

**AN ORDINANCE AMENDING PLANNED UNIT DEVELOPMENT
ORDINANCE NUMBERS 06-043, 07-007, 07-077, AND 14-015,
AND GRANTING A SPECIAL USE PERMIT AND CERTAIN
VARIATIONS FROM CHAPTER 28 OF THE
ARLINGTON HEIGHTS MUNICIPAL CODE**

WHEREAS, the President and Board of Trustees of the Village of Arlington Heights have heretofore passed and approved Ordinance Numbers 06-043, 07-007, 07-077, and 14-015, approving and amending a planned unit development for the property located at 840 East Kensington Road, commonly known as Kensington School, Arlington Heights, Illinois; and

WHEREAS, on August 24, 2016, in Petition Number 16-007, the Plan Commission of the Village of Arlington Heights conducted a public hearing on a request to amend the Planned Unit Development and grant a special use permit to allow a 15,352 square foot day care center in a B-2 General Business District and for certain variations from Chapter 28 of the Arlington Heights Municipal Code; and

WHEREAS, the President and Board of Trustees of the Village of Arlington Heights 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, is in the best interest of the Village,

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

SECTION ONE: The Planned Unit Development previously approved and amended by Ordinance Numbers 06-043, 07-007, 07-077 and 14-015 for the property legally described as:

Lot 2 in Arlington Market, being a subdivision of part of the Southwest quarter of the Southeast quarter of Section 29, Township 42 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded February 28, 2007, as Document Number 0705915065, and as corrected by the Certificate of Correction recorded July 30, 2007, as Document Number 0721144016 in Cook County, Illinois.

P.I.N. 03-29-411-018-0000

commonly known as 840 East Kensington Road, Arlington Heights, Illinois, is hereby amended in substantial compliance with the following plans:

The following plans dated March 9, 2014 with revisions through August 11, 2016, have been prepared by Hague Architecture:

Title Sheet, consisting of sheet A-01;
Site Plan, consisting of sheet A-02;
Zoning Map, consisting of sheet A-03;
First Floor Plan, consisting of sheet A-04;
Roof Plan, consisting of sheet A-05;
Exterior Images, consisting of sheet A-06;
Exterior Elevations, consisting of sheet A-07;
Materials & Equipment, consisting of sheet A-09;

The following plans have been prepared by Spaceco, Inc.:

Cover Sheet, dated February 12, 2016 with revisions through August 10, 2016, consisting of sheet C1;
General Notes and Typical Sections, dated February 12, 2016 with revisions through May 10, 2016, consisting of sheet GN1;
Existing Conditions, dated February 12, 2016, consisting of sheet E1;
Geometric Plan, dated February 12, 2016 with revisions through August 10, 2016, consisting of sheet L1;
Grading Plan, dated February 12, 2016 with revisions through July 19, 2016 consisting of sheet G1;
Utility Plan, dated February 12, 2016 with revisions through July 19, 2016 consisting of sheet U1;
Soil Erosion and Sediment Control Plans, consisting of sheets SE1 and SE2 dated February 12, 2016, and sheet SE3 dated February 12, 2016 with revisions through July 19, 2016;
Specifications, dated February 12, 2016 consisting of sheets SP1 and SP2;
Details, dated February 12, 2016, consisting of sheets D1 and D2:

The following plans have been prepared by Jeffrey J. Bulin, Landscape Architect:

Landscape Plan, dated July 15, 2016 with revisions through August 11, 2016, consisting of sheet LA-1;
Landscape Sections, Details and Plant List, dated July 18, 2016, consisting of sheet LA-2;

The following plans dated August 11, 2016 have been prepared by Kenig, Lindgren, O'Hara, Aboona, Inc.:

Fire Truck Inbound Maneuver, consisting of one sheet;
Fire Truck Outbound Maneuver, consisting of one sheet;

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

SECTION TWO: That a special use permit for a day care center in a B-2 General Business District is hereby granted for the property legally described in SECTION ONE.

SECTION THREE: That the following variations from Chapter 28, Zoning Regulations, of the Arlington Heights Municipal Code are hereby granted so as to permit development of the property in accordance with the plans submitted by the Petitioner, which variations are as follows:

1. A variation from Section 6.13-3, Location of Fences, to allow an increase in the maximum fence height in the front yard along Dryden Avenue from three feet to four feet.
2. A variation from Section 6.5-2, Accessory Structures, waiving the requirement that accessory structures to be located in the rear yard to allow accessory structures (dumpster enclosure and playground equipment) within the front yard along Dryden Avenue.
3. A variation from Section 6.15-1.2b, New Landscaping Requirements, waiving the requirement for one four-inch shade tree in the landscape island located at the western end of the northern parking row.

SECTION FOUR: That approval of the amendment to Planned Unit Development Ordinance Numbers 06-043, 07-009, 07-077 and 14-015, of a special use permit, and of variations from Chapter 28 of the Arlington Heights Municipal Code granted by this Ordinance is subject to the following conditions, to which the Petitioner has agreed:

1. Prior to issuance of a building permit, the Petitioner shall provide written confirmation from all utility companies that have rights to the utility easement, which states they are amenable to either the proposed encroachments within the utility easement or the abrogation or reduction in size of the easement, if it is determined that the easement is not necessary. If any amendment or abrogation of the easement is required, the amendment or abrogation shall be recorded with the Cook County Recorder of Deeds and proof of recording shall be provided prior to issuance of a building permit.
2. The Petitioner shall amend the pedestrian access easement to be a 20-foot wide easement that follows the proposed pedestrian pathway and runs from the northern property line down to the southern property line. This amendment shall be recorded with the Cook County Recorder of Deeds and proof of recording shall be provided prior to issuance of a building permit.
3. The Petitioner shall amend the existing cross drainage easement as per the requirements of the Engineering Department. This amendment shall be recorded with the Cook County Recorder of Deeds and proof of this recording shall be provided prior to issuance of a building permit.
4. Prior to the issuance of a building permit, the Petitioner shall provide the Village with an easement for the portion of public sidewalk that encroaches on the southeast corner of the site. This easement shall be recorded and provided prior to the issuance of a building permit.

5. The Petitioner shall work with the Village to reduce the width of the 35.02 feet drive aisle so as to allow as much green space as possible and still conform to all fire truck turning radius requirements. Such reductions may require the elimination of one parking space.

6. The Petitioner shall comply with all applicable Design Commission requirements.

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

SECTION FIVE: Except as amended by this Ordinance, the provisions in Ordinance Numbers 06-043, 07-007, -07-077 and 14-015 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 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 by the Village Clerk in the Office of the Recorder of Cook County, Illinois.

AYES:

NAYS:

PASSED AND APPROVED this 4th day of October, 2016.

Village President

ATTEST:

Village Clerk

PUD:Kensington School Amendment