

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE VILLAGE OF ARLINGTON HEIGHTS, GRANTING
PRELIMINARY APPROVAL OF A PLANNED UNIT DEVELOPMENT,
A PRELIMINARY PLAT OF RESUBDIVISION AND VARIATIONS
FROM CHAPTER 28 OF THE ARLINGTON HEIGHTS MUNICIPAL CODE**

WHEREAS, in Petition Number 17-004, on April 26, 2017, pursuant to notice, the Plan Commission of the Village of Arlington Heights conducted a public hearing on a request for rezoning from a B-1 Limited Retail Business District and B-2 General Business District to an I Institutional District, preliminary approval of a planned unit development to allow a two story, 16 unit supportive housing development, approval of a preliminary plat of resubdivision, and variations from certain provisions of Chapter 28 of the Municipal Code for the property located at 120-122 East Boeger Drive, Arlington Heights, Illinois; and

WHEREAS, the President and Board of Trustees have reviewed the minutes of the Plan Commission hearing and have determined that authorizing and granting said requests, subject to certain conditions hereinafter described, would be in the best interests 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 the Zoning Ordinance of the Village of Arlington Heights is hereby amended by reclassifying from a B-1 Limited Retail Business District and B-2 General Business District to an I Institutional District the following described property:

Lots 2 and 3 in Hardee's Dundee Road Resubdivision, being a subdivision of part of the Northwest quarter of the Northwest quarter and the North half of the Southwest quarter of the Northwest quarter of Section 8, Township 42 North, Range 11, East of the Third Principal according to the plat thereof recorded September 26, 1986 as Document 86439262, in Cook County, Illinois.

P.I.N. 03-08-100-053, -054

and commonly described as 120-122 East Boeger Drive, Arlington Heights, Illinois (“Subject Property”)

SECTION TWO: That preliminary approval is hereby granted for a planned unit development to permit a two story 16-unit supportive housing development on the property legally described in SECTION ONE, which property is hereby designated as a Planned Unit Development and the Zoning Map of the Village of Arlington Heights is hereby amended accordingly. Approval is hereby given for development of the Subject Property in substantial compliance with the following plans:

The following plans have been prepared by Cordogan Clark & Associates, Inc.:

Site Plan, dated April 5, 2017, consisting of one sheet;

Unit Plan, dated February 27, 2017, consisting of sheets A6.0 and A6.1;

Floor Plan, dated March 23, 2017, consisting of one sheet;

Building Elevations, dated January 29, 2017, consisting of one sheet;

Color Rendering, dated January 3, 2017, consisting of one sheet;

The following plans dated January 13, 2017 with revisions through April 7, 2017, have been prepared by Eriksson Engineering Associates, Ltd.:

Civil Cover Sheet, consisting of sheet C000;

Preliminary Engineering Plan, consisting of sheet C001;

Fire Truck Autoturn Exhibit, consisting of sheet C100;

Fire Department Access, consisting of sheet C101;

Refuse Truck Autoturn Exhibit, consisting of sheet C102;

Watermain Extension, consisting of sheet C103;

Preliminary Landscape Plan, consisting of sheet L001;

Tree Preservation Plan, consisting of sheet TP001,

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

SECTION THREE: That a preliminary plat of resubdivision to consolidate two lots into one lot for Heart’s Place Consolidation, prepared by Bryan J. Lee, with revisions through April 6, 2017, is hereby approved.

SECTION FOUR: That variations from the requirements of certain provisions of Chapter 28 of the Arlington Heights Municipal Code are hereby granted so as to permit development of the Subject Property in accordance with the plans approved in SECTION TWO of this Ordinance, which variations are as follows:

1. A variation from Section 5.1-8.3, Minimum Area for Zoning District, to allow a reduction to the minimum district standard size from 2.0 acres to 0.93 acre.

2. A variation from Section 5.1-8.1a, Location, waiving the requirement that property up to four acres and zoned institutional shall have frontage on a street classified at least as a collector street on the Arlington Heights Thoroughfare Plan.

3. A variation from Section 5.1-8.14, Minimum Distance from Building Wall to Paved Area, to allow a reduction to the minimum distance from 25 feet to 15 feet.

4. A variation from Section 6.5-2, Accessory Structures, to allow an accessory structure (gazebo) in a side yard.

5. A variation from Section 11.7b, Loading Requirements, waiving the requirement for a loading berth on the subject property.

6. A variation from Section 16.12-1, Traffic Engineering Approval, waiving the requirement for a traffic analysis.

SECTION FIVE: That the rezoning, preliminary approval of the Planned Unit Development (PUD) preliminary plat of resubdivision, and variations 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 Petitioner shall have 24 months from final PUD approval to commence construction as required by Village Code. If construction does not commence within 24 months of final PUD approval, or a request for extension is not received and approved, then all ordinances approving this development shall become null and void and the zoning shall revert back to its original B-1 and B-2 district classifications and the Comprehensive Plan designation shall revert back to a 'Commercial' use.

2. All units within the development shall be deed restricted so that they remain in perpetuity as an affordable housing development for individuals with disabilities and meeting all Housing and Urban Development defined income levels.

3. The Petitioner shall coordinate with the property owner of the Popeye's restaurant to provide the required improvements to the access easement to allow for proper existing and access for emergency services as determined by the Village of Arlington Heights. This shall be done prior to final PUD approval.

4. The Petitioner shall provide the following on-site staffing:

a. Shared property manager and part-time maintenance staff – Monday through Friday 9:00 a.m. to 5:00 p.m. as needed.

b. Case workers and service providers' staff as needed. The Petitioner shall provide estimates for the minimum hours for review and approval by the Village.

5. Additional unobstructed paths of travel around the building may be required during final PUD.

6. Compliance with all Design Commission recommendations from the April 6, 2016, meeting.

7. Petitioner shall work with Staff to relocate and screen mounted condensing units to the northwest corner of the property to the extent feasible.

8. A code-compliant photometric plan shall be required as part of the final PUD.

9. School, park, and library contributions shall be required per Village Code prior to issuance of a building permit.

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

SECTION SIX: That the preliminary planned unit development approval granted in SECTION TWO of this Ordinance shall continue in effect for a period of 12 months from the approval of this Ordinance, during which period the Petitioner must submit to the Village the materials required by the Zoning Ordinance for final approval of the Planned Unit Development.

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

SECTION EIGHT: 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 by the Village in the office of the Recorder of Cook County.

AYES:

NAYS:

PASSED AND APPROVED this 10th day of July, 2017.

Village President

ATTEST:

Village Clerk

PUD Hearts Place