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ORDINANCE NO. M - 1222

9083655

WHEREAS, Apple South Inc. has petitioned the Village of Homewood for approval of an amendment to the Park Place Plaza planned unit development to construct a 4,985 square foot Applebee's Restaurant to be located on outlot E of the Park Place Plaza shopping center; and

WHEREAS, public hearings were held before the Village's Plan Commission on July 24, 1996 and the Village's Zone Board of Appeals on August 8, 1996; and

WHEREAS, the Village's Plan Commission and Zone Board of Appeals have recommended approval of the proposed amendment of the Park Place Plaza planned unit development, driveway width variances, and property resubdivision; and

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NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Homewood, Cook County, Illinois, that:

SECTION ONE - FINDINGS OF FACT:

- (a) (b) (c) (d)
 REF ID: A66004
 4877
 BOOK CURRENCY RECORDER
 08/29/96 12:17:00
 *—95—663685
 \$33.50

$$\begin{array}{r} 33.50 \\ + 30 \\ \hline 63.50 \end{array}$$

\$35.00

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subdivision to identify the subject property that the petitioner is seeking to acquire from the Park Place Plaza shopping center.

(e) The proposed development is to be constructed in accordance with the following plans:

- (1) Site plan dated June 25, 1996 as prepared by Jensen & Fore Architects Engineers.
- (2) Grading/soil erosion control plan dated June 25, 1996 as prepared by Jensen & Fore Architects Engineers.
- (3) Landscaping plan dated July 8, 1996 as prepared by Niles Bolton Landscape Group.
- (4) Plat of subdivision dated August 8, 1996 as prepared by Robert A. Nowicki Associates.

SECTION TWO - SUBDIVISION REQUIRED:

The subject property is presently legally described as follows:

That part of Lot 4 in Park Place Plaza Resubdivision, being a Resubdivision of the Park Place Plaza, being a Subdivision of part of the Northwest 1/4 of Section 33, Township 36 North, Range 14 East of the Third Principal Meridian, according to the plat thereof recorded November 28, 1988 as Document No. 88546282, in Cook County, Illinois, said Resubdivision recorded May 19, 1995 as Document No. 95329596, in Cook County, Illinois, bounded and described as follows: Beginning at the Southwest Corner of said Lot 4; thence North 00 Degrees 00 Minutes 00 Seconds West on the West Line of said Lot 4, a distance of 172.67 Feet; thence North 90 Degrees 00 Minutes 00 Seconds East, a distance of 213.00 Feet to a point of curve; thence Southeasterly on the Arc of a circle convex to the Northeast, having a radius of 22.00 Feet, an arc length of 34.56 Feet to a point of tangent, said point of tangent being on the East Line of said Lot 4; thence South 00 Degrees 00 Minutes 00 Seconds East, on the East Line of said Lot 4, a distance of 150.67 Feet to the Southeast Corner of said Lot 4, thence South 90 Degrees 00 Minutes 00 Seconds West, on the South Line of said Lot 4, a distance of 235.00 Feet, to the point of beginning, in Cook County, Illinois, containing 40,473 square feet, or 0.929 acres more or less.

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PIN: 29-33-100-038-0000

commonly known as Park Place Plaza.

Prior to the issuance of any building permit, the petitioner shall execute and submit to the Village for its approval, a plat of subdivision which will delineate the subject property and comply with the Village's subdivision requirements. Final Village acceptance of the plat shall be withheld until Apple South Inc. provides evidence of cross access easements to use shopping center driveways in a form satisfactory to the Village Attorney.

SECTION THREE - AMENDMENT OF PLANNED UNIT DEVELOPMENT, APPROVAL OF PLANNED UNIT DEVELOPMENT, AND APPROVAL OF DRIVEWAY WIDTH VARIANCES:

- (a) The Park Place Plaza planned unit development as approved by Ordinance No. M-900 is hereby amended to permit a full-service restaurant with a bar on outlot E and to permit a free-standing monument sign no higher than 8' for outlot E.
- (b) Subject to the terms and conditions of this Ordinance, approval of a final plat for a planned unit development for the Applebee's Restaurant is hereby granted to permit the subject property to be developed with a 4,985 square foot restaurant and bar business as shown on the aforesaid plans described in section 1(d) of this Ordinance. Prior to the beginning of construction, nonsubstantive amendments to those plans may be approved on behalf of the Village by the Village Manager or his designee. Any amendment of the plans deemed by the Village Manager to be substantive shall be approved only by the Village Board of Trustees.
- (c) Driveway width variances of 3' for the north drive and 1' for the west drive are hereby approved, resulting in a north drive of 24' and a west drive of 26'.

SECTION FOUR - APPROVAL OF DOCUMENTS:

The following documents are hereby made a part of this Ordinance:

- (1) Site plan dated June 25, 1996 as prepared by Jensen & Fore Architects Engineers.
- (2) Grading/soil erosion control plan dated June 25,

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1996 as prepared by Jensen & Fore Architects Engineers.

- (3) Landscaping plan dated July 8, 1996 as prepared by Niles Bolton Landscape Group.
- (4) Plat of subdivision dated August 8, 1996 as prepared by Robert A. Nowicki Associates.
- (5) Plan showing proposed free standing sign with dimensions.

The above documents are hereby approved subject to further revision at the direction of the Village's Director of Public Works or his designee. All construction of the Applebee's Restaurant development shall be in accordance with the requirements of this Ordinance, the Homewood Municipal Code, and the said documents as approved by the Village or as later amended with Village approval. There shall be no substantial deviation therefrom without the prior consent of the Village Board of Trustees.

SECTION FIVE - CONDITIONS AND RESTRICTIONS:

The approvals granted by this Ordinance are subject to the following conditions and restrictions:

- (a) All construction and improvements in connection with the proposed development shall be done in accordance with the requirements of the Homewood Municipal Code.
- (b) Prior to the issuance of a building permit for any portion of the Applebee's Restaurant development project, Apple South Inc. shall do the following:
 - 1. Submit evidence of cross access easements to use shopping center driveways for ingress and egress in a form acceptable to the Village Attorney.
 - 2. Obtain Village approval of all building and engineering plans.
 - 3. Deposit funds with the Village or enter into an escrow agreement in a form satisfactory to the Village to guarantee completion of any public improvements required by the Village in connection with the proposed project.
- (c) The Village shall not be obligated to issue an

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occupancy permit until Apple South Inc. has performed all construction in accordance with the Village's Municipal Code and satisfied the terms and provisions of this Ordinance.

SECTION SIX - TIME LIMITATION:

The proposed project shall be substantially under construction no later than twelve (12) months from the effective date of this Ordinance. Failure to substantially commence construction within that time or failure to complete construction within twenty-four (24) months from the effective date of this Ordinance shall constitute grounds for the Village Board of Trustees to declare this Ordinance null and void after notice of such proposed action to Apple South Inc.

SECTION SEVEN - ADDITIONAL MATERIALS TO BECOME A PART OF THIS ORDINANCE:

The following documents are hereby made a part of this Ordinance:

1. Homewood Plan Commission minutes of July 24, 1996 as they relate to the subject development.
2. Homewood Zone Board of Appeals minutes of August 8, 1996 as they relate to the subject development.
3. Homewood Village Board of Trustees minutes of August 13, 1996 and August 27, 1996 as they relate to the subject development.

SECTION EIGHT - RECORDING:

Upon receipt and approval of the required cross access easements, the Village Attorney shall cause this Ordinance, the plat of subdivision, and other supporting documents, as appropriate, to be recorded in the office of the Recorder of Deeds of Cook County, Illinois.

SECTION NINE - EFFECTIVE DATE:

This Ordinance shall be effective upon its passage, approval, and publication in accordance with law.

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PASSED and APPROVED this 27th day of August, 1996.

P. Andrew Rendleman
Village President

ATTEST:

Margery L. Dutton
Village Clerk

AYES: 5 NAYS: 0 ABSENCES: 1 ABSTENTIONS: 0

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Village of Homewood

2020 CHESTNUT ROAD
HOMEWOOD, ILLINOIS 60430-1776
708-798-3000

I hereby certify that the attached is a
true and accurate copy of an ordinance
passed by the President and Board of Trustees
of the Village of Homewood on August 27, 1996.

Ray Gosack
Deputy Village Clerk

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Property of Cook County Clerk's Office



MAIL TO:
WALTER D. PUNNING
1827 HARWOOD
HOMERWOOD, IL. 60430