

**AN ORDINANCE APPROVING AN AMENDMENT TO
PLANNED UNIT DEVELOPMENT ORDINANCE NUMBERS
87-052 AND 05-088, AND GRANTING A VARIATION FROM
CHAPTER 28 OF THE ARLINGTON HEIGHTS MUNICIPAL CODE**

WHEREAS, the President and Board of Trustees of the Village of Arlington Heights have passed and approved Ordinance Numbers 87-052 and 05-088, approving and amending a planned unit development for Sunset Meadows Park located at 700 S. Dwyer Avenue, Arlington Heights, Illinois; and

WHEREAS, in Petition Number 16-010, pursuant to notice, on June 22, 2016, the Plan Commission of the Village of Arlington Heights conducted a public hearing on a request for approval of amendments to Planned Unit Development Ordinance Numbers 87-052 and 05-088, and a variation from Chapter 28 of the Arlington Heights Municipal Code to allow 20 foot high safety netting along the northern edge of the property (Kirchoff Road); and

WHEREAS, the President and Board of Trustees have considered the report and recommendations of the Plan Commission and have determined that authorizing and granting the requests, subject to certain conditions hereinafter described, is in the best interests of the Village,

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

SECTION ONE: That the Planned Unit Development for Sunset Meadows Park approved and amended in Ordinance Numbers 87-052 and 05-088, is hereby amended to allow 20 foot high safety netting along the northern edge of the property (Kirchoff Road) for the property legally described as:

Parcel A: That portion of Lot D (except that part taken for highway purposes and except the South 1060 feet thereof) in Arthur R. McIntosh and Company's 1st Addition to Arlington Heights Farms, a subdivision of that part of the Southwest $\frac{1}{4}$ of Section 31, Township 42 North, Range 11, East of the Third Principal Meridian, lying South of the public highway and West of the East 944.93 feet of said Southwest $\frac{1}{4}$, all in Cook County, Illinois.

Parcel B: Lots 1 and 2 in Sunset Meadow Resubdivision being a resubdivision of part of the Southwest ¼ of Section 31, Township 42 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded December 8, 2005, as Document No. 053421902), in Cook County, Illinois.

P.I.N. 03-31-301-033, -034, 037, -040, -065

and commonly described as 700 S. Dwyer Avenue, Arlington Heights, Illinois.

SECTION TWO: That the property shall be developed in accordance with the Protective Netting Installation Plan prepared by the Petitioner, consisting of one sheet, copies of which are on file with the Village Clerk and available for inspection.

SECTION THREE: That a variation is hereby granted from Section 6.13-3, Location of Fences, to allow an increase in the maximum height of a fence in a front yard from three feet high to 20 feet high.

SECTION FOUR: That approval of the amendment to the Planned Unit Development, and the variations from Chapter 28 of the Arlington Heights Municipal Code are subject to the following conditions:

1. There shall be no additional gates added to the Kirchoff Road side of the property. This excludes the current maintenance gate which shall remain locked in accordance with current policy.

2. The Park District shall work in good faith with the Illinois Department of Transportation to intensify the landscaping along the southerly and northerly right-of-way for Kirchoff Road.

3. The Park District will be responsible for the cost of the maintenance of the trees installed on the south side of Kirchoff. This may be by the Park District performing the actual maintenance, by reimbursement to the Village of the cost of maintenance, or by an in-kind service, to be determined by the Village after discussion with the Park District.

4. The Petitioner shall comply with all Federal, State and Village codes, regulations and policies to which the Petitioner has agreed.

SECTION FIVE: Except as amended by this Ordinance, the remaining provisions of Ordinance Numbers 87-052 and 05-088, shall remain in full force and effect.

SECTION SIX: That the approval of the amendment to the Planned Unit Development granted in SECTION ONE of this Ordinance shall be effective for a period of no longer than 24 months from the date of this Ordinance, unless construction has begun or such approval has been extended by the President and Board of Trustees during that period.

SECTION SEVEN: The Director of Building is hereby authorized to issue a permit upon proper application, in accordance with the provisions of this Ordinance and all applicable ordinances of the Village of Arlington Heights.

SECTION EIGHT: 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, Illinois.

AYES:

NAYS:

PASSED AND APPROVED this 18th day of July, 2016.

Village President

ATTEST:

Village Clerk

PUD:Sunset Meadows Safety Netting