



Village of Arlington Heights
Plan Commission
Board Room
Arlington Heights Village Hall
33 S. Arlington Heights Road
Arlington Heights, IL 60005
December 9, 2015
7:30 PM

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. Hillside Auto - 10/28/15
- B. Arlington Downs - 10/28/15
- C. 1510 E. Northwest Highway - 10/28/15
- D. 13 E. Miner St. Development - 11/5/15
- E. 608-614 N. Haddow Ave. - 11/5/15

IV. PUBLIC HEARINGS

V. OTHER BUSINESS

- A. PC#15-007 - Northwest Crossings - Final Plat of Subdivision
- B. PC#15-017 - Drost/Hasche Subdivision - Final Plat of Subdivision

VI. ADJOURNMENT

Persons with disabilities requiring auxiliary aids or services, such as an American Sign Language interpreter or written materials in accessible formats, should contact David Robb, Disability Services Coordinator, at 33 S. Arlington Heights Road, Arlington Heights, Illinois 60005, (847)368-5793 (Voice), (847)368-5980 (Fax) or drobb@vah.com.



Item: Hillside Auto - 10/28/15

Department: Planning & Community Development

ATTACHMENTS:

Description

PC Minutes 10/28/15 - DRAFT

Type

Minutes

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PLAN

REPORT OF THE PROCEEDINGS OF A PUBLIC HEARING
BEFORE THE VILLAGE OF ARLINGTON HEIGHTS
PLAN COMMISSION

COMMISSION

RE: Hillside Auto - PC# 15-004

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Plan Commission Meeting taken at the
Arlington Heights Village Hall, 33 South Arlington Heights
Road, 3rd Floor Board Room, Arlington Heights, Illinois on the
28th day of October, 2015, at the hour of 7:43 p.m.

MEMBERS PRESENT:

JOE LORENZINI, Chairman
BRUCE GREEN
LYNN JENSEN
TERRY ENNES
JOHN SIGALOS
JAY CHERWIN
MARY JO WARSKOW
GEORGE DROST
SUSAN DAWSON

ALSO PRESENT:

BILL ENRIGHT, Deputy Director

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CHAIRMAN LORENZINI: Okay, the next item on the agenda, the next public hearing is Hillside Auto, 25 East University Drive, PC# 15-004, have all proper notices been given, Bill?

MR. ENRIGHT: Yes.

CHAIRMAN LORENZINI: Is the Petitioner here?

MS. BALEK: Hi, I'm Colleen Balek, B-a-l-e-k on behalf of Hillside Auto Body.

CHAIRMAN LORENZINI: Okay, go ahead. Are they going to testify too?

MS. BALEK: Mark is.

CHAIRMAN LORENZINI: Would you come forward if you're going to testify? We'll swear you in.

(Witnesses sworn.)

CHAIRMAN LORENZINI: Thank you, and your name, sir?

MR. BALEK: Mark Balek, B-a-l-e-k.

CHAIRMAN LORENZINI: Again, please?

MR. BALEK: Mark Balek, B-a-l-e-k.

MS. BALEK: He's one of the owners.

CHAIRMAN LORENZINI: Okay, does somebody want to give us a brief presentation --

MS. BALEK: Sure, so we're here asking for motor vehicle repair major at 25 East University. This is just a brief background about Hillside. We've been in Arlington Heights operating since the 1920's. We're currently in our second generation of ownership and five generations of our family have lived in Arlington Heights. We're currently operating out of 200 East Palatine Road and 120 West University Drive. We've been operating out of our University Drive location for a couple years now and what we're looking to do is open another location on University Drive, which is at 25 East University Drive in Arlington Heights. We're looking to do mechanical and auto repair, there'll be no painting at this facility. This is a site plan of the property and this is our proposed plan.

What we're proposing is installing a new solid fence around the property and we're going to line up the fence on the one side so it meets with our neighbor and put new landscaping in the front. We are going to fix the potholes and the cracked asphalt in the back and we're going to stripe some employee parking in the rear. But at this time, we're not anticipating any customer parking at this location, it's very close to our 120 West University Drive location so customers are going to be directed there. And most of the work that's going to be done at this facility will involve us doing the transporting of the vehicles back and forth. It's for a couple of different companies and so they prefer us to just transport the vehicles.

This is an inside plan. What we're proposing is 12 bays in the building and there's two garage doors, one in the front

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and one on the side. We would use the one on the side, towards the rear. At this time we're not planning on using the front one to move cars in and out. We anticipate having three to five full-time employees and our hours of operation will be the same as our other facility, which is Monday through Friday, 8:00 to 5:00, no later than 6:00 and Saturday 8:00 to 12:00.

And that's it.

CHAIRMAN LORENZINI: Thank you. Have read the eight conditions put in by the department?

MS. BALEK: We have.

MR. BALEK: Yes.

CHAIRMAN LORENZINI: And do you agree with them?

MS. BALEK: We do.

MR. BALEK: Yes.

CHAIRMAN LORENZINI: All right, thank you. You may have a seat if you want. Bill, do you want to give us the staff report.

MR. ENRIGHT: Chairman Lorenzini, members of the Commission, staff has reviewed the request and is supportive of the land use variation primarily because, one reason is this building has been vacant for five years and has fallen into some degree of disrepair which the Petitioners agreed to make improvements to the site. In addition, they've had a facility at 120 East University Drive, similar facility, for over 10 years. And the time there were concerns about that use there in the adjacent properties, but the Village placed a lot of conditions at that time and we have not had any complaints about that operation on University Drive. This operation is a slightly smaller building, they're not doing painting of vehicles or using their towing business there because they have that at 120 East University Drive.

In addition, the Petitioner has stated, in the public record, that their intent is to move all operations from their existing site at Palatine and Arlington Heights Road to this site as well as the 200, or 120 East University Drive site. And we see that as linked to our support for this project because that will help to open up that site for redevelopment. It's a prime commercial corner in the Village, and moving these operations to the industrial park will facilitate that. So it is the Village's expectation that they will move their operations consistent with what they stated which is next year at some point. Although there's no, you know, written commitment to that, but it is an expectation the Village as it relates to our opinion on this land use variation.

But given the fact that they haven't had, we have not received complaints about their existing facility, which is at 120 East University Drive, we feel that this is appropriate and will not be a disruption to the neighborhood. There's several conditions that we've recommended as part of this development. One includes, which the Petitioner has agreed to, is to provide a 10 foot tall, vinyl fence around the perimeter of the storage area. Which is located behind the

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building to the south. And that will be a decorative, vinyl fence, which I gave a copy of the cut sheet that the Petitioner provided which is, you know, has a decorative look to it. But again, it will provide a 10 foot high screen which is required for outdoor storage, so you won't be able to see any vehicles that might be stored in the rear of the property.

Landscaping, additional landscaping will be planted at the base of the buildings, there are some trees there now, but there will be a slight enhancement with that. In addition, the rear, where the storage area is, is in a state of disrepair, it's, it needs some patching and pothole filling in the cracks and so forth. So the Petitioner has agreed to do that because they're going to be having to get vehicles stored there.

We had also agreed to stripe spaces behind the building within the storage area for their employees, estimated at five. An MWRD permit for their sanitary system grease trap, they're going to have to check with MWRD seeing if there's going to be any modification to that as a result of the change in use from the former plumbing use five years ago to automotive use.

In addition, as we did with the previous approvals for 120 East University Drive, junkyards, vehicle compactors and crushers and the painting of vehicles will not be allowed at this particular site. Hours of operation are regulated to the hours of operation the Petitioner has stated, 8:00 a.m. to 6:00 p.m., Monday through Friday and 8:00 a.m. to 12:00 noon on Saturday.

So, those are the conditions the staff is recommending with respect to this particular land use and at that point we would conclude our presentation.

CHAIRMAN LORENZINI: Thank you. Motion to include the staff report into the public record?

COMMISSIONER WARSKOW: I make such motion.

COMMISSIONER SIGALOS: And I'll second that.

CHAIRMAN LORENZINI: Let's vote, all in favor?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Opposed?

(No response.)

CHAIRMAN LORENZINI: We're good? Okay, questions from the Plan Commissioners, Jay, do you want to start this one?

COMMISSIONER CHERWIN: I guess I was okay with it, I think we've seen this before, I didn't, Mr. Enright, I guess I'd ask, from the previous time, was there any significant changes or what was the, I think was maybe in the Committee that I had seen them, I thought there was a previous public hearing on this and I was a little confused.

MR. ENRIGHT: Not on this site, for this Petitioner, no.

COMMISSIONER CHERWIN: No, it must have been, at that Committee --

MR. ENRIGHT: I'm not sure what you're referring to in

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terms of this site --

COMMISSIONER CHERWIN: Plat/Sub, we haven't had a Plat/Sub --

MR. ENRIGHT: But it went to Plat and Sub.

COMMISSIONER CHERWIN: It went to Plat and Sub, but I guess what my question is then, were there any significant changes in the Plat and Sub, it seems like they had addressed everything in --

MR. ENRIGHT: Yes, I mean, the main thing was the storage of vehicles and then providing the 10 foot screening around the perimeter of that storage area.

COMMISSIONER CHERWIN: No I'm fine, I don't have any, I was just confused on this one particular item. I thought it was a public hearing but it must have been Plat and Sub and I didn't, I didn't see the Plat and Sub and I was just wondering.

MR. ENRIGHT: Well the Plat and Sub minutes are a part of the packet.

COMMISSIONER CHERWIN: Okay.

MR. ENRIGHT: And you can refer to those.

COMMISSIONER CHERWIN: All right, I don't have any other questions.

CHAIRMAN LORENZINI: John?

COMMISSIONER SIGALOS: No, I don't really have any questions, I think this is an excellent use for this building, particularly that it's right down the street from their 120 University building. And unlike the, what was it, Collision Damage Experts that were here recently, this was in the industrial park and not backing up to a residential area. So I, I'm fully supportive of this, I mean it's great, nice building.

CHAIRMAN LORENZINI: Susan?

COMMISSIONER DAWSON: I just have a question, I'm not understanding, it's really, I'm not, I'm fine with the project, I'm just understanding your move on such a special location and then they're moving across the street from an already existing location. I don't understand what do you, are you doing the same thing in both buildings? Are you doing one thing at one building and one thing at another? I'm just, I don't understand why you're relocating right across the street from where you're --

MS. BALEK: We need more room, the 120 West is primarily for body repair, we have a state-of-the-art spray booth so painting can occur there and they have all the filtration. This is going to be more for like assembly and more minor repair work. But we've grown pretty significantly in the last couple years with private contracts so we need more room to take on more work for the body repair.

COMMISSIONER DAWSON: Okay, so instead of expanding, you're trying to relocate to the two, the all-in-one, was kind of your only option?

MS. BALEK: Right, right.

COMMISSIONER DAWSON: I understand, I have no problems,

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or no questions.

MS. BALEK: Okay.

CHAIRMAN LORENZINI: George?

COMMISSIONER DROST: Yes, is this property under contract right now?

MS. BALEK: We own it already.

COMMISSIONER DROST: Oh you already own it.

MS. BALEK: We own it.

COMMISSIONER DROST: And how long have you owned it?

MS. BALEK: Almost two years.

COMMISSIONER DROST: Oh, two years, but it's been vacant for five years?

MS. BALEK: It has.

COMMISSIONER DROST: Okay because you didn't get any special tax --

MS. BALEK: No.

COMMISSIONER DROST: You might get the --

MS. BALEK: No, not at that time.

COMMISSIONER DROST: I was just going online, no, from the standpoint of the hardship aspect of it also just to get a little bit more flavor for it.

MS. BALEK: Right.

COMMISSIONER DROST: I think it's a great project.

MS. BALEK: Thank you.

COMMISSIONER DROST: I think it's a great idea, and a business that's doing well will help everybody in the community, so I have no further questions or comments.

CHAIRMAN LORENZINI: Thank you, George. Lynn?

COMMISSIONER JENSEN: Yes, I don't really have any questions at this point.

CHAIRMAN LORENZINI: Mary Jo?

COMMISSIONER WARSKOW: No questions.

CHAIRMAN LORENZINI: Terry?

COMMISSIONER ENNES: From the property tax standpoint, I'd love to see a new business get going and active in there. I did used to work on this property when it was Planned Plumbing. So I'm very familiar with it. Is there a reason why you don't want to do painting there? Because you have the booth across the street?

MS. BALEK: We do, we have a state-of-the-art booth, and we also, you know, to build a new spray booth and go through the process of the filtration, it's just, we have a spray booth over there that's big enough to fit a semi-truck so we can get all the painting we need done over.

COMMISSIONER ENNES: Do you expect though that there might not be a future need for that? Because you're agreeing to not have it and if it's something you might need in the future now might be the time to be talking about that.

MR. BALEK: Well here's, at this point I don't feel it's necessary, all our stuff is going to minor there, and it's going

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to be disassembly and assembly so, and since the other building is so close, it's pretty easy just to move the stuff back and forth.

COMMISSIONER ENNES: Okay, as far as complaints, I actually office out of the building right behind you, your operation facility and I don't experience any problems.

MR. BALEK: Thank you.

COMMISSIONER ENNES: One other question, let's see what I have, for Mr. Enright, the, I see the statement in here, in addition, Petitioner has represented, this is what you mentioned, but this is not a condition of their getting approval to do this facility, is it?

MR. ENRIGHT: It is not, the conditions are listed in the staff recommendation, it does not include a condition that they cease operations. But it is the Village's expectation in analyzing this, and the appropriateness and the benefits for the community moving this over the year, and one of the off-shoots of that it will hopefully allow the Petitioner to move their operations as they've indicated and redevelop that corner for commercial use.

COMMISSIONER ENNES: The Palatine/Arlington Heights location, how fully are they utilizing that and will this new location allow you to immediately reduce that?

MR. BALEK: That will allow us to free up space over there, we actually, we're actually making moves to clean everything out of there right now and we hope to free that up and we would like to be in the process of removing the buildings, hopefully in, nothing to be set in stone right now, but hopefully by March/April, so, and we are already talking to developers on the other side.

MS. BALEK: Yes, and we're still using the shop pretty fully at that, to do the repair work, so if we get this other location open, we'll be able to move the cars over there. So that will help.

COMMISSIONER ENNES: And this, the Palatine location, that is one of your towing facilities, right?

MR. BALEK: Yes, it is.

COMMISSIONER ENNES: And you also do body work there as well?

MR. BALEK: Yes, we do.

MS. BALEK: Body and mechanical work.

MR. BALEK: Body work and mechanical work. And the facility is fully operational now, and we're kind of busting out, and we do need another facility to go to.

COMMISSIONER ENNES: And that's quite a bit bigger than this new facility, isn't it?

MR. BALEK: Not the building.

MS. BALEK: Not the building.

COMMISSIONER ENNES: No?

MS. BALEK: No.

MR. BALEK: The building at that location is about 5000 square feet and this one's about 16,000 square feet.

COMMISSIONER ENNES: Okay. That's all I have.

MS. BALEK: Thank you.

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CHAIRMAN LORENZINI: Bruce?

COMMISSIONER GREEN: I just have a procedural question for you Bill. In Plat and Sub, when this, the old property came up, it's sort of an implied condition for the, for this new project that's going on. I asked Latika to go back and research to see if the Village has ever really done that, where they mention an old project not part of what they're before us tonight with. And to sort of throw that in there as, sort of an implied condition, and I think, you know, I know Latika has left, but I asked before she went if there was ever anything like that done by the Village, from the Village standpoint, and she said she didn't have a lot of time to look into it, but she didn't think there was. And I've been on the Commission for 16 years and George has been on at least that long, and I don't ever remember having the, mentioning another property and vacating a property as sort of an implied condition for this one. Have we ever done that before?

MR. ENRIGHT: No.

COMMISSIONER GREEN: So why is that information in the pack here?

MR. ENRIGHT: Because staff believes that it is certainly influenced part of our decision to support this land use variation is that it will also allow for a commercial property in a prime intersection to get redeveloped by allowing them to move operations to a bigger, hopefully better, facility for them. So it is germane to the discussion, but we are not making it a condition of the report, of the project.

COMMISSIONER GREEN: I understand the condition, I just, I'm questioning whether the Village should put any kind of statement that might be looked upon as pressuring somebody to do something.

MR. ENRIGHT: We're not pressuring, it's based on what the Petitioner has told us which is part of the public record.

COMMISSIONER GREEN: Did you ask the Petitioner that question specifically?

MR. ENRIGHT: Yes.

COMMISSIONER GREEN: So you did solicit that information?

MR. ENRIGHT: We did.

COMMISSIONER GREEN: He didn't volunteer it, you asked for it.

MR. ENRIGHT: We asked for it and they, that's what they said in their Petition to us, well actually it's part of their legal petition, we asked about it during Plat and Sub as part of Plat and Sub report, so that's where we asked for it.

COMMISSIONER GREEN: Right.

MR. ENRIGHT: But in their Petition that they submitted to us, unsolicited, they indicated that that was their goal, was to move operations.

COMMISSIONER GREEN: So I guess what I'm asking here is, do you think that's appropriate for that to be in the report?

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MR. ENRIGHT: Yes, that's why it's in.

COMMISSIONER GREEN: So if they didn't have that property, what would the difference be?

MR. ENRIGHT: If they didn't have which property?

COMMISSIONER GREEN: The old corner of Palatine and Arlington Heights, 200 Palatine Road. In other words, what, why would that make a difference, this project stands alone by itself.

MR. ENRIGHT: It may not make a difference.

COMMISSIONER GREEN: But why did --

MR. ENRIGHT: But it was a part of our decision process, it was part of it, not the full part of it, I mean it was a component of our decision to support this land use variation, but it wasn't necessarily, you know, if they didn't have the 200 East Palatine Road, it may not have, even if they didn't have that site we still may have arrived at the same conclusion with this thing.

CHAIRMAN LORENZINI: Would it be fair to say it's just one of the benefits for this project?

MR. ENRIGHT: Yes, absolutely.

COMMISSIONER GREEN: Okay, I just wanted to get on the record, I don't agree with that statement. I don't think that should be in there, to me it looks like it's an implied threat.

CHAIRMAN LORENZINI: And I have no questions. Let's go to the public audience. Anybody in the audience have any questions, comments, concerns? Yes, sir, would you come forward. Please state your name and spell your last name for the court reporter.

MR. STEVENS: I'm Mark Stevens, S-t-e-v-e-n-s. I work for Air Movement and Control Association. We're located at 30 West University Drive, it's across the street from the proposed, for the former property with the proposed variance. We've been in our facility since 1967, or 1969, but it's over 40 years, 40 something years. And we're a trade association, like I said, and really services that we provide to our members is certification services of fans for air performance and noise. You'll see that the AMCA certification, which is a blue and yellow sticker, conveyed by a blue and yellow sticker is present in building specifications, it might even be in your codes here.

We have about 350 members worldwide, as I said we're referenced in building specifications, but we're also referenced by Energy Star. Our certified ratings program is referenced by Energy Star and part of that certification is for noise testing. Noise rating of that product. You'll see Energy Star on appliances mostly, but it's also on residential fans, which is what we certify.

Some of these fans are extraordinarily quiet, really, really quiet. And we test these things. In order to test them, we need ourselves, a quiet environment. And if we lose that quiet environment, this conveys, it carries a permanent damage to our business. So we'd prefer to not see our environment change. We prefer to not see variances allowed, buildings across the street to have a louder operation that damages our business.

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What's particularly disturbing in some of the testimony I heard from Mr. Enright, is the quid pro quo aspect of this. For instance, the Village wants them out of that property that they are currently in, so let's put them over here, without any sort of concern for the damage it might cause our business. That's completely objectionable it has staff calling losers and winners. And that's not appropriate, it's not proper for them to be doing that.

The second thing is, this statement regarding no complaints. That's just patently false about this. Before Hillside moved in, they, well they actually moved in and started doing business from the property before they had an occupancy permit. We complained. Nothing happened. They did landscaping, they pulled out our landscaping, put their own in, we had mature bushes gone, we complained, nothing happened.

So, there's a history of us complaining, the Village not doing anything. So for us to complain for 10 years, there's no payoff, it doesn't work. So, we don't want to see this happen, we object to it, and that's my statement.

CHAIRMAN LORENZINI: Thank you, Mr. Stevens.

MR. STEVENS: Your welcome.

CHAIRMAN LORENZINI: Anybody else from the audience? Bill do you want to address any of those comments?

MR. ENRIGHT: No.

CHAIRMAN LORENZINI: Okay. So, land use variation, this is, the zone is M-1, right?

MR. ENRIGHT: Correct.

CHAIRMAN LORENZINI: But motor vehicle repair facility is not the proper use without a variation, right?

MR. ENRIGHT: It's not a permitted use in the M-1, correct.

CHAIRMAN LORENZINI: Okay. All right, I just wanted to make that clear. Any comments? Questions?

COMMISSIONER GREEN: Bill, I have a question for you. In M-1, could you put a stamping plant in? A stamping outlet?

MR. ENRIGHT: I don't know.

COMMISSIONER GREEN: So, in other words, it would be, this is the heavy manufacturing district, in M-1, isn't that right?

MR. ENRIGHT: No, it's not.

COMMISSIONER GREEN: Okay, so it's a light manufacturing district?

MR. ENRIGHT: Yes.

COMMISSIONER GREEN: So what type of businesses are allowed in the light M-1?

MR. ENRIGHT: Tool and die shops, warehouse and storage facilities, trucking companies, those types of facilities, I mean there's probably 50 or so types of uses in our permitted use table.

COMMISSIONER GREEN: Okay. Thank you.

CHAIRMAN LORENZINI: So I guess the problems with these, I finally understand and appreciate what you're saying, but

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maybe there's, maybe it's a auto company is not allowed there, that's maybe noisier than you'd like, but the M-1 District may allow various other companies that could produce the same amount of noise that wouldn't require variation. Yes, sir.

MR. STEVENS: In the variance that I asked is there is other operations that are allowed and not allowed in that variance? Specifically pointed out?

CHAIRMAN LORENZINI: I'm not sure.

MR. STEVENS: Well what I mean by that is, is that there's a certain operations that are allowed in this zone, right? They want to perform other variations, so some other operation. So what I'm saying is and when a variance is granted, is it granted to certain operations in that building? Or is it just blanket? So what I'm getting at is that if they move in and they say, okay we're going to do this and this is what we're going to testify, and we don't think it's going to be that loud and then they move in and they do something else. So how, how does that square up against the variance?

CHAIRMAN LORENZINI: Well I mean they're given a variance to do an operation, to run a business that's defined in this, in their request.

MR. STEVENS: Well, that's what I'm asking for, is that defined in there?

MR. ENRIGHT: Yes.

CHAIRMAN LORENZINI: Yes.

MR. STEVENS: Well, that's what I asked. So, is there, is it, would it be reasonable, I guess, to ask that there's some, be some acoustic study done by the Petitioner to verify or what do I want to say, to confirm that whatever operations they state in that Petition will not have a negative affect on our business?

CHAIRMAN LORENZINI: Well I guess, my point is, my view is, there is, maybe this isn't specifically allowed, but there is 50 other businesses that would be allowed there that aren't going to be soundproofed or quiet that you would never hear.

MR. STEVENS: I'm having a hard time drawing the connection between what they plan to do and, you know, certainly there's a variance being asked for, it's for these operations. These operations are typically louder than what you'd find in that area.

CHAIRMAN LORENZINI: All right, thank you. But it may not be louder than you can typically find in any other M-1 --

MR. STEVENS: Understood.

CHAIRMAN LORENZINI: Are there any other questions?

COMMISSIONER JENSEN: If I could mention, there was another that was like a special, given what we did the last time around, but Mr. Stevens has opened it up. We had another Petitioner who came in here with actual information and an attempt at data to meet the objective requirements in M-1 versus M-2. And when I read the proposal that came from the Petitioner, I didn't see any attempt to document things that are required to do them in M-1, in terms of sound, odors and a variety of other things. Clearly it probably needs 150

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feet difference, distance between them and residential when you look at it. But it wasn't clear to me that they meant anything else. And I was kind of wondering why staff didn't ask them to do something similar to what we suggested the other folks bring in and then turned it down for exactly the same operation.

MR. ENRIGHT: We did it, and it's in the packet. The staff asked Petitioner if they had any plans on doing any soundproofing at the existing facility and they answered no, not at this time. So we did ask that with respect to this particular property. However, this is a different case, it's not a abutting, single family residential like the other case that you're referring to.

COMMISSIONER JENSEN: What about the fumes and you know, some of the other, there's some fairly strict objective measures in both the M-1 and the M-2, and I've got a problem because it's hard to differentiate what's required for both M-2 and M-1, they're exactly the same in most cases. But there's, especially the sound issue that Mr. Stevens goes to. There's some specific tests that should and could be run and they need, should probably have to document before they go to the Board, that they meet the requirements for M-1 in terms of the sound. And they would have to do it with, we asked the other people if they were going to leave their doors open when they do the work, they told us no and we didn't believe them even though they were under oath. But that's another matter. But I think we ought to, they should really have to do some kind of test as suggested by Mr. Stevens that they could meet at least the sound requirement of an M-1 district. And so that would be my thought on this because I think it's a legitimate issue that he has raised. And I will go to the other issue, I was ecstatic that we eventually had some suggestion that they move from the Palatine Street, the Palatine up to the other thing. But I do understand Commissioner Green's points that we really don't want to do the same, a form of intimidation but it did condition my thinking that it would be good to have it relocated from where it is now.

CHAIRMAN LORENZINI: Can I ask --

COMMISSIONER DAWSON: Can I just, yes I was going to say, can you just clarify, because I just asked because I thought this is what I understood. In 120, on the map, that's where they currently are? The Trade Association is the 30?

MS. BALEK: They're right next door.

MR. BALEK: Right next door.

MR. ENRIGHT: That's correct.

COMMISSIONER DAWSON: And the objection is about a building across the street and two buildings down?

MS. BALEK: Correct.

MR. ENRIGHT: That's correct, 300 feet away.

COMMISSIONER DAWSON: I'm just very confused, if they're currently right next door doing all of the current operations why are we --

COMMISSIONER SIGALOS: I had the same question, I mean they have history here now, are they, Mr. Stevens can step forward and,

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I mean right now at their current operations that are at 120, is that objectionable to you with your facility at 30 --

MR. STEVENS: Well, there's two concerns. The first one is, is that I don't know what those operations are, right? So if they're, I do understand what happens in the power shop, you know as far as ratchets, you know, air nose, you know air ratchets and stuff like that, pounding, but you know, tearing. I understand that sort of thing, so I have this, I have a conception in my mind as to what's going to happen in that shop, at that new location. But there's nothing in, that's been conveyed to us from staff as to what those operations are and what those typical DB levels are. Whether or not they --

COMMISSIONER SIGALOS: Well, what I'm hearing is it would be the same operations in 25 East University that you're now conducting at 120, except you won't be doing any painting there at the new facility, is that correct?

MS. BALEK: Actually, yes --

MR. ENRIGHT: You have to go all the way to the mic.

MS. BALEK: Yes, yes, and there's not going to be towing in and out. So it's actually going to be less, less noise.

COMMISSIONER SIGALOS: So it's going to be less noise?

MS. BALEK: Correct.

COMMISSIONER SIGALOS: And again, my question to Mr. Stevens is that their operations at 120, are you finding any objectional noise produced from that location to your business?

MR. STEVENS: Let me just, let me just finish my point, if you don't mind. So the acoustic noise is not, for instance if it's loud over there, or if there's a noise over there, and there's another noise at some other location that's slightly quieter, it doesn't mean that the second quieter operation doesn't affect the noise. Noise is additive, right? So when, if we are surrounded by these types of operations, that this noise is additive. It doesn't, it just doesn't mean that one is quieter than the other and we're not affected by the quieter one.

COMMISSIONER SIGALOS: Okay but the question is, is what they've been doing right now at 120 East, does that have any affect on your business right now?

MR. STEVENS: I don't believe so, no.

COMMISSIONER SIGALOS: Okay then.

CHAIRMAN LORENZINI: All right, Jay do you have any questions?

COMMISSIONER CHERWIN: They just answered my question, I was going about 120 --

CHAIRMAN LORENZINI: George, do you have any questions?

COMMISSIONER DROST: No, is there, in the Plat and Sub, any discussion related to sound absorption, mitigation of noise? Nothing?

COMMISSIONER JENSEN: I wasn't at that Plat and Sub meeting so, is there anything on the record?

