

**AN ORDINANCE GRANTING A SPECIAL USE  
(Red Apple Pancake Restaurant, 2121 Plum Grove Road)**

**WHEREAS**, on February 3, 2009, the Plan Commission conducted a public hearing for the purpose of considering granting a Special Use to Red Apple Pancake Restaurant to allow for outdoor seating and the placement of a 638 cubic foot refrigeration unit for the property commonly known as 2121 Plum Grove Road, Rolling Meadows, Illinois; and

**WHEREAS**, the Plan Commission conducted a public hearing on the Special Use after notice of public hearing as required by law; and

**WHEREAS**, the Plan Commission has submitted its report and recommendation to the Mayor and City Council of the City of Rolling Meadows, which recommendation is to grant the Special Use; and

**WHEREAS**, the City Council finds that the evidence is such as to establish the following beyond a reasonable doubt:

That the proposed use at the particular location required is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or the community; and

That such use will not under the circumstances of the particular case, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity, or injurious to property values or improvements in the vicinity; and

That the proposed use will comply with the regulations and the conditions specified in the City's Comprehensive Zoning Code for such use and with the stipulations and conditions made a part of the authorization granted by the City Council.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Rolling Meadows, Illinois:

**Section One:** Red Apple Pancake Restaurant, 2121 Plum Grove Road, Rolling Meadows, Illinois is hereby granted a Special Use pursuant to 122-156(14) of the Comprehensive Zoning Code to permit outdoor seating and the placement of a 638 cubic foot refrigeration unit at 2121 Plum Grove Road, Rolling Meadows, Illinois, subject to the following:

1. The refrigeration unit shall be constructed on a concrete slab pursuant to building code specifications and installed in accordance with the manufacturer;
2. The refrigeration unit and transformer area shall have bollards or other vehicle stopping mechanisms installed around the perimeter to protect this area from errant vehicles;
3. The walk-in refrigeration unit shall be enveloped so that the exterior of the unit matches more with the existing building;
4. The refuse area shall be screened according to Sec. 122-25;
5. An 8-1/2 foot fence shall screen the property from the residential property to the west;
6. The perimeter of the outdoor seating area shall be redesigned and reviewed by a structural engineer to ensure that the seating area is protected by any errant traffic from Plum Grove Road;
7. The outdoor seating area shall be constructed with a 15'10" setback and in substantial conformance to pages SK-1 through SK-5 prepared by Dean Botes Architects dated 2/23/09;
8. If egress from the outdoor seating area is designed in any other way than through the existing building, childproof gates shall be installed; and
9. The landscaping shall be installed and maintained pursuant to page SK-3 prepared by Dean Botes Architects dated 1/02/09.

**Section Two:** This Ordinance shall be printed and published in pamphlet form by order of the City Council of the City of Rolling Meadows, Illinois.

**Section Three:**

This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

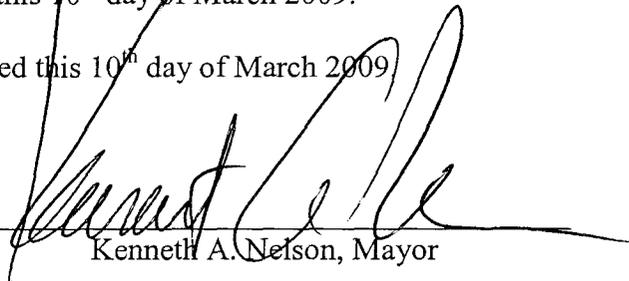
YEAS: Lusk, Buske, Rooney, Adams, Kwandras, Larsen

NAYS: 0

ABSENT: Pitzafarro

Passed this 10<sup>th</sup> day of March 2009.

Approved this 10<sup>th</sup> day of March 2009



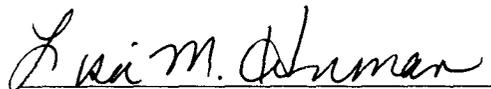
Kenneth A. Nelson, Mayor

ATTEST:



Lisa M. Hinman  
Lisa M. Hinman, City Clerk

Published in pamphlet form this 11<sup>th</sup> day of March 2009.



Lisa M. Hinman  
Lisa M. Hinman, City Clerk