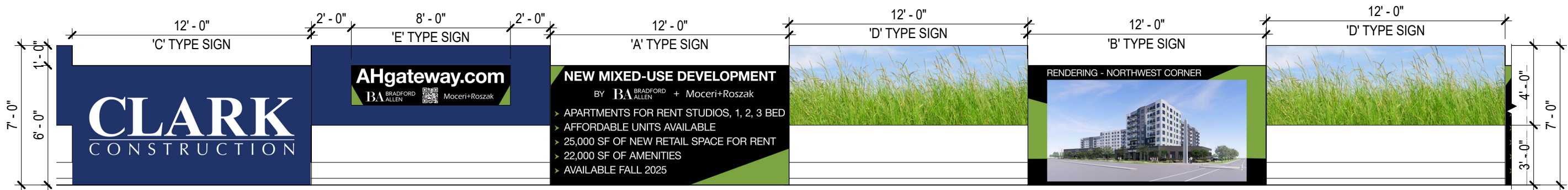


2 SW CORNER - FENCE ELEVATION 2
3/16" = 1'-0"

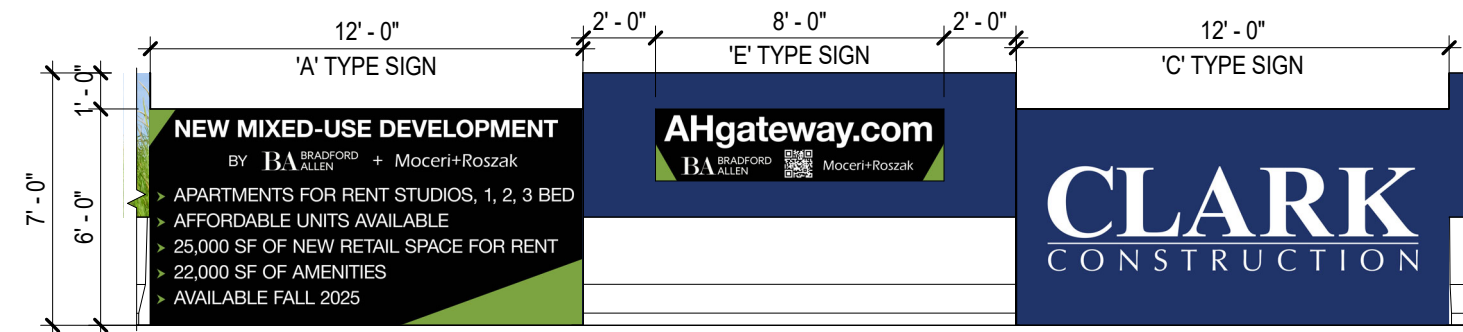
ASK-10D



