



Doc#: 0811518007 Fee: \$44.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 04/24/2008 09:57 AM Pg: 1 of 5

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE VILLAGE OF ARLINGTON HEIGHTS, GRANTING A
LAND USE VARIATION, A SPECIAL USE PERMIT AND VARIATIONS
FROM CHAPTER 28 OF THE ARLINGTON HEIGHTS MUNICIPAL CODE**

WHEREAS, the Plan Commission, in Petition Number 07-023, pursuant to notice, has on September 26, 2007, conducted a public hearing on the request of Care Animal Hospital to rezone the property located at 1195 E. Palatine Road, Arlington Heights, Illinois, from an R-1 One Family Dwelling District to B-2 General Business District, to allow the expansion of the existing animal hospital on to the single-family zoned property, a land use variation to allow a commercial kennel in a B-2 General Business District, a special use permit to allow a drive-through facility, and variations from Chapter 28 of the Arlington Heights Municipal Code, for the property located at 1195 E. Palatine Road, Arlington Heights; 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 the amendment to the zoning ordinance, land use variation, special use permit and variations from Chapter 28 of the Arlington Heights Municipal Code, subject to certain conditions hereinafter described, would be in the best interests of the Village of Arlington Heights,

WHEREAS, the President and Board of Trustees hereby find that the proposed establishment of a drive-through facility for an animal hospital in that location will be desirable for the public convenience and that such facility will be compatible with other uses in the vicinity of the 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 R-1 One Family Dwelling District to a B-2 General Business District, the following described property:

Lot 40 in A.C. Goelz's Arlington Heights Gardens, being a subdivision in the Northeast ¼ of Section 20, Township 42 North, Range 11, East of the Third Principal

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Meridian, excepting from said Lot 40 that part thereof lying North of the following described line: beginning in the East line of Lot 40 aforesaid, 70 feet South of the North line of said Northeast $\frac{1}{4}$; thence Westerly parallel to the North line of said Northeast $\frac{1}{4}$ to the West line of Lot 40 aforesaid; thence Southwesterly to a point on the West line of Lot 41 in said subdivision, 78.1 feet South of the North line of said Northeast $\frac{1}{4}$ in Cook County, Illinois.

P.I.N. 03-20-201-003

commonly known as 1025 E. Palatine Road, Arlington Heights, Illinois.

SECTION TWO: That a land use variation be and it is hereby granted to permit a commercial kennel in a B-2 General Business District for the property legally described as follows:

Parcel A

Lot 39 Except that part thereof lying North of a line 70 feet South of and parallel to the North line of Section 20, in C.A. Goelz's Arlington Heights Gardens, a subdivision in the Northeast $\frac{1}{4}$ of Section 20, Township 42 North, Range 11, East of the Third Principal Meridian in Cook County, Illinois.

Parcel B

Lot 40 in A.C. Goelz's Arlington Heights Gardens, being a subdivision in the Northeast $\frac{1}{4}$ of Section 20, Township 42 North, Range 11, East of the Third Principal Meridian, excepting from said Lot 40 that part thereof lying North of the following described line: beginning in the East line of Lot 40 aforesaid, 70 feet South of the North line of said Northeast $\frac{1}{4}$; thence Westerly parallel to the North line of said Northeast $\frac{1}{4}$ to the West line of Lot 40 aforesaid; thence Southwesterly to a point on the West line of Lot 41 in said subdivision, 78.1 feet South of the North line of said Northeast $\frac{1}{4}$ in Cook County, Illinois.

P.I.N. 03-20-201-003, -004

commonly known as 1195 and 1025 E. Palatine Road, Arlington Heights, Illinois

SECTION THREE: That a special use permit for a drive-through facility for an animal hospital is hereby granted for the property legally described in SECTION TWO.

SECTION FOUR: That the following variations from certain provisions of Chapter 28 of the Arlington Heights Municipal Code are hereby granted:

1. A variation from Section 11.4, Schedule of Parking Requirements, to allow a reduction in the required number of parking stalls on site from 100 parking stalls to 80 parking stalls.
2. A variation from Section 5.1-11.6, Required Minimum Yards and Table 5.4, Table

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of Required Minimum Yards, to allow a reduction to the required minimum front yard setback (north) from 25 feet to 23 feet 5 inches.

SECTION FIVE: Development of the property shall be in compliance with the following plans:

The following plans have been prepared by RFA, Robert Flubacker Architects, Limited:

Title Sheet, dated July 10, 2007 with revisions through November 13, 2007, consisting of sheet A-0;

Existing Site Plan, dated July 10, 2007, consisting of sheet EX-1;

Existing First Floor Plan, dated August 26, 2006 with revisions through July 10, 2007, consisting of sheet EX-2;

Existing Elevations, dated August 26, 2006 with revisions through July 10, 2007, consisting of sheet EX-3;

Proposed Site Plan, dated July 10, 2007 with revisions through March 12, 2008, consisting of sheet A1;

Proposed Basement and 1st Floor Plans, dated November 13, 2007, consisting of sheet A-2.

Proposed 2nd Floor and Roof Plans, dated July 10, 2007, consisting of sheet A-3;

Proposed Partial Plans, dated July 10, 2007, consisting of sheet A-4;

Proposed Partial Plans, dated July 10, 2007, consisting of sheet A-5;

Proposed Elevations, dated February 12, 2007 with revisions through July 10, 2007, consisting of sheet A-6;

Proposed Building Section, dated July 10, 2007, consisting of sheet A-7;

Site Plan – Electrical, dated March 11, 2008, consisting of sheet E-1;

The following plans have been prepared by Bollinger, Lach & Associates, Inc.:

Preliminary Engineering, dated August 13, 2007, consisting of one sheet;

Vehicle Turning Path, dated August 13, 2007, consisting of one sheet;

Lighting Plan, prepared by Cooper Lighting, dated October 22, 2007, consisting of one sheet, as revised and approved prior to issuance of a building permit;

Landscape Development Plan, prepared by Doering Landscape Contractors, dated August 24, 2007 with revisions through March 11, 2008, consisting of one sheet,

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

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SECTION SIX: That the amendment to the zoning ordinance, land use variation, special use permit 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 submit information regarding the facility at 1201 E. Palatine Road including the amount of square footage devoted to storage. In addition, a site inspection shall be required. If it is determined that a land use variation is required for the facility, a Plan Commission application shall be submitted within 60 days of Village Board approval of this Ordinance.
2. The revised landscape plan shall be submitted prior to building permit issuance.
3. The revised engineering, site lighting and turning movement plans shall be submitted prior to the issuance of a building permit.
4. The Petitioner shall obtain a permit from the Illinois Department of Transportation for the curb-cut onto Palatine Road prior to the issuance of a building permit.
5. The lighting in the parking lot shall be programmed to turn off automatically one hour after close of the regular business hours. If additional lighting is required for the 24-hour operation, the Petitioner shall work with the Village to create an acceptable lighting plan.
6. The use of the second story shall be restricted to administrative, storage and/or mechanical support only.
7. The Petitioner shall apply for a commercial kennel license from the Village of Arlington Heights.
8. The land use variation for the commercial kennel shall only apply to the Petitioner.
9. The development shall comply with the August 14, 2007, Design Commission motion.
10. The walking of dogs shall be limited to the subject property only.
11. The walking of dogs shall not occur along the east 180 feet of the south property line. Signs and fencing restricting this area shall be posted and installed on the property, as set forth in Exhibit A, attached hereto and made a part hereof.
12. The Petitioner shall reconfigure the loading area to allow for a larger fenced area which would be a designated "dog walking area" in accordance with Exhibit B, attached hereto and made a part hereof.
13. The Petitioner shall install sound-dampening vents and acoustic panels in the dog

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runs/kennels that vent to the outside. These modifications shall be reflected in plans submitted for building permit. After the installation of said noise reduction systems, if the dog runs/kennel volumes are determined to continue to be an issue, the Petitioner shall be required to make further modifications to resolve the noise problem.

14. The Petitioner and Village shall continue to monitor potential residential cut-through traffic generated by the Animal Hospital. If a problem should arise, as determined by the Village, the Petitioner shall modify the proposed Clarence Avenue entrance to prohibit some turn movements or the closure of the driveway onto Clarence Avenue as determined necessary by the Village.

15. If it is determined that modifications are necessary to Clarence Avenue, the Petitioner shall be responsible to pay their proportionate share of the roadway improvement design and installation cost.

16. The garbage dumpster shall be kept in an enclosed area with the cover to remain closed.

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

SECTION SEVEN: That the Building Director of the Village of Arlington Heights is hereby directed to issue permits for the alteration of the facility, herein approved, upon proper application and after compliance with 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: HAYES, KUCERA, SCALETTA, ROSENBERG, MULDER

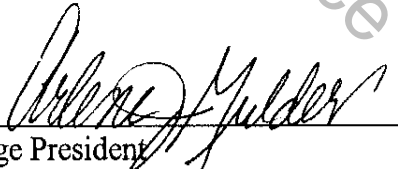
NAYS: NONE


RECUSED: STENGREN

ABSENT: BREYER, FARWELL, JENSEN

PASSED AND APPROVED this 17th day of March, 2008.

ATTEST:


Village President


Village Clerk

LANDUSE: Care Animal Hospital