

Berry Yo Frozen Yogurt
Village Green Building
50 N. Vail Ave.

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Doc#: 1208229033 Fee: \$42.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 03/22/2012 09:59 AM Pg: 1 of 3

**AN ORDINANCE GRANTING A
SPECIAL USE PERMIT FOR A RESTAURANT FACILITY**

WHEREAS, the Plan Commission of the Village of Arlington Heights, in Petition Number 12-001, pursuant to notice, has on February 22, 2012, conducted a public hearing on a request for a special use permit for a sit-down/carry-out restaurant in the Village Green Building located at 50 N. Vail Avenue, Arlington Heights, Illinois, which property is located in the B-5 Downtown District; 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 said request, subject to certain conditions hereinafter described, would be in the best interests of the Village of Arlington Heights; and

WHEREAS, the President and Board of Trustees hereby find that the proposed establishment of a 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 the site,

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ARLINGTON HEIGHTS:

SECTION ONE: That a special use permit for a sit-down/carry-out restaurant in the B-5 Downtown District, is hereby granted for the property legally described as:

Village Green being a resubdivision of Lots 1 through 8 in Block 24 in the Town of Dunton, being a subdivision of part of the West half of the Southwest quarter of Section 29, Township 42 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded in Book 85 of Maps, page 80, in Cook County, Illinois

also

Lots 1 through 4 in Block 20 and Lot 4 and the East 3.00 feet of Lot 3 in Block 19 in Miner's Addition to Dunton, being a subdivision of the North half of the Southeast quarter of the Southeast quarter of Section 30, Township 42 North,

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Range 11 East of the Third Principal Meridian, according to the plat thereof recorded May 2, 1860 as Document No. 32603 in Book 160 of Maps, page 83, in Cook County, Illinois.

P.I.N. 03-29-340-026-0000

and commonly known as 50 N. Vail Avenue, Arlington Heights, Illinois.

SECTION TWO: That the restaurant shall be constructed in compliance with all Village Codes and in substantial conformance with the following plans:

The following plans have been prepared by **Tao Lee Associates:**

General Notes, Misc. Details, dated November 30, 2011, consisting of sheet A1;

Floor Plan Reflected Clg, Door & Lighting Schedule, dated November 30, 2011, consisting of sheet A2.0;

Details, Sections, dated November 30, 2012, consisting of sheet A4.0;

Kitchen Plan + Schedules, dated November 30, 2011, consisting of sheet K1.0,

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

SECTION THREE: That the special use permit granted by this Ordinance is subject to the following conditions, to which the Petitioner has agreed:

1. The total seating area shall be limited to 810 square feet and the total seating capacity shall be limited to 50 seats.
2. The Petitioner shall work with the Village to procure permits for employee parking in a nearby public parking garage (subject to availability) for the maximum number of employees that will be working during the largest shift. However, if the Petitioner can produce documentation that car-pooling or some other form of transportation is being used by some of the employees, the number of permits required to be purchased may be reduced.
3. The Petitioner shall comply with all federal, state, and Village policies, regulations, and codes.

SECTION FOUR: That the Director of Building and Health Services of the Village of Arlington Heights be and is hereby directed to issue permits for the facility herein approved, upon proper application and after compliance with all applicable ordinances of the Village of Arlington Heights.

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SECTION FIVE: 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:

BIRDA, JACKSON, HAYS, ROBERTSON, BREYER, GLASCOE, PARENTI,

NAYS:

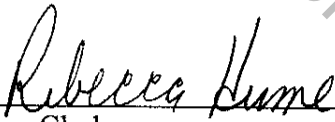
NOLAN

~~NONE~~
PASSED AND APPROVED this 19th day of March, 2012.



Village President

ATTEST:



Village Clerk

LEGLB.SPECUSE: Berry Yo Yogurt

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