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COMMISSIONER DROST: Do you know, Bill?

MR. ENRIGHT: Well --

COMMISSIONER GREEN: I was there and there wasn't. And it's just that what they're asking for is the, sort of the typical noise that goes with an automotive air shop, whatever that is. And I just think Mr. Stevens that the obvious statement that I think I'll make is that I think you have a problem in that you are located in a light to medium manufacturing area where sounds, we have M-1 zoning areas so we could put those sounds in these areas. Construction and things being built and things being repaired, they are by zoning required to be in these M-1, M-2 areas. So it's hard to put a restriction on something that is allowable within these areas. Maybe you need to soundproof your building more or something, I don't know, but it's hard to restrict what's happening just because you're there. They've been in the area and in the Village for many, many years as well.

COMMISSIONER JENSEN: I'm a little confused because I think the M-1 does have some very specific requirements on sounds. It actually lists decibel levels and a variety of other things. And the other case that came in, the Petitioner came in last time, made a very bad attempt, but did try to indicate some decibel levels, and we didn't think they were adequate. And we wouldn't even give him the opportunity to come back with a continuance and provide real data by a sound tech. Now I think that before this Petitioner goes to the Board, should they get approval from this Commission, they should be asked to do some sound studies so that they meet the requirements that are in the M-1 District, and they can demonstrate to the Board that they will meet those requirements. Because there's nothing in staff's report that suggests that would be the case.

COMMISSIONER GREEN: Bill, maybe you could answer that.

MR. ENRIGHT: Well what it is the problem with, well yes there are decibel levels. There's two problems with what Commissioner Jensen is bringing up. First of all, how do you measure sound from something that's not there. Because there is a lot of things that factor into the transmission of sound. One is the building that they want to go into. Is it soundproof or is it not at all soundproof? Also what are the operations that they're going to be doing there. What doors will be open, what doors will be shut. What's the background noise in the area? 200 East Palatine has a lot of traffic, you know, tens of thousands of cars. This doesn't, but it does have truck traffic occasionally, but it's generally going to be quiet even though it's close to Arlington Heights Road as you can see. So it's, you know, the second thing is determined enforcement, the Courts have been, it's very difficult to enforce sound ordinances with the Courts.

COMMISSIONER JENSEN: Well then I'm really disturbed. Because first of all, they do have an operation at 120 West, that we could use and get a pretty good approximation of what their decibel sound would be at the property level. So it is possible to do that.

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And I think they ought to be asked to do it at the existing property which they claim will have the same sets of activities that they want to put, for the most part, in the new building, the new space. In fact they say it would be actually less, so I mean we could probably make some allowance for that. But we asked the other Petitioner, and I don't want to re-litigate that case, to do the things that you said would be impossible to do. Which is to measure things that aren't in existence here. And we denied them the opportunity to make an effort to do that. My concern, and it actually won't affect my vote on this at all, because I will make a comment afterwards. I do not like the way M-1 and M-2 descriptions and criteria are written because they give you absolutely no guidance as to whether this or any other facility of this nature should be in one versus the other. And I'd like to have uniform application of the procedures and the criteria and I don't feel that we're getting that.

COMMISSIONER DAWSON: So just one point of clarification, I wasn't at that meeting, but we do not deny anyone anything. We are purely advisory --

COMMISSIONER JENSEN: I understand we're advisory.

COMMISSIONER DAWSON: But I think it's important because you are saying we're denying people opportunities and I think everyone needs to understand --

COMMISSIONER JENSEN: Well yes we did deny them one opportunity, a continuance to come back before this Plan Commission and document the things that they were asserting. That is a denial.

COMMISSIONER DAWSON: Except that all they had to do was reapply to appear before the Planning Commission so again you didn't deny them really, you know, a continuance, but it really didn't deny the opportunity for them to come before the Planning. So I just want to be clear, we don't, we're advisory, they don't deny or approve anything.

COMMISSIONER JENSEN: I appreciate that, thank you for that.

CHAIRMAN LORENZINI: I think we've heard from everybody except Terry. Terry, do you have any comments?

COMMISSIONER ENNES: Well, first of all I think these two situations are entirely different. We had a property that was abutting residential property. Where this doesn't, this is in the middle of a light industrial and my impression of the area is the building 25, the newly proposed, this, you're going to be working on cars, not trucks.

MR. BALEK: Yes, and more minor repairs than we do at 120.

COMMISSIONER ENNES: Your facility at 120, you haul wrecked semi's in there?

MR. BALEK: Yes, trucks, trailers, yes.

MS. BALEK: Yes.

COMMISSIONER ENNES: Much bigger equipment.

MS. BALEK: Yes.

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MR. BALEK: Correct.

COMMISSIONER ENNES: And if, I'm sorry, your last name?

MR. STEVENS: Stevens.

COMMISSIONER ENNES: If Mr. Stevens says they have no problem with the 120 facility, I find it hard to believe that the one, that the 25 facility is going to create a problem when you're working on automobiles.

MR. STEVENS: Can I make a comment here?

CHAIRMAN LORENZINI: Sure, one last time, please.

MR. STEVENS: Last time. I'm going to assume that there's no acoustics experts on this panel or on staff. So, I'm just going to make that assumption, it's probably good. There are acoustic consultants that do this for a living. That they understand operations, mechanical operations, metal working operations, and they have a pretty good idea of the sound power level expected from these operations. They also have a good understanding of attenuation, distance, background noise, what affect it would have on our business. I'm asking is there, that this group ask the Petitioner to do this study by an NCAC certified acoustic consultant to insure that our business won't be damaged.

CHAIRMAN LORENZINI: Okay, thank you for your comment. Okay, any other questions or proclamations? Does anybody else from the public have anymore questions? No? Okay, we close the public comment and bring it back to the Commissioners for recommendations.

COMMISSIONER GREEN: I'd like to make a recommendation, **to the Village Board of Trustees approval of PC# 15-004, a land use Variation to allow a motor vehicle repair, major in the M-1 District; and a variation from Chapter 28, Section 6.12-1(3) Traffic Engineering approval, to waive the requirement for a traffic study and parking analysis from a certified traffic engineer.**

This approval is contingent upon compliance with the conditions detailed in the Staff Development Committee report dated October 22, 2015 and that's items one through eight:

- 1. A new 10 foot tall vinyl solid fence shall be required along the perimeter of the site per Exhibit A (site plan)**
- 2. Landscaping shall be installed at the front of the building as illustrated on the floor/site plan.**
- 3. The Petitioner shall repair, fill and patch potholes and cracks in the storage lot.**
- 4. The Petitioner shall stripe parking spaces along rear of the building to accommodate employees, estimated at 5 employees.**
- 5. An MWRD permit may be required for the sanitary system grease trap in order to conform with an automotive use.**
- 6. Junkyards, vehicle compactors/crushers and painting of vehicles are specifically prohibited.**
- 7. Hours of operation shall be limited to 8:00 a.m. until 6:00 p.m. Monday to Friday, and 8:00 a.m. to 12:00 p.m. Saturday.**

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8. **The Petitioner shall comply with all applicable federal, state, and Village codes and policies.**

CHAIRMAN LORENZINI: Okay motion, or a second?

COMMISSIONER SIGALOS: I'll second.

CHAIRMAN LORENZINI: Roll call vote, please?

COMMISSIONER JENSEN: If we're going to do a variance, can we do it after the thing is adopted or before?

CHAIRMAN LORENZINI: Before.

COMMISSIONER JENSEN: Well I'd like to suggest a ninth. Which are that one of our individuals in the public asked that we add a ninth provision that we ask the Petitioner to do a competent sound study to show that they at least meet the requirements that are specifically laid out in the M-1 District criteria.

CHAIRMAN LORENZINI: Is there a comment in there, is there a --

MR. ENRIGHT: Comment or a second?

CHAIRMAN LORENZINI: Well, no but his, the Commissioner recommended, does the code specifically spell out the noise level that has to be met? Can we measure what Commissioner --

MR. ENRIGHT: It certainly has those provisions in there. But I'm not a sound expert as Mr. Stevens alluded to, but so I don't know what a sound expert would come up with.

CHAIRMAN LORENZINI: All right, but we can still --

COMMISSIONER JENSEN: But there are criteria that are specifically spelled out in M-1 that you have to meet at the edge of the property?

MR. ENRIGHT: Yes.

CHAIRMAN LORENZINI: Okay, all right, so let's do a vote, it sounds like.

MR. ENRIGHT: Well actually, you know what, let me check that, let me double check that.

COMMISSIONER DAWSON: I think what you're suggesting though isn't necessarily a ninth condition here, you would mean a recommendation that they bring that to the Planning, to the Village Board?

COMMISSIONER JENSEN: To the Board, yes.

COMMISSIONER DAWSON: So it's not really a condition, but that we are suggestion along with our motion, that you also bring this information to the Village Board meeting.

COMMISSIONER JENSEN: Well I think my suggestion, and I'd like to make it stronger than that. I'd like to require it.

COMMISSIONER DAWSON: Well they, yes, I mean they could go to the Board with or without it, but I guess what I would say is I think they know he's going to be there. If they, you know, if they think this is going to come out at the Village Board, it would make good sense to have more information at the Village Board meeting based on what we learned tonight.

MR. ENRIGHT: I need to correct my answer. The

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industrial, Chairman Lorenzini?

CHAIRMAN LORENZINI: Yes.

MR. ENRIGHT: The M-1 Industrial performance standards, chapter 28, section 5.1-17.2 regarding noise. That's A, noise. And I'll read it:

The sound pressure level to be measured as described below shall not exceed the following decibel levels in the designated octave bands when adjacent to the designated types of uses districts. The table then gives the octave band cycles per second on a zero to 75, 75 to 150 and so forth. And then it says sound decibel levels adjacent to all residential. And then the second column says sound decibel levels, if it's adjacent to B-1, B-2 or B-3. But not within the M-1.

CHAIRMAN LORENZINI: All right so it's not applicable.

MR. ENRIGHT: Now, there is a vibration chart, about vibrations caused, which does talk about vibrations with respect to whether it's adjacent to residential or within the M-1 District. So there's a, not a sound level but a vibration level.

CHAIRMAN LORENZINI: Okay thank you, Bill.

COMMISSIONER ENNES: But until the operation is established, what are you going to measure?

MR. ENRIGHT: Right.

COMMISSIONER ENNES: And then --

COMMISSIONER DAWSON: I think he's suggesting we measure 120. I think Lynn is suggesting we measure 120.

COMMISSIONER JENSEN: And I think we should be as careful about people who also reside in the M-1 District as we are about residential properties that abut to M-1. Because we're giving them, we're getting our bearings from an M, what should be an M-2 being an M-1. So I think they should bring some information forward to the Board and Sue is probably right, it probably doesn't belong as a ninth item. So I guess I would just strongly encourage it and I would hope the Board would look to see that.

CHAIRMAN LORENZINI: Okay, so I would just make that a comment to the --

COMMISSIONER JENSEN: Sure, that would be fine.

CHAIRMAN LORENZINI: Okay.

MR. ENRIGHT: There's been a motion by Commissioner Green and seconded by Commissioner Sigalos.

CHAIRMAN LORENZINI: Roll call vote, please.

MR. ENRIGHT: Commissioner Green?

COMMISSIONER GREEN: Yes.

MR. ENRIGHT: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MR. ENRIGHT: Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes.

MR. ENRIGHT: Commissioner Dawson?

COMMISSIONER DAWSON: Yes.

MR. ENRIGHT: Commissioner Drost?

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COMMISSIONER DROST: Aye.

MR. ENRIGHT: Commissioner Ennes.

COMMISSIONER ENNES: Yes.

MR. ENRIGHT: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.

MR. ENRIGHT: Commissioner Warskow?

COMMISSIONER WARSKOW: Yes.

MR. ENRIGHT: Chairman Lorenzini?

CHAIRMAN LORENZINI: Yes. All right, you've received unanimous approval but as was stated by Commissioner Dawson earlier, this is only a recommendation to the Board of Trustees, they have final approval. Is there a date this is going to the Board of Trustees?

MR. ENRIGHT: It will likely go on Monday, November 16th, at 8:00 p.m. Petitioner should check with me the Friday prior to that.

COMMISSIONER DROST: For the record, though, is, the statement or the recommendation of Commissioner Jensen, though it wasn't with comment, will it still be treated as with comment in the minutes presented to the --

MR. ENRIGHT: Yes, because it wasn't seconded and made part of the motion.

COMMISSIONER DROST: All right. I just wanted to make sure that that is clear.

CHAIRMAN LORENZINI: Okay, thank you everybody.

(Whereupon, the meeting was adjourned
at 8:27 p.m.)



Item: Arlington Downs - 10/28/15

Department: Planning & Community Development

ATTACHMENTS:

Description

PC Minutes 10/28/15 - DRAFT

Type

Minutes

DRAFT

PLAN

REPORT OF THE PROCEEDINGS OF A PUBLIC HEARING
BEFORE THE VILLAGE OF ARLINGTON HEIGHTS
PLAN COMMISSION

COMMISSION

RE: Arlington Downs - PC# 15-020

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Plan Commission Meeting taken at the
Arlington Heights Village Hall, 33 South Arlington Heights
Road, 3rd Floor Board Room, Arlington Heights, Illinois on the
28th day of October, 2015, at the hour of 8:27 p.m.

MEMBERS PRESENT:

JOE LORENZINI, Chairman
BRUCE GREEN
LYNN JENSEN
TERRY ENNES
JOHN SIGALOS
JAY CHERWIN
MARY JO WARSKOW
GEORGE DROST
SUSAN DAWSON

ALSO PRESENT:

BILL ENRIGHT, Deputy Director

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CHAIRMAN LORENZINI: Okay, let's move onto the last public hearing. Arlington Downs, PC# 15-020, a PUD amendment. Is the Petitioner here?

MR. FUNK: Yes.

CHAIRMAN LORENZINI: Have all the proper notices been given, Bill?

MR. ENRIGHT: Yes.

CHAIRMAN LORENZINI: Would anybody who is going to testify, would you please come forward and raise your right hand. (Witnesses sworn.)

MR. FUNK: I do.

MR. KETTELKAMP: I do as well.

CHAIRMAN LORENZINI: Okay, would you please state your name and spell it for the court reporter?

MR. FUNK: My name is Jeff Funk, I'm with the developer and the design team.

CHAIRMAN LORENZINI: Okay, why don't you just give your names as you come up.

MR. FUNK: Okay.

CHAIRMAN LORENZINI: So why don't you get started with your presentation and we'll go from there.

MR. FUNK: We are part of the, we're the developer and we're part of the design team and we are working on 60,000 square feet of retail and included in that we have 2,028 parking spaces. And the idea is we're basically doing an amendment to the existing PUD. And that amendment, we're doing a change in architectural style, more of a modern, contemporary style with what call these piazzas that this idea of it creating these piazzas, or these plazas that kind of interact with the retail buildings and then interact with the bicycle paths and walking paths. So we're trying to create a space that's not only just your typical strip mall but something that's different, something that creates spaces, something that creates some outdoor spaces, places where we can, you know, restaurants and outdoor seating and very pedestrian friendly.

MR. ENRIGHT: Do you have the clicker?

MR. FUNK: No I don't. It's right here?

MR. ENRIGHT: That one, that will move your slide to the middle.

MR. FUNK: Okay. On the site we have 27 acres on the corner of Rohlwing and Euclid Avenue. Which is about a half mile east of the interchange of Euclid and 53. Right now you could see the existing site, 27 acres. Basically what we're doing is we want to create the retail that faces Euclid Avenue and faces Rohlwing Road and the main plazas or piazzas that we call them on Euclid and Rohlwing. And then in front of the new residential tower.

This is an aerial rendering of our proposed

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building. So you can see we're trying to create this identity, this contemporary architecture with basically four-sided buildings that are not only pedestrian friendly on the Euclid Avenue, but pedestrian friendly on the north side where the cars are parking and where the pedestrians will be entering the spaces.

And then we're creating the entrance point at the spine road and the plazas, you could see the connection, oops, sorry. In front of the tower, and then we have a smaller piazza plaza that kind of is a buffer for the parking and then it connects to the plaza at Euclid and Rohlwing.

You could see our buildings here, we have 60,000 square feet of retail. Building D1, along Rohlwing Road is 15,000 square feet. Building D2, and D3 are both 12,000 square feet. We're creating the plaza in-between building D1 and D2, a friendly plaza that not only opens up that vista towards the tower, but creates that expression of the two buildings.

And then buildings D3 and E1 act as entrance points to the spine road. And then you see D4 and D5, we're creating another, the idea is to have two restaurants there where you have this open plaza, outdoor seating and water feature in that area.

And then this is the civil drawings, we're going to have the civil engineer, he'll come up and discuss some of the challenges we have onsite.

CHAIRMAN LORENZINI: State your name and spell your last name, please.

MS. SHAFER: Sure, my name is Laura Shafer, and Shafer is spelled, S-h-a-f-e-r. We are the civil engineer for the project and overall some of the infrastructure for the site has been provided by phases I and II of the project. There's an overall regional detention facility that's up to the northeast, it's an existing pond. But we will be providing some additional underground detention on the site itself to meet the Village's a little bit more stringent requirements for detention.

The sanitary for, to serve all of the buildings will run north along the three buildings and then up and connect into an existing stub coming out of Rohlwing Road. And the water connections are actually provided onsite themselves as well.

MR. FUNK: From an elevation standpoint and a plan standpoint a typical building. What we're doing is all the trash and the utilities to the, to each building are enclosed in the building. So you're not going to see this outdoor trash area. So everything's actually part of the building, which is a nice feature.

And then from an exterior standpoint you could see we're doing these, what we call translucent screens, that float in front of the building. They add shadow, they add texture, and at night time, they're going to be back-lit so it, you know, we're trying to

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create a different feel so the buildings change at night. So we have this dynamics of day and night included in the architecture.

And then the smaller buildings, the 4500 square foot buildings, you could see they have kind of the same architectural aesthetic with all the trash enclosures and the utility rooms, they're all part of the building envelope. So you don't see any of this stuff, it's all hidden, we've got screens, doors that are basically screening that, would screen all the trash and the utilities.

And then where, we have two different colors for the buildings, for all six buildings. One color is charcoal with a white stripe and then the other one is the white with the charcoal stripe. So, trying to create identity and trying to create a diversification among the buildings.

And then you could see those screens, the nice thing about the screens is that we can attach the signage to the screens and we had the idea of incorporating the site as part of those screens. And then at the end of the buildings we have those, what we call one-and-a-half to two-story glass structures that become very transparent during the day and at night they glow. So it acts as an entrance point to the spine road.

This is a section, how we're screening the rooftop units. The rooftop units are all located at the center of the floor plan, or the roof plan. And our parapets are approximately 48 inches tall so from anywhere on the site, you're not going to see any of the rooftop units from a pedestrian standpoint or an auto standpoint.

This is a three dimensional section of our screenage that we have, these floating screens that add articulation and dynamics to our buildings. It's a simple idea of creating a, basically a simple box with screens that highlight the architecture and create dynamics at night time. And they're going to be back-lit at night. And then at the base of the screening we're going to include a gabion wall structure which would be recycled rocks or recycled concrete from the site. Very sustainable.

This is a view of building E1 at night time, you could see the corner unit. Right now we have a restaurant that's planning on going on the corner. So we have this beautiful outdoor seating in that area. And then you could see how the screen is going to be back-lit with, creating an exciting architectural element not only during the day, but at night time.

And then I want to let our landscape architect talk about some of our great landscape elements.

CHAIRMAN LORENZINI: Could you state your name please, and just spell your last name.

MR. KETTELKAMP: My name is Ryan Kettelkamp, Kettelkamp and Kettelkamp Landscape Architecture. Kettelkamp is spelled K-e-t-t-e-l-k-a-m-p. As Jeff mentioned, the job of the landscape architect,

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you know particularly with this development, is to develop outdoor spaces that activate the overall development. And with those two plazas and what we call a micro-park in the middle of the parking lot, it's a big, leftover space there. We believe that we're doing that. What you see in front of you now is the overall landscape plan anything that is shown colored is essentially a landscape feature. This plan shows where all of the proposed trees are planned to be located as well as the areas for ornamental plantings.

At the top right there's a table, and that tabulates all of the plants that are planned to be installed in the development. On the right-hand side are a series of styling images that help to communicate some of the areas that I'll be talking a little bit more about as we go through my six slides.

The top one is a fountain image showing a fountain that's planned for the plaza space between D4 and D5, that's in the center of the development. The image in the center is a designated buffer yard and that is to show the treatment that we'd like to use along Euclid and along Rohlwing as a foil for some of our sculptural elements that'll be incorporated, that'll help to attract the attention that we want to attract from Euclid and, the intersection of Euclid and Rohlwing.

And then below it there's a styling image that shows sort of the intended character of the plaza space that's located at the corner of Euclid and Rohlwing.

Oops, Mr. Enright how does, which --

MR. ENRIGHT: The bottom right, the bottom button.

MR. KETTELKAMP: The bottom button? Got it, thank you. This is the detail of the plaza between buildings D4 and D5 and it also shows the included micro-park. Indicated on the plan are areas of planting, as designated in the, either greens or the bright yellows. And then areas of paving that are designated in the light yellow and then the light gray.

Off to the right-hand side are a series of character images to indicate the plants that will be installed within this particular area. The key feature of this plaza is a water feature that's located in the middle. It's a fountain, that fills the center of that space. It's a zero-depth fountain and it has the ability to be drained down and serve as additional plaza space should that space ever need to be utilized as an outdoor performance space we can gain additional plaza space in that way. Where basically the water just drains away. That's sort of the key feature for that development.

And then as you transition from buildings D4 and D5, throughout the remainder of the site, the way that you circulate is, to reach the other, the other buildings, D1, D2, D3, is you transition out through the parking lot in the designated crossing areas out to this, what we call a micro-park which is in this leftover space

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that's located in the middle of the parking lot. Within that area there's a series of plantings some seat walls, some green space, all-in-all just another space that allows people to hang out if they didn't necessarily want to participate in any shopping or anything like that.

Continuing on to Euclid and Rohlwing, this is the, this is a detail of the southwest plaza at that intersection and it also shows some of the building frontages that are currently planned out there. The area again is color-coded to indicate the locations of the proposed trees. And then the bright gold areas indicate the areas of more ornamental plantings and the areas that are designated in sort of a hatched-green color, those designate those areas where we want to create the, this tall perennial grass area that will serve as a location for some of our sculptural features that you'll see a bit, or as I continue through the slides.

The main feature of this plaza is a large, open lawn space in the middle in addition to a number of seat walls and associated lighting. There are some lighting standards that we'll be reviewing a bit later where I can show you how those lighting, those light fixtures and standards will attract attention to this corner, and again to the development.

Continuing on to building E1 and the entrance off of Euclid to the spine road. The existing plantings that are located currently at that entrance are going to be preserved down the middle of the road and protected during the construction period. And over and above that there will be a series of monument signs that are located here. I didn't point that out at the previous slide but we'll be looking at that in just a bit. But there is also a large monument sign that's located at the intersection of Rohlwing and Euclid as well. At this entry there are a series of monument signs that are located and there are associated plantings that are going there to attract attention to those intersections. Those will be ornamental, flowering trees as are pictured on the character-styling images at the top right. The species that are indicated on the right are the species then that correspond to the ones that are being utilized on this plan.

There is provision for bike parking. It does tie into the bike path that runs along the perimeter of the development. You'll see that there. The bike path, or parking is located immediately adjacent to the, immediately adjacent to the bike path and then allows for transitioning up and into the businesses that will be occupying building E1. One of the key features of this particular detail shot is the unique sculptural feature that I've been talking about. And I'll be pointing that out, that acknowledges the activities that are taking place down the street at Arlington Racetrack.

As you're coming down Euclid, there'll be a series of sculptures that are large, cutout pieces of metal, similar to possibly those cutout images that you may have seen at O'Hare as you

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enter O'Hare, they're some silhouettes of a man walking at O'Hare. This is very similar to that. A series of horse images. We, one of the first, when they first came out with movies they had these devices called zoetropes and they would spin the zoetrope and you would see this horse galloping. It was one of the first examples of moving pictures and we wanted to sort of pick up on that theme and explore it here in this development. So what we're doing is we're essentially, across the berm that's located along Euclid, and there's a slight rise that goes up there, it's a grade change greater than three feet, but less than five I believe. There will be sort of a meadow of grass. And then running through that meadow of grass will be this series of horse cutouts that you see here. Again, it's a feature that's designed to attract attention and let people ask the question what's going on in there that would make me want to go in. So it was just something kind of fun we decided to incorporate in order to activate this end of the development and down toward the intersection of Euclid and Rohlwing.

On the left-hand side are a series of the types of furniture that are planned. We've indicated waste receptacles, there'll be bike staging areas or bike stanchions. And in addition, ample seating that's provided throughout, in the form of traditional benches which are seen there on the bottom left. At the top center, are some of the gabion walls that Jeff was talking about in describing these gabion walls, which are essentially a wire-mesh structure that then is in-filled with some of the recycled concrete from the site. But the exterior portion of those gabion baskets is filled with decorative rock that will be laid up in a series of layers that you'll see. So the sustainable, recycled portion is the interior of the wall and the exterior is the more decorative stone.

And then on the right-hand side you'll see a series of lighting images that indicate the lighting that's planned to be used throughout the development. This compliments some of the existing site lighting out there. In fact it's, we are using the exact same lighting that's already onsite. This is just, again provided to re-emphasize the fact that we're playing off of some of the existing themes that are being utilized out there from both a way-finding light standpoint which is a little bit of a higher, taller light standard. Those will be incorporated into that plaza at the corner of Euclid and Rohlwing. Pathways will be lit with borrowed lighting, you'll see that at the bottom right.

At a series of, on the pedestrian fronts of the buildings there are some pedestrian lights. Those are called sidewalk lights, those are indicated at the top and there are some of those out there already. And then likewise to bring light to the parking lots, we've got a series of street and parking lights. Again, all fixtures that are currently being utilized out there on the site.

At the intersections, or at the spine road and

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Euclid, there are a series of entry walls that incorporate signage that identify the development as being Arlington Downs. In association with that, and you see that in the middle of the drawing that's up there now. In the middle of that and attached to that, are a series of panel walls. Those panel walls will be used to provide the necessary screening for the parking that comes within proximity of the spine road. All of that parking will be screened with this fencing. The character image at the top right, where you see a sidewalk and then some mesh fencing with vines growing up it, and that's a project in Evanston that we're quite familiar with. And that entire, that fence right now is completely covered in vines and screening the parking lot on the inside. Incorporated that image as a real life image to sort of show our design intent.

Over and above that what we're indicating as we come down through the styling images is a series of paving. The paving that is used on the site is of two types. There'll be scored or decorative, scored concrete that will be utilized in addition to areas of enhanced pavers. Those enhanced pavers are shown in the middle and at the top left are a series of paving details just in terms of how those plazas will incorporate the concrete and the pavers. And at the top right, we wanted to provide a detail showing that all pedestrian crossings throughout the parking lot and from building, essentially from building node to building node, will be designated with stamped asphalt that are designated with a, there will be some texture change there. So when someone drives across it, they know that they're crossing a special area. And then in addition, there'll be some color differentiation that takes place there to indicate visually that there's something coming up ahead that needs to be addressed as regards to the safety of pedestrians.

And then lastly, at the bottom, you'll see the image of the gabion entry monument sign that's located at that intersection of Euclid and Rohlwing. At the top of the sign, similar to the sign that's currently located there, there'll be indication that this is the Village of Arlington Heights. And below that there'll be a feature or a sign indicating that this is Arlington Downs. All the signs will be illuminated. We have provided some detailing for illuminating some of the signs from within so that that loose structure of the wall, as you see over there on the right, it's a series of stacked ornamental rock. That can be lit from both within and then the facades of those can be illuminated as well. And we wanted to provide those for you so that you had a better idea of what would be, of what we would be dealing with here.

MR. FUNK: And that's it.

CHAIRMAN LORENZINI: Are you done?

MR. FUNK: Is that the last slide?

CHAIRMAN LORENZINI: Has the Petitioner read the nine

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conditions?

MR. FUNK: We have, yes.

CHAIRMAN LORENZINI: Do you agree with them?

MR. FUNK: We do.

CHAIRMAN LORENZINI: Thank you. Okay, Bill, staff report, please.

