



MINUTES

President and Board of Trustees
Village of Arlington Heights
Board Room

Arlington Heights Village Hall
33 S. Arlington Heights Road
Arlington Heights, IL 60005

December 18, 2023

7:30 PM

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

- A. Presentation of the Colors by Cub Scout Pack
269

III. ROLL CALL OF MEMBERS

President Hayes and the following Trustees responded to roll: Tinaglia, Baldino, Shirley, Bertucci, LaBedz, Schwingbeck, Dunnington, and Grasse.

Also present were: Randy Recklaus, Diana Mikula, Hart Passman, Charles Perkins and Becky Hume.

IV. APPROVAL OF MINUTES

- A. Committee of the Whole 11/15/2023 Approved

Trustee Nicolle Grasse moved to approve. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

- B. Village Board 12/03/2023 Approved

Trustee Tom Schwingbeck moved to approve. Trustee Richard Baldino Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz,
Schwingbeck, Shirley, Tinaglia

V. APPROVAL OF ACCOUNTS PAYABLE

A. Warrant Register 12/15/2023

Approved

Trustee James Bertucci moved to approve in the amount of \$4,768,015.01.
Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz,
Schwingbeck, Shirley, Tinaglia

VI. RECOGNITIONS AND PRESENTATIONS

A. 2023 Cultural Arts Award presentation to Sarah
Wade.

Kris Schurtz, Chair of the Arts Commission, presented the Cultural Arts Award for 2023 to Sarah Wade, for her extensive volunteer work with children in music at many different schools, programs and events. Most recently she has established the Harmony Youth Theater.

VII. PUBLIC HEARINGS

VIII. CITIZENS TO BE HEARD

Judi Bonardi lives in a condo next to The Ale House. Two to three times a week she cannot sleep because of the noise. Only a wall separates her condo from the establishment. She has contacted officials and the police. The noise makes her condo uninhabitable. She moved in during Covid, so did not have this noise until the restrictions were lifted. She has met with Mr. McCaskey, owner of the Ale House, but their interests are not aligned. The Ale House hours keep them open until 2 a.m. on the weekends and this does not take her situation into consideration. She asked for relief from the Board.

Mr. Recklaus said The Ale House is not breaking any codes, they are operating in the same capacity as they always have. Ms. Bonardi asked if there was a noise ordinance being considered. Mr. Recklaus said we are looking at a noise ordinance, but this situation would not be addressed by it, as it will apply to residential neighborhoods. Mr. Recklaus said Mr. McCaskey is looking at what can be done.

Trustee Bertucci said the Village adopted the State noise ordinance. Mr. Recklaus said the noise has to be defined as a nuisance. We are looking at other options for noise. It is difficult to have a specific noise ordinance. The State Code seems to say, if the noise goes beyond your property, it is a violation. The building is built wall to wall, which makes it difficult. Ms. Bonardi said there is cinderblock in between the two units, and it is hollow.

Mr. Passman said staff is looking into what can be properly gauged.

President Hayes said he was aware of this unfortunate and unique situation and noted that options are being explored.

IX. OLD BUSINESS

X. CONSENT AGENDA

CONSENT APPROVAL OF BIDS

Trustee Jim Tinaglia moved to approve. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

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| A. | 2023 Parking Garage Restoration - Change Order and Budget Amendment Ordinance Approval | Approved |
| B. | Paver Equipment Purchase for Public Works Department | Approved |
| C. | Historical Museum Campus - Roof Replacement | Approved |
| D. | Pickup Truck Vehicle Purchase for Police Department | Approved |
| E. | Resolution Approving Final Design Agreement for Algonquin Road Sewer Capacity Improvement | Approved |
| F. | Agreement with AT&T - Hickory/Kensington Project | Approved |

G. Village Hall Replacement Office Chairs Approved

CONSENT LEGAL

A. Resolution Approving a Settlement Agreement and Release of All Claims Approved

Trustee Jim Tinaglia moved to approve R2023-39. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

B. Ordinance - Golf VX - 622, 626 & 644 E. Rand Rd. Approved

Trustee Jim Tinaglia moved to approve 2023-83. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

C. Ordinance - Paragon Mechanical - 2400 S. Arlington Heights Rd. Approved

Trustee Jim Tinaglia moved to approve 2023-84. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

D. Ordinance - 116-120 W. Eastman Development Approved

Trustee Jim Tinaglia moved to approve 2023-85. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

- E. Resolution approving an agreement with Municipal GIS Partners, Inc., for GIS support services Approved

Trustee Jim Tinaglia moved to approve R2023-40. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

CONSENT REPORT OF THE VILLAGE MANAGER

XI. APPROVAL OF BIDS

XII. NEW BUSINESS

- A. Arlington Gateway Development/Phase 1 - 1, 15, 111 E. Algonquin Rd, 2355 S. Arlington Heights Rd. - PC#23-012 Approved
Planned Unit Development for Mixed-Use Development, Rezoning from the B-3, General Service, Wholesale, and Motor Vehicle District to the B-2, General Business District, Preliminary Plat of Subdivision approval to consolidate into one lot, and Variations from Chapter 28 Municipal Code