3 CONSTRUCTION FENCE PLAN DIAGRAM - NW CORNER
3/64" = 1'-0"

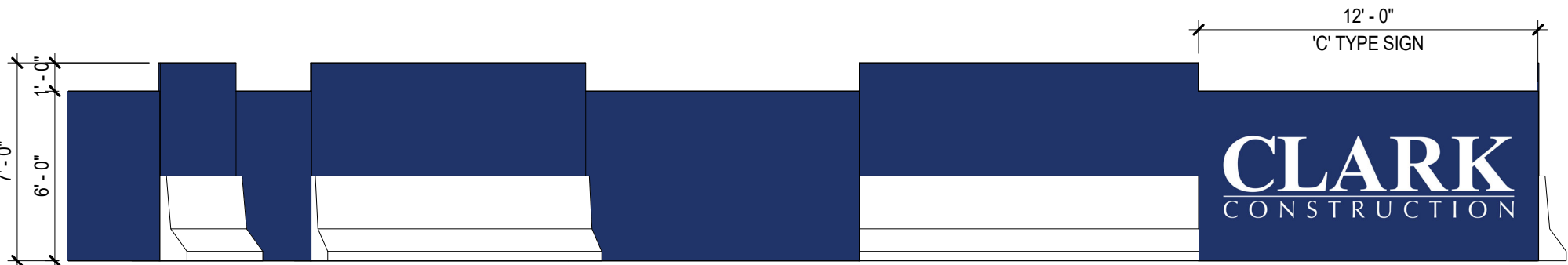
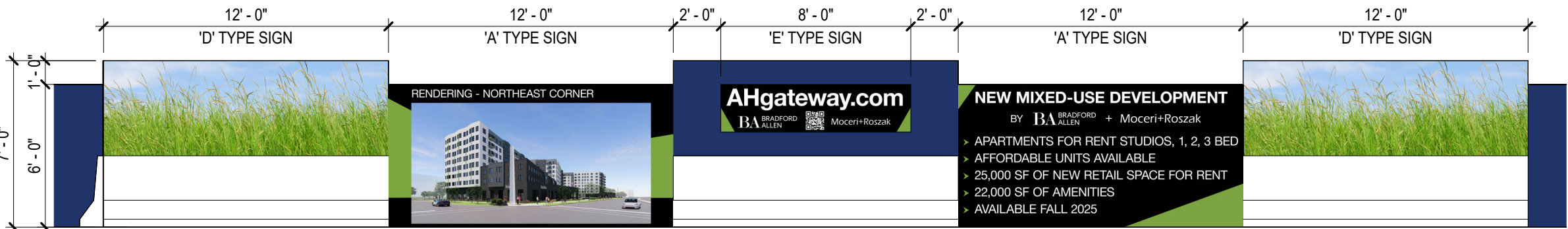
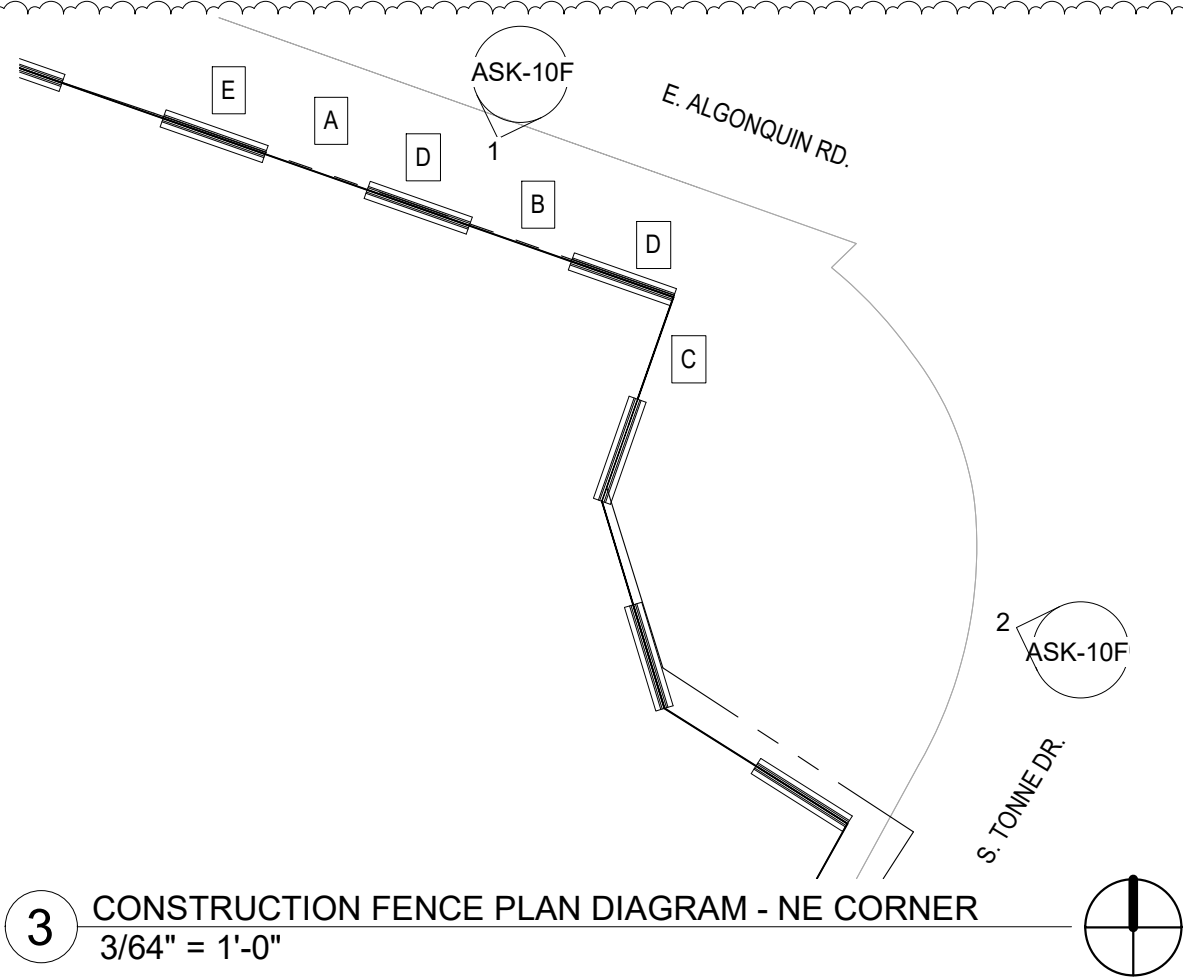


1 NW CORNER - ELEVATION 1
3/16" = 1'-0"



2 NW CORNER - ELEVATION 2
3/16" = 1'-0"

ASK-10E



ASK-10F

CONSTRUCTION FENCE AND SIGNAGE EXAMPLE PHOTO



- GATE
- BLUE NETTING ATTACHED TO CHAINLINK FENCE
- ALTERNATING CONCRETE JERSEY BARRIER SUPPORTS WITH FENCE INSERTS

VINYL BANNER SIGNAGE MOUNTED TO FENCE

ASK-10G



1. EXISTING BUILDINGS WITH FENCE



2. POST DEMO



3. NEW BUILDING WITH FENCE



4. COMPLETED NEW BUILDING

ASK-10H



EXHIBIT C

UNCONDITIONAL AGREEMENT AND CONSENT

TO: The Village of Arlington Heights, Illinois (“*Village*”):

WHEREAS, Bradford Allen Arlington Heights Development Phase I, LLC (“*Owner*”) is the record title owner of that certain property located in the B-3 General Service, Wholesale and Motor Vehicle District (“*B-3 District*”), commonly known as 1, 15, 111 E. Algonquin Road and 2355 S. Arlington Heights Road, Arlington Heights, Illinois (collectively, the “*Property*”); and

WHEREAS, the Property is currently improved with vacant buildings, and the Owner desires to redevelop the Property and place temporary signs on the Property; and

WHEREAS, Thomas Roszak Architecture, LLC (“*Applicant*”), on behalf of Owner, has submitted an application for variations from Section 30-601.a of the Sign Code; and

WHEREAS, Ordinance No. 2024-_____, adopted by the Village President and Board of Trustees on May 6, 2024 (“*Ordinance*”), grants variations from the Village’s sign regulations for the Property; and

WHEREAS, Section 8 of the Ordinance provides, among other things, that the Ordinance will be of no force or effect unless and until the Owner and the Applicant file, 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 Owner and the Applicant do hereby agree and covenant as follows:

1. The Owner and the Applicant hereby unconditionally agree to, accept, consent to, and will abide by, each and all of the terms, conditions, limitations, restrictions, and provisions of the Ordinance.
2. The Owner and the Applicant acknowledge 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 Owner and the Applicant acknowledge and agree 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 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 Owner or the Applicant against damage or injury of any kind and at any time.
4. The Owner and the Applicant hereby agree 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 variations for the Property.

[SIGNATURES ON FOLLOWING PAGE]

Dated: _____, 2024

ATTEST:

BRADFORD ALLEN ARLINGTON HEIGHTS
DEVELOPMENT PHASE I, LLC

By: _____

By: _____

Its: _____

Its: _____

ATTEST:

THOMAS ROSZAK ARCHITECTURE, LLC

By: _____

By: _____

Its: _____

Its: _____