

**AN ORDINANCE GRANTING A LAND USE VARIATION**  
**AND A VARIATION FROM CHAPTER 28 OF**  
**THE ARLINGTON HEIGHTS MUNICIPAL CODE**

WHEREAS, the Plan Commission, in Petition Number 14-018, pursuant to notice, has, on October 8, 2014, conducted a public hearing on the application of I-Cubed Enterprises, Inc./Food Commissary for a land use variation to allow bakery products, wholesale and production in an M-1 Research, Development, and Light Manufacturing District; and

WHEREAS, the Plan Commission has recommended the granting of a land use variation and a variation from the Zoning Ordinance for the subject property; 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 said request, subject to certain conditions hereinafter described, would be in the best interest 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 a land use variation is hereby granted to allow bakery products, wholesale and production, in an M-1 Research, Development, and Light Manufacturing District, at the property legally described as:

Lot 8 in the Resubdivision of part of Lot 1 and all of Lots 2 thru 5, both inclusive, in Arlington Industrial and Research Center, Unit 1, being a subdivision in the Northwest quarter of the Southwest quarter and the Southwest quarter of the Northwest quarter of Section 8, Township 42 North, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

P.I.N. 03-08-316-029, -030

commonly described as 2910 N. Arlington Heights Road, Arlington Heights, Illinois, in compliance with the overall floor plan and detail of dock area, dated December 5, 2014, consisting of two sheets, submitted by the Petitioner, copies of which are on file with the Village Clerk and available for public inspection.

SECTION TWO: That a variation from Chapter 28, Section 6.12-1(3), Traffic Engineering Approval for Projects Requiring Plan Commission Review, waiving the required traffic and parking analysis by a Certified Traffic Engineer, is hereby granted.

SECTION THREE: That the land use variation and variation 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 is limited to I-Cubed Enterprises/Food Commissary only and food preparation shall be limited to Savory Salads.

2. An indoor refuse storage area shall be required for this use.

3. If the Village determines that the proposed use results in the emission of objectionable odors in quantities so as to be readily detectible by an observer at any point on the boundary line of any premises or beyond, then the Petitioner shall incorporate additional measures and/or improvements that will address the odor issue. The exhaust venting shall be placed as far north as possible.

4. At such time the food preparation schedule is determined, the frequency of the trash pick-up shall be increased so that trash placed inside the receptacle does not remain in the receptacle for more than 48 hours.

5. The site shall be monitored for any issues relative to resident concerns such as odor, rodents, traffic and trash.

6. All deliveries and loading related activities, as well as parking lot sweeping in the service area directly abutting the residential area, shall take place Monday through Saturday and shall not be permitted between the hours of 10:00 p.m. and 7:00 a.m.

7. The grease trap shall be located as far north as practically feasible.

8. The hours of operation for Food Commissary shall be limited to Monday through Saturday between the hours of 7:00 a.m. and 7:00 p.m. The Commissary cannot operate a night shift and no Sunday operations shall be permitted.

9. The Petitioner shall comply with all applicable Federal, State, and Village codes, regulations and policies.

SECTION FOUR: That the Director of Building 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 FIVE: 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 in the Office of the Recorder of Cook County.

AYES:

NAYS:

PASSED AND APPROVED this 5th day of January, 2015.

---

Village President

ATTEST:

---

Village Clerk