Tom Roszak, the architect/developer, shared some videos which gave an overview of the project. It's an 8-story building with 301 units for rent. Bradford Allen acquired the buildings on the site between 2007 and 2014. This is Phase 1 of a four phased project. Phase 2 is the renovation of the Daily Herald Building. Phase 3 will go where the Guitar Center is currently located. Phase 4 could be a hotel. They will supply 30 affordable housing units to comply with the Village's Ordinance. There is retail space on the first floor. The parking spots meet or exceed the Village's requirements and parking for residents will be indoors. Exterior parking will be for the retail customers and the stormwater detention is beneath. They are employing energy efficient and eco-friendly strategies in the design to make the project sustainable; including a solar array and green roofs. Natural design elements are used throughout the project and were inspired by nearby Busse Woods.

Mr. Perkins said this project could be a catalyst for development on South Arlington Heights Road. There are 4 variations and a rezoning requested. Staff has been collaborating with their team for many years. It has focal

points, commercial space, residential uses, consolidated access points, landscaped parkways and high density.

There are some setback variations, and staff is comfortable with the requests as they seem minimal. They are asking to exceed the candle limit on some outdoor lighting on the shared driveway. There are still some details to be worked out: easements, a bus shelter, streetscape improvements, utility burial, a final Plat of Subdivision, and the east/west driveway alignment. There will need to be some intersection improvements in the future and there is a condition to deal with them when it is appropriate. Staff and the Design Commission recommended approval.

President Hayes said it is a well thought out design and plan. He asked what market they are targeting. Mr. Roszak said the markets are turning more contemporary. The type of renters will be young professionals, retirees, people who want to be near the Village, or those who are downsizing. President Hayes said he appreciated the willingness to provide the affordable housing units. Some communities do not address affordable housing at all.

All the Trustees who spoke expressed their support for the project, and were specifically appreciative of the affordable housing, sustainability and design aspects.

Trustee LaBedz asked if the indoor gathering spaces get used. Mr. Roszak replied the co-working spaces are very popular. The lobby area is used for hanging out. They will also program social events to use the spaces. You have to build community and use sophisticated management to make it occur. It's a branded product and everything matters. Trustee LaBedz appreciated the community approach. She asked if there will be live-in management. Mr. Roszak said no, but there will be people on call. During the day there will be maintenance staff and a property manager. Trustee LaBedz asked about the fins on the building. Mr. Roszak said they will add texture to the building, they will be subtle and add to the landscape.

Trustee Tinaglia said the project is great and just where it belongs. Mr. Roszak said they hope to begin construction in the spring of 2024. It will take 18 months to build the building. It's a three-year process to get it all done. They hope to start working on Phase 3 after the shovels are in the ground on Phase 1.

Trustee Baldino asked about the loading docks. Mr. Roszak answered there are 2 residential and 2 retail loading docks.

Trustee Schwingbeck asked for clarification on resident parking. Mr. Roszak said the parking looks like residential spaces and is enclosed in the building. Trustee Schwingbeck asked if Phase 2 was occurring concurrently. Mr. Perkins said they have a request to demolish the parking structure on Phase 2. They are already rehabbing the interior of the building. They also have received the permit to demolish the buildings on the corner. Mr.

Roszak said it will take between 6-8 years for the whole development to be completed, but it will be market driven.

Trustee Bertucci said the Village needs affordable and quality housing. He asked if there a study done to determine the demand for quality housing. Mr. Roszak said yes, they used a scientific approach in deciding what to offer. There is pent up demand for quality housing, with amenities and parking, in this location. Trustee Bertucci noted the building could have been taller, will one of the other buildings go higher? Mr. Roszak said they have done high rises before, but they thought the shorter building at the corner was the right approach. A taller building might make sense closer to the highway.

Trustee Dunnington asked if there will be electric charging stations outside for shoppers or people driving by on I-90. Mr. Roszak said the stations will be inside, but he thought it was a good idea to consider an outside location. Trustee Dunnington asked what the plan was for the intersection at Algonquin and Arlington Heights Roads.

Mr. Perkins said the goal is to have a more decorative enhanced crosswalk. There is a condition for the developer to work with staff on the future of the intersection which will take coordination with IDOT. With Tonne Road, it is a little trickier, we may look at an interim solution until IDOT approves a long-term solution. Mr. Perkins said he was not sure if there was a possibility of connecting the bike routes to Busse Woods. We have talked about a path on Tonne Road, but going south is challenging. There is limited right of way under the tollway, with on/off ramps to the tollway making traversing those lanes very difficult for bicycles.

Trustee Grasse appreciated the welcome to the community this gateway will provide for those who drive by and to the residents who will live there. She asked if there was a concern that as electric vehicles weigh more, it might affect the garage. Mr. Roszak said there is a lot of redundancy in the concrete, so it will not be a problem. Trustee Grasse suggested using local artists for the building's art work if possible. Mr. Roszak said except for one, all the art is by Chicago area artists.

Trustee James Bertucci moved to approve the Plan Commission's PUD recommendation #23-012 subject to the conditions in the staff report. Trustee Nicolle Grasse Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

XIII. LEGAL

- A. Resolution Regarding the Zoning and Regulation Approved

of Properties in the Vicinity of 116-120 W.
Eastman Development

Mr. Perkins said at the last Board meeting there was discussion of creating a Red Flag Ordinance for properties zoned B-5 next to residential. There are 2 properties in this category; on the west side of Chestnut and the Vail/St. James Corner. The proposed Resolution recommends 4 areas to be studied for potential re-zoning: 234 W. Northwest Hwy (Village Bank and Trust), the AT&T site on St. James, 301-303 W. Park Place and 402-404 N. Chestnut. Mr. Perkins showed other properties in the Village that could be looked at in the future.

Mr. Passman said these preliminary recommendations may change after detailed review and input from property owners and the neighborhood. This Resolution formally starts the process to evaluate changing the zoning. After evaluation, the Plan Commission will come back to the Board for a final decision.

Mr. Recklaus clarified this Resolution only deals with the properties adjacent to Eastman. If the Board is inclined, they can direct staff to start working on the other items.

Trustee LaBedz asked for the difference between R-7 and R-6 to be explained, along with the high density and moderate density designations.

Mr. Perkins said in the Comprehensive Plan high density translates to R-7 and a 60' height, without much land. Moderate density is R-6 and 50' which is a lower density and lower height with a difference in land area. Trustee LaBedz said she was surprised that Park Place, across from Memorial Park would be R-7. She would not have high density next to the park. Mr. Perkins explained that the early downtown plan was to have R-7 around the downtown. Until recently, the neighborhood was R-6, but has now stepped down to R-3 which changes the original thinking.

Trustee LaBedz said she is in favor of the Resolution and studying the other parcels especially on South Chestnut.

Trustee Grasse asked if there are other areas like near the hospital or Wilke Road across from Arlington Park which should be addressed. Mr. Perkins said there may be other possible incompatibilities. Rezoning evaluation is a huge undertaking and he said he was not sure how we could do it right now. Trustee Grasse said she is open to updating the notification process to ensure residents are more aware if something big is coming to their neighborhoods.

Mr. Recklaus said there is always the potential for conflict when a property owner can do something by right. The HANA area where an apartment building was proposed did not require zoning action. Most of the other issues give the Board more authority and control without any negative legal consequences.

Trustee Tinaglia clarified his previous position saying he didn't think it was fair to focus on 1 or 2 pieces of property. By looking at more sites, it makes the Resolution more reasonable. He wanted to ensure the potential change would be discussed with the owners of these properties. Mr. Recklaus said yes, that is the intent. Mr. Passman said any hearing at the Plan Commission will require notice to the owner. Trustee Tinaglia noted we are potentially changing what an owner can do with their property. This is not a property owner asking for permission.

Trustee Tinaglia asked if something could be done to improve the parking yard behind the building on Northwest Highway. Mr. Perkins said staff is aware of the situation, and it is tricky as the zoning is grandfathered.

Vivian Menzies thanked the Board and Staff for the idea of the Red Flag Ordinance. It feels like a positive step for setting up future developments that is a win for all. There were a few things that stood out in the Eastman process, there seem to be some places that are unclear, like the Park Place lot. The process could use some tweaking. When residents come, they are frustrated and don't understand what you can say at which meeting. Sometimes it seems too late to make your voice heard. She asked for more continued collaboration and suggested a preservation committee be created to look at these issues.

Tom Gaynor thanked the Board and Staff for the down zoning of the HANA neighborhood and the Eastman project. He said the resulting building is probably the right solution as compromise occurred on both sides. He was grateful for the Red Flag Ordinance and hopes it addresses some of the systemic issues in zoning. He said he hoped the Board appreciated the respectful approach the HANA neighbors have taken in an emotional situation.

Jon Lewis said he was supportive of the Red Flag Resolution. He said there was some inconsistency on parcels 4 and 5; there is a parking lot zoned R-3, but the Comprehensive Plan identifies it as high-density housing. He would like it to stay R-3 and would not want it to be R-7. The car lot is a problem. Some cars have been there for over a decade. And there is a large population of feral cats on the site.

Trustee Robin LaBedz moved to approve R2023-41. Trustee Richard Baldino Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz, Schwingbeck, Shirley, Tinaglia

XIV. REPORT OF THE VILLAGE MANAGER

XV. APPOINTMENTS

XVI. PETITIONS AND COMMUNICATIONS

XVII. ADJOURNMENT

Trustee Jim Tinaglia moved to adjourn at 9:35 p.m. Trustee Robin LaBedz
Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Dunnington, Grasse, Hayes, LaBedz,
Schwingbeck, Shirley, Tinaglia