MR. ENRIGHT: Chairman Lorenzini and members of the Planning Commission, we think the improvements here are excellent. It's a better plan than the first plan, which was presented in 2012 when this project went through the original PUD approval process. Of particular importance, I think, is that the two driveways, two right-in/right-outs, are being eliminated from the project. Between buildings D2 and D3, there was a right-in/right-out proposed originally, that's being eliminated as part of this project. Which makes, as well a right-in/right-out off of Rohlwing Road which would go approximately in the middle of D1, because before it was two separate buildings north and south of that right-in/right-out.

Because of those changes, this makes the Zone B, this retail zone, a lot more pedestrian friendly and easier to go from one building to another without encountering cars coming off the road where you're trying to exit. So we think that's a great enhancement. It also follows the track up to the main ring road. Which is also a very good idea because it helps with, one space to achieve a traffic signal at Euclid and the main ring road, which Petitioners provided a in-depth study on that. That would have to go to the County eventually when the project is up and running to see if that will be permitted.

We see those as great improvements. The plaza areas are much more enhanced, much more detail, well thought out, much more interesting. So this is a better pedestrian environment, I think it's, and that's kind of the idea of this whole development. And I think the architect should be commended for, in both landscape and architects for the thought that's going into this, and the better plan.

In addition, the original plan had a drive-through bank in Zone D, right off of Euclid. That's been eliminated which also, we were never real wild about. But that's been eliminated.

Zone E, was originally thought of as a pharmacy with a drive-through. That is no longer part of the project, that would be a retail building with some restaurants. So all these enhancements we think are very good.

As part of the original PUD, there were several off-site public improvements required of the development. And even though this particular iteration of the development is less intense than the original, and I'll talk about that in a second, all of the off-site improvements that were required from the get-go in 2012, are still required with this development. Those off-site improvements include a left-turn lane eastbound Euclid into the main ring road which

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is in this area right here on Euclid to be able to turn into the ring road. That's a requirement that will have to occur with either/or either the hotel and waterpark addition, or development of the retail Zones D and E, whichever comes first. That's the requirement of the PUD.

So whatever they start to build next, they'll have to put in all these off-site improvements because they need to be tied to whatever comes first. The hotel is contemplated to come first, they're in for permits. The permit conditions these off-site improvements but it's possible that the retail zone may even proceed that, which is fine. But they've got to then do the improvements with that occurring. So whatever they do next, those off-site improvements have to come with that part of the project.

The other off-site improvements include a pedestrian activated signal to cross Rohlwing Road on the north side of Euclid to get from the east side of Rohlwing to the west side, where Rolling Meadows has an existing bike path. It also includes a bike path along the full frontage of the north side of Euclid Avenue. The developer is responsible for that or Rolling Meadows, through a grant would be paying for, you know, whatever percentage that the Federal grant allows, which I believe is 80 percent. And Rolling Meadows has obtained that grant and there in the process of doing preliminary engineering. Now that, that has to be supplemented with local funding, and the village has, to this point, assisted with a portion of the funding of their preliminary studies. So that's an important part of the project.

The Petitioner and the City of Rolling Meadows has indicated to us they're designing that bypass so we have to, you know, can make that available to the developer so that they can make sure that their grading plan works with the bike path. Right now the bike path would be completely in the public right-of-way, but there is a requirement that that bike path has to be set back five feet from the back of curb on Euclid. And right now, it might be, with the widening of Euclid, because Euclid has to be widened slightly to accommodate for this new left turn lane into the development project. There may only be three or four feet so the bike path might have to shift about a foot or two and if that's the case, we're probably going to need, we will need at least a one or two, probably a one-to-two foot easement and maybe three feet. Which is a condition of this approval.

In addition, the developer has already put in a left-turn striped lane on southbound Rohlwing at the main ring road entrance for the project. That was done with, when the ring road was put in. There's also requirement with this next phase, whatever happens, in addition to the left-turn lane off Euclid, and a pedestrian activated signal to cross Rohlwing, a right-turn lane to, for southbound Rohlwing, to head west on Euclid. And that is still part of

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the recommendation, it is an absolute, it is a requirement.

Now the Petitioner has provided an in-depth traffic study which we have recently given to the City of Rolling Meadows, to review with us to determine whether or not that can be eliminated because the traffic study the Petitioner's consultant has provided will be used and is not needed, however staff with the Village of Arlington Heights, at this point, is not necessarily in agreement with that. We're not in disagreement, but we're not in agreement, we are reviewing it. And part of that review will be, include reviewing with the City of Rolling Meadows. So one of the conditions of this particular project, is to modify the existing condition that it has to be done, to allow us the flexibility to not require it if both the Village of Arlington Heights and the City of Rolling Meadows agree that it's not needed. If either the Village of Arlington Heights or the City of Rolling Meadows wants that right-turn lane, it's going to go in with whatever gets built next. So we're going to work with Rolling Meadows on that to see where we end up and if the City of Rolling Meadows wants it to stay, it will stay, and it will be a requirement and it will have to be put in with whatever is built next.

Having said that, the project requires two variations, one is for parking, which has been from the beginning. The parking variation is to allow 2,028 spaces where 2,526 is required by Village code. However, we do allow shared parking and the Petitioner has provided a very in-depth shared parking analysis, which indicates that there is ample parking for the project. The only concerns we have with parking is that given the information that we have at this point, which is very preliminary from the developer about having three restaurants in Zone E1, at peak on a weekend, there may not be enough parking. So we're okay with conceptually saying three restaurants in Zone E is okay, but every restaurant requires a special use, so you'll see that in the future when they have an actual restaurant who's developed the plans, we know what the seating area is and we can hash that out when they go through the process to make sure there's enough parking. So there may be some slight reductions to the seating areas because they're estimated at 50 percent of the floor area, which is probably a little generous. It's probably generally going to be less than that. So we'll have to deal with that when we go through the special use process for the restaurants just like we do with any restaurant in town above the 150 square foot threshold.

So that's one parking variation. There's also a variation for setback for the 10 parking spaces north of building D1. The overlay zoning district that we created in 2012, required a 15 foot setback, these 10 spaces would be 10 feet. We see that as a minor change, because it's only 10 parking spaces and they're still going to have plenty of room for landscape. And there's an additional 25 feet before you even reach the curb line.

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Another requirement of the development is that they put a new sidewalk on the east side of Rohlwing for the, from Euclid all the way up to the boundary of the property which is a requirement of this next phase, whether it's the retail or the hotel, whichever comes first. So all those things will be implemented.

Regarding the overall project, the current planning development calls for 161 hotel rooms. That's not changing. The original PUD in 2012, actually approved 300, so there's actually quite a bit of reduction that was previously in that as of last year through these, the hotel rooms. So that's a negative, not a negative, but it's a reduction in terms of parking need and traffic needs.

In addition, they've eliminated the drive-through pharmacy, the drive-through bank, the health club that they anticipated in Zone A, which is the residential tower that's been renovated. That's no longer part of the plan, which is a high parking demand for uses like that.

The single story commercial and the first floor commercial in Zone A and the future Zone C, looking at that square footage, so I'm excluding the waterpark and the hotel, looking at leasable square footage, the current PUD allows 100,000 square feet. This current PUD I've listed as 71,000, it's actually a little bit more, it's about 75/76,000. So there's been about a 25 percent reduction to the, you know, retail/commercial area because of some of the changes that they've made. So there is actually an overall reduction in trip generation from this project versus the original iteration. But they still have to do all the improvements required with the caveat that we will review as the City of Rolling Meadows, the right-turn requirement off of Rohlwing.

There's several conditions the staff is recommending. There's several ordinance conditions from previous ordinances, the original PUD and the final PUD from 2012. We're seeking to repeal those, but then institute new requirements based on the new plan. And that centers around the maximum number of retail and for restaurants as well as maximizing, or minimizing actually the amount of non-retail/non-sales tax generators. They do have, in D1, that's a 15,000 square foot building that they want to do for medical. So we have limits on that, so that the rest of that area is, you know, there's some accommodation for a little bit more service uses. But we want to put a cap on that so that we insure that we get sales tax generating and through better tax generating uses particularly in Zones D and E.

There are several conditions recommended, one through nine, and I won't go through each one of those, but they're basically updating some of the conditions from the previous ordinances. One new condition is that the entry feature sign at Euclid and Rohlwing that their landscape architect showed us earlier, where, we like it

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generally but we want to discuss in more detail about the magnitude of it and the size, to get a little more comfortable with it. So that would require further review, it needs a sign permit so we would address that so, you know, our main issue and it's not the same issue, but one thing we want to discuss is the size of it.

Secondly, regarding the bike path, I mentioned that there may be a requirement for an easement of maybe a foot or two. That's condition number five that if a easement is necessary to accommodate the bike path, the developer shall grant that easement. And then the landscape plan there's a few things that we want more details on, but generally speaking, and they provided that recently. Generally speaking this is in need of greater elevation of architecture and landscaping than even the original PUD, which was very good to begin with.

And that's, you know, one thing I haven't mentioned is that the architecture is completely different for this project. The buildings are basically in the same spot, a little bit different configuration, but the architecture is a much more contemporary, modern architecture to reflect the renovated building that's currently operational with the residential.

The Design Commission was fully supportive of the new architecture, as is staff. It's a lot more I think exciting and interesting and I think it will help them to attract tenants as well. So overall, staff is fully supportive of this PUD amendment and we conclude our report.

CHAIRMAN LORENZINI: Thank you, Bill. Could I have a motion to include the staff report into the public record?

COMMISSIONER JENSEN: So moved.

COMMISSIONER DROST: Second.

CHAIRMAN LORENZINI: All in favor?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Opposed?

(No response.)

CHAIRMAN LORENZINI: Thank you. Okay let's go to questions from Commissioners. It's probably appropriate to start with our esteemed architect, Commissioner Green.

COMMISSIONER GREEN: I don't have a lot of questions, I do want to say that this is a very nice variation from where we started. I love these plazas and I think this is just fantastic. The landscaping is exceptional, and the elements, especially the horses and all that is, it's a lot of fun. Good job, guys. That's all I can say.

CHAIRMAN LORENZINI: Commissioner Ennes:

COMMISSIONER ENNES: In Plat and Sub I saw a comment from Mr. Bertucci, is here tonight? You indicated that you wanted to go ahead the commercial buildings --

CHAIRMAN LORENZINI: Could you come up to the mic,

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please? If you could give your name just for the record.

MR. BERTUCCI: Vince Bertucci, last name is spelled B-e-r-t-u-c-c-i.

COMMISSIONER ENNES: And you had indicated that you're ready to go ahead, that the developer is ready to go ahead with the commercial buildings, the six buildings?

MR. BERTUCCI: The six buildings, yes.

COMMISSIONER ENNES: Have you, have tenants been identified for those yet?

MR. BERTUCCI: I know that multiple tenants have been working with the developer for space, I don't know where the agreements are yet, but.

COMMISSIONER ENNES: Okay, and so that's that they're looking to go ahead with in the next --

MR. BERTUCCI: All six, yes. I think that was --

COMMISSIONER ENNES: When do you think those will be done by?

MR. BERTUCCI: We'd hope to get started as soon as we can get entitlement and permitting.

MR. FUNK: So, yes, and if it's possible to get the MWRD approvals we'd like start literally site work in December if it's possible. But worst case scenario we'd like to start in March or April, work on the site. And we have LOI's in from Chipotle, PotBelly's, Experience and other couple retailers and restaurants that are interested. But, you know, what we're hearing is that they want to see construction starting before they're going to actually sign leases. So that's why we, exactly and we have deadlines that we need to be finished by to turnover the buildings, you know, in August. So we've met with contractors and we have pricing in on this already and we are, and they feel pretty, pretty good about getting the buildings completed by the end of August, beginning of September.

COMMISSIONER ENNES: As soon as the site is good to go.

MR. FUNK: Yes. We appreciate it, thank you.

COMMISSIONER ENNES: Glad to hear it's moving forward. That's really all I have.

CHAIRMAN LORENZINI: Commissioner Warskow?

COMMISSIONER WARSKOW: Yes, well I was glad to hear you mention what restaurants were going in there because with the plazas or piazzas whichever you choose to call them, I was a little concerned how you were going to get service to those areas. But as long as they're kind of take-out, then I'm more comfortable with that piazza aspect.

For the landscape architect, I'm not an expert, but I know native plantings are better than exotic plantings. So of the ones that you showed pictures of, what percentage of those would you say are natives?

CHAIRMAN LORENZINI: Come back to the mic, please.

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MR. KETTELKAMP: We've worked on a series of lead development projects where we routinely incorporate plants that are either native or low water use plants. So let me toggle back through here really quickly because I haven't quite thought about it from a percentage standpoint.

COMMISSIONER WARSKOW: Okay.

MR. KETTELKAMP: Let me go up.

COMMISSIONER WARSKOW: And I don't need an exact percentage, but have you taken into account natives and are they a good portion of the plantings?

MR. KETTELKAMP: We definitely have, that's, the perimeter of the project where I was talking about that foil for the horses, that's a solid planting of native grass that you'll see there. In the middle image there where the horses are running through the grass, those are mass plantings of prairie dropseed, which is a native grass looks as great in the summer as it does in the winter. Super low water usage on that. As for the remainder of the plantings, I'd say that 50 percent of the plants are specifically native and the other 50 are then selected for drought tolerance.

In terms of going from the, you know, going from the top down, the Hawthorne's at the top, definitely native. The Oak at the top, definitely native. The Crabapple, definitely native. Getting down into some of the ornamental grasses, I mentioned, I'd say that 50 percent of the ornamental grasses that we're proposing to use are native. Continuing down the list, the shrubs that are indicated on the right-hand side, there are two types that are indicated there, both of those are native. So, I'd say that 75 percent of the plants that we're using are native and 25 percent are drought tolerant and suited to our climate.

COMMISSIONER WARSKOW: Wonderful.

MR. KETTELKAMP: Thank you.

COMMISSIONER WARSKOW: And the pavement is that permeable or non-permeable sidewalk pavers?

MR. KETTELKAMP: That is not permeable.

COMMISSIONER WARSKOW: Okay, was there any consideration into making it permeable? Was that strictly budget or did you not feel the need for permeable pavers?

MR. KETTELKAMP: From an engineering standpoint it wasn't necessarily required. There are a number of other what we call green features incorporated into the development. But the plazas were not using permeable pavers in the plaza, I think it has a little bit to do with, I don't know, I would call it a richness of look is what I would say. I think that sometimes the permeable pavers used in those plaza areas can look a bit, I don't know utilitarian is what I would say because you do see the gravel in between the individual pavers. And in this case they'll be, there's no loose gravel, but again,

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everything will be fully vetted by MWRD but there currently are no areas of permeable that are required.

But again, I do want to point out that as far as those walls that we're using throughout the development, a substantial portion of those walls are constructed with reclaimed material that's going to be harvested from the site and reused.

COMMISSIONER WARSKOW: I understand that and I'm a little confused about that.

MR. KETTELKAMP: It looks great, it's a more contemporary look is what I would tell you.

COMMISSIONER WARSKOW: I mean if it's hidden in the gabion benches --

MR. KETTELKAMP: It's hidden within the interior, yes, exactly.

COMMISSIONER WARSKOW: And I would assume concrete can be reused to make more concrete.

MR. KETTELKAMP: Absolutely.

COMMISSIONER WARSKOW: So I'm not exactly sure what the benefit of that is but --

MR. KETTELKAMP: The existing concrete that's onsite will be picked up, broken up and then incorporated as the core of those structures. We have done projects before where the entire structure is out reclaimed concrete. But in this particular instance, we wanted to do something that was, I don't know, perceived as being a little bit more decorative although I've got to tell you I love the purely recycled and reclaimed concrete walls, I think they look great. And are really a compliment to modern contemporary architecture.

COMMISSIONER WARSKOW: Well it doesn't have everything I would want it to have, but it's really, it looks wonderful and I do appreciate the efforts on sustainability.

MR. KETTELKAMP: Great thank you.

COMMISSIONER WARSKOW: There's a mention of childcare facility, is that new with this series of --

MR. ENRIGHT: Well yes, I mean that requires a special use and you'll see that in the future. So --

COMMISSIONER WARSKOW: Is there something driving the idea of having a childcare --

MR. ENRIGHT: Well I'm assuming they have someone in mind.

COMMISSIONER WARSKOW: Is that the case?

MR. ENRIGHT: But I don't know who.

COMMISSIONER WARSKOW: I'm not asking for particulars.

MR. ENRIGHT: Right.

COMMISSIONER WARSKOW: I was just wondering what's driving the childcare --

MR. FUNK: Well, right now we have a tenant that's

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interested, KinderCare, they've selected this as one of their sites. So we don't, we're not, I think we're in the top three so.

COMMISSIONER WARSKOW: Okay.

MR. FUNK: It's just an option.

COMMISSIONER WARSKOW: Current occupants in the tower, are there many families with small children that would utilize that onsite?

MR. FUNK: You know, and I think that's part of their vetting process, but I don't know if it's going to go in the tower or that maybe it's in one of the buildings I mean that's something that --

COMMISSIONER WARSKOW: No, no, I don't mean the facility would go, I like would the use be, I'm seeing this as you're trying to somewhat make it kind of a sustainable little community of its own.

MR. FUNK: Right.

COMMISSIONER WARSKOW: So I was just wondering if there was occupants of the residences that would continue that theme of --

MR. FUNK: No, that's a good question, and you know, I don't know what the demographics are of the tower, but, you know, I just know that we are in the top three of one of the sites, so, I mean we have got a leasing agent that's very, he's very aggressive in trying to make sure that when we start construction on this that, you know, we're creating an exciting environment that's full, you know, and it's not vacant buildings. So, that's the idea right now, so.

COMMISSIONER WARSKOW: I was just very curious how a childcare facility came into --

MR. FUNK: And we actually do, and it's not on the plan, but you know, we're actually in talks to with a theater group that, it's part of another phase, but you know, so we're trying to create a, you know, an exciting development that not only has the hotel, but the waterpark and all these beautiful outdoor restaurants, outdoor seating --

COMMISSIONER WARSKOW: The destination --

MR. FUNK: Right, destination, you know, and --

COMMISSIONER WARSKOW: Yes, also something that's sustainable for the people that live there.

MR. FUNK: Right.

COMMISSIONER WARSKOW: I appreciate that, thanks.

MR. FUNK: All right, thank you, thank you for the comments.

CHAIRMAN LORENZINI: Commissioner Jensen?

COMMISSIONER JENSEN: Yes, I can only echo what Mr. Enright and those Commissioners that spoke in here said, I think iteration of this has gotten better and I'm very impressed with it, so I really don't have any questions.

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CHAIRMAN LORENZINI: Commissioner Drost?

COMMISSIONER DROST: I'm impressed with the process too, because I think coming into get the original approvals there was a vision and it needs now to be reworked in light of what the reality of it is. And if you could step forward, Mr. Funk, I was going try to find out a little bit more on the demographics. You say that there are none there, how's the leasing going for the --

MR. FUNK: The leasing's actually going very well, right now we're at --

COMMISSIONER DROST: What's very well?

MR. FUNK: I would say, I think 88 percent full.

COMMISSIONER DROST: 88 percent full.

MR. FUNK: Right, from what I, the last --

COMMISSIONER DROST: The expectations have been hit with the original plan --

MR. FUNK: Absolutely, absolutely.

COMMISSIONER DROST: And the levels are sustainable?

MR. FUNK: Absolutely and, you know, we, I mean there are great amenities in the tower and I think what we hear from the residents. And you know, we actually built a five foot by three foot model to show all the residents what we're doing from a retail standpoint and restaurant standpoint to get everybody excited. So they're really excited about this phase, what we call, you know, phase III, I guess. Phase II would be the hotel/waterpark and Phase III would be the retail building.

COMMISSIONER DROST: So that is meeting those expectations. What's the biggest surprise that you've had as a developer?

MR. FUNK: Really, I mean we've got a great team I have to say, and I think the --

COMMISSIONER DROST: Plus or a negative?

MR. FUNK: No, I mean I think everything's been great actually to be honest with. We've gotten great feedback from the Village and you know, we try to work as a developer and as a, you know, being a designer and an architect I, you know, we like to do that shared formula where we sit and we really listen to, we've met several times with the Village and listening to them and their concerns. And you know, bringing that back into our design I thought was really positive. So I have to say it was great. Everything's been great.

COMMISSIONER DROST: Mr. Enright, did you like the amenities, is there something else at their other locations that --

MR. ENRIGHT: Sure.

COMMISSIONER DROST: This is sort of a common point, you know, with a funky old city to, you know, a pretty sizzling looking development.

MR. ENRIGHT: And I think we're better than a funky old

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city.

COMMISSIONER DAWSON: Yes.

COMMISSIONER DROST: Well yes, but I mean, you know this has a little bit of, I think a little pizzazz to it. And the question is, is it attracting millennials, I mean this is, pointing to the daycare issue, you know, raising their kids.

MR. FUNK: Absolutely. I mean I do know from what I'm hearing that we have a lot of younger people that are actually renting the units in the apartment building. And, you know, we have top-of-the-line amenities including indoor driving, you know, a virtual driving range and you know, a beautiful game room with, you know, so, just great amenities. And we think that this retail is really going to compliment that and I mean it's kind of funny, because if you Google One Arlington, you're going to see that their biggest complaint is that there are no restaurants really in walking distance. And we're going to be providing that. So, we think it's going to be a great gateway on Euclid and 53 and that visibility and seeing these beautiful buildings on the corner and the lights and you know, how they transform at night, it's pretty exciting.

COMMISSIONER DROST: Yes, do you think if they have a health club in one of the retail spaces is that a possibility?

MR. FUNK: No, that's not a possibility.

COMMISSIONER DROST: No?

MR. FUNK: No.

COMMISSIONER GREEN: Fine project.

MR. FUNK: Thank you, appreciate it, thank you.

COMMISSIONER DAWSON: I think all the questions have been asked, it's a great project, I'm excited about it. I hope there will be retail and not just a whole bunch of restaurants, because it seems like that's what happens around here is a lot of things seem to be dominated by restaurants. But I just, it looks great, it's a great plan.

MR. FUNK: Thank you, appreciate it.

CHAIRMAN LORENZINI: Commissioner Sigalos?

COMMISSIONER SIGALOS: I don't really have any questions, I think it's, from the very beginning it's been an exciting project and to watch this develop, this iteration I think is just super. I think the architecture is really exciting, so I really don't have any questions.

MR. FUNK: Thank you.

CHAIRMAN LORENZINI: Commissioner Cherwin.

COMMISSIONER CHERWIN: I echo that, I think it looks good, I, you know, I think when you went you around, sort of as thing has progressed from the serious stages you've got it coming in. This screen looks better I think the designs are really nice. The one question I have is as I was looking through the development plans, just

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briefly if you could, it looks like in a later development you have some soccer fields and stuff mapped out. What's the status of that? I mean is that --

MR. FUNK: Well we're actually working with the state, trying to get funding for that.

COMMISSIONER CHERWIN: All right.

MR. FUNK: That's something that I have to look into and find out where we're out, but I think with the situation with the state, I think it's, you know, right now we're waiting on funding for those.

COMMISSIONER DROST: Good luck.

MR. FUNK: Thank you, thank you very much. I appreciate it.

CHAIRMAN LORENZINI: Anything else? And I too like the development, especially the bike racks you're putting in.

COMMISSIONER JENSEN: This is a very appropriate use for a bike rack, as opposed to putting it at a service station as a car wash.

CHAIRMAN LORENZINI: All right, that's all I have, I think it's a good project. Any comments from the audience, the public?

(No response.)

CHAIRMAN LORENZINI: If not we'll close the public hearing portion of this and go back to the Commissioners for final questions and a possible motion.

COMMISSIONER DAWSON: I don't think anybody wants to read this one.

COMMISSIONER WARSKOW: I'll go ahead:

A motion to recommend to the Village Board of Trustees approval of PC# 15-020, an amendment to PUD Ordinances 12-006, 12-039 and 14-025 to allow modifications to the approved Arlington Downs Development Plan; a Variation from Chapter 28, Section 5.1-22.1, Conditions of use from the required 15 foot setback for parking lots along Rohlwing Road to allow 10 feet for the parking area North of building D1; and a Variation from Chapter 28, Section 11.4, schedule of parking requirements from the required 2,526 spaces to allow 2,028 spaces.

This approval is contingent upon compliance with the following conditions detailed in the Staff Development Committee report dated October 22, 2015: We have a list one through five.

- 1. Repeal Ordinance #12-006, Section Six, which granted conceptual approval for restaurants, a drive through bank and drive through pharmacy.**
- 2. Repeal Ordinance #12-006, Section Nine: General condition #5 which granted conceptual approval for future restaurants.**
- 3. Repeal Ordinance #12-006, Section Nine: General condition #7**

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which limited the amount of non-sales food and beverage tax generators.

4. Repeal Ordinance 12-039 Section Two, #1B regarding the current requirement for a right turn lane on Rohlwing Road.
5. Conceptual approval for the following:
 - ☐ Up to 26,825 square feet of indoor restaurant space and 6,400 square feet of outdoor restaurant space in Zones A, D and E combined, subject to further evaluation of parking during the special use process.

And then said approval shall be subject to the following conditions: list one through nine.

1. No more than 15,000 SF of medical office is permitted in Zone D and E combined and no more than 21,600 SF of medical office is permitted for all zones.
2. No more than 20,000 SF of non-sales tax/food and beverage tax generators shall be allowed in Zones D and E combined.
3. The Petitioner shall install a right hand turn lane from Southbound Rohlwing Road to Westbound Euclid Avenue as part of Phase 2 (Hotel and Water Park), or with Phase 3, 4 or 5 if any of those phases precede Phase 2. Implementation may occur at a later phase, or not required at all, if agreed upon by both the Village of Arlington Heights and the City of Rolling Meadows.
4. The entry feature/sign at Euclid and Rohlwing Roads will require separate review by staff prior to issuance of a permit.
5. Developer shall grant an easement, if necessary, along Euclid Avenue to accommodate a portion of the proposed bike path.
6. All restaurants and child day care will require special use approval.
7. The landscape plan shall be revised prior to Village Board consideration to address comments dated October 21, 2015 attached as Exhibit A.
8. Compliance with the Design Commission Motion of September 9, 2015.
9. The Petitioner shall comply with all applicable federal, state, and Village codes and policies.

CHAIRMAN LORENZINI: Is there a second?

COMMISSIONER SIGALOS: I'll second.

CHAIRMAN LORENZINI: Commissioner Sigalos seconded it.

Roll call vote, please.

MR. ENRIGHT: Commissioner Warskow?

COMMISSIONER WARSKOW: Yes.

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MR. ENRIGHT: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MR. ENRIGHT: Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes.

MR. ENRIGHT: Commissioner Dawson?

COMMISSIONER DAWSON: Yes.

MR. ENRIGHT: Commissioner Drost?

COMMISSIONER DROST: Aye.

MR. ENRIGHT: Commissioner Ennes.

COMMISSIONER ENNES: Yes.

MR. ENRIGHT: Commissioner Green?

COMMISSIONER GREEN: Yes.

MR. ENRIGHT: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.

MR. ENRIGHT: Chairman Lorenzini?

CHAIRMAN LORENZINI: Yes. Congratulations, you've received a unanimous recommendation and it goes to the Board of Trustees next. Is there a date for that, Bill?

MR. ENRIGHT: We're hopeful that it will go November 16th. So I'll know the week prior to that for sure.

CHAIRMAN LORENZINI: Okay great, thank you.

MR. FUNK: Thank you.

CHAIRMAN LORENZINI: Okay, anything else on this thing Bill, that you know of? I do have one thing I want to, one thing I wanted to mention is the Village, I received a note from the Village Manager about the Village Board's budget meetings are November 9th and November the 12th about the operation, the 2016 operating budget. Does anyone recommend --

COMMISSIONER WARSKOW: Did we get our raise?

CHAIRMAN LORENZINI: Okay, that's all I had. Bill anything else?

MR. ENRIGHT: We will be having a meeting on Thursday, November 5th to review a preliminary PUD for 13 East Miner, it's a four story apartment building in the downtown with 12 more units. In addition to that, we have a Plat of Consolidation for 608 North Haddow, as well as some variations related to that. So that will be on Thursday, November 5th at 7:30 p.m.

CHAIRMAN LORENZINI: Okay, thank you.

