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Doc#: 0804431051 Fee: \$34.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 02/13/2008 10:36 AM Pg: 1 of 6

**AN ORDINANCE APPROVING A PRELIMINARY PLAT OF
RESUBDIVISION, AMENDING PLANNED UNIT DEVELOPMENT
ORDINANCE NUMBER 06-043 AND GRANTING CERTAIN
VARIATIONS FROM THE ARLINGTON HEIGHTS MUNICIPAL CODE**

WHEREAS, the President and Board of Trustees of the Village of Arlington Heights have heretofore passed and approved Ordinance Number 06-043, approving a planned unit development, for the property located at the northwest corner of Dryden Avenue and Kensington Road, Arlington Heights, Illinois; and

WHEREAS, the Plan Commission of the Village of Arlington Heights, in Petition Number 07-028, pursuant to notice, has on October 24, 2007, conducted a public hearing on a request for approval of a preliminary plat of resubdivision, an amendment to Planned Unit Development Ordinance Number 06-043 and for certain variations from the Arlington Heights Municipal Code; 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 said 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 preliminary plat of resubdivision for Arlington Market Resubdivision No. 1, (Lots 3 through 15, Outlot C and Lot 53 of Arlington Market Resubdivision) prepared by Jacob & Hefner Associates, P.C., dated October 17, 2007, be and is hereby approved for the property legally described as:

North Parcel:

That part of the southwest quarter of the southeast quarter of Section 29, Township 43 North, Range 11 east of the Third Principal Meridian, also part of DOC #16909135 more particularly described as follows:

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Commencing at the southeast corner of the southwest quarter of the southeast quarter of said Section 29 and also being the intersection of Kensington Avenue and Dryden Road; thence a measured bearing of north 00 degrees 01 minutes 36 seconds west a measured distance of 33.00 feet along the east line of the southwest quarter of the southeast quarter of said Section 29; thence a measured bearing of north 89 degrees 47 minutes 17 seconds west a measured distance of 40 feet to a point on the north right of way line of Kensington Avenue and west right of way line of Dryden Road; thence along said west right of way line a measured bearing of north 00 degrees 01 minutes 36 seconds west a measured distance of 688.00 feet to a point of beginning; Thence parallel with the north right of way line of Kensington Avenue a measured bearing of north 89 degrees 47 minutes 17 seconds west a measured distance of 777.24 feet to the east line of Dunton & Bigsby's Addition to Arlington Heights (DOC #43293); thence along said Dunton and Bigsby's Addition a measured bearing of north 00 degrees 08 minutes 13 seconds west a measured distance of 246.71 feet to the south line of Eastwood Condominiums; thence along the south line of said Eastwood Condominiums a measured bearing of south 89 degrees 47 minutes 17 seconds east a measured distance of 465.00 feet to an intermediate east line of said Eastwood Condominiums, thence a measured bearing of north 00 degrees 01 minutes 36 seconds west a measured distance of 13.10 feet; thence along the south line of said Eastwood Condominiums a measured bearing of south 89 degrees 47 minutes 17 seconds east a measured distance of 312.72 feet to the west right of way line of Dryden Road; thence along said west right of way line a measured bearing of south 00 degrees 01 minutes 36 seconds east a measured distance of 259.80 feet to the point of beginning, containing 4.497 acres more or less and all situated in Arlington Heights Township, Cook County, Illinois.

Middle Parcel

That part of the southwest quarter of the southeast quarter of Section 29, Township 43 North, Range 11 East of the Third Principal Meridian, also part of DOC #16909135 more particularly described as follows:

Commencing at the southeast corner of the southwest quarter of the southeast quarter of said Section 29 and also being the intersection of Kensington and Dryden Road; thence a measured bearing of north 00 degrees 01 minutes 36 seconds west a measured distance of 33.00 feet along the east line of the southwest quarter of the southeast quarter of said Section 29; thence a measured bearing of north 89 degrees 47 minutes 17 seconds west a measured distance of 40.00 feet to a point on the north right of way line of Kensington Avenue and west right of way line of Dryden Road; thence along said west right of way line a measured bearing of north 00 degrees 01 minutes 36 seconds west a measured distance of 270.00 feet to the point of beginning; thence parallel with the north right of way line of Kensington Avenue a measured bearing of north 89 degrees 47 minutes 17 seconds west a measured distance of 581.48 feet to the east right of way line of Beverly Lane; thence along said east right of way a measured bearing of north 00 degrees 08 minutes 13 seconds west a measured distance of 57.02 feet to the north right of way line of Campbell Street; thence along said north right of

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way line a measured bearing of north 89 degrees 47 minutes 17 seconds west a measured distance of 64.97 feet; to the southeast corner of a Parcel A recorded in DOC #16909135; thence along the east line of said Parcel C a measured bearing of north 00 degrees 08 minutes 13 seconds west a measured distance of 200.00 feet to the northeast corner of said Parcel C; thence along the north line of said Parcel C a measured bearing of north 89 degrees 47 minutes 17 seconds west a measured distance of 130.00 feet to the east line of Dunton and Bigsby's Addition to Arlington Heights (DOC #43293); thence along said east line a measured bearing of north 00 degrees 08 minutes 13 seconds west a measured distance of 152.99 feet; thence parallel with the north right of way line a measured bearing of south 89 degrees 47 minutes 17 seconds east a measured distance of 777.24 feet to the west right of way line of Dryden Road; thence along said right of way a measured bearing of south 00 degrees 01 minutes 36 seconds east a measured distance of 470.00 feet to the point of beginning, containing 6.460 acres more or less and all situated in Arlington Heights Township, Cook County, Illinois.

South Parcel

That part of the southwest quarter of the southeast quarter of Section 29, Township 43 North, Range 11 East of the Third Principal Meridian, also part of DOC #16909135 more particularly described as follows:

Commencing at the southeast corner of the southwest quarter of the southeast quarter of said Section 29 and also being the intersection of Kensington Avenue and Dryden Road; thence a measured bearing of north 00 degrees 01 minutes 36 seconds east a measured distance of 33.00 feet along the east line of the southwest quarter of the southeast quarter of said Section 29; thence a measured bearing of north 89 degrees 47 minutes 17 seconds west a measured distance of 40.00 feet to a point on the north right of way line of Kensington Avenue and west right of way line of Dryden Road and also the point of beginning; thence continuing the previously described course along said north right of way line a measured distance of 310.92 feet to a job in the right of way; thence along said north right of way line a measured bearing of south 01 degrees 12 minutes 43 seconds a measured distance of 8.00 feet; thence along said north right of way line a measured bearing of north 89 degrees 47 minutes 17 seconds west a measured distance of 269.99 feet to the east right of way line of Beverly Lane; thence along said east right of way line a measured bearing of north 00 degrees 08 minutes 13 seconds west a measured distance of 278.00 feet; thence parallel with the north right of way line of Kensington Avenue a measured bearing of south 89 degrees 47 minutes 17 seconds east a measured distance of 581.48 feet to the west right of way line of Dryden Road; thence along said west right of way a measured bearing of south 00 degrees 01 minutes 36 seconds east a measured distance of 270.00 feet to the point of beginning, containing 3.652 acres more or less and all situated in Arlington Heights Township, Cook County, Illinois.

P.I.N. 03-29-411-008, -012, -013, -015

and commonly described as the northwest corner of Dryden Avenue and Kensington Road, Arlington Heights, Illinois.

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SECTION TWO: That the Planned Unit Development for Arlington Market approved in Ordinance Number 06-043 is hereby amended to allow certain site modifications relative to the front yard building setback for the single family homes along Dryden Avenue as well as to allow certain lot size modifications to Lot 53 and proposed Lot 56.

SECTION THREE: That the property shall be developed in accordance with the following plans:

The following plan has been prepared by KLLM Architects, Inc.:

Proposed Site Plan, dated August 29, 2006 with revisions through August 29, 2007 consisting of sheet A20;

The following plans have been prepared by Jacob & Hefner Associates, P.C.:

Geometric Plan – 1, dated August 10, 2006 with revisions through September 4, 2007, consisting of sheet L1;

Geometric Plan – 2, dated August 10, 2006 with revisions through September 4, 2007, consisting of sheet L2;

Grading Plan – 1, dated August 10, 2006 with revisions through September 24, 2007, consisting of sheet G1;

Grading Plan – 2, dated August 10, 2006 with revisions through September 4, 2007, consisting of sheet G2;

Utility Plan – 2, dated August 10, 2006 with revisions through September 4, 2007, consisting of sheet U2;

The following plans have been prepared by Laflin Design Group, Ltd.:

Single Family Plan (West), dated November 1, 2006 with revisions through December 4, 2006 consisting of sheet L-4;

Single Family Plan (East), dated November 14, 2006 with revisions through December 4, 2006 consisting of sheet L-5;

Detail Plan, dated November 14, 2006 with revisions through December 4, 2006, consisting of sheet L-7,

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

SECTION FOUR: That the following variations from Chapters 28 and 29 of the Arlington Heights Municipal Code are hereby granted:

1. A variation from Chapter 28, Section 5.3-3.6 and Section 5.3-2, to allow a reduction to the minimum required front yard setback for the single family lots (3 through 15) along Dryden Avenue from 25 feet to 16.5 feet.

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2. A variation from Chapter 28, Section 5.1-3.4 and Chapter 29, Section 29-307, to allow a reduction to the minimum corner lot size for Lot 53 and proposed Lot 56 from 9,900 square feet to 3,630 square feet.

3. A variation from Chapter 28, Section 5.1-3.5 and from Chapter 29, Section 29-307, to allow a reduction to the minimum corner lot width for Lot 53 and Proposed Lot 56 from 90 feet to 33 feet.

4. A variation from Chapter 28, Section 6.12, Traffic Engineering, waiving the required traffic and parking study from a certified traffic engineer.

SECTION FIVE: That the approval of the amendment to Planned Unit Development Ordinance Number 06-043, preliminary plat of resubdivision and variations from the Arlington Heights Municipal Code, are subject to the condition that the Petitioner shall comply with all Federal, State and Village codes, regulations and policies to which the Petitioner has agreed.

SECTION SIX: Except as amended by this Ordinance, the remaining provisions of Ordinance Number 06-043 shall remain in full force and effect.

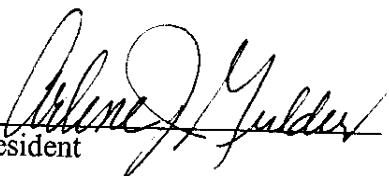
SECTION SEVEN: That the approval of the amendment to the planned unit development granted in SECTION TWO of this Ordinance shall be effective for a period of no longer than 24 months from the date of this Ordinance, unless construction has begun or such approval has been extended by the President and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


SECTION EIGHT: 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 NINE: 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, HAYES, JENSEN, ROSENBERG, BREYER, FARWELL, SCALETTA, MULDER
NAYS: NONE

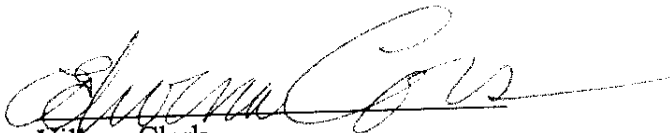
PASSED AND APPROVED this 3rd day of December, 2007.


Village President

ATTEST:


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

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Village Clerk

LEGLB.PUD. Arlington Market Amendment



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COOK COUNTY CLERK'S OFFICE
JAN 10 2010
100 N. LAUREL ST. CHICAGO, IL 60602
TEL: 312.603.1000 FAX: 312.603.1001