

Applebee's Grill & Bar  
111 E. Algonquin Road  
SW Corner of Algonquin and Tonne

# UNOFFICIAL COPY



Doc#: 0522819036 Fee: \$32.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 08/16/2005 10:40 AM Pg: 1 of 5

**AN ORDINANCE AMENDING THE ZONING ORDINANCE  
OF THE VILLAGE OF ARLINGTON HEIGHTS, AND  
GRANTING A SPECIAL USE PERMIT FOR A RESTAURANT**

WHEREAS, the Plan Commission of the Village of Arlington Heights, pursuant to notice, in Petition Number 05-021, has on July 13, 2005, conducted a public hearing on a request for rezoning of the property located at 111 E. Algonquin Road, Arlington Heights, Illinois, from an M-2 Limited Manufacturing District to a B-3 General Service, Wholesale and Motor Vehicle District, for a special use permit; 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, would be in the best interest of the Village of Arlington Heights; and

WHEREAS, the President and Board of Trustees have determined that a sit-down/carry-out restaurant, in that location will be desirable for the public convenience and that such facility will be compatible with other uses in the vicinity of that site,

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 be and it is hereby amended by reclassifying from an M-2 Limited Manufacturing District to a B-3 General Service, Wholesale and Motor Vehicle District, the following described property:

Parcel 1: The North 76.83 feet of the South 104.41 feet of Lot 4, together with the part of the West 182.08 feet lying North of said South 104.41 feet and lying South of the North 175.00 feet of Lot 4, all as measured along and perpendicular to the Westerly line thereof in August Busse's division of parts of the East half of Section 16, Township 41 North, Range 11, East of the Third Principal Meridian, in Cook County, Illinois.

**RETURN TO:** 1  
**BOX 111**

**LEGAL DEPARTMENT  
VILLAGE OF ARLINGTON HEIGHTS  
33 South Arlington Heights Rd.  
Arlington Heights, IL 60005**

05-063

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Excepting therefrom that part taken by The Department of Transportation of The State of Illinois by order entered January 20, 1994 in Case Number 93L50915 and described as follows: beginning at the Southwest corner of the North 76.83 feet of the South 104.41 feet of said Lot 4; thence on an assumed bearing of North 7 degrees 01 minutes 35 seconds East along the Westerly line of said Lot 4; a distance of 227.08 feet to the South line of the North 175.00 feet of said Lot 4; thence South 82 degrees 53 minutes 55 seconds East along the South line of the North 175.00 feet said Lot 4, a distance of 16.00 feet; thence South 7 degrees 01 minutes 35 seconds West along a line 16.00 feet normally distant Easterly of and parallel with the Westerly line of said Lot 4, a distance of 227.08 feet to the South line of the North 76.83 feet of the South 104.41 feet of said Lot 4; thence North 82 degrees 53 minutes 55 seconds West along said South line of the North 76.83 feet of the South 104.41 feet of said Lot 4; a distance of 16.00 feet to the point of beginning.

Parcel 2: Lot 4 (excepting the South 27.58 feet, as measured along the Westerly line thereof, and also excepting the North 175 feet of the West 165.8 feet, as measured along a perpendicular to the Westerly line thereof) in August Busse's division of parts of the East ½ of Section 16, Township 41 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

Excepting therefrom that part taken from The Department of Transportation of The State of Illinois by order entered April 22, 1994 in Case Number 94L50128 and described as follows: beginning at the Northeast corner of said Lot 4; thence on an assumed bearing of South 26 degrees 24 minutes 24 seconds West along the Easterly line of said Lot 4 a distance of 13.45 feet; thence North 63 degrees 24 minutes 45 seconds West along a line 13.45 feet normally distant Southwesterly of and parallel with the Northerly line of said Lot 4, a distance of 249.44 feet to the East line of said West 165.08 feet of Lot 4; thence North 7 degrees 01 minutes 35 seconds East along said East line of the West 165.089 feet of Lot 4, a distance of 14.27 feet to the Northerly line of said Lot 4; thence South 63 degrees 24 minutes 45 seconds East along said Northerly line of Lot 4 a distance of 254.18 feet to the point of beginning.

Parcel 3: That part of Lots 1 and 2 in Lincoln-Executive Plaza Resubdivision, being a resubdivision of part of Lot 2 in August Busse's division of part of the East ½ of Section 16, Township 41 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded November 12, 1981 as Document 26056028, described as follows: commencing at the Northwest corner of said Lot 1; thence South 27 degrees 05 minutes 35 seconds West along the Westerly line of said Lot 1, 11.27 feet to a point of beginning at the Southwesterly line of Algonquin Road as widened; thence South 63 degrees 11 minutes 02 seconds East along said Southwesterly line of Algonquin Road as widened 16.70 feet (said Southwesterly line of Algonquin Road as widened being a straight line drawn from said point on the Westerly line of said Lot 1, 11.27 feet, as measured along said Westerly line Southerly of the Northwest corner of said Lot 1 to a point on the East line of said Lot 1, 11.18 feet as measured along said East line, South of the Northeast corner of said Lot 1); thence South 28 degrees 48 minutes 58 seconds West 21.29 feet; thence South 06 degrees 56 minutes 53 seconds East, 22.07 feet; thence South 49 degrees 43

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**Grading and Erosion Plan**, dated February 4, 2005 with revisions through June 30, 2005, consisting of sheet C-6;

**Detail Sheet**, dated February 8, 2005 with revisions through June 30, 2005, consisting of sheet C-7;

**IDOT Traffic Standards**, dated February 8, 2005 with revisions through June 30, 2005, consisting of sheets C-8 and C-9;

**Landscape Plan**, prepared by Thornapple Landscapes, Inc., dated February 22, 2005 with revisions through July 1, 2005, consisting of one sheet,

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

SECTION THREE: That the rezoning and special use permit granted by this ordinance is conditioned upon compliance with the following conditions, to which the petitioner has agreed:

1. The petitioner shall provide a cross access easement along the south property line of the Applebee's site. This easement shall be effectuated if and when the adjacent property to the south redevelops or is agreeable to the establishment of said easement.

2. The petitioner shall provide a signed and recorded copy of all existing and modified cross access and shared parking easement agreements with the existing office building/drive-though bank, prior to the issuance of a building permit.

3. The petitioner shall make reasonable efforts to negotiate and provide stop control measures at the North-South and East-West interior drive aisles intersections.

4. The petitioner shall comply with all of the conditions that are outlined in the June 14, 2005 Design Commission motion.

5. The petitioner shall comply with all Federal, State, and Village codes, regulations and policies.

SECTION FOUR: That the Director of Building of the Village of Arlington Heights be and he is hereby directed to issue permits for the construction of 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, Illinois.

AYES: STENGREN, KUCERA, ROSENBERG, JENSEN, HAYES, BREYER, TOLJANIC, MULDER

NAYS: NONE

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minutes 46 seconds East, 33.35 feet; thence South 40 degrees 16 minutes 14 seconds West, 104.60 feet to a point of curvature; thence Southwesterly along a curved line convex Northwesterly, having a radius of 225.00 feet and being tangent to said last described line at said last described point, an arc distance of 5.12 feet to the West line of said Lot 1 (the chord of said arc bears South 39 degrees 37 minutes 07 seconds West, 5.12 feet); thence south 00 degrees 01 minutes 27 seconds West along the West line of said lot, being also the East line of said Lot 2, 34.16 feet to a point 605.61 feet, as measured along said East line of Lot 2, North of the Southeast corner of said Lot 2; thence North 89 degrees 29 minutes 08 seconds West along a South line of said Lot 2, 93.22 feet to a Southwest corner of said Lot 2; thence North 27 degrees 05 minutes 35 seconds East along the Westerly line of said Lot 2, 282.19 feet to the Southwesterly line of Algonquin Road as widened; thence South 63 degrees 02 minutes 35 seconds East along said Southwesterly line of Algonquin Road as widened, 126.70 feet to an angle point in said line, thence South 63 degrees 11 minutes 02 seconds East along the Southwesterly line of Algonquin Road as widened, 45.36 feet to the point of beginning, in Cook County, Illinois.

P.L.N. 08-16-401-039

and commonly described as 114 E. Algonquin Road, Arlington Heights.

SECTION TWO: That a special use permit for a sit-down/carry-out restaurant, is hereby granted for the property legally described in SECTION ONE of this ordinance which shall be constructed in substantial compliance with the following plans:

The following plans have been prepared by Barbara S. Wells, Architect:

**Seating and Equipment Plan**, dated April 1, 2005 with revisions through June 24, 2005 consisting of sheet F1;

**Floor Plan**, dated March 14, 2005 with revisions through June 7, 2005, consisting of sheet A2;

**North and East Elevation**, dated March 14, 2005 with revisions through June 8, 2005, consisting of sheet A3;

**West and South Elevation**, dated March 14, 2005 with revisions through June 8, 2005, consisting of sheet A4;

The following plans have been prepared by Norman J. Toberman Associates:

**Title and Notes Sheet**, dated February 8, 2005 with revisions through June 30, 2005, consisting of sheet C-1;

**Existing Topography and Demolition**, dated February 4, 2005 with revisions through June 30, 2005, consisting of sheet C-2;

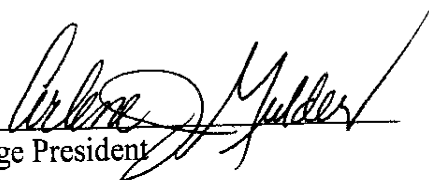
**Site Plan**, dated February 4, 2005 with revisions through June 30, 2005, consisting of sheet C-3;

**Utility Plan**, dated February 4, 2005 with revisions through June 30, 2005, consisting of sheet C-4;

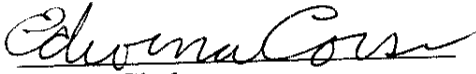
**Utility Plan and Profile Sheet**, dated February 4, 2005 with revisions through June 30, 2005, consisting of sheet C-5;

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PASSED AND APPROVED this 1<sup>st</sup> day of August, 2005.

  
Village President

ATTEST:

  
Village Clerk

LBuechner/special use permit: Applebee's

Property of Cook County Clerk's Office