MR. ENRIGHT: And we do not have a Plan Commission hearing scheduled for the remainder of November. We may have Plat and Sub on November 18th, the week prior to Thanksgiving. Dependent upon whether or not we have any items, there may or may not be. I don't know if there would be any concerns or objections about Plat and Sub on the 18th from the Plat and Sub members. But let me know if there is via e-mail.

CHAIRMAN LORENZINI: Okay, anything else anybody?

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(No response.)

CHAIRMAN LORENZINI: If not, motion to adjourn?

COMMISSIONER DROST: I'll make that motion.

CHAIRMAN LORENZINI: Second?

COMMISSIONER DAWSON: I do.

CHAIRMAN LORENZINI: All in favor?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Opposed?

(No response.)

CHAIRMAN LORENZINI: Okay, we are adjourned.

(Whereupon, the meeting was adjourned
at 9:21 p.m.)

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STATE OF ILLINOIS)
) SS.
COUNTY OF K A N E)

I, ROBERT LUTZOW, depose and
say that I am a direct record court reporter doing
business in the State of Illinois; that I reported
verbatim the foregoing proceedings and that the
foregoing is a true and correct transcript to the
best of my knowledge and ability.

ROBERT LUTZOW

SUBSCRIBED AND SWORN TO
BEFORE ME THIS _____ DAY OF
_____, A.D. 2015.

NOTARY PUBLIC



Item: 1510 E. Northwest Highway - 10/28/15

Department: Planning & Community Development

ATTACHMENTS:

Description

PC Minutes 10/28/15 - DRAFT

Type

Minutes

DRAFT

PLAN

REPORT OF THE PROCEEDINGS OF A PUBLIC HEARING
BEFORE THE VILLAGE OF ARLINGTON HEIGHTS
PLAN COMMISSION

COMMISSION

RE: 1510 E. Northwest Highway - PC# 15-021

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Plan Commission Meeting taken at the
Arlington Heights Village Hall, 33 South Arlington Heights
Road, 3rd Floor Board Room, Arlington Heights, Illinois on the
28th day of October, 2015, at the hour of 7:30 p.m.

MEMBERS PRESENT:

JOE LORENZINI, Chairman
BRUCE GREEN
LYNN JENSEN
TERRY ENNES
JOHN SIGALOS
JAY CHERWIN
MARY JO WARSKOW
GEORGE DROST
SUSAN DAWSON

ALSO PRESENT:

BILL ENRIGHT, Deputy Director

CHAIRMAN LORENZINI: I'd like to call this meeting to
order, of the Plan Commission, Would you please stand and recite the
pledge of allegiance with us.

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(Pledge of allegiance.)

CHAIRMAN LORENZINI: Thank you, roll call please?

MR. ENRIGHT: Commissioner Cherwin.

COMMISSIONER CHERWIN: Here.

MR. ENRIGHT: Commissioner Dawson?

(No response.)

MR. ENRIGHT: Commissioner Drost?

COMMISSIONER DROST: Here.

MR. ENRIGHT: Commissioner Ennes.

COMMISSIONER ENNES: Here.

MR. ENRIGHT: Commissioner Green.

ACTING CHAIR GREEN: Here.

MR. ENRIGHT: Commissioner Jensen.

COMMISSIONER JENSEN: Here.

MR. ENRIGHT: Commissioner Sigalos.

COMMISSIONER SIGALOS: Here.

MR. ENRIGHT: Commissioner Warskow?

COMMISSIONER WARSKOW: Here.

MR. ENRIGHT: Chairman Lorenzini?

CHAIRMAN LORENZINI: Here.

CHAIRMAN LORENZINI: Okay, the next thing on the agenda is the approval of meeting minutes. We have it from, two from September 30th, the Moorings and Collision Damage Experts. And one from October 14th, Drost/Hasche Subdivision.

COMMISSIONER CHERWIN: I'll make that recommendation.

CHAIRMAN LORENZINI: Second?

COMMISSIONER GREEN: I'll second.

CHAIRMAN LORENZINI: All in favor?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Opposed?

(No response.)

CHAIRMAN DROST: I'm not voting related to the --

CHAIRMAN LORENZINI: Okay, and I abstained from the October 14th, I was not here for that --

CHAIRMAN WARSKOW: And I abstained from both, because I was not here.

CHAIRMAN LORENZINI: Okay. Next on the agenda is public hearings, and we have three tonight. The first one is going to be PC# 15-021, a density variation of 1510 E. Northwest Highway. Is the, have all the proper notices been given on that?

MR. ENRIGHT: Yes.

CHAIRMAN LORENZINI: Is the Petitioner here? Would you please stand, are both of you going to testify?

MR. LISOWSKI: No.

CHAIRMAN LORENZINI: Okay, well just come on over, we'll swear you in.

(Witness sworn.)

CHAIRMAN LORENZINI: Thank you. So are both of you going to testify?

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MR. LISOWSKI: No, I work for the architectural office, that we, prepared the plans for whole part, the proposed plans for the conversion and here's the owner of the property.

CHAIRMAN LORENZINI: Are you, go ahead, sir.

MR. LISOWSKI: Okay, my name is Lucas Lisowski.

CHAIRMAN LORENZINI: Can you spell your last name, please?

MR. LISOWSKI: L-i-s-o-w-s-k-i.

CHAIRMAN LORENZINI: Okay, and your name, sir?

MR. ROSADO: My name is Angel Rosado, I'm the legal owner of 1510 E. Northwest Highway.

CHAIRMAN LORENZINI: And could you spell your last name please?

MR. ROSADO: Last name, Rosado.

CHAIRMAN LORENZINI: Spell it, please.

MR. ROSADO: R-o-s-a-d-o.

CHAIRMAN LORENZINI: Okay, thank you. So give us a brief description of your project.

MR. LISOWSKI: Currently we have a five unit apartment building on the frontage road and Carlisle. We are looking to convert this building to six units. Currently there is four, two bedroom apartments and one four bedroom apartment, two-story, the four bedroom apartment. That was occupied by the previous owner. Mr. Rosado is looking to convert this two-story four bedroom apartment because there is, it's difficult to find tenants for such large unit. And since it is two-story, it's fairly easy to be modified.

CHAIRMAN LORENZINI: Okay.

MR. LISOWSKI: And, well, so the variance we are asking for is the land use, or, I mean the land variance. There is a minimal requirement of 2500 square feet per each unit for that zoning. Meaning that we would have to have 15,000 square feet of property area. We are at 14,125, which is 750 square foot short, square feet short from the requirement. But it's a large lot and we have right now parking spaces and everything else, so we need pretty much everything except the required per unit lot area.

CHAIRMAN LORENZINI: Okay, have you read the conditions prepared by the Plan Commission? I'm sorry, by the Land Department?

MR. LISOWSKI: Yes, the recommendation and conditions?

CHAIRMAN LORENZINI: Yes, do you agree with them?

MR. LISOWSKI: Uh-huh.

CHAIRMAN LORENZINI: Okay, thank you. Okay, let the record show that the Commissioner Dawson has arrived. Anything else you want to say?

MR. LISOWSKI: And, so this is one variance. The other one is for the side setback. It is a corner, I'm sorry, I should have used this. Okay, as you can see in the, on the site plan, there is a hatched, rectangular area which is supposed to be second stairway for the second story apartment. And we need to do that because of the requirement of two egress ways from each unit. Currently because it's

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single unit, two-story, that requirement doesn't have to, you know, we don't have, it doesn't have to be met, you know, whenever the building was built. So now, since we have to provide the second stairway, we are proposing to build that enclosed structure with, the exterior material would be brick matching exactly the color and the kind of brick with the existing building. And rooflines and everything else will be matching the existing building. So, but it will reduce the site setback that we have to about 6.6 feet from the required, well and here's some, in fact, I mean according to the report, there is 20 feet required. But when I looked at your zoning, there's 10 percent of the front setback, which would be 10 feet. So, I think we have some discrepancy here.

CHAIRMAN LORENZINI: Okay, all right, thank you.

MR. LISOWSKI: So that's, those are the other one.

CHAIRMAN LORENZINI: Okay. You can have a seat now.

MR. LISOWSKI: Thank you.

CHAIRMAN LORENZINI: Bill, you want to give us the staff report?

MR. ENRIGHT: Yes. Well regarding the discrepancy, there's, it's not 10 percent of lot width, it's, this is an exterior side yard so it's, you have to look at the yards, the front of street, north of it. So the existing building is setback 14 feet, so it's already legal not-conforming, which is not uncommon in the older part of town, the center part of town, to have these conditions. So the status quo is supported with the project and the variation for not only the density variation, which is a very modest change as well as the modest addition that he has to build in order to meet the codes. The staff recommends approval with the conditions that the Petitioner has agreed to.

CHAIRMAN LORENZINI: Okay, thank you. Anything else you want to say Bill.

MR. ENRIGHT: No, that concludes.

CHAIRMAN LORENZINI: Okay, thank you. Motion to approve the staff report into the public record?

COMMISSIONER ENNES: So moved.

CHAIRMAN LORENZINI: All right, all in favor?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Opposed?

(No response.)

CHAIRMAN LORENZINI: Okay, questions from the plan commissioners, Lynn would you like to start?

COMMISSIONER JENSEN: Actually they've answered all the questions that came before Plat and Sub and I think they've done a good job with carrying through on what they've talked to us about, so I don't have any questions.

CHAIRMAN LORENZINI: Mary Jo?

COMMISSIONER WARSKOW: No questions.

CHAIRMAN LORENZINI: Terry?

COMMISSIONER ENNES: One quick question, with the

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additional unit, does that increase the parking requirement.

MR. ENRIGHT: It, yes it does, from 10 to 12, and one of the conditions is that the existing garage could maybe free up one of the spaces that he uses for storage, which he's agreed to and then they'll meet the code.

COMMISSIONER ENNES: Okay. That's all.

CHAIRMAN LORENZINI: Bruce?

COMMISSIONER GREEN: I'd just like to commend the architect, the enclosure on the stair was, this go-around is very nice compared to what the stairs looked like, so I have no questions on your proposal.

MR. LISOWSKI: We made that adjustment.

CHAIRMAN LORENZINI: Jay, anything?

COMMISSIONER CHERWIN: No sir.

CHAIRMAN LORENZINI: John?

COMMISSIONER SIGALOS: My only question is in vacating the maintenance equipment from the garage, where will you put that? Will you, are you intending to put it in a storage shed outside or where would you put that, your maintenance equipment?

CHAIRMAN LORENZINI: If you're going to speak, please come up to the microphone.

MR. ROSADO: We're going to put it in my, I got a, I live in Arlington Heights myself and I got a big shed, I'm planning to put everything in there. It's not, it's only a snowblower and --

COMMISSIONER SIGALOS: Yes, but not on this property, you're saying elsewhere?

MR. ROSADO: Yes.

COMMISSIONER SIGALOS: Okay.

MR. ROSADO: And I will also have a basement, that I can store some stuff in there too.

COMMISSIONER SIGALOS: All right, thank you.

CHAIRMAN LORENZINI: All right, Susan?

COMMISSIONER DAWSON: No questions.

COMMISSIONER DROST: Are there any vacancies in your apartment building now?

MR. ROSADO: Yes.

COMMISSIONER DROST: And just, on the hardship issue, is it the four bedroom?

MR. ROSADO: All the four bedrooms are rented.

COMMISSIONER DROST: Oh, they're all rented?

MR. ROSADO: I, this, the four, I'm sorry, the two bedrooms are rented the four bedrooms I have about, I don't know how many calls out of so many calls, one, only one person came in and they say it's too big for me.

COMMISSIONER DROST: Too big, or too expensive. What kind of rentals are you charging?

MR. ROSADO: For, I was charging \$1800 for the four bedroom.

COMMISSIONER DROST: For the four bedrooms, and how

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much for the two bedrooms?

MR. ROSADO: For the two bedrooms, between \$1100 and \$1200.

COMMISSIONER DROST: Okay so with the conversion of the four bedroom, you still will break even.

MR. ROSADO: I am going to break, I don't know about breaking even, but I, don't have nobody on the safe side probably.

COMMISSIONER DROST: So it will help.

MR. ROSADO: It will help, right now, I'm on the, behind the site, with all the bills and all of that. Trying to rent this apartment since February, I can't rent it. So it's killing me.

COMMISSIONER DROST: All right, and that's perfect, will this, Terry, will this effect the real estate taxes after the improvement?

COMMISSIONER ENNES: It depends on what the total income is.

COMMISSIONER DROST: Yes, so there is a real estate tax component to this too, so you may end up paying some more real estate taxes. We have an expert in real estate tax over, on our panel so, I say that in jest though.

MR. ROSADO: Okay, maybe what I do is sell my house and move into the building so I don't have to pay --

COMMISSIONER DROST: Okay, that's fine, I just wanted to get sort of a lay of the land and see what the vacancy situation is and that this will help eliminate the vacancy and get some renters in there.
Okay, thanks.

MR. ROSADO: Thank you.

CHAIRMAN LORENZINI: All right, Bill looking at Mr. Rosado's experience with renting a four bedroom apartment, do we have any other evidence or statistics on trying to rent a four bedroom?

MR. ENRIGHT: Four bedrooms are very unusual for apartments, very unusual.

CHAIRMAN LORENZINI: Okay, all right. All right that's all I had --

COMMISSIONER DROST: You go to homes, I mean most of the time if you need the bigger space you go to kind of residences.

MR. ENRIGHT: Agreed.

CHAIRMAN LORENZINI: Anybody in the audience have any comments, questions, concerns? Okay, if not, let's go back to the Commissioners. Any more questions, comments, or recommendations?

COMMISSIONER DROST: Yes, I'll make the motion to approve PC# 15-021, **A motion to recommend to the Village Board of Trustees approval of PC# 15-021, a Variation from Chapter 28, Section 5.1-3.6, Minimum lot size to allow a minimum lot size of 14,250 square feet, instead of the required 15,000 square feet, for 6 dwelling units; and a Variation from Chapter 28, Section 5.1-6.4.1, to allow a side yard setback for a new stairwell of 6.64 feet, a variation of 13. 36**

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feet to the required 20 foot setback.

And this approval is contingent upon the compliance with the conditions that are listed below, one through four.

1. The Petitioner removes the storage from the garage space, thereby freeing up the parking space to meet the 12 parking space requirements for a 6 dwelling unit building.
2. The variation for the exterior side yard shall apply only to the new stairwell.
3. Foundation plantings at the base of the addition shall be required and consist of a mix of shrubs and perennials.
4. The Petitioner shall comply with all applicable federal, state, and Village codes and policies.

CHAIRMAN LORENZINI: Is there a second?

COMMISSIONER GREEN: I'll second.

CHAIRMAN LORENZINI: Roll call vote, please?

MR. ENRIGHT: Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes.

MR. ENRIGHT: Commissioner Dawson?

COMMISSIONER DAWSON: Yes.

MR. ENRIGHT: Commissioner Drost?

COMMISSIONER DROST: Aye.

MR. ENRIGHT: Commissioner Ennes.

COMMISSIONER ENNES: Yes.

MR. ENRIGHT: Commissioner Green?

COMMISSIONER GREEN: Yes.

MR. ENRIGHT: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.

MR. ENRIGHT: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MR. ENRIGHT: Commissioner Warskow?

COMMISSIONER WARSKOW: Yes.

MR. ENRIGHT: Chairman Lorenzini?

CHAIRMAN LORENZINI: Yes. Congratulations, you have unanimous favorable vote. Is there a date for that, Bill?

MR. ENRIGHT: Yes, it will likely go to the Village Board on Monday, November 16th at 8:00 p.m. in this same room, very similar setup, so you'll have to make a brief presentation at that meeting as well.

MR. LISOWSKI: Can we submit the building plans for review?

MR. ENRIGHT: Yes, we can start reviewing that.

MR. LISOWSKI: You'll start reviewing it?

MR. ENRIGHT: Yes.

MR. LISOWSKI: Thank you.

CHAIRMAN LORENZINI: Okay, thank you, and congratulations and good luck.

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(Whereupon, the meeting was adjourned
at 7:40 p.m.)



Item: 13 E. Miner St. Development - 11/5/15

Department: Planning & Community Development

ATTACHMENTS:

Description

PC Minutes 11/5/15 - DRAFT

Type

Minutes

DRAFT

1

PLAN

REPORT OF THE PROCEEDINGS OF A PUBLIC HEARING
BEFORE THE VILLAGE OF ARLINGTON HEIGHTS
PLAN COMMISSION

COMMISSION

RE: 13 E. MINER STREET DEVELOPMENT - PC# 15-013
PRELIMINARY PLANNED UNIT DEVELOPMENT

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Plan Commission Meeting taken at the
Arlington Heights Village Hall, 33 South Arlington Heights
Road, 3rd Floor Board Room, Arlington Heights, Illinois on the
5th day of November, 2015, at the hour of 7:30 p.m.

MEMBERS PRESENT:

JOE LORENZINI, Chairman
LYNN JENSEN
TERRY ENNES
BRUCE GREEN
GEORGE DROST
JOHN SIGALOS
JAY CHERWIN

ALSO PRESENT:

BILL ENRIGHT, Deputy Director

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CHAIRMAN LORENZINI: We'll call the meeting to order.
Would you please all rise and say the pledge of allegiance with us?

(Pledge of allegiance.)

CHAIRMAN LORENZINI: Roll call please.

MR. ENRIGHT: Commissioner Cherwin.

COMMISSIONER CHERWIN: Here.

MR. ENRIGHT: Commissioner Dawson.

(No response.)

MR. ENRIGHT: Commissioner Drost.

COMMISSIONER DROST: Here.

MR. ENRIGHT: Commissioner Ennes.

COMMISSIONER ENNES: Here.

MR. ENRIGHT: Commissioner Green.

COMMISSIONER GREEN: Here.

MR. ENRIGHT: Commissioner Jensen.

COMMISSIONER JENSEN: Here.

MR. ENRIGHT: Commissioner Sigalos.

COMMISSIONER SIGALOS: Here.

MR. ENRIGHT: Commissioner Warskow.

(No response.)

MR. ENRIGHT: Chairman Lorenzini.

CHAIRMAN LORENZINI: Here. Okay. Normally, the first item on the agenda is approval of meeting minutes, but we have none tonight. Correct, Bill?

MR. ENRIGHT: That's correct.

CHAIRMAN LORENZINI: Okay. Then the next item, we've got two public hearings tonight. Just for anybody else who has not been to a public hearing before, what we do is the petitioner, the person asking for the hearing will present his case. Then Mr. Enright from the Planning Department will also present the case. Each Commissioner will ask questions, and then we'll turn it over to the audience or to the public for any questions they may have. Then we'll come back to the Commissioners for final deliberation or questions.

So, having said that, the first petition on the agenda is PC# 15-013. Have all the proper notices been given?

MR. ENRIGHT: Yes.

CHAIRMAN LORENZINI: Is the Petitioner here? Is the Petitioner here from --

MR. PANZARINO: Yes.

CHAIRMAN LORENZINI: Would you please come forward? Is anybody else going to speak besides yourself tonight?

MR. DeFRANCESCO: Yes.

CHAIRMAN LORENZINI: Would you all, anybody who's going to speak, please come forward? Would you raise your right hand?

(Witnesses sworn.)

CHAIRMAN LORENZINI: Thank you. Okay, whoever wants to give the presentation, please give us a brief description of the project. The rest can sit down if you want. Could you please state your name and spell it for the court reporter please?

MR. DeFRANCESCO: My name is Philip DeFrancesco, P-h-i-l-i-p, DeFrancesco, D-e-F-r-a-n-c-e-s-c-o.

CHAIRMAN LORENZINI: Okay. Have you read the contingencies in the report given by the Planning Department? I think there's five contingencies, submittal of final plat of consolidation, the Design Commission application and so on?

MR. DeFRANCESCO: Yes.

CHAIRMAN LORENZINI: Do you agree with the contingencies?

MR. ENRIGHT: This is about 13 Miner. He's asking about whether or not you're in agreement with the Staff report, the conditions of approval. I just want to note that there are two motions for this project. One is, they're different motions depending upon what the Plan Commission ends up making a recommendation on.

CHAIRMAN LORENZINI: All right, why don't you just go ahead and give us a brief description of the project then?

MR. DeFRANCESCO: Sure. Just trying to get to the first right here. Okay. So, what we're proposing here is a four-story apartment building with a parking garage on the first floor. Basically, it's going to feature six one-bedroom apartments, and six two-bedroom apartments. One of the six apartments will be part of the affordable multi-family housing program. The building will also feature seven ground floor enclosed parking spaces for its residents, storage lockers, and a rooftop terrace.

Here we have the site location, which I'm pretty sure most of us are familiar with. Did you, I guess, want to ask questions as we're going through? Or did you just --

CHAIRMAN LORENZINI: No, just make the presentation and then we'll ask questions later.

MR. DeFRANCESCO: Okay. Here are the three different site plans. The first one is basically the easement site plan. The second one shows basically the balcony locations throughout the floors. Then the third is just the East Miner Street site plan as a whole.

Here is the front elevation of the building. Left elevation, right elevation here. Here it shows basically the lower level of the building. The lower level will have basically the storage area and mechanical rooms of the building.

Here it shows the ground floor with the seven parking enclosed garage spaces. To the west side of the building shows basically the mechanicals and the electrical boxes with the enclosure. This is the second floor elevation of the building, third floor and

fourth floor. Here it shows the rooftop deck that will be in the building with basically the location of the mechanicals in the middle.

What you see here in these next couple of slides basically reveals some of the studies we did with the rental market in the area. One concern of ours that we had to address and do some further research on was if the market would still be a viable area for the rental market. Based on, you know, the employments and the construction, vacancy and rents, it does still show that the area does support additional rentals.

Part of the original proposed plan was basically, the project was supposed to have a section of retail on the first floor. So, part of our decision making with creating an enclosed parking garage on the ground floor was we went through and we did a research study of all the vacant retail in the area which has been an ongoing concern. So, what we did was within a couple block radius, we notated all the vacancies that currently the market holds which has been the biggest determining factor why we hedged our position against having any sort of retail. Having any kind of vacant retail, dark retail, is not going to be beneficial for anybody, and we didn't want to add more vacancy in the area.

The next slide will show that I did a study based on rentals in the market. What this basically shows is that going through the one-bedroom and two-bedroom apartments throughout the market, there's basically a \$700 gap between apartments, rentals that have onsite, enclosed parking garage spaces and then off site, open air parking spaces. So, going through the numbers, it definitely was in our favor to go through the garage route rather than having, taking the chances of, you know, additional retail on the first floor. The numbers below, basically the calculation you see at the bottom shows the \$700 over seven units over 12 months. Why it basically is running there was if we didn't have the seven parking spaces in the garage on the first floor, that's what it would approximate on an annual basis as far lost additional income for the building. That's it.

CHAIRMAN LORENZINI: Okay, thank you. Bill, Staff report?

MR. ENRIGHT: Certainly. There are several requested actions from the Petitioner. This is a preliminary planned unit development for the four-story 12-unit building with seven parking spaces. The fact that it does not have commercial in the first floor which is a requirement of the Downtown Zoning District as well as the Downtown Master Plan, therefore they are seeking a land use variation from the land use table which does not allow all residential development. There has to be a mixed use. So, they're seeking a variation for that.

There are several variations, two for, well, one

for side yard setback. They're required 30 feet combined side yard setbacks. They have 5.81. The rear yard setback for the residential uses above the first floor are required to be 30 feet in the rear, they have five feet. A variation for the parking garage 24 feet drive aisle width to 23.3 feet. A variation for one of the parking stalls within the garage from the nine feet to eight feet required, or nine required, they're providing eight, just one of the spaces. A variation from the loading requirements because it's not feasible to put a loading dock on the property given the size. Also, a waiver from the traffic and parking study.

With respect to the project as a whole, Staff is supportive of the project. Certainly it's a positive to get this lot developed. It previously was a house for years and was torn down several years ago. Mr. Panzarino who owns the business next door has purchased the property and obviously wishes to build. The project has gone to Design Commission and received a favorable review with a few recommendations that will have to be followed.

But the main issue is, you know, there are some site constraints, number one. There are existing utilities that service some of the adjacent properties to the south and to the east of the subject property. So, those issues will have to be resolved prior to this coming back for final planned unit development. In addition to that, there will be an easement required to provide access for this proposed building out through the adjacent property that Mr. Panzarino owns to the west to access out to Miner Street.

With respect to the first floor commercial, that's really a linchpin of our downtown development. Some other neighbors to the east and west along the railroad tracks had not required commercial in some of the developments, I think it's made their downtowns a little bit less exciting and I think there's some regret possibly. But there is certainly a different vibe in our downtown because we have required a first floor commercial space. The Downtown Master Plan which was updated in 2007 made a point of pointing out that that needs to continue to make the downtown vibrant and keep it vibrant.

With respect to the leasing of spaces, right now we have approximately 42 retail, first floor commercial spaces in the north half of downtown. That's in the B-5 Zoning District. 37 are occupied, five are vacant. The five vacancies comprise about 10,000 square feet, which comprises about 13 percent of the total 77,000 square feet in the north half of downtown. Then attached to the Staff report, a listing of all those spaces by address, square footage, some of the square footage are rough estimates, and then the tenant and the type of use and whether or not it's vacant.

As that chart alludes to, we have 77,757 square feet in the north half of first floor commercial: 29,000 is occupied by

restaurants; 22,000 service uses; 7,500 retail; 7,900 office; and 10,000 vacant for 13 percent. So, five of the 42 spaces are vacant. Those five spaces are anywhere from, you know, we have one space that's 2,256 feet, another that's 3,200, 1,700 for the third one, 1,850 for the fourth one, and 1,081 for the fifth one. So, you know, if any of these spaces were to occupy or get re-leased in the next year or so, you know, the vacancy rate will come down significantly for that area.

So, we don't believe we have chronic vacancies. There is one vacancy in the north half of downtown that has been chronic, and I don't know if that will ever be resolved. It used to be the home of the Pioneer Press.

Then this map that I have here, let me make it into full view, what I've done here is depicted where we have retail space on the first floor of our buildings in the north half of downtown. The football-looking objects here that are in yellow are the approximate locations of the five vacancies that I've pointed out. There are a couple here facing Wing, one is the Subway, former Subway spot, and then there used to be a fitness center here.

The chronic, one of the chronic vacancies is over here on Dunton on the base of the Hancock Square building, the northwesterly Hancock Square building. They used to be Pioneer Press and they moved out years ago and that hasn't been re-leased. It's kind of a tough spot. It's, you know, you have to go down a few stairs and it's set back, so it was ill-conceived to begin with. So, I think that's part of the problem with that space and why it's been vacant for so long. But again, if any of these five spaces were to lease up, you know, the vacancy rate could go overnight from, you know, 10 percent to six percent.

We don't think we have a chronic vacancy problem downtown. There are some spots that are, you know, bad spaces that have them. But as you can see from this image, you know, here's 13 East Miner, the Petitioner's project, without retail here there would be a gap in this block. You know, walking through the downtown, you can see this gap up here on Evergreen behind Uptown Café because they have parking lot here and then there used to be a loading area here but Hancock Square is kind of renovating this for an outdoor area for their tenants, and then you have a retail space here that's occupied. There's a big gap here.

When you walk up and down this block with this gap in between, it makes a difference, a fundamental difference I think. If there were retail spaces on the west side here of Evergreen, it would make for a much more lively street and continuity which is very important in our first floor where we'll have that continuity and not have these breaks every so often. So, we see 13 Miner as an integral part being centrally located within this corridor here along Miner

Street. You do have active commercial uses, you have the Adam & Eve Hair Salons Mr. Panzarino owns. There's tenants here at the corner of Miner and Evergreen, and as you wrap around the block there's a couple of vacancies across the street for sure. But one of these, there's a new fitness center going in.

So, you know, vacancies come and go. They change over time. Ten percent of the north half is, we don't feel is something to be overly concerned about. If it were 25 to 30 percent for 10 years in a row, then we probably have a problem.

Regarding some of the Petitioner's comments about rental rates and being able to get \$700 a month for parking and additional rent, we don't agree with that. I don't think there is any, I don't understand the basis for that. In fact, in our downtown, while Petitioner says the average rent for one-bedroom without parking accessible is about \$1,000, some of the rents in our downtown and rental properties, for instance, Hancock Square on the north end of town which doesn't have parking, they use our Village garage across the street, studios go for \$1,400. One-bedrooms go for, you know, at least \$1,400. Two-bedrooms even higher, \$1,600.

So, the rental rates in our downtown, in fact they have two-bedroom/two-bath at Hancock Square going for \$1,900. So, right now, their one to two-bedroom are going at Hancock Square anywhere from \$1,400 to \$1,900. They charge \$75 per month for parking in our garage. They sell at a higher rate than we sell to them. But I also talked to Dunton Tower, I looked on their website, they charge \$65 per month for parking, and their rental rates go from, for a studio \$1,250, for one-bedroom \$1,368, and a two-bedroom as high as \$1,774. In fact, Mr. Panzarino had one, I don't know if he's leased it out in his building on Miner, a two-bedroom/one bath for \$1,900. Hopefully he was able to get that without parking, they have to park in the North Garage.

So, I also talked to a new rental development which we're all familiar with, Arlington Downs, which was the former Sheraton Hotel which was a very high end building with indoor parking attached to the building underground. An average one-bedroom there is going for about \$1,700-\$1,800 a month and up, and the two-bedrooms are even higher in the two's. They're charging for enclosed parking anywhere from \$40 a month to \$100 a month, and there's just a few that a \$100 because they're close to the prime spaces within that internal garage attached to the building.

So, the market does not support the claim that the parking would be worth \$700 per space per month. In fact, one of my colleagues who I work with who lives downtown in the West Loop is paying \$200 a month in parking and that's probably as high as it could get and that's Downtown Chicago. So, I think those numbers have to be,

you know, we have to take into consideration the market here and what really could be attained in terms of rental rates for the seven parking spaces that the Petitioner is proposing.

So, we think that's, you know, a critical component of the project. Staff is not concerned with the variations with the setbacks. That's pretty common, especially in our downtown and infill developments, to have these types of variations. One size doesn't fit all. If we had a large block redeveloping, some of these, you know, like when Village Green came through, three large buildings on a large city block, you know, we were able to obtain these setbacks. But when you have infill development, our setback requirements are not really built to take into consideration infill development. So, it's not uncommon for infill developments to have to seek some of these variations.

One of the key components is the Petitioner will have to provide an easement around the building for the benefit of Commonwealth Edison. They have applied to Commonwealth Edison for services, so they are doing their review at ComEd to see how big an easement they'll need. I met with the developer and ComEd and they verbally said that they think that five feet will be sufficient, but they have to review it and that will take probably another eight to 12 weeks. So, that's a condition on final PUD as well.

With respect to the recommendation, of course Staff does recommend approval of the project with various conditions and variations that relate to the setbacks and waiver of the loading zone and traffic study. However, our recommendation is based on multiple conditions subject to final planned unit development, subject to eliminating the first floor garage and instead having retail space there. If that's done, the frontage of the garage is about 40 feet on Miner, so if that full frontage were commercial, you have a lot of flexibility with the depth on that first floor.

It's about 75-80 feet deep, so you could actually, you know, do a demising wall and adapt to whatever tenant you had. If it was 40 by 30, you could have a 1,200 square-foot space. You could make it 40 by 35 and have it a little bit bigger, 1,400, and so on. So, I think that's beneficial for retail at this location or commercial or it could even be office. There's flexibility with their floor plan if that was implemented, and that would allow them to use the back for storage.

So, we think that's actually a critical component because without that retail there, you know, with the curb cut there, you lose two parking spaces on the street, and then you also lose the ability to gain one because if that's built with retail, an existing curb cut that previously serviced the house there could be eliminated to put an extra space there. So, there's really kind of a net loss of

three spaces when you have a garage there versus active commercial tenant.

In addition, condition 3 would be that the Village would make available 14 residential permits, that's the requirement for the 12 units. The Village recently re-striped the North Garage to pick up additional parking. We are also doing a study, we've hired a consultant to look at the possibility of expanding that garage and adding significantly more parking.

Residential units are approved as apartments. Converting to condos would require an amendment to the PUD. The developer has indicated that he would like this to be rental but he may want to convert it down the road.

As the Petitioner alluded to, they are willing to provide the one affordable unit consistent with the Village's housing policies and this will go to the Housing Commission later in the month. And I want to compliment the Petitioner because he's had no issues with that or concerns and was more than online to go ahead and provide that.

Compliance with the conditions of the Design Commission from October 27th. Also, prior to final PUD, Petitioner shall have signed agreements for relocation of all existing utilities that serve other adjacent buildings that traverse through the 13 East Miner Street site. Prior to final PUD, the Petitioner shall submit a signed plat of easement for Commonwealth Edison and any other utility companies requiring said easement.

Prior to final PUD, the Petitioner must obtain an executed access easement for ingress and egress to the benefit of the 13 East Miner development along the east side of the property located adjacent to the west which is the Adam & Eve property which Petitioner also owns. This easement shall be in perpetuity and shall be a minimum of five feet wide. In addition, there shall be no obstructions within this easement including such items as gates, fences, and refuse containers. That's because you need to have the ingress and egress for the building, around the west side of the building, and it has to be a minimum of, let me look at the elevations here.

The site plan is kind of small on here but you can see here there's going to be a stairwell for this new building in the rear, and then people will have to exit that stairwell and come out on the west side of the building, but they won't be able to go straight out staying on the 13 East Miner because ComEd is going to require transformers and switchgear here that will take up the rest of the Petitioner's property. So, they will have to cross over onto an existing easement, which services pedestrian easement, ingress and egress for the Adam & Eve building as well as Eddie's behind. So, the Adam & Eve property will have to, the developer will have to obtain an easement for cross access effectively from himself to allow this access

for people who live in the building.

COMMISSIONER ENNES: Is that an emergency?

MR. ENRIGHT: It's, yes, it's required by code, so yes.

COMMISSIONER ENNES: So, it's emergency, that's not the main entrance and exit for the building?

MR. ENRIGHT: The main entrance is directly off of Miner, so yes, emergency. The Petitioner will be required to pay a fee in lieu of detention in our downtown, which is normal. That will be part of final PUD. We'd like to have a decorative swing gate at the front part of the property to screen the switchgear for ComEd. They don't want landscaping because ComEd will have to come right up to the sidewalk and access their switchgear. So, a swing gate would have to be non-locked and be able to pull open so that ComEd can get to the switchgear here. But we do some sort of screening, a decorative metal gate so it's not too visible to the street.

The Petitioner, as part of final PUD, will have to work with the Village on a development construction plan, how they're going to stage the construction, how much, you know, if they're going to have to shut down any traffic lanes or parking areas and how they're going to actually construct the building given time constraints. There are some restrictions on loading here. This is typical of our downtown. In addition, they will have to, as with any residential development, you know, it's an impact fee for school, park, and library. Then if there is commercial as part of this, they'll have to procure permits from the Village in the public parking garage.

So, having said that, we're, you know, we like the development. We like the design. There are some issues with onsite utilities that will have to be resolved with other property owners. We're strongly in favor of first floor commercial. There's only seven spaces in the garage, they require 14, so the garage doesn't even meet their own needs. So, they're going to have lease parking from the Village either way, but we think that's a pretty critical component of really any development in the downtown. That would conclude Staff's presentation.

CHAIRMAN LORENZINI: Thank you, Bill. Do I have a motion to --

COMMISSIONER JENSEN: I'll make that motion.

CHAIRMAN LORENZINI: Is there a second?

COMMISSIONER ENNES: I'll second it.

CHAIRMAN LORENZINI: Okay, thank you. Okay, let's go start with the questions. All in favor?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Opposed?

(No response.)

CHAIRMAN LORENZINI: Commissioner Jensen, would you

like to start?

COMMISSIONER JENSEN: Sure. We heard that there was a house on the lot before it was vacant. How long has that lot been vacant after the house was taken down? I would ask the Petitioner that.

MR. PANZARINO: It's been empty for about --

COMMISSIONER JENSEN: You'll have to come up to the microphone.

CHAIRMAN LORENZINI: Please come up to the microphone.

MR. PANZARINO: Excuse me. About 10 years now.

COMMISSIONER JENSEN: It's been vacant for 10 years.

MR. PANZARINO: I purchased that approximately about four years ago. But the house was torn down approximately within two years prior to that, and it's been an abandoned home for I want to say close to 10 years.

CHAIRMAN LORENZINI: Could you please state your name and spell your last name?

MR. PANZARINO: Frank Panzarino. Last name P-a-n-z-a-r-i-n-o.

CHAIRMAN LORENZINI: Thank you.

COMMISSIONER JENSEN: Had you always had a proposal for just seven parking spaces in the garage that you're proposing and you had always planned to have seven that would be off site at the Village garage?

MR. PANZARINO: Yes.

COMMISSIONER JENSEN: Okay. For whatever reason, I thought maybe at Plat & Sub you had mentioned a larger number.

MR. PANZARINO: Due to the change of the emergency stairwell in the back, we lost a few spaces because of that. Because the Planning Department was asking for an easement for the rear neighbors, and I didn't think that, you know, that was going to happen. So, we decided to just change the stairwell to make that happen. I gave up space, actually I've given up a little bit of space to ComEd because we're going to take down that pole and we're going to try to make it look like it's, I want to clean up that area back there to make it look like a little bit more presentable.

COMMISSIONER JENSEN: You've obviously heard and read the Staff's proposal that the garage would be eliminated and you'll have the commercial on that first floor.

MR. PANZARINO: Right.

COMMISSIONER JENSEN: Would you think this project is still economically feasible if you were to go to the commercial or retail space on the first floor and then have the rest be residential?

MR. PANZARINO: Well, no. Number one, there's a lot more empty spaces there directly across the street from me. There is a

commercial space, like they're suffering. I've been there for nearly 20 years in business. I've seen them come and go quite a bit. They don't have time to support the rent on that side of the track. It just simply doesn't work.

COMMISSIONER JENSEN: So, when you say it's not economically feasible, if ultimately the Board were to turn down the proposal as you have construed it and would not allow you to have the garage in the first floor, is that something that would, you know, cause this project to not go forward?

MR. PANZARINO: As of this point, I feel that I would like the Board to look at it tonight and really to put some good thought into this, because I know I've been putting a lot of thought into this. Due to speaking with a lot of my customers, we have decided that this would be the best choice. Because we need more people to walk in the neighborhood, because I cannot feel I would do this justice to put more retail than to put what I'm trying to do, to put rentals.

COMMISSIONER JENSEN: So, since you own the property, if you didn't go forward, what would you do? Try to find another developer or what would you try to do?

MR. PANZARINO: I am not quite sure as of right now, sir. I would strongly consider, I didn't make up my mind. I'm not quite sure. As of right now, I'm going forward hopefully with some high hopes that this would happen.

COMMISSIONER JENSEN: Sure. You did, I guess have done really a number of marketing studies have been done because we've had groups come before us who had been, who felt that we had some real need for additional apartments. Obviously we're bringing you out on --

MR. PANZARINO: Yes, yes.

COMMISSIONER JENSEN: -- a stream here with Park View and the Arlington Downs, and you still feel there's enough need for apartments?

MR. PANZARINO: Yes. What happens is, like the Planning Department just mentioned, Bill, the rental seems to rent. If I were to have commercial there, it may take months, years. If so, there is not enough traffic on that side of the track to support it. I've been asked how come you're doing so well? The thing is that they don't see how many hours and days I put in there. I have no choice, I'm nearly there seven days a week, 10 to 12 hours a day.

COMMISSIONER JENSEN: I guess my other question is here for Bill. My question is obviously we've looked at the vacancies and you got seven out of 42 that are still vacant. That kind of describes it, but do we have any analysis that suggests there is more demand that we can see on the horizon for retail? I'd like to, what I'm really asking is not what would we like to see but what is the economic forces that we think are there that would move and make the commercial a

success.

We have asked the Petitioner to give us some analysis of why he thinks the apartments would be successful of an economic nature. So, what does the Village think in terms of the underlying economics that would make this retail space, you know, go in the next year or two or whatever?

MR. ENRIGHT: Well, we don't, you know, I don't think there is an economic analysis at such a pinpointed location. I think there's more broad-based things. I don't think you ever have an economic analysis of a certain type of location like this. But there is potential for additional residential downtown, not just this development but larger ones in the south end of downtown. With an expansion, which is hypothetical right now of the North Garage, certainly that can free up more parking which is a positive.

There's a lot of people who live on the north end of the downtown. In Hancock Square, there's 400 units. Now, that's not additional use, they've been there for a while. But yes, do we have any market analysis that says we need X more square feet of retail space? No, we don't.

COMMISSIONER JENSEN: Okay. Well, the only comment I would make on the parking and I guess I'm a little troubled, I think this is sort of apples and oranges to look at parking that is attached by the bridge to the apartments which we have in the case of Hancock Square and also have in terms of Dunton Towers, as opposed to the situation of the Petitioner who is confronted with where they actually have to walk quite a ways outside in the winter. So, I think there is a difference. In my mind, it isn't just the cost of the rented space, I think there probably is some negative impact on, you know, people getting a place that doesn't have parking where they at least have covered access to it.

So, I'm still mulling that over. But at this point, I think I'll pass it on and let the other Commissioners ask some questions. I may come back later.

CHAIRMAN LORENZINI: Thank you. Commissioner Ennes?

COMMISSIONER ENNES: I have a couple of points. Number one, Bill, I'd like to mention that in reviewing the packet, I noticed in the Plat & Subcommittee minutes that I wasn't mentioned in there. I did attend that meeting, so just to clarify the record on that. In looking at the property, Mr. Panzarino, I'm familiar with your property. You take very good care of it, and I'm sure that this is going to be a nice development.

I'm kind of mixed here. My feeling if, in regard to the commercial, is that I think it's important to have this continuity in the neighborhood to get people to walk up and down the street and use commercial. A number of, or I should say our long-term

plan includes additional residential coming into the area, is that correct?

MR. ENRIGHT: Potentially.

COMMISSIONER ENNES: So, which would increase the number of residential properties in the area. So, I think it is important to have it. However, with this size of a property, I don't think that the size of the retail that we can get in there is going to attract the type of retail stores that might draw people into the building. So, I do have a mixed feeling about this.

One question I have in your design, and as we develop these areas in the downtown area, we allow more close to zero lot line developments. In your situation, you have the utility easements so you have to have this walkway in between and you also have to have the escape. But in looking at the size of your building, you have windows there. If the neighbors build adjoining properties, what will people see out of those patios and those windows?

MR. PANZARINO: First of all, it would be for daylight. When would that happen, as far as like you're talking about on the east side of the building?

COMMISSIONER ENNES: Right.

MR. PANZARINO: When would that happen? If it does happen, there's a project like this in the city, that they're real close.

COMMISSIONER ENNES: And you don't think that creates a problem?

MR. PANZARINO: I have no concern for that. I mean, I feel that --

COMMISSIONER ENNES: How about if somebody puts a new building behind you on Northwest Avenue? You have three floors of balconies?

MR. PANZARINO: Right.

COMMISSIONER ENNES: They could put up a property right up against you?

MR. PANZARINO: They can put up, it's there now directly behind. There would be there now. I feel that if --

COMMISSIONER ENNES: That's what, two stories?

MR. PANZARINO: Two stories. Two or three.

COMMISSIONER ENNES: Okay. Mr. DeFrancesco?

MR. DeFRANCESCO: Yes.

COMMISSIONER ENNES: Are you the architect?

MR. DeFRANCESCO: No. I am --

COMMISSIONER ENNES: Are you the appraiser? I didn't really hear you --

MR. DeFRANCESCO: I own Dapper Crown Real Estate, in the real estate business for about 15 years or so.

COMMISSIONER ENNES: Okay. So, you probably review a lot of appraisals?

MR. DeFRANCESCO: Correct.

COMMISSIONER ENNES: It's my understanding, I do a lot of those, too, it's my understanding that a 10 to 15 percent vacancy rate is --

MR. DeFRANCESCO: As far as retail or just in general? Yes, I mean if you're going to underwrite a project, you typically do, I mean it depends on the --

COMMISSIONER ENNES: Ten to 15 percent?

MR. DeFRANCESCO: Correct, yes.

COMMISSIONER ENNES: So, really the vacancy we have in the area is very low?

MR. DeFRANCESCO: Well, that I would have to disagree with. The thing is that, going off of the map that Bill had provided, there was just, quickly glancing at it, there was three sites just across the street on Miner that are vacant. You could walk the street right now and see it for yourself that was not labeled.

COMMISSIONER ENNES: Are you, the Chinese restaurant? Is that one of those?

MR. DeFRANCESCO: I don't know the exact old businesses, but I do have the addresses.

MR. PANZARINO: M Power was one of them, directly across.

MR. DeFRANCESCO: Yes. The addresses range at 16, 17 and 114 East Miner. Just, I mean just even at the corner of Dunton and Northwest Highway, the Pioneer Store, vacant and that's not labeled. So, there's a few stores that maybe weren't just --

MR. PANZARINO: Right next to this one is coming available right now.

MR. DeFRANCESCO: That could have been just maybe overlooked that are not being provided on the map. So, just from the vacancy that's on Miner is a detriment to the project because it's more than 10 percent.

COMMISSIONER ENNES: A question. When you're looking at that, are you looking just at the storefront to see it's vacant? Or are you aware of whether or not there is a tenant that's still paying rent that isn't in there?

MR. DeFRANCESCO: No, I mean there's For Lease signs with phone numbers on the window stating that it's for rent. It's been like that, Frank has been in the area for 20 years, I've been driving the area for several years, and every time I drive by it's the same signs, same locations. If anything, there is added vacant retail that keeps coming to the market.

I did commercial for quite some time and, you

know, the retail market was thriving in '05, '06, '07, and since then it's taken a severe hit. Maybe we might be on the uptick, but the thing is that there's more and more businesses that are not doing well because most of the businesses are online based. So, the need for major retail, street retail, maybe big box items, your Super Walmarts and your Targets, et cetera, where they're more and more becoming more enclosed off, you know, grocery stores and retail, et cetera, that offer more. Besides restaurants which restaurants have a high turnover ratio, there is not many businesses in that area that have been there longer than Frank, if any.

COMMISSIONER ENNES: Have you considered the possibility of, and I don't know if the building is large enough to do this but you have a lower level, you know, a basement where parking could be down there?

MR. PANZARINO: Parking in the first floor, or underground?

COMMISSIONER ENNES: Yes.

MR. PANZARINO: There just simply isn't any room to turn around. That's the reason why we went from 10 to seven. It just won't happen.

COMMISSIONER ENNES: That's all I have at this point.

CHAIRMAN LORENZINI: Commissioner Green?

COMMISSIONER GREEN: My comments are just I have concern over the lack of retail. I've been on the record before, I like to see retail on the first floor in the downtown area, north or south. My concern is the two-bedroom apartments with one parking space. I think you're going to have this parking garage need regardless if it's 14 spaces or seven spaces. I just see that as a problem and I can't figure out how you're going to figure which, in a two-bedroom situation, if it's a shared rent thing, who is going to get the parking spot and who isn't going to get the parking spot.

So, I think this, for parking, the first floor is very tight. I think it's a very tight maneuver just to get in there and park. You don't have the radiuses to go down to a lower level but you barely have maneuverability to move around in this first floor parking area. I'm speaking as an architect, I understand how this works. But I tend to think the parking is not working here. I know in Plat & Sub we talked about fewer units, which would make the parking more of a ratio closer to what we're looking for of two per unit. These are just comments. I'll come back to this.

CHAIRMAN LORENZINI: Commissioner Cherwin?

COMMISSIONER CHERWIN: Yes. Some have been addressed exactly some of the issues I was struggling with I guess. You know, my concern obviously is this tension between the parking and the commercial space as we I think described in the Plat & Subcommittee as

well. The one, you know, thing that I'd look at with this property that is somewhat different, you know, when we talk about first floor retail, you know, I think it's, when you think of a larger property or a larger scale development, it certainly becomes more manageable.

My concern with this property is somewhat, it's an infill property, it's pretty small, a pretty small site. In terms of the viability, you know, of the commercial space and forcing that into this, that's really where my struggle is. I'm not going to belabor the issue. I think I'd like to hear the public comments if any, and my colleagues have already expressed some of the same concerns that I have.

CHAIRMAN LORENZINI: Commissioner Sigalos?

COMMISSIONER SIGALOS: The first comment I have, I'd like to just commend the architect for this front elevation. I think that's really an exciting elevation with the blend of stone on the ground floor and along the building corner lines and masonry in balconies. But aside from that, I'm going back and forth with commercial versus parking.

Bill, just recently we approved a multi-unit apartment development on the southwest corner of Dunton and Eastman. I don't remember how many units that was but there was apartments, correct?

MR. ENRIGHT: 45 apartments, correct.

COMMISSIONER SIGALOS: So, with those 45 apartments, and now seven more apartments on this development, that's going to bring more residents into this area. I would think that would increase the demand for retail that's not there now because of these two vacant properties. So, a couple of years from now when these are all fully developed, you're going to have, you know, another 50-60 people, 70 people living right there within this one block area. So, I think you have to look at that.

The other question I have is right now this is being developed and seeking approval for apartments. I see that in the future they may convert this to condos. They have to come back to the Plan Commission or the Village Board to get approval to sell these as condos or he can do whatever he wants?

MR. ENRIGHT: Staff has recommended a condition which is consistent with the Park View development recently, that yes, they would have to come back and amend the PUD. But that's a recommendation that the Plan Commission can include or not.

COMMISSIONER CHERWIN: Bill, can I ask? I'm sorry.

COMMISSIONER SIGALOS: That's fine.

COMMISSIONER CHERWIN: If you could explain a little bit further on that? What would be, so, you know, Park View is a larger scale development, there's probably more considerations there.

But a development of this size, what is the interest of the Planning Department to require a PUD amendment for a conversion?

MR. ENRIGHT: Well, I think it's twofold. One is, you know, when you're talking about the market and, you know, I think it's a good thing that we have more rental properties coming online in the Village and in the downtown. Originally, the downtown developed with primarily rental properties, Dunton Tower and 200 Arlington Place, now Hancock Square. But then there was no more and for years it was all condos, condos, condos, so it got kind of imbalanced towards condos. Now, we're seeing, you know, as a result of largely the depressed, you know, housing market more rental coming online.

So, to me, in our view, it's certainly beneficial to have rental here versus condo. Would that have changed our recommendation on the project whether or not, you know, we'd recommend approval of it? No, I don't think it would. But there is usually a higher demand for parking for ownership versus rental, so that's an issue as well albeit relatively minor but certainly more, especially when it's only 12 units.

COMMISSIONER SIGALOS: The last question I have, I'm not quite understanding the verbiage in one of the contingencies, item 5-B regarding the affordable unit. Bill, I'm not understanding here where it says, you know, affordable housing program which are consistent with the requirements of the Village's affordable rental housing guidelines may be temporarily followed with respect to the unit but at all other times the requirements of the Village's affordable housing guidelines shall apply in perpetuity. What does that mean temporarily?

MR. ENRIGHT: What it means is we have our standard affordable housing guidelines that are in our policy which we've provided the Petitioner. But there could be like housing vouchers, that's another program that could be used to meet the intent of affordable housing. There are other ones that may not exist now. So, what we're getting at there is, you know, it may not have to be our exact program, there could be another program that's commensurate with our program. Temporarily just means, maybe a better word would have been flexible.

COMMISSIONER SIGALOS: I understand. That's all I have right now. I'd like to hear from people from the audience as far as the question of parking versus retail.

CHAIRMAN LORENZINI: Commissioner Drost?

COMMISSIONER DROST: The Park View property is the northeast corner of Dunton and Eastman, that's, just for the record, 210 to 220 North Dunton?

MR. ENRIGHT: The southwest. Park View?

COMMISSIONER DROST: The northeast corner.

MR. ENRIGHT: This would be the southwest corner of Dunton and Eastman, the future Park View.

COMMISSIONER DROST: Okay. So, it's the southwest, all right, I've got that. I just wanted to identify it as 210-220. That would have been northeast, the block itself.

As far as the Petitioner is concerned, was he exposed or were you exposed to the Downtown Task Force report that we did, what was it, 10 years ago?

MR. ENRIGHT: It's on our website. Certainly we've been talking about it for quite some time.

COMMISSIONER DROST: Was that part of the discussion when they came up with the development in the negotiation?

MR. ENRIGHT: I don't know if we specifically talked about it. I just said in general terms the Downtown Master Plan requires as well as the Zoning first floor commercial. I don't know if that was specifically talked about.

COMMISSIONER DROST: It's my recollection that the Downtown Task Force report was to encourage more commercial development for the north side of the town.

MR. ENRIGHT: Which I believe is on the Staff report.

COMMISSIONER DROST: Is that your recollection? Is that what --

MR. ENRIGHT: Yes, and I've highlighted that on the Staff report.

COMMISSIONER DROST: On the Park View development, the concern that I had there was that we're getting too many garage doors on the street. From an aesthetic standpoint, again I'm not an expert on the economics of it, but what you tend to do at least from my view, if you have a garage door there, that would tend to kind of create a more bleaker feel for what has been attempted to try to revitalize and to maintain this momentum that we've had in the development of the downtown area. That's just a comment. But I also recognize there's economics, but sometimes economics can get trumped by aesthetics. That's my comment and I'll wait for any comments from the audience.

CHAIRMAN LORENZINI: Thank you, George. Bill, can you go back to the floor plans for the basement and the first floor plan right there? We can go to the first floor first. Okay. The Park View development, Bill, where does that stand right now? Is that proceeding?

MR. ENRIGHT: It's my understanding that they are seeking their financing.

CHAIRMAN LORENZINI: Okay, all right. So, a question on the layout, the basement, on the first floor you've got, you know, parking, you've got stairwells. Can we go to the basement then, Bill? Okay, now the basement, you've got a large storage area, some

mechanical area, a big slab, lot of stairways. So, let me ask you this. Can you go back to the first floor, Bill? So, what if you saved the money to build a basement and you put storefronts in your front half or front third, front half let's say, and you move the mechanical and storage in the back half? From an economic standpoint, then you save the money to build a basement and you would have your storefronts then and you can use the back for storage and mechanicals. Is that reasonable? Can you do that?

MR. PANZARINO: As far as storefronts, you're saying --

CHAIRMAN LORENZINI: I'm saying get rid of the basement, save the money on the basement.

MR. PANZARINO: Okay.

CHAIRMAN LORENZINI: And the mechanical and storage you have in the basement --

MR. PANZARINO: Move it to --

CHAIRMAN LORENZINI: Put them in the back half of the first floor and make the front half the commercial space like the Village is recommending.

MR. PANZARINO: The question is this. I did propose storefronts in the very beginning, but through the study that we've been doing, I mean I built a lot of customers in the past 20 years and we go back and forth and we discuss this, and everybody kind of disagrees with storefronts on that side of the track. It will not grow any further. There's a parking garage, there's a park, there's a church, it just will not go any further. We didn't have any trick-or-treaters come to our place. I mean it just, there is no traffic on that side.

I mean I've seen storefronts come and go quickly. There's one right next door, it's been there less than a year. There is no support for that.

CHAIRMAN LORENZINI: All right, thank you.

MR. DeFRANCESCO: Can I add to that? The thing is that at the end of the day, guys, like we're all for what is going to better the building and the Village and the community and really give back to the residents. By adding the additional vacant retail space, our biggest fear is what happens with the retail space that has been there forever? How do we differentiate our retail space compared to these guys? It's not like the space that's available is 25,000 square feet, so you'd have to find a unique tenant to occupy the space. The spaces are 1,000, 1,500, 2,000, 2,500 square feet. It's going to be the same space that we're going to be offering. So, now we're going to add this additional retail space. For what? How is that going to benefit anybody?

The second thing is that if we do one day end up selling the property or converting them to condos, the resale value

side of things when it comes to ownership of a condo with zero parking on site enclosed does drastically hurt the value of the resale. But fine, that's the future. We can't propose what's going to happen in the future.

From a rental market standpoint, the numbers that Bill was going through, we weren't saying that the \$700 difference is what people are paying for the parking, just the parking side of the building. What that difference was if you did a comparison, and this data can be provided and e-mailed to everybody, if you did an analysis of the last 12 months of one-bedroom and two-bedroom apartments that had onsite parking, enclosed garage parking, they were able to gather approximately, again it's an average, of about \$700 more compared to an apartment that had to rent parking down the street, walk three or four blocks, and an open parking garage or an enclosed parking garage, whatever it was. But as soon as people hear that the parking is off site and they have to walk three blocks, we live in Chicago, it's great for two and a half months, the rest of the year weather is against us. People do not want to walk those three blocks.

Yes, of course, you could charge for parking, and in downtown you are able to charge for more, but that's not the point here. We're not talking about charging for parking. We're just saying that the rent you could collect total is more advantageous and more beneficial on a monthly basis, on an annual basis if the parking was included onsite rather than offsite.

CHAIRMAN LORENZINI: Okay, thank you. I think that ends our questions.

COMMISSIONER ENNES: I have one question. While we're on this schedule, it's kind of a financial analysis, don't you think?

MR. DeFRANCESCO: Yes.

COMMISSIONER ENNES: You're comparing what kind of rent you're getting typically for just the apartment as opposed to an apartment with parking?

MR. DeFRANCESCO: No, no. They're both with parking, okay. So, everything here is --

COMMISSIONER ENNES: With parking, I'm sorry, yes.

MR. DeFRANCESCO: With parking. The difference between the one-bedroom and the two-bedrooms, the top two lines and the bottom two lines are basically, or I'm sorry, not the top two. But the top of the one-bedroom with open parking garage or offsite parking and then the third, the second line, the \$700 difference is basically whether the parking is onsite or offsite. But both include parking, it's just again whether it's onsite enclosed or offsite parking space or whatever. But parking is included in everything.

COMMISSIONER ENNES: Okay, and I can appreciate that. What I don't see is, and you're looking at the potential loss of \$4,900

gross per month or \$58,000 gross per year, but if parking is off site, okay, you get to rent it for whatever you get, you're not showing then anything here as to what you get for rent for your commercial space.

MR. DeFRANCESCO: Okay, but the question is how long is that commercial space sitting vacant? How much cash flow have we dumped into a dark commercial space while we wait for the other 30 percent of the retail on our street within our one block get absorbed before we get absorbed? What are we doing different to get them rather than taking the space that's been vacant for three, four, five, 10 years on some spaces.

COMMISSIONER ENNES: Depending on whose figures that we look at here, 10 to 15 percent, then it's what you might expect.

MR. DeFRANCESCO: Sure. I would definitely say more because based on the 10 to 15 percent that was presented, that's on the math that was provided. But that's not including the space that really is dark that is vacant, that's been vacant that wasn't brought up in that map.

COMMISSIONER ENNES: Some of which admittedly is pretty old, not very good retail space. You've done commercial retail brokerage?

MR. DeFRANCESCO: I have.

COMMISSIONER ENNES: In looking at this rental space, when you look at downtown, a lot of the retail space that we have isn't your typical.

MR. DeFRANCESCO: Class 8, yes.

COMMISSIONER ENNES: Eight to 10 square lineal feet tall retail space. This is stuff that's like 12 to 14-foot ceilings. Now, if you added that kind of retail space, you're going to have something that's unique in the market and it will draw some possibly national retailers.

MR. DeFRANCESCO: Possibly. The thing is that, I mean Dunton Towers has vacant space already where business went in and they have gone dark already. So, the thing is that, yes, it would maybe be Class 8 retail, but still some of the retail that has been available would have been absorbed somehow, and the thing is that we're basing skepticism and we're basing opinion of what could potentially happen and the thing is that there's no economic factors that really show that retail really thrives or is to an uptick. So, there is no true data to help us say, okay, you know what, retail will get absorbed in the next 12 months or 16 months. It's all skepticism. So, now we build this retail where it's dark for four or five years, that's all negative cash flow towards the building when we could have been capitalizing on higher rents because parking was included on the first floor, and on the resale side of things get 10, 20, 30 percent more than what the market calls for because parking was included on the first floor.

CHAIRMAN LORENZINI: Okay. Yes, Commissioner Jensen, then we'll go to the audience.

COMMISSIONER JENSEN: Sure, just a brief question about this, how you collected the data. How many places did you survey? We don't want to make it technical.

MR. DeFRANCESCO: Sure.

COMMISSIONER JENSEN: But how many places did you survey for your average rent that you rent both with and without on site?

MR. DeFRANCESCO: For both, there were about 30 places for each one-bedrooms and two-bedrooms. These are all rented, not what's active on the market, who cares what's on the market, what's available right now. It's more true data, proof in the pudding, what has rented. So, this is data that has rented within about a three-block radius from this location, all within the last 12 months.

COMMISSIONER JENSEN: Okay, good. Thank you.

CHAIRMAN LORENZINI: All right, thank you. Now, we're going to go to the public for any questions or comments. Anybody on the right, your left side of the room, have any questions or comments? Anyone? Yes, sir. Come forward, please state your name, spell it for the court reporter.

QUESTIONS FROM AUDIENCE

MR. EISEN: Yes, Gerald Eisen, G-e-r-a-l-d E-i-s-e-n. I'm the attorney for Mrs. Anzaldi. She has been thrust into this thing through the death of her husband and she is now managing and owning the property to the south, which is the apartment building at 1216 East Northwest Highway. So, we're mentioned by the fact that there is an issue regarding the relocation of the sewer and water. I don't know if you are familiar with the fact that our lines for water and sewer run through Mr. Panzarino's property. These were unknown to us. We've owned the property, she has owned the property with her husband for approximately 20 years. This was unknown to us, and this thing has popped and we were told by Mr. Panzarino that the sewer and water lines have to be moved.

We hired an engineer to explore the possibilities, and the possibilities are economically dramatic to Mrs. Anzaldi. It's approximately \$150,000, it involves the two properties. They're the other adjoining apartment building next to us. We in good faith made an attempt to explore this issue and it's just a dramatic situation, quite difficult. You want to step in?

CHAIRMAN LORENZINI: Wait, hold on. So, you're one property owner, these are the others? Let's finish yours first, and then we'll move to the next one.

MR. EISEN: Okay. The problem is that we have to run, our connections are at the rear of the property and they continued uninterrupted for 75 or 100 years through Mr. Panzarino's property. Things were fine for 75 or 100 years. We don't even know how this came about. But there is no recorded easement for us to proceed over his, under his property, excuse me.

So, now the issue is that we have to run two lines from the rear of our property, one for this property, one for our property. It has to go all the way out to Northwest Highway, turn, go all the way out to the street to the east. It's impossibly expensive. Some of the contractors don't even want to deal with the state and have to confront the issues of closing on Northwest Highway.

It's a dramatic problem, not technically, but the issues are dramatic to us and to them financially. It's just overwhelming for these two, you know, they're small apartment buildings. They don't throw off tons of income where we can do this type of expense.

CHAIRMAN LORENZINI: Sir, are you done with your --

MR. EISEN: Yes.

CHAIRMAN LORENZINI: Okay. Yes, sir, state your name, spell it for the court reporter please.

MR. GILMARTIN: Yes. My name is Wayne, W-a-y-n-e, Gilmartin, G-i-l-m-a-r-t-i-n. My son and I represent a group that owns the building adjoining Marie Anzaldi's building, 1824 East Northwest Highway.

As Mr. Eisen pointed out, the water and sewer lines serving our property which is a 12-unit building with two retail spaces, 12 apartment units, Mrs. Anzaldi's unit building I believe is six apartment units and also two commercial spaces. The problem here is that these lines were put in somewhere between 85 and 100 years ago, and no one, the Village has no records, there are no records. No one knows at the time what the arrangement was, what the deal was. But these properties have been served by these lines for 75 to 100 years.

The report from the Planning Department makes it a condition that Mr. Panzarino, the Petitioner, work out an agreement with us. The problem is that we've explored agreements with Mr. Panzarino. He is not willing to allow us to stay anywhere on the property. He is not willing to contribute to moving us off the property. So, I'm not exactly sure what kind of an agreement we can work out with him. My guess is his intention is to try to force us off the property through some sort of legal action which we may have defenses for.

But the bottom line here is he is here before this group and part of his claim is that he is entitled to these variances because of economic hardships and difficulties, and yet he is going to

effectively perhaps put two buildings out of business. We're not even sure, I did talk to Mr. Enright, I think there is some level of confidence that at a cost of somewhere between \$100,000 and \$175,000 you could relocate the water and sewer lines into Northwest Highway. It would be a lengthy process. We have to get state of Illinois permits, we need IEPA permits, MWRD permits and so on, I think so. I was told MWRD, maybe not.

But in any event, we're not even sure what kind of conflicts we might find and how doable it is. But the point here really is that the condition that's being suggested by the Planning Department is an agreement, and I think I'd ask that Mr. Panzarino indicate what type of an agreement he would be willing to consider. Thank you.

CHAIRMAN LORENZINI: Thank you. Bill, would you like to share your viewpoint on this?

MR. ENRIGHT: Well, I mean there is an ongoing dispute about what the legal issues are with respect to those utilities between the various property owners and the developer. It's a condition precedent to them, the developer coming back for final PUD, that they are asked that it is resolved, or else this project isn't going forward.

CHAIRMAN LORENZINI: When you say resolved, does that mean --

MR. ENRIGHT: Well, the condition states that there has to be agreements for the relocation of utilities for any property owners, and there are three that we know of, that those agreements are in place and those have to be signed, sealed and delivered to the Village in order for us to move forward with the final PUD.

CHAIRMAN LORENZINI: So, if those agreements, well, I'm going to ask probably our couple of attorneys, if those agreements can't be reached and it ends up going to a lawsuit, that could take years and years and years.

MR. ENRIGHT: That's right. But the PUD, a preliminary PUD, if it is recommended for approval and if it is approved by the Village Board, a preliminary PUD lasts for 12 months. If there's no agreements, then the PUD would expire, the preliminary PUD.

CHAIRMAN LORENZINI: Okay. All right, let's go back to the public. Anybody else have comments? Yes, sir. State your name and spell it please.

MR. RODEWALD: Bruce Rodewald, R-o-d-e-w-a-l-d. I represent the Rodewald family that has owned the small retail of six-unit building at Miner and Evergreen that's immediately east of the Petitioner's property that we're talking about tonight.

One of the strongest arguments against granting the variances as proposed or requested relates to the ordinance

requirement that the plight of the owner is due to unique circumstances. In this case, all of the owner's plights are his own doing and not due to any other circumstances.

I also have some other thoughts. This utility line is a big issue. Our family has owned this building since 1954. As a young man living across the street where Uptown Café is, my dad purchased this property, and I, with slave labor, had to help him maintain the building from my childhood on. There's five units that use the sanitary and the roof drains and they go out and they tie into a sanitary line that came down the old driveway immediately west of our building on his property. As did the house that was there, all of these lines tied into one main line going out to the sanitary sewer on Miner street.

Some important points that I think that this Commission ought to know is that there are no utilities on Northwest Highway. There is no gas, there is no water, and there is no sanitary sewer at all. Everything had to go out to Miner Street in these buildings. There's three buildings that are concerned.

Somewhere back in time, and we're guessing that these buildings were all built from 1925 to 1928. The best thing that we can say is it was all under the control of one property owner at the time. But the water and the sewer had to have Village approval to be able to tie in to the sanitary and to the water main. They just didn't do it. Somebody in the Village at that time said yes, it's approved to do that, otherwise they could not connect.

There is a misstatement that was made earlier regarding 17 East Miner, that's one of our units that we have under our banner. It is currently rented. The lease is coming due. We did put a For Rent sign in it at their request. My deal on this is I've had very good rentals and I have been within several months generally been able to rent a unit. Other than that, I am fully rented. But that was a misstatement saying it's vacant. It's not, it's open for business.

The parking on the first floor is going to be a problem because you're taking out at least two parking spaces off of the street that's already crowded. It's under-served for parking to go along with these units as proposed, and we're going to see more musical cars taking up spots on the street when we're really looking for customers to come in for retail use.

In the rear corner of our building behind 112 North Evergreen, we are concerned about flooding from this building. We'd like to know how that would be addressed somewhere while it goes through the plan review process.

I'm only tying it in with the sanitary sewer, but it's still, the numbers that we're looking at preliminarily are in the \$50,000 range just to auger out and connect into a sanitary sewer. We

have a difference of opinions on this. These lines have been in there for 85 years. Sometime later, probably in the 50's when everybody went off of oil or coal, that's when the gas line probably was put in to service the two three-story buildings in Northwest Highway. Knowing Nicor, they probably didn't put it in unless they had something rock solid where they could actually dig into the property and push that through.

If this building is built, it's being proposed to build tight to our building within very close proximity, a foot or less, we're on a four-foot foundation on that side of the building because these units that would be immediately adjacent to it are on slab. What bonding or provisions do we have to be sure that they don't damage us, that they don't knock something down? If they're going to be digging a 10-foot foundation to put this building on, what assurances do we have that they aren't going to damage our building when they're coming in so tight? We only have a four-foot, we're guessing we only have a four-foot footing foundation here.

So, that's pretty much my thoughts on it. I would strongly urge you to reconsider first floor parking, the parking garage. We have delivery trucks on Miner Street on a regular basis. We're going to have more fights over getting things in and getting out if there is a driveway and a parking garage there, and it's still undersized.

The numbers were thrown around, \$700 increase if there is parking. There's 12 units, they're only talking seven spaces. They're probably going to have more than 12 cars assigned to this piece of property or whatever. I know what I'm getting for my rents and they could certainly put two small units in it and greatly increase their revenue over \$700. So, that's my thoughts. Thank you for your consideration.

CHAIRMAN LORENZINI: Thank you. Anybody else? Actually, are you with the Petitioner?

MR. O'HARA: Yes.

CHAIRMAN LORENZINI: Okay. What would you like to say?

MR. O'HARA: I would just want to address the --

CHAIRMAN LORENZINI: State your name and spell it please.

MR. O'HARA: My name is Brian O'Hara, B-r-i-a-n O'-H-a-r-a. I'm an attorney. Mr. Panzarino asked me to look into the issue of the underground utilities and contact the neighboring property owners to see if an agreement could be reached. I don't know if it's appropriate for me to make my comments now or do you want me to wait for --

CHAIRMAN LORENZINI: Well, let's hold off until the Commissioners have questions.

MR. O'HARA: Okay.

CHAIRMAN LORENZINI: Anybody else from the public who want to make a comment, questions? Okay, if not, we'll close then. Bill, let me just clarify something. Whether we build retail or not on the first floor, if we put a basement in or don't put a basement in, build a three-floor or 20-story building, we're going to have this problem with the utilities no matter what's built on it?

MR. ENRIGHT: Basically. But if there was a smaller footprint, you could allow for more room for these utilities to either partially be relocated back straight out to Miner.

CHAIRMAN LORENZINI: Okay, thank you. Let's go back to the Commissioners. Commissioner Cherwin, would you like to, do you have any more questions or comments, concerns?

COMMISSIONER CHERWIN: I guess I would like to hear from Mr. O'Hara on the issues that he's exploring.

CHAIRMAN LORENZINI: Mr. O'Hara, please come back.

MR. O'HARA: Thank you. So, it's been 11 or 12 months that we've been trying to work something out. Principally, I did my research and found that, number one, there is no easement recorded in the history of the property, both the subject property for the development or the properties that the other gentlemen's clients own. Secondly, there is no prescriptive easement because at the time that we presume, and nobody knows when these lines were built because there is no record of the sewer and water lines that run through the subject property with the Village, they were surprised, the Village as I understand it was as surprised as anybody including Mr. Panzarino as well as the other adjoining property owners that these lines ran through property that there was no easement for.

Secondly, Mr. Eisen I think made a comment, or the last speaker, not Mr. Eisen, the last property owner that spoke said that there was a common ownership. I've researched the ownership of the property, and back as before these buildings, the apartment buildings that we're talking about, the house that was demolished, and the other property, there was no common owner at the time that these were built. There was not one owner that built an apartment building here, another apartment building there, a house here and another apartment here, and we can demonstrate that. We've been trying to avoid getting into a legal action to try and work something out. It's Mr. Panzarino's opinion that these people are in essence trespassing on to his land, which they have been for decades.

But they have not come up with a plan. Mr. Gilmartin has talked about it, Mr. Eisen had talked about the hundreds of thousands of dollars. Well, they have retained one contractor or one engineer to say what might be made and what might be, but there is no, nobody has bid on the job to move these lines. So, as far as the

cost being hundreds of thousands of dollars, we don't know. It could be less than that.

But anyway, it's not on Mr. Panzarino's back to relocate utilities that have been trespassing on the property that he now owns. They were never apparent to Mr. Panzarino when he purchased the property, nor were they disclosed, nor were they apparent even to the property owners who are using them. So, I think this is not really an issue as to the development approval by the Plan Commission tonight. They will, this will have to be resolved, Mr. Enright said by agreement of the parties. Well, if the parties won't, can't or won't agree to a proposal, then it could also be done by court order. Thank you.

CHAIRMAN LORENZINI: Anything else, Commissioner Cherwin?

COMMISSIONER CHERWIN: I'll -- go ahead.

MR. GILMARTIN: May I respond just to clarify? Again, Mr. Gilmartin, I'm one of the owners of the properties whose lines run over Mr. Panzarino's. We actually received a bid from our engineer and we've received bids from two contractors, one of whom was recommended by Mr. Panzarino. All of the bids were consistently over 150. Mr. Panzarino received another bid which he had the contractor call me, it was not in writing, the contractor said he could do it he thought for \$50,000.

I think that my client and Mrs. Anzaldi would be happy to pay the \$50,000 if Mr. Panzarino would pay the balance. I don't think Mr. Panzarino believes that this thing is, that these lines can be moved for anything close to \$50,000.

In terms of the legal rights, you know, there has been no real investigation, there has been no real study. But the bottom line is that Mr. Panzarino is not coming here saying he wants to build something as a matter of right. He's coming and asking for lots of dispensations in order to build his building. I think, I actually think it's a lovely building, I hope he can build it. But I do think if he's going to get those dispensations, the Village has to be cognizant and I think it has of the interests and rights of the other parties that will be affected including my client, myself, and Mrs. Anzaldi and Mr. Rodewald whose buildings will be dramatically affected. So, thank you.

CHAIRMAN LORENZINI: Thank you. Anything else, Jay?

COMMISSIONER CHERWIN: No, not at this time. I mean I think, I guess my comment would be that it sounds like there's a pretty substantial unresolved issue. Mr. Enright has included a condition of agreement and it's still relatively open. So, I think that given the fact that we have condition number, it's number 7, is that right, Mr. Enright? Condition number 7 in there that addresses this, I think that, you know, that would be important for me to make sure we keep

that in. CHAIRMAN LORENZINI: Okay. Commissioner Sigalos?

COMMISSIONER SIGALOS: My only comments are I would like to see the parties come together and get some kind of an agreement. I like Chairman Lorenzini's idea of eliminating the basement, having commercial or retail on the front of the building, storage and mechanical on the back of the building, and maybe the savings that is achieved from eliminating the space then could be used to relocate these utilities. You have, say one common engineer, the engineer that would be in place for this new building development would engineer these storm, sanitary lines and whatever other utilities that are going through this and they would all be part of the bid process. But again, that savings of eliminating the basement could help pay for that and bring all these parties together, and also eliminate Mr. Rodewald's concern about damage to his building that only has four-foot deep footings where you're putting a basement right up adjacent to his building.

The other comment I want to make is that when Mr. Rodewald stated that he has six units I think right around the corner and hasn't had a problem leasing these for retail space, I of course would like to see retail space continued there and not have this gap there. That's all I have.

CHAIRMAN LORENZINI: Thank you. Commissioner Drost?

COMMISSIONER DROST: My comments are that I do support commercial space on Miner. What I also would want to make sure of is that, the cost that this agreement among the property owners would be hard and from the standpoint of trying to come up with a solution here isn't the appropriate place, whether it's prescriptive easements or adverse possession or whether there was some type of flaw at some point and whether or not there's some action, but I think that should be calculated at least from the Petitioner's proposal to look at the possibility of trying to come to some accommodation here. After all, we are a village of good neighbors and the idea is to solve disputes in an amicable way and it looks as if there would have to be some cost sharing that might be significant, that might impact the development.

So, I ask that or state that as a comment. This isn't going to be easy, it doesn't look like at least from today's presentation. Those are just my comments.

CHAIRMAN LORENZINI: Thank you. Commissioner Jensen?

COMMISSIONER JENSEN: No, I don't have any further questions.

CHAIRMAN LORENZINI: Commissioner Ennes?

COMMISSIONER ENNES: I do have one other point. In addition to item 7, there's an item 9 that addresses the, I believe this is the item that addresses the access easement ingress and egress that accommodates the building immediately behind this existing

building with Eddie's. Is that something that's been resolved? That's still a pending issue?

MR. ENRIGHT: Well, what this easement, there's already an existing easement that is on the Adam & Eve property where I'm showing here, and the west, east side of Adam & Eve property provides ingress and egress for the property, Adam & Eve property, and also Eddie's behind, they have a rear door here. So, that easement is in place. What this condition is, is that the Petitioner, Mr. Panzarino, will have to obtain a cross access easement to the benefit of this 13 East Miner so that they can traverse across the Adam & Eve property to get out to Miner Street. Because you won't be able to do that and stay on site because the ComEd transformers switchgear is going to be right here blocking it.

So, I'm presuming that Mr. Panzarino is amenable to providing in effect himself and future owners of the 13 East Miner if built and then subsequently sold, it would have to run with the land and be in perpetuity.

COMMISSIONER ENNES: So, there isn't also an unresolved easement issue with Eddie's being on the other side. Okay.

MR. ENRIGHT: Eddie's has an easement already.

COMMISSIONER ENNES: Then my question to the other Commissioners is do we want to go ahead and approve something when we don't know what the resolution of the utility issue which is a major thing is?

CHAIRMAN LORENZINI: Commissioner Green?

COMMISSIONER GREEN: My comment on that is I think that this petition, it's just one element of it. You know, we don't, it's a private issue they have to resolve on their own and we're not really voting on whether they're going to do that or how they're going to do that.

COMMISSIONER DROST: Yes, and I have a little bit of history being a downtown business owner, there are conditions that can be imposed, but what you want to do is you don't want to stop the development. You want to give an incentive rather than trying to cross your t's and dot all of your i's. So, there has to be at least some initiative for the Petitioner to go forward and try to resolve some of these issues that are confronting this project. But overall, you know, a project of this size and scope looks pretty good --

COMMISSIONER JENSEN: We may have almost a moot point here if, what the Petitioner said to us, that if we, and it seems like the mood of the Commission is to require some retail space and the indication was that at least there's a big question mark as to whether they would pursue the project if we do that. So, the whole issue of the easements and so forth may be not an issue in fact, so I don't think we should waste time dealing with that.

CHAIRMAN LORENZINI: All right. Anything else, Commissioner Ennes?

COMMISSIONER ENNES: No, that's all I have.

CHAIRMAN LORENZINI: Commissioner Green?

COMMISSIONER GREEN: Just a comment to the owner to the east building. If they are to put a basement there, they are responsible for underpinning and not running your foundation into the hole of the excavation. So, sheet piling or whatever they would have to do to accommodate the basement would be part of their construction techniques. So, just to, you know, they are not going to knock your building down. I am in favor of this, not an intention anyway.

CHAIRMAN LORENZINI: Okay. My final comments are I, too, tack on to what Commissioner Green just said. Yes, there are regulations and codes that the Village has in place that protect the adjacent property owners for the concerns that have been raised. You might just, one thing a lot of people do, you might just want to take a videotape of your foundation before construction starts and after.

But as far as the utilities go, you know, it's obviously a big issue for all the adjacent landowners, a very expensive issue. But I don't think, it's not the purview of us, of this Commission to decide how that dispute gets resolved. What we're here to decide is what type of building goes up there and based on the recommendations or considering the recommendations made by the Planning Department. Now, just a thought, you know, it's totally up to you, to the people in the audience or the people involved, but if you, whether you build the basement or not, you could basically just rebuild the utilities in place and put them underneath the new building. Why not do that? In this way, it would be a lot less expensive than having to relocate them completely. Even if you put a basement in or not, you could still hang them in the basement or just bury it if you don't have a basement.

So, I mean personally, I think the idea of getting rid of the basement, retail on the front half, the storage and the mechanical in the back half of the first floor, and then you can leave the utilities there, just rebuilding a little stronger, and I think that would be the best solution. But that's just my opinion. That's not our purview here to decide.

But the other safety net for the surrounding property owners is item number 7 in the petition, or in the proposal that says an agreement has to be reached before this is approved. So, you're kind of protected there also. But again, I don't think we can tell the owner what he can't or can do with his property because of some item that's in dispute. That's really again not our responsibility, our concern but not our legal right to say one way or the other.

So, having said that, it looks like we've got two recommendations here, one with commercial and no parking, and one with parking and no commercial. Does anybody want --

MR. ENRIGHT: Two motions.

CHAIRMAN LORENZINI: Yes. Does anybody want to make a motion on one of these? Just one or the other, right, Bill?

MR. ENRIGHT: Well, yes. I mean, you know, it could be anything, but one of the motions is based on what the Petitioner is asking for, and at the top it says Project Name: 13 East Miner with parking garage and no commercial. Some of the differences there is that number one, if there's a parking garage and no commercial, then they have to get a land use variation for the building in and of itself, plus some other variations for the parking garage. The second motion is if you require commercial on the first floor and there is no parking garage, then you have mixed use development and you no longer need the land use variation and two of the variations for the parking garage go away, and that's the one labeled with commercial and no parking garage.

COMMISSIONER GREEN: I'd like to make a motion.

A motion to recommend to the Village Board of Trustees approval of PC# 15-013 (with commercial and no parking garage):

- * A Preliminary Planned Unit Development for 13 East Miner Street;**
- * A Variation from Chapter 28, Section 28-5.1-14.6, from the required combined side yard setback of 30 feet to allow 5.81 feet;**
- * A Variation from Chapter 28, Section 28-5.1-14.6, from the required rear yard setback of 30 feet for residential uses located above the first floor to allow 5 feet;**
- * A Variation from Chapter 28, Section 28-11.7, *Schedule of Loading Requirements*, to waive the required loading berth for the development; and**
- * A Variation from Chapter 28, Section 6.12-1(3) to waive the requirement for a traffic and parking analysis from a certified traffic engineer.**

This approval is contingent upon compliance with the conditions detailed in the Staff Development Committee report dated October 29, 2015:

- 1. Final Planned Unit Development approval shall be required pursuant to Chapter 28, Section 28-9. All required documents, such as but not limited to final engineering plans and construction staging plans and timelines, shall be**

- submitted for review and any additional items pursuant to conditions of the Preliminary Planned Unit Development.
2. The first floor garage shall be eliminated and replaced with commercial space approximately 40 feet in width along the Miner Street frontage and allow for at least 30 feet of depth.
 3. The Village shall make available, and the building owner shall purchase, 14 residential permits in the North Municipal Garage on a monthly basis at the applicable monthly permit fee.
 4. Residential units are approved as rental apartments. Converting residential units to condominiums shall require an amendment to the Planned Unit Development and compliance with the required parking standards.
 5. One affordable housing unit shall be required as follows:
 - A. One affordable unit shall be maintained as affordable in perpetuity under the Village's affordable rental housing guidelines.
 - B. With the approval of the Village, the affordability requirements of another local, state or federal affordable housing program, which are consistent with the requirements of the Village's affordable rental housing guidelines, may be temporarily followed with respect to the unit, but at all other times the requirements of the Village's affordable rental housing guidelines shall apply in perpetuity.
 - C. The owner or the owner's designee shall be responsible for reporting to the Village on a quarterly basis in compliance with the affordable housing requirements utilizing a form prescribed by the Village of Arlington Heights.
 6. Compliance with the conditions of the Design Commission motion dated October 27, 2015.
 7. Prior to Final Planned Unit Development, the Petitioner shall have signed agreements for relocation of all existing utilities that serve other adjacent buildings that traverse through the 13 East Miner Street site.
 8. Prior to the Final Planned Unit Development, the Petitioner shall submit a signed plat of easement for ComEd and any other utility companies requiring said easement.
 9. Prior to Final Planned Unit Development, the Petitioner must obtain an executed access easement for ingress and egress to the benefit of the 13 East Miner Street development along the east side of the property located adjacent to the west. This easement shall be in perpetuity and shall be a minimum of 5

- feet wide. In addition, there shall be no obstructions within this easement, including such items as gates, fences, and refuse containers.
10. Prior to Final Planned Unit Development, the Petitioner shall pay a fee in lieu of onsite detention, pursuant to the standards established by the Village of Arlington Heights.
 11. The Petitioner shall provide a decorative swing gate to screen the Miner Street side of the ComEd equipment located along the west side of the building.
 12. The Petitioner shall work with the Village to develop an acceptable construction schedule including a development phasing plan that includes the location of staging areas throughout the development. Any work within the right of way shall be scheduled to minimize disruption to other businesses and patrons of the downtown. All construction traffic shall be limited to pre-approved lanes and locations, to be determined by the Village.
 13. Delivery/loading operations shall be restricted as follows: *retail stores*, 7:00 a.m. to 3:00 p.m., Monday through Saturday with no deliveries on Sunday; and the *residential*, 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 2:00 p.m. on Saturday with no deliveries on Sunday.
 14. Pursuant to Section 29-401 of the Arlington Heights Municipal Code, the developer shall make cash contribution in lieu of land for school, park, and library districts.
 15. Future tenants of the commercial space shall procure permits from the Village for employee parking in the public parking garage.
 16. Compliance with all federal, state, and Village regulations and policies.

CHAIRMAN LORENZINI: Is there a second?

COMMISSIONER SIGALOS: I'll second that.

CHAIRMAN LORENZINI: Roll call vote please.

MR. ENRIGHT: Commissioner Green.

COMMISSIONER GREEN: Yes.

MR. ENRIGHT: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MR. ENRIGHT: Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes, with comment.

MR. ENRIGHT: Commissioner Drost.

COMMISSIONER DROST: Aye.

MR. ENRIGHT: Commissioner Ennes.

COMMISSIONER ENNES: Yes.

MR. ENRIGHT: Commissioner Jensen.

COMMISSIONER JENSEN: Yes, with comment.

MR. ENRIGHT: Chairman Lorenzini.

CHAIRMAN LORENZINI: Yes. Commissioner Cherwin,
comment?

COMMISSIONER CHERWIN: The only comment I would have is I think I am just a little reluctant on item number 4. I'd still go ahead and vote to approve it, the motion, but I guess I'm just, my concern is putting a restriction on a future conversion. I think that once it's built, it's a similar use, I understand Mr. Enright's concerns but that's not something I would typically want.

CHAIRMAN LORENZINI: Thank you.

COMMISSIONER JENSEN: Actually I withdraw the comment.

CHAIRMAN LORENZINI: Okay. Mr. Enright, the next step?

MR. ENRIGHT: This item will likely go to the Board, the Village Board, the first meeting in December. Yes, first meeting in December. I think that's whatever that Monday is, the 6th or 7th.

CHAIRMAN LORENZINI: So, the Petitioner still has the right to go forward with either proposal, but this proposal is what's being recommended to the Board of Trustees.

MR. ENRIGHT: That's correct.

CHAIRMAN LORENZINI: The Board of Trustees will have final say. So, with that, thank you all for sitting through this. If you have any discussion, would you please take that out in the hall because we have one more public hearing to do after this.

(Whereupon, the meeting was adjourned
at 9:09 p.m.)



Item: 608-614 N. Haddow Ave. - 11/5/15

Department: Planning & Community Development

ATTACHMENTS:

Description

PC Minutes 11/5/15 - DRAFT

Type

Minutes

PLAN

REPORT OF THE PROCEEDINGS OF A PUBLIC HEARING
BEFORE THE VILLAGE OF ARLINGTON HEIGHTS
PLAN COMMISSION

COMMISSION

RE: 608-614 N. HADDOW AVENUE - PC# 15-022
LOT CONSOLIDATION

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Plan Commission Meeting taken at the
Arlington Heights Village Hall, 33 South Arlington Heights
Road, 3rd Floor Board Room, Arlington Heights, Illinois on the
5th day of November, 2015, at the hour of 9:09 p.m.

MEMBERS PRESENT:

JOE LORENZINI, Chairman
LYNN JENSEN
TERRY ENNES
BRUCE GREEN
GEORGE DROST
JOHN SIGALOS
JAY CHERWIN

ALSO PRESENT:

BILL ENRIGHT, Deputy Director

CHAIRMAN LORENZINI: Okay. The next item on the agenda is Public Hearing PC# 15-022, 608-614 North Haddow Avenue, Lot Consolidation. Have all the proper notices been given?

MR. ENRIGHT: Yes.

CHAIRMAN LORENZINI: Is the Petitioner here?

MR. KURZYNSKI: Yes.

CHAIRMAN LORENZINI: Please step forward and raise your right hand, I'll swear you in.

(Witnesses sworn.)

CHAIRMAN LORENZINI: Thank you. Who, both of you will be speaking?

MR. FLUBACKER: Yes.

CHAIRMAN LORENZINI: Would you please give your name and spell it for the court reporter?

MR. FLUBACKER: My name is Bob Flubacker, F-l-u-b-a-c-k-e-r, and I'm the architect for the project.

MR. KURZYNSKI: Terry Kurzynski, last name K-u-r-z-y-n-s-k-i, and I'm the owner of 614 North Haddow.

CHAIRMAN LORENZINI: Has the Petitioner read the conditions and do you agree with them in the Staff report?

MR. FLUBACKER: Yes.

MR. KURZYNSKI: Yes.

CHAIRMAN LORENZINI: Okay. Will the Petitioner give us a brief presentation? Just one at a time please.

MR. FLUBACKER: Let me do a quick overview and then Terry will kind of describe why we are where we are. What the project is consisting of is three accessory structures or potentially four. One is a three-car detached garage with a storage workshop space above it. A second is a second detached garage workshop that has a basement and a second floor studio above it. A third is a separate detached playhouse. The fourth, which I'm a little confused on is a pergola that's between the garage and the garage workshop for the area calculation of coverage in the rear yard, it's been included as an accessory structure.

The variations that are requested primarily deal with the height of the structures and the area of the structures beyond the limits that are currently in the code. I will be happy to address that after Terry's presentation. There are some other minor variations but I think those are more or less acceptable with the Staff.

CHAIRMAN LORENZINI: Thank you.

MR. KURZYNSKI: Yes. Hi, Terry. There's a current garage structure and it's an angled garage. That current garage is 19 feet. My original intent was, my wife can't pull in my garage, it's small as far as for getting SUVs in, so I just have a third sports car

in that garage right now. That's all it's used for with storage. There is storage above it though and that's valuable storage because I don't have storage in the basement. So, the original intent was to move that garage to the south and create a new three-car garage that my wife can drive straight into and retain that other structure.

The kids clubhouse which would be in the far corner, there is a neighborhood, or the neighbor shed is three feet from the property line, so that kids clubhouse, we just want it three feet from the property line like the other structure is across the line. It makes the most sense.

Garage C which is the three-car garage which drives straight in, you know, in the initial meeting I had back in the summertime, I had mentioned the fact that a lot of people store things in their garages and everything is hanging over the cars. That's not how I want to actually store my vehicles. So, nice vehicles, garage only for the cars, storage elsewhere. So, I have actually in the house built a kids storage. If you see, there's a little kids storage facility right off the house for their stuff so they're not walking into the garage.

Then the second floor on structure C which would be the storage for everything someone would normally keep inside of a garage would be above there. Then structure B is really for working on the cars. So, if you can see, between the two, B and C, are actually sliding doors. You actually, you know, can slide those out to work on a vehicle in structure B. So, even though I think the Staff was considering that just an ancillary building, that's actually, in my mind it's a garage, it's how we're building it, to be used as a garage to work on cars.

The basement, that is really for a jam center. I'm a drummer. I have a, you know, neighborhood band. So, really to keep the noise down to the neighborhood, put it down there. We've got cement over the top, cement walls, and they won't hear a thing, so I can jam in the basement, you know, without disrupting the neighborhood. Then the studio above is really just to, you know, retain the current storage that's in the current garage that I have but possibly make it a little bit more usable from that perspective.

I do recognize that when I went to Bob with this, you know, he says that structure B likely would have to be rebuilt. But keep in mind, it's currently a 19-foot two-car garage right now. That's it, that's the narrative.

MR. FLUBACKER: The handouts that I gave you, the larger sheet are drawings of the existing garage, and the photograph is of the current rear elevation of the existing house. I gave those to you to show that both the existing garage as well as the existing structure of the house have steep roof pitches, and the design proposal

that we have in front of you has roof pitches to match those existing roof pitches.

CHAIRMAN LORENZINI: You can have a seat. Staff report please?

MR. ENRIGHT: Staff is fully supportive of the plat of consolidation bringing these two lots adjoining to provide 132 feet of frontage which is consistent with the other lots on their block. So, we don't see this as being out of the ordinary for this particular neighborhood. So, we're fully supportive of the consolidation.

The variations that they're seeking, three relate to height for each of the three structures that they want to build, the accessory, the garage, the studio and the playhouse. We're not concerned with the playhouse. The only part of the playhouse that exceeds the height requirement is kind of the center architectural element that sticks up. But the other two actually have second floors so they're more substantial in terms of the height and massing of the height rather. So, we're not supportive of those variations.

They are also seeking a variation for the size of the accessory structure for the studio as well as the detached garage. In addition, the code only allows for 40 percent of the required rear yard. The required rear yard is the rear 30 feet from lot line to lot line, so side to side, just the last 30 feet of the property. You're only allowed to do up to 40 percent of that area in building coverage, so they're about 197 feet above that with the three accessory structures.

Currently, the main house, and I did a rough estimate, is about, has a footprint of about 1,700 square feet roughly. I know they're building an addition. The footprint of the three accessory structures that they're seeking has a footprint of about 1,594 square feet. So, the three accessory structures are very similar in footprint to the main structure, the main house.

The Village has recently gone through changes to our code with respect to accessory structures because it is a pretty big issue in the community. People have concerns over drainage, number one, but also bulk and massing in the rear of yards. So, there is, you know, we hear a lot from the community about, and you may not hear it from the neighbors here but it is an issue community-wide with how much are accessory structures.

So, the Plan Commission was very involved in those recent changes to regulate the number, for instance, of accessory structures where we made it a little more flexible to allow up to four accessory structures for larger lots like this one would be if combined and kept the 300 square-foot accessory structure requirement. Because as you recall, we were looking to maybe even restricting that more to get it down to maybe 200 square feet. But the will of the Plan

Commission and ultimately the Village Board was that they felt that the 300 square-foot was suitable and the limit of three or four depending on your lot size.

So, you know, we don't believe that the variation has been justified. That's why Staff can't support most of the variations requested except for again the height of the playhouse because we feel that that's just a small element of the roof that pops up above the 15 feet requirement. But again we're fully supportive of the lot consolidation. If the variations are approved, Staff would recommend that the variations only apply to the structures that are before the Plan Commission tonight and that there is additional landscaping provided to the west or on the west property line to help screen some of the structures.

So, having said that, that would conclude the report.

CHAIRMAN LORENZINI: Thank you. Do we have a motion to include the Staff report into the public record?

COMMISSIONER JENSEN: I so move.

CHAIRMAN LORENZINI: Second?

COMMISSIONER ENNES: I'll second.

CHAIRMAN LORENZINI: All in favor?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Opposed?

(No response.)

CHAIRMAN LORENZINI: Thank you. Okay, let's go to questions. Commissioner Green, would you like to start this one?

COMMISSIONER GREEN: Mr. Flubacker, maybe you can tell me, what is this landscaped thing all about? This oval, what is that?

MR. FLUBACKER: I have a Google Earth view. There is a stone oval that's set in the grass that creates a landscape feature on that piece of property. It's about two feet wide, the stones are six inches thick-eight inches thick, and set in an oval and it creates a --

COMMISSIONER GREEN: Like an ice skating rink in the wintertime or something?

MR. FLUBACKER: No, I don't believe that's the use.

MR. KURZYNSKI: It's landscaped actually all around that oval.

MR. FLUBACKER: Yes.

MR. KURZYNSKI: So, there's a good \$100,000 plus spent on just landscaping around that oval.

MR. FLUBACKER: It's got an English garden feel around it.

COMMISSIONER GREEN: Excuse me, Mr. --

MR. KURZYNSKI: Kurzynski, yes.

COMMISSIONER GREEN: Kurzynski. How much landscaping

is around? You said, you just brought up a dollar amount. How much are you saying is around this? Did you say there's --

MR. KURZYNSKI: I was told there was \$100,000 spent on the landscaping around that oval in the back of the property from the prior owner.

COMMISSIONER GREEN: I guess my concern as an architect here is all these accessory buildings, it's just, they're all over the place and there's variations required for all of them. Why don't you just attach these things to your house?

MR. FLUBACKER: Well, the only way really to attach the garage to the house would be to go at a perpendicular angle to the back of the house, attach it to the back and go at a 90 degree angle, which does not solve the original problem that we were hired to address.

COMMISSIONER GREEN: I guess I'm looking at it from just a project standpoint. With the lot consolidation, bring the driveway in on the other side and rotate this thing around and attach it over here. You won't be blocking the view and you'll have everything that you want because you can go, the sky is almost the limit as far as if you attach it to the house. You don't have to ask for all these variations, you can get the space, you can get your basement, you can get your bathrooms, you can get bedrooms, whatever you want, if you attach it to the house. I think you have an opportunity here because you now have two lots, twice the area to play with.

MR. FLUBACKER: Well, to the south --

COMMISSIONER GREEN: I enjoy a challenge, so to me this would be a challenge to get this to work and still have your backyard meet code without so many buildings in the backyard.

MR. FLUBACKER: Well, we studied that solution and it dramatically drives the cost of this renovation because all of the contextural space within the building is on the opposite side of the building. So, if we had a garage, we'd be coming in to the living room instead of coming in by the kitchen or the mud room or the rear entry to the house. Adding to the rear of that --

COMMISSIONER GREEN: No, no, here. I'm not going to design it for you, but what I'm saying is if I'm looking at this thing, if you came in on the, what is it, on the new property --

MR. FLUBACKER: The south side.

COMMISSIONER GREEN: On the south side of this and pulled in towards the north and attached back in the mud room and the kids storage and all of this, created your little man cave in the back there and brought the driveway possibly in between the two lots or someplace. You would have everything you would want, maintain your setbacks, and get even more space if you so desire.

MR. FLUBACKER: Well, let me address this on a couple

of levels because there's a lot of comments that you've made there that some of them are not relevant to the discussion. For instance, the three-car garage could go exactly where it is without a variation. The variations for that are for the height of the roof and for the space on the second floor.

COMMISSIONER GREEN: Okay. But that's a big variation to ask for when there are other solutions to achieve just that. So, a variation is when you're up against the wall and you can't make something else work.

MR. FLUBACKER: Let me finish my point. The middle building, there is a small variation on footprint size beyond the 300 square feet. It is exactly the same size as the existing garage. The roofline of that building is exactly the same height as the existing garage. So, that building is in essence the existing garage.

The roof pitch on the three-car garage is to match that same roof pitch. So, it's a contextual decision rather than being forced to put a 4-12 roof pitch on it, which would be completely out of character with the existing house. So, once that roof pitch is steeper, there's space up there that we would like to take advantage of. Additionally, we're trying to articulate the roof line a little to make this less objectionable to the neighbors.

So, the idea that we're doing this because this is the easy way to do it is not a correct statement. The playhouse seems to not be an issue. I would argue that by putting the driveway on the south side of the house and coming around, we're taking a significant amount of open grass area and paving it that we don't need to do. We're dramatically changing the coverage of the lot by doing that and destroying the relationship between the house and the yard space that currently exists in the property.

MR. KURZYNSKI: Yes, it's like a park right now.

COMMISSIONER GREEN: Okay. I guess what I'm saying is that if I had trouble with the, obviously with the hardship requirement that you're trying to meet here, I don't see the hardship. I think this is something that is created because of what you're looking to get here or something. In other words, I see other solutions to this and I have a hard time granting variations if there are other solutions available to it. I think that's, as I've always approached this being on the Commission for years and years, is that a last resort will give you a variation. But I don't see this as, I see solutions here that could be made architecturally that would not require all these variations. The lot coverage and the driveway, it's a question of possibly moving them from one area to the other. What you add here, you take away there, you gain green space right back again.

So, I'm just telling you I have trouble with all these variations and I don't see the hardship requirements being met,

I agree with Staff. But I do think there are solutions to what you're trying to achieve and you can achieve them in even a better way I think by attaching them to your house. That's my only comment.

CHAIRMAN LORENZINI: Thank you. Commissioner Ennes?

COMMISSIONER ENNES: I'm passing right now.

CHAIRMAN LORENZINI: Okay. Commissioner Jensen?

COMMISSIONER JENSEN: I'm going to pass as well.

CHAIRMAN LORENZINI: Commissioner Drost?

COMMISSIONER DROST: The playhouse, is that, we went through sort of a discussion on tree houses and size of the tree houses, what their use is. Is this going to have a use that could be like a guest house and that it could, you know, facilitate overnight guests?

MR. KURZYNSKI: No, it's for the kids. They're four and six, this is for them to play in.

COMMISSIONER DROST: Yes, but they're going to grow up, aren't they?

MR. KURZYNSKI: Yes.

MR. FLUBACKER: Well, there's no washroom facility in it and there is no cooking facility in it.

COMMISSIONER DROST: Yes, as far as the, it's very generous of you to provide that kind of amenity for your children.

MR. KURZYNSKI: Yes. I don't see how else to use that structure.

COMMISSIONER DROST: Okay, all right. I have no further comment.

CHAIRMAN LORENZINI: Commissioner Sigalos?

MR. KURZYNSKI: Is it over the top? Yes, you know but --

COMMISSIONER SIGALOS: My only question is regarding electric, water and gas. Will that be, I see where you have this power room, which may get relocated in the garage but that's going to be, it's not going to be the case with the new structure?

MR. FLUBACKER: If we can, we will. If not, we'll rebuild it.

COMMISSIONER SIGALOS: Is electric, water and gas brought to any of these other structures?

MR. FLUBACKER: Yes, there will be electric to everything and there will be sewer and water to the middle structure. So, that will all come from the house.

COMMISSIONER SIGALOS: So, only electric to the garage, only electric to the children's playhouse?

MR. FLUBACKER: All three structures will have electric.

COMMISSIONER SIGALOS: Okay. I don't have anything

further right now.

CHAIRMAN LORENZINI: Commissioner Cherwin?

COMMISSIONER CHERWIN: I'll await public comments, thanks.

CHAIRMAN LORENZINI: I have no comments at this point. Does there anybody from the public have any comments or questions?

AUDIENCE MEMBER: We support it.

CHAIRMAN LORENZINI: Okay. We'll close the public hearing portion.

MR. KURZYNSKI: These are some of the neighbors.

CHAIRMAN LORENZINI: With that, Commissioners, any final questions and possible recommendation? Anybody have any more questions?

COMMISSIONER DROST: I'll make the motion then. Whatever it is, all for the kids, and you can never do enough for them.

A motion to recommend to the Village Board of Trustees approval of PC# 15-022, a Preliminary Plat of Consolidation for 608-614 North Haddow Avenue, and the following variation for the playhouse:

- * A 5.8-foot Variance from Chapter 28, Section 6.5-6, *Accessory Buildings*, to allow an increase to the maximum height of an accessory structure (playhouse) from 15 feet to 28.8 feet;**

And denial of the other variations for PC# 15-022, as the Petitioner has not justified the variations based on the criteria for granting said variations.

This approval is contingent upon compliance with the conditions detailed in the Staff Development Committee report dated October 29, 2015 and the following:

- 1. Submittal of a Final Plat of Consolidation.**
- 2. A Design Commission application must be submitted for the proposed addition to the existing home.**
- 3. If the variations are approved, then additional landscaping shall be provided along the rear property line to screen the accessory structures.**
- 4. If the variations are approved, then the variations shall only apply to the structures requested within this petition.**
- 5. Compliance with all federal, state, and Village regulations and policies.**

CHAIRMAN LORENZINI: Is there a second?

COMMISSIONER ENNES: I'll second that.

COMMISSIONER SIGALOS: Second.
CHAIRMAN LORENZINI: Commissioner Ennes.
COMMISSIONER SIGALOS: That's fine.
CHAIRMAN LORENZINI: Roll call vote please.
MR. ENRIGHT: Commissioner Drost.
COMMISSIONER DROST: Aye.
MR. ENRIGHT: Commissioner Ennes.
COMMISSIONER ENNES: Aye.
MR. ENRIGHT: Commissioner Cherwin.
COMMISSIONER CHERWIN: Yes.
MR. ENRIGHT: Commissioner Green.
COMMISSIONER GREEN: Yes.
MR. ENRIGHT: Commissioner Jensen.
COMMISSIONER JENSEN: Yes.
MR. ENRIGHT: Commissioner Sigalos.
COMMISSIONER SIGALOS: Yes.
MR. ENRIGHT: Chairman Lorenzini.
CHAIRMAN LORENZINI: Yes.
MR. ENRIGHT: I didn't miss any name? Okay.
CHAIRMAN LORENZINI: Well, you guys have a unanimous approval. The next step, Bill?
MR. ENRIGHT: This will go to the Village Board the first Monday in December.
CHAIRMAN LORENZINI: Thank you. Okay, congratulations. Good luck with everything. Any other business?
MR. ENRIGHT: Only that we do not have a Plan Commission hearing later this month. We will though have a Plat & Subcommittee meeting on November 18th at 6:30 p.m. We have three projects. We moved it up to the 18th because the following Wednesday is the night before Thanksgiving. So, hopefully we'll have enough for Plat & Sub that night. I think we will based on your response if we had a hearing that night when we have Plat & Sub.
COMMISSIONER GREEN: Are we back to Wednesdays, Bill?
MR. ENRIGHT: Yes, we are.
MR. FLUBACKER: Mr. Chairman?
CHAIRMAN LORENZINI: Yes?
MR. FLUBACKER: Can I make a comment?
CHAIRMAN LORENZINI: Sure.
MR. FLUBACKER: On behalf of the owner, I'd like to withdraw the petition and not send it to the Village Board.
CHAIRMAN LORENZINI: Okay.
MR. ENRIGHT: Okay. If you could follow it up with a written letter addressed to myself would be fine.
MR. FLUBACKER: Okay.
MR. ENRIGHT: Thank you.

CHAIRMAN LORENZINI: All right, any other business? If not, then a motion to adjourn?

COMMISSIONER DROST: I'll make the motion to adjourn.

CHAIRMAN LORENZINI: Second?

COMMISSIONER GREEN: Second.

CHAIRMAN LORENZINI: All in favor?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Opposed?

(No response.)

CHAIRMAN LORENZINI: Adjourned.

(Whereupon, the meeting was adjourned
at 9:30 p.m.)

12

I, ROBERT LUTZOW, depose and say that I am a direct record court reporter doing business in the State of Illinois; that I reported verbatim the foregoing proceedings and that the foregoing is a true and correct transcript to the best of my knowledge and ability.

BEFORE ME THIS _____ DAY OF _____, A.D. 2015.

LeGRAND REPORTING & VIDEO SERVICES
Chicago & Roselle, Illinois - Miami & Orlando, Florida
(630) 894-9389 - (800) 219-1212



Item: PC#15-007 - Northwest Crossings - Final Plat of Subdivision

Department: Planning & Community Development

Background

The Village Board approved the Preliminary Plat of Subdivision for Northwest Crossings on June 1, 2015. One condition of approval was that prior to Final Plat approval, the petitioner is to provide a Reciprocal Easement Agreement for shared detention, cross access and utilities. The Agreement has been provided and reviewed by staff and is acceptable. Said agreement will need to be signed prior to Board approval and recorded concurrent with the Final Plat.

Recommendation

Staff recommends approval of the Final Plat of Subdivision.

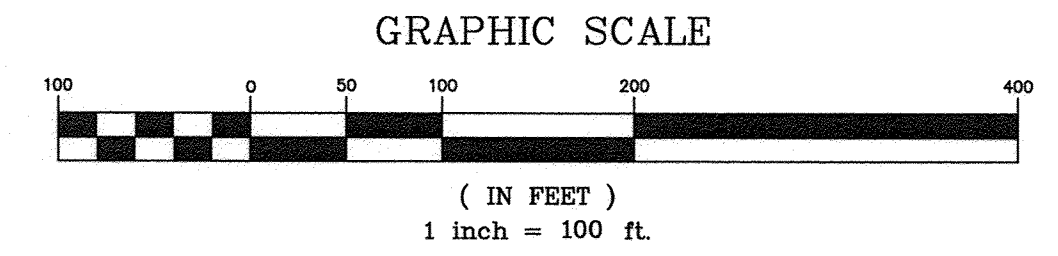
ATTACHMENTS:

Description	Type
Final Plat of Subdivision	Exhibits

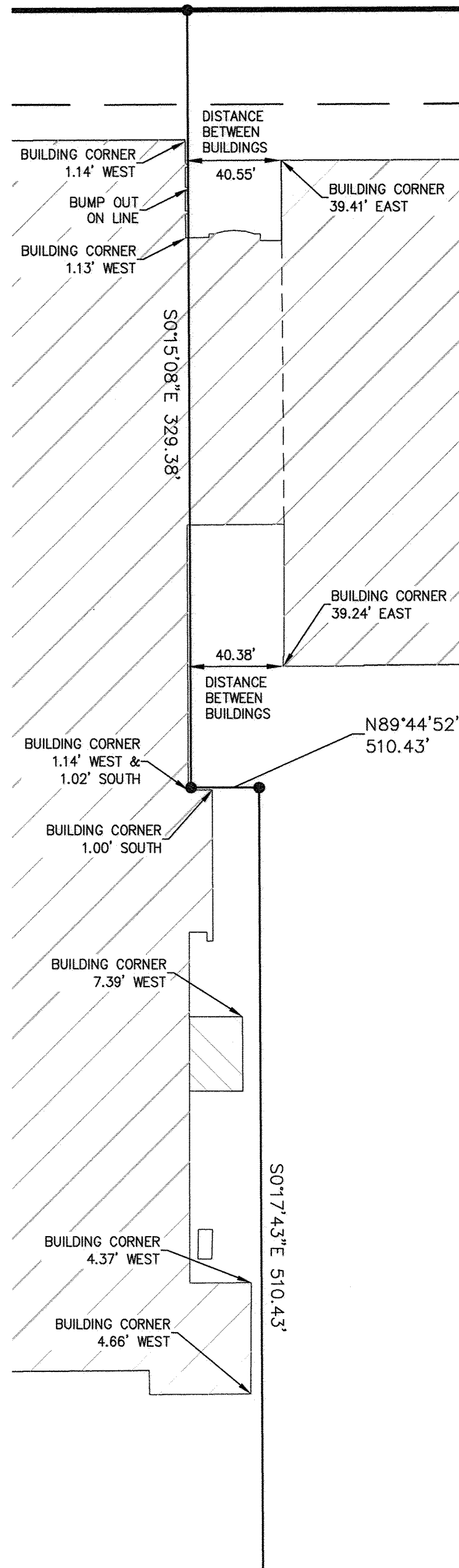
FINAL PLAT OF SUBDIVISION
OF
NORTHWEST CROSSINGS

IN THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 42 NORTH, RANGE 11
EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN: 03-07-100-005
PIN: 03-07-100-006

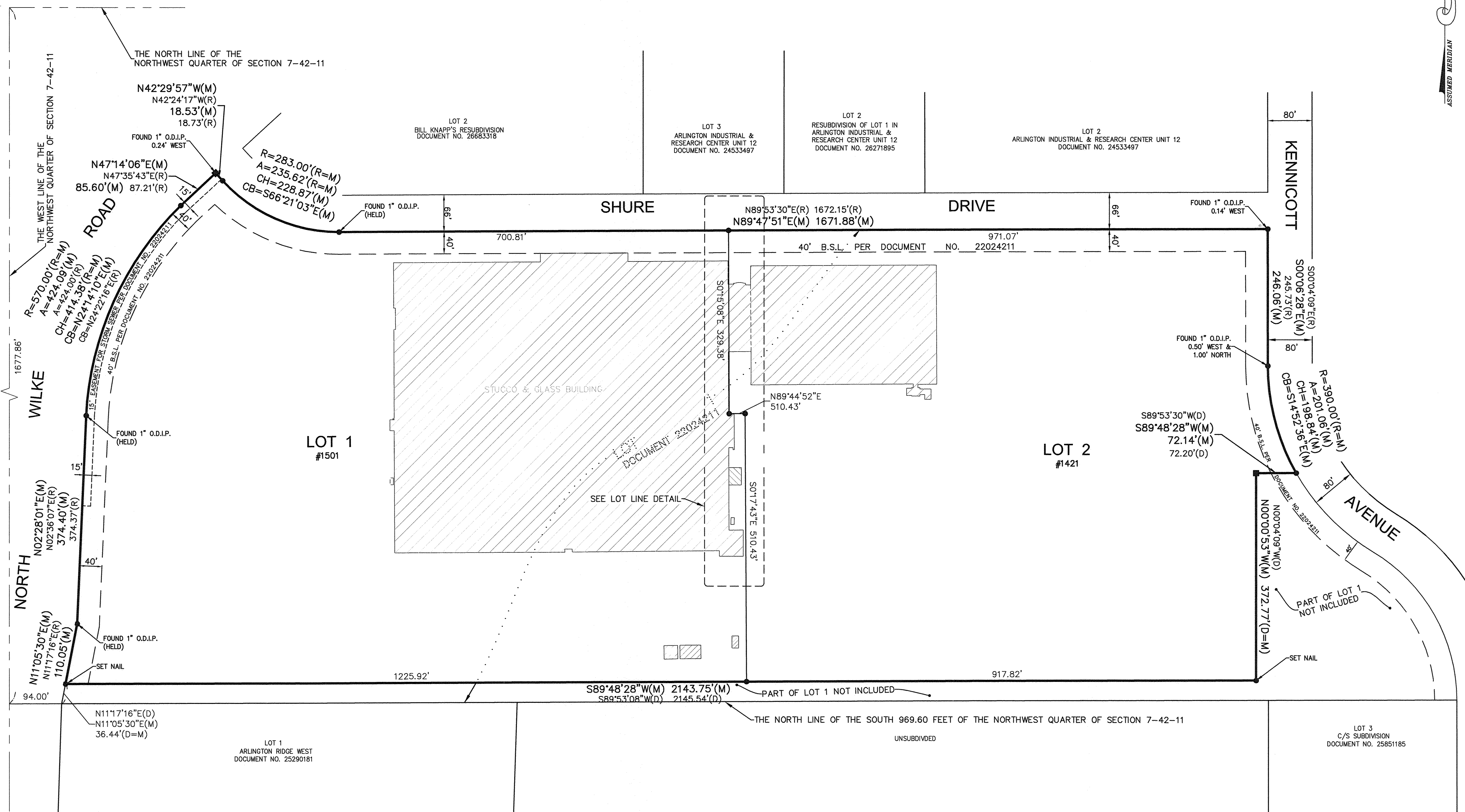


ASSUMED MERIDIAN



LOT LINE DETAIL

SCALE: 1" = 50'



ABBREVIATIONS

O.D.I.P. = OUTSIDE DIAMETER IRON PIPE
(R) = RECORD BEARING OR DISTANCE
(M) = MEASURED BEARING OR DISTANCE
(C) = CALCULATED BEARING OR DISTANCE
(D) = DEED BEARING OR DISTANCE
A = ARC LENGTH
R = RADIUS
CH = CHORD
CB = CHORD BEARING
B.S.L. = BUILDING SETBACK LINE
U.E. = UTILITY EASEMENT
D.E. = DRAINAGE EASEMENT
P.U.E. = PUBLIC UTILITY EASEMENT
P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
P.U. & D.E. = PUBLIC UTILITY AND DRAINAGE EASEMENT
S.F. = SQUARE FEET

LINE LEGEND

SUBDIVISION BOUNDARY LINE
ADJACENT BOUNDARY LINE
EASEMENT LINE
CENTERLINE
BUILDING SETBACK LINE
SECTION LINE

LEGEND

● SET 7/8" O.D.I.P.
UNLESS OTHERWISE NOTED
■ CONCRETE MONUMENT
+ CROSS IN CONCRETE

SPACE FOR I.D.O.T. STAMP

THIS PLAT HAS BEEN APPROVED BY THE ILLINOIS
DEPARTMENT OF TRANSPORTATION WITH RESPECT TO
ROADWAY ACCESS PURSUANT TO §2 OF "AN ACT TO
REVISE THE LAW IN RELATION TO PLATS," AS AMENDED.
A PLAN THAT MEETS THE REQUIREMENTS CONTAINED IN
THE DEPARTMENT'S "POLICY ON PERMITS FOR ACCESS
DRIVEWAYS TO STATE HIGHWAYS" WILL BE REQUIRED BY
THE DEPARTMENT.

JOHN A. FORTMANN, P.E.,
DEPUTY DIRECTOR OF HIGHWAYS,
REGION ONE ENGINEER

NOTE

THERE SHALL BE NO DIRECT VEHICULAR ACCESS FROM
LOT 1 TO NORTH WILKE ROAD.

AREA SUMMARY

LOT 1	957,688 SQUARE FEET	OR	21.986 ACRES
LOT 2	767,895 SQUARE FEET	OR	17.628 ACRES
R.O.W. DEDICATION	0 SQUARE FEET	OR	0 ACRES
NET AREA	1,725,583 SQUARE FEET	OR	39.614 ACRES
	(TO HEAVY LINES)		
	(BASED ON MEASURED VALUES)		

SEND TAX BILL TO:

TORBURN NORTH CAMPUS, L.L.C.
1033 SKOKIE BOULEVARD, SUITE 480
NORTHBROOK, ILLINOIS 60062

DATE	7-9-15	PC	N/A	DRAWN BY	MRA	CHECKED BY	SK	BOOK	N/A	PG	N/A
NO.	1										
REVISIONS											
REVISE PER CLIENT COMMENTS	8/5/15										
ADD DOT CERTIFICATION	9/10/15										
PER CLIENT COMMENTS	11-11-15										
PER VILLAGE COMMENTS	11-20-15										

PROJECT	NORTHWEST CROSSINGS Arlington Heights, Illinois
CLIENT	KIMLEY HORN & ASSOCIATES 1001 Warrenville Road, Suite 350 Lisle, IL 60532

COMPASS
SURVEYING LTD.

ALTA SURVEYS • TOPOGRAPHY • CONSTRUCTION STAKING
AURORA, IL 60002
2631 GINGER WOODS PARKWAY, STE. 100
AURORA, IL 60002
PHONE: (630) 820-9100 FAX: (630) 820-7030 EMAIL: ADMING@CLSURVEYING.COM

SCALE: 1" = 100'

1 OF 2

PROJ. NO.: 15.0090-03

FINAL PLAT OF SUBDIVISION
OF
NORTHWEST CROSSINGS

IN THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 42 NORTH, RANGE 11
EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

OWNER'S CERTIFICATE

STATE OF _____ }
COUNTY OF _____ } SS

THIS IS TO CERTIFY THAT TORBURN NORTH CAMPUS, LLC, A _____ LIMITED LIABILITY COMPANY IS THE OWNER OF THE PROPERTY DESCRIBED HEREON AND BY THE DULY ELECTED OFFICERS HAS CAUSED THE SAME TO BE SURVEYED AND PLATTED AS INDICATED HEREON FOR THE USES AND PURPOSES THEREIN SET FORTH AS ALLOWED AND PROVIDED BY STATUTE AND HEREBY ACKNOWLEDGES AND ADOPTS THE SAME UNDER THE STYLE AND TITLE AFORESAID.

ALSO, THIS IS TO CERTIFY THAT TO THE BEST OF OWNER'S KNOWLEDGE AND BELIEF, SAID SUBDIVISION LIES ENTIRELY WITHIN THE LIMITS OF CONSOLIDATED COMMUNITY SCHOOL DISTRICT 21 AND TOWNSHIP HIGH SCHOOL DISTRICT 214.

DATED AT _____, THIS _____

DAY OF _____ A.D., 20 _____

TORBURN NORTH CAMPUS, LLC, A _____ LIMITED LIABILITY COMPANY

BY: _____ A _____ LIMITED LIABILITY COMPANY, ITS MANAGER

BY: _____

NAME: _____
A MANAGING DIRECTOR

AND

BY: _____

NAME: _____
A MANAGING DIRECTOR

NOTARY'S CERTIFICATE

STATE OF _____ }
COUNTY OF _____ } SS

I, _____, A NOTARY PUBLIC IN THE COUNTY AND STATE

AFORESAID, DO HEREBY CERTIFY THAT _____, A MANAGING DIRECTOR AND

_____, A MANAGING DIRECTOR, BOTH OF

_____, A _____ LIMITED LIABILITY COMPANY, AND THE MANAGER OF

_____, A DELAWARE LIMITED LIABILITY COMPANY, WHO ARE BOTH PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHO ARE SUBSCRIBED TO THE FOREGOING CERTIFICATE OF OWNERSHIP, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THE EXECUTION OF THIS INSTRUMENT IN THEIR CAPACITY FOR THE USES AND PURPOSES THEREIN SET FORTH AS THE FREE AND VOLUNTARY ACT AND DEED OF SAID LIMITED LIABILITY COMPANY.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY

OF _____ A.D., 20 _____

BY: _____
NOTARY PUBLIC

MORTGAGEE'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF _____ } SS

_____, AS MORTGAGEE UNDER

PROVISIONS OF A CERTAIN MORTGAGE DATED _____

AND RECORDED IN THE RECORDER'S OFFICE OF _____ COUNTY,

ILLINOIS, AS DOCUMENT NUMBER _____, HEREBY CONSENTS TO RECORDING OF THE SUBDIVISION HEREIN SHOWN.

DATED AT _____, THIS _____ DAY

OF _____, A.D., 20 _____

BY: _____ BY: _____

TITLE: _____ TITLE: _____

NOTARY'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF _____ } SS

I, _____, A NOTARY PUBLIC IN THE COUNTY AND STATE

AFORESAID, DO HEREBY CERTIFY THAT

_____, (TITLE) AND _____

(TITLE) OF _____ (COMPANY), WHO ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHO ARE SUBSCRIBED TO THE FOREGOING MORTGAGEE'S CERTIFICATE APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THE EXECUTION OF THIS INSTRUMENT IN THEIR CAPACITY FOR THE FOR THE USES AND PURPOSES THEREIN SET FORTH AS THE FREE AND VOLUNTARY ACT AN DEED OF SAID CORPORATION.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY

OF _____ A.D., 20 _____

BY: _____
NOTARY PUBLIC

DEED OF DEDICATION CERTIFICATE

WE, THE UNDERSIGNED, TORBURN NORTH CAMPUS, LLC, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY LAY OFF, PLAT AND SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THE WITHIN PLAT. THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS NORTHWEST CROSSINGS, AN ADDITION TO THE VILLAGE OF ARLINGTON HEIGHTS, COOK COUNTY. ALL STREETS AND ALLEYS AND PUBLIC OPEN SPACES SHOWN AND NOT HERETOFORE DEDICATED ARE HEREBY DEDICATED TO THE PUBLIC. FRONT AND SIDE YARD BUILDING SETBACK LINES ARE ESTABLISHED AS SHOWN ON THIS PLAT, BETWEEN WHICH LINES AND THE PROPERTY LINES OF THE STREETS, THERE SHALL BE ERECTED OR MAINTAINED NO BUILDING OR STRUCTURE.

THE FOREGOING COVENANTS AND RESTRICTIONS, ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM UNTIL JANUARY 1, 20____ AT WHICH TIME SAID COVENANTS AND RESTRICTIONS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN YEARS UNLESS INDICATED OTHERWISE BY NEGATIVE VOTE OF A MAJORITY OF THE THEN OWNERS OF THE BUILDING SITES COVERED BY THESE COVENANTS AND RESTRICTIONS, IN WHOLE OR IN PART, WHICH SAID VOTE WILL BE EVIDENCED BY A PETITION IN WRITING SIGNED BY THE OWNERS AND DULY RECORDED. INVALIDATION OF ANY ONE OF THE FOREGOING COVENANTS AND RESTRICTIONS BY JUDGMENT OR COURT ORDER SHALL IN NO WAY AFFECT ANY OF THE OTHER VARIOUS COVENANTS AND RESTRICTIONS, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

THE RIGHT TO ENFORCE THESE PROVISIONS BY INJUNCTION, TOGETHER WITH THE RIGHT TO CAUSE THE REMOVAL, BY DUE PROCESS OF LAW, OF ANY STRUCTURE OR PART THEREOF ERECTED OR MAINTAINED IN VIOLATION, IS HEREBY DEDICATED TO THE PUBLIC, AND RESERVED TO THE SEVERAL OWNERS OF THE SEVERAL LOTS IN THIS SUBDIVISION AND TO THEIR HEIRS AND ASSIGNS.

WITNESS OUR HANDS AND SEALS THIS _____ DAY OF _____, 20____

OWNER

STATE OF _____ }
COUNTY OF _____ } SS

BEFORE ME THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR THE COUNTY AND STATE AFORESAID, PERSONALLY APPEARED _____ AND EACH SEPARATELY AND SEVERALLY ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT AS HIS OR HER VOLUNTARY ACT AND DEED, FOR THE PURPOSES THEREIN EXPRESSED.

WITNESS MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____ 20____.

NOTARY PUBLIC

CERTIFICATE OF APPROVAL

UNDER THE AUTHORITY PROVIDED BY 65 ILCS 5/11-12 AS AMENDED BY THE STATE LEGISLATURE OF THE STATE OF ILLINOIS AND ORDINANCE ADOPTED BY THE VILLAGE BOARD OF THE VILLAGE OF ARLINGTON HEIGHTS, ILLINOIS, THIS PLAT WAS GIVEN APPROVAL BY THE VILLAGE OF ARLINGTON HEIGHTS AND MUST BE RECORDED WITHIN SIX MONTHS OF THE DATE OF APPROVAL BY THE VILLAGE BOARD, OTHERWISE IT IS NULL AND VOID.

APPROVED BY THE PLAN COMMISSION AT A MEETING HELD _____

CHAIRMAN

SECRETARY

APPROVED BY THE VILLAGE BOARD OF TRUSTEES AT A MEETING HELD _____

PRESIDENT

VILLAGE CLERK

APPROVED BY THE VILLAGE COLLECTOR

APPROVED BY THE DIRECTOR OF ENGINEERING

COVENANTS, CONDITIONS AND RESTRICTIONS

A DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR NORTHWEST CROSSINGS, CONSISTING OF _____ PAGES,

HAS BEEN RECORDED WITH THE COOK COUNTY RECORDER OF DEEDS OFFICE THIS _____ DAY OF _____

20____ A.D. AS DOCUMENT NUMBER _____

BY: _____

COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF COOK } SS

I, _____ COUNTY CLERK OF COOK COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT GENERAL TAXES, NO UNPAID FORFEITED TAXES, AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE PLAT HEREON DRAWN.

DATED AT CHICAGO, ILLINOIS, THIS _____ DAY OF _____, 20____ A.D.

COUNTY CLERK

SURVEYORS SUB PLAT CERTIFICATION

STATE OF ILLINOIS }
COUNTY OF KANE } SS

I, SCOTT KREBS, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3509, HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING PROPERTY:

THAT PART OF LOT 1 IN ARLINGTON INDUSTRIAL & RESEARCH CENTER--UNIT NUMBER 6, BEING A SUBDIVISION OF SECTION 7, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED ON AUGUST 22, 1972 AS DOCUMENT NUMBER 22024211 IN THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS, SAID PART LYING NORTH AND WEST OF A LINE DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 11 DEGREES 17 MINUTES 16 SECONDS EAST, 36.44 FEET; THENCE NORTH 89 DEGREES 53 MINUTES 08 SECONDS EAST, 2145.54 FEET; THENCE NORTH 00 DEGREES 04 MINUTES 09 SECONDS EAST, 372.77 FEET; THENCE NORTH 89 DEGREES 53 MINUTES 30 SECONDS EAST, 72.20 FEET TO THE EAST LINE OF LOT 1 AFORESAID, IN COOK COUNTY, ILLINOIS.

THIS SUBDIVISION IS WITHIN THE VILLAGE OF ARLINGTON HEIGHTS, ILLINOIS WHICH HAS ADOPTED AN OFFICIAL COMPREHENSIVE PLAN AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY THE STATE OF ILLINOIS ACCORDING TO 65 ILCS 5/11-12-6 AS HERETOFORE AND HEREAFTER AMENDED, AND THIS SITE FALLS WITHIN "OTHER AREAS ZONE X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS DEFINED BY THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 17056 0044 J, MAP NUMBER 17031C0044J AND BY THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 17056 0063 J, MAP NUMBER 17031C0063J EACH HAVING A REVISED DATE OF AUGUST 19, 2008.

GIVEN UNDER MY HAND AND SEAL AT AURORA, ILLINOIS THIS 2nd DAY OF NOVEMBER, 2015

COMPASS SURVEYING LTD
PROFESSIONAL DESIGN FIRM
LAND SURVEYOR CORPORATION NO. 184-002778
LICENSE EXPIRES 4/30/2017

BY: Scott Krebs
SCOTT KREBS
ILLINOIS PROFESSIONAL LAND SURVEYOR NO.3509
LICENSE EXPIRES 11/30/16



SURVEYOR'S AUTHORIZATION TO RECORD

I HEREBY DESIGNATE _____, AND/OR REPRESENTATIVES THEREOF, TO RECORD THIS PLAT, A TRUE COPY OF WHICH HAS BEEN RETAINED BY ME TO ASSURE NO CHANGES HAVE BEEN MADE TO SAID PLAT.

DATED THIS 2nd DAY OF NOVEMBER, 2015, AT AURORA, KANE COUNTY, ILLINOIS.

COMPASS SURVEYING LTD
PROFESSIONAL DESIGN FIRM
LAND SURVEYOR CORPORATION NO. 184-002778
LICENSE EXPIRES 4/30/2017

BY: Scott Krebs
SCOTT KREBS

ILLINOIS PROFESSIONAL LAND SURVEYOR NO.3509
LICENSE EXPIRES 11/30/16



PROJECT NORTHWEST CROSSINGS Arlington Heights, Illinois		CLIENT KIMLEY HORN & ASSOCIATES 2631 GINGER WOODS PARKWAY, STE. 100 AURORA, IL 60502 PHONE: (630) 820-7030 FAX: (630) 820-7030 EMAIL: ADMIN@CLSURVEYING.COM				
DATE: 7-9-15		PC N/A	DRAWN BY MRA	CHECKED BY SK	BOOK N/A	PS N/A
NO.	1	REVISIONS	DATE	BY		
	1	REVISE PER CLIENT COMMENTS	8/27/15	MRA		
	2	REVISE PER CLIENT COMMENTS	11-11-15	SK		
	3	REVISE PER CLIENT COMMENTS	11-20-15	SK		
SCALE: none						
2 OF 2						
PROJ. NO.: 15.0090-03						



Item: PC#15-017 - Drost/Hasche Subdivision - Final Plat of Subdivision

Department: Planning & Community Development

Background

The Village Board approved the Preliminary Plat of Subdivision for Drost Hasche on November 16, 2015. All required fees have been paid. One condition of the Preliminary Plat is that prior to recording of the Final Plat, that the existing home at 927 N. Highland Avenue is demolished.

Recommendation

Staff recommends approval of the Final Plat of Subdivision.

ATTACHMENTS:

Description	Type
Final Plat of Subdivision	Exhibits

PUBLIC UTILITY & DRAINAGE EASEMENT PROVISIONS

NON-EXCLUSIVE EASEMENTS FOR SERVING THE SUBDIVISION AND OTHER PROPERTIES WITH ELECTRIC AND COMMUNICATION SERVICES, SOUNDS AND SIGNALS, TELEVISION, SANITARY SEWER, GAS MAINS, WATER SUPPLY AND DISTRIBUTION, STREET LIGHTING, STORM SEWERS AND DRAINAGE SERVICE IS HEREBY RESERVED FOR AND GRANTED TO:

THE VILLAGE OF ARLINGTON HEIGHTS
AMERITECH
COMMONWEALTH EDISON COMPANY
NORTHERN ILLINOIS GAS COMPANY
CABLE TELEVISION COMPANIES

THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, JOINTLY AND SEVERALLY, TO INSTALL, OPERATE, MAINTAIN AND REMOVE, FROM TIME TO TIME, FACILITIES USED IN CONNECTIONS WITH TRANSMISSION AND DISTRIBUTION OF ELECTRICITY SOUNDS AND SIGNALS, CABLE TELEVISION, GAS MAINS, SANITARY SEWERS, WATER MAINS, STORM SEWERS AND DRAINAGE, IN, OVER, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY SHOWN WITHIN THE AREAS DESIGNATED AND RESERVED AS EASEMENTS. TOGETHER WITH THE PROPERTY DESIGNATED ON THE PLAT FOR STREET, TOGETHER WITH THE RIGHT TO INSTALL REQUIRED SERVICE CONNECTIONS OVER AND UNDER THE SURFACE OF EACH LOT TO SERVE IMPROVEMENTS THEREON, THE RIGHT TO CUT, TRIM OR REMOVE TREES, BUSHES AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES. OBSTRUCTIONS SHALL NOT BE PLACED OVER GRANTEE'S FACILITIES OR IN, UPON OR OVER SAID DESIGNATED EASEMENTS WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEE'S. AFTER INSTALLATION OF ANY SUCH FACILITIES THE GRADE OF THE SUBDIVISION PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF. ALL INSTALLATIONS SHALL BE UNDERGROUND, ON THE SURFACE, SIDEWALK OR OVERHEAD.

DATED AT _____, ILLINOIS. THIS _____ DAY OF _____, A. D.

COMCAST CABLE: _____
COMED _____
NICIOR GAS _____
AT & T _____
WOW INTERNET CABLE _____

COUNTY CLERK
STATE OF ILLINOIS)
COUNTY OF COOK) SS

I, _____, COUNTY CLERK FOR THE COUNTY OF COOK, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY INSTALLMENTS THEREOF THAT HAVE BEEN APPORTIONED AGAINST THE TRACT OF LAND INCLUDED IN THE PLAT.

DATED THIS _____ DAY OF _____, A.D. 20____

SIGNED: _____ COUNTY CLERK

INLET
RIM=714.71

SITE BENCHMARK

RIM OF MANHOLE
ELEVATION = 715.18

* All dimensions shown are given in feet & decimal parts thereof
* No angles or distances are to be assumed by scaling
* Legal description, building lines and easements are taken from recorded subdivision plat and/or other available documentation. Refer to title policy, deed or local jurisdiction for building setbacks and easements not shown hereon and report any discrepancies.

Scale: _____ 1"=20'
Order # _____ 15-226
Address: 921, 927 & 931 N. Highland Ave.
Arlington Heights, IL 60004
P.I.N. 03-029-104-006 (Lots 32 & 33) OWNER: HASCHE #921
P.I.N. 03-029-104-005 (Lots 34 & 35) OWNER: DROST #927
P.I.N. 03-029-104-004 (Lots 36 & 37) OWNER: DROST #931
Ordered by: Trademark Builders

SEND TAX BILLS TO:

CHARLES AND TRACY DROST
931 N. HIGHLAND AVE.
ARLINGTON HEIGHTS, IL 60004

JAY AND JENNIFER HASCHE
921 N. HIGHLAND AVE.
ARLINGTON HEIGHTS, IL 60004

T.K.D. Land Surveyors, Inc.

P.O. BOX 1463, Arlington Heights, IL 60006
Phone: (847) 702-1845 (847)997-9292
tkdlandsurveyors@att.net

FINAL PLAT

DROST - HASCHE RESUBDIVISION

BEING A RESUBDIVISION OF:

LOTS 32 THROUGH 37, BOTH INCLUSIVE, TOGETHER WITH THE WEST HALF OF THE VACATED ALLEY LYING EAST OF AND ADJOINING SAID LOTS 32 THROUGH 37 IN BLOCK 1 IN DUNTON AND OTHER'S SUBDIVISION OF LOTS 4, 5 AND 6 OF NORTHWEST QUARTER LOTS 1, 2, 8 AND 9 OF SOUTHWEST QUARTER OF NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED ON APRIL 21, 1874 AS DOCUMENT 152778, IN COOK COUNTY, ILLINOIS.

RONALD & MADONA COON
#933 N. HIGHLAND AVE.
ARLINGTON HEIGHTS, IL 60004
03-029-003

S 89°29'45" E 132.00

5' PUBLIC UTILITY & DRAINAGE EASEMENT
(HERETOFORE DEDICATED)
(10% OF LOT WIDTH)
7.5 BUILDING SETBACK

LOT 1
MEASURED LOT AREA =9,900 SQ. FT. (0.227 ACRES)

7.5 BUILDING SETBACK
(10% OF LOT WIDTH)

5' PUBLIC UTILITY & DRAINAGE EASEMENT
(HERETOFORE DEDICATED)
(10% OF LOT WIDTH)
7.5 BUILDING SETBACK

N 89°29'45" W 132.00

5' PUBLIC UTILITY & DRAINAGE EASEMENT
(HERETOFORE DEDICATED)
(10% OF LOT WIDTH)
7.5 BUILDING SETBACK

LOT 2
MEASURED LOT AREA =9,900 SQ. FT. (0.227 ACRES)

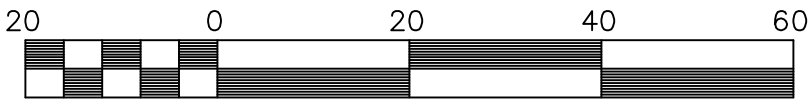
7.5 BUILDING SETBACK

5' PUBLIC UTILITY & DRAINAGE EASEMENT
(HERETOFORE DEDICATED)

N 89°29'45" W 132.00

JAMIE & MELANIE ROMERO
#919 N. HIGHLAND AVE.
ARLINGTON HEIGHTS, IL 60004
03-029-007

CONCRETE MONUMENT TO BE
SET AFTER CONSTRUCTION
IS COMPLETED



Scale 1" = 20'

BASIS OF BEARING (ASSUMED)

OWNERS:

WE, THE UNDERSIGNED, CHARLES & TRACY DROST, JAY & JENNIFER HASCHE, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY LAY OFF, PLAY AND SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITHIN THE PLAT. THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS DROST - HASCHE RESUBDIVISION, AN ADDITION TO THE VILLAGE OF ARLINGTON HEIGHTS, COOK COUNTY. ALL STREETS AND ALLEYS AND PUBLIC OPEN SPACES SHOWN AND NOT HERETOFORE DEDICATED ARE HEREBY DEDICATED TO THE PUBLIC. FRONT AND SIDE YARD BUILDING SETBACK LINES ARE ESTABLISHED AS SHOWN ON THIS PLAT, BETWEEN WHICH LINES AND THE PROPERTY LINES OF THE STREETS, THERE SHALL BE ERRECTED OR MAINTAINED NO BUILDING OR STRUCTURE. THERE ARE STRIPS OF GROUND, (NUMBER) FEET IN WIDTH, AS SHOWN ON THIS PLAT AND MARKED "EASEMENT" RESERVED FOR THE USE OF PUBLIC UTILITIES FOR THE INSTALLATION OF WATER AND SEWER MAINS, POLES, DUCTS, LINES AND WIRES, SUBJECT AT ALL TIMES TO THE PROPER AUTHORITIES AND TO THE EASEMENT HEREIN RESERVED. NO PERMANENT OR OTHER STRUCTURES ARE TO BE ERRECTED OR MAINTAINED UPON THESE STRIPS OF LAND, BUT OWNERS OF LOTS IN THIS SUBDIVISION SHALL TAKE THEIR TITLES SUBJECT TO THE RIGHTS OF THE PUBLIC UTILITIES, AND TO THE RIGHTS OF THE OWNERS OF OTHER LOTS IN THIS SUBDIVISION.

THE FOREGOING COVENANTS (OR RESTRICTIONS), ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM UNTIL JANUARY 1, 2040 AT WHICH TIME SAID COVENANTS (OR RESTRICTIONS) SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN YEARS UNLESS INDICATED OTHERWISE BY NEGATIVE VOTE OF A MAJORITY OF THE THEN OWNERS OF THE BUILDING SITES COVERED BY THESE COVENANTS (OR RESTRICTIONS), IN WHOLE OR IN PART, WHICH SAID VOTE WILL BE EVIDENCED BY A PETITION IN WRITING SIGNED BY THE OWNERS AND DULY RECORDED. INVALIDATION OF ANY ONE OF THE FOREGOING COVENANTS (OR RESTRICTIONS) BY JUDGEMENT OR COURT ORDER SHALL IN NO WAY EFFECT ANY OF THE OTHER VARIOUS COVENANTS (OR RESTRICTIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

THE RIGHT TO ENFORCE THESE PROVISIONS BY INJUNCTION, TOGETHER WITH THE RIGHT TO CAUSE THE REMOVAL, BY DUE PROCESS OF LAW, OF ANY STRUCTURE OR PART THEREOF ERRECTED OR MAINