

**AN ORDINANCE APPROVING A
PRELIMINARY PLAT OF RESUBDIVISION
AND GRANTING A VARIATION FROM CHAPTER 29
OF THE ARLINGTON HEIGHTS MUNICIPAL CODE**

WHEREAS, the Plan Commission of the Village of Arlington Heights, in Petition No. 16-025, pursuant to notice, conducted a public hearing on January 25, 2017 and February 8, 2017, on a request for approval of a preliminary plat of resubdivision and for a variation from Chapter 29 of the Arlington Heights Municipal Code, for the property located at 630-720 E. Rand Road, Arlington Heights, Illinois; 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 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 plat of resubdivision prepared by Haeger Engineering, certified land surveyors, dated November 8, 2016 with revisions through December 29, 2016, be and is hereby approved for the property legally described as:

Lot 3 in the Cub Addition, being a subdivision in the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 20, Township 42 North, Range 11, East of the Third Principal Meridian according to the plat thereof recorded May 17, 1084 as Document Number 27090321, in Cook County, Illinois.

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commonly described as 630-720 E. Rand Road, Arlington Heights, Illinois.

SECTION TWO: That the property shall be resubdivided in accordance with the Existing Conditions Exhibit, prepared by Haeger Engineering, dated November 14, 2016 with revisions through January 5, 2017, consisting of one sheet, copies of which are on file with the Village Clerk and available for public inspection.

SECTION THREE: That a variation from Chapter 29, Section 201a(5), Filing Preliminary Plat, of the Arlington Heights Municipal Code, waiving the requirement for a traffic and parking analysis on the subject property.

SECTION FOUR: That the preliminary plat of resubdivision and variation granted by this Ordinance are subject to the following conditions, to which the Petitioner has agreed:

1. The existing Reciprocal Easement Agreement, inclusive of all amendments thereto (REA), which is recorded against the Southpoint Shopping Center and provides for shared parking, cross access, and shared maintenance and access to common utilities and signage, shall remain in effect. If changes to the REA are executed, any such changes shall continue to make adequate provisions for those elements so as to continue to satisfy all applicable Village of Arlington Heights Code requirements.

2. By virtue of the Southpoint Shopping Center's location within TIF Redevelopment Project Area No. 5, the Village is desirous of facilitating appropriate redevelopment opportunities of all or portions of the shopping center. To that end, the owner(s) of Lots 1, 2 and 3 of the Southpoint Resubdivision shall, upon request of the Village, reasonably cooperate with the Village in the Village's review of any appropriate future redevelopment plans for all or any portion of the shopping center; provided, however, this condition shall not be construed as a waiver of such property owner(s) rights and obligations pursuant to law, including, without limitation, the Village's zoning regulations and the existing Reciprocal Easement Agreement, inclusive of all amendments thereto, recorded against the Southpoint Shopping Center.

3. The Petitioner shall comply with all Federal, State and local policies, regulations and codes.

SECTION FIVE: That approval of the preliminary plat of resubdivision granted in SECTION ONE of this Ordinance authorizes the submission of a final plat for the proposed resubdivision and detailed plans and specifications for the public improvements therein. The preliminary approval shall be effective for a period no longer than 12 months, unless extended by the President and Board of Trustees during that period.

SECTION SIX: 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 6th day of March, 2017.

ATTEST:

Village President

Village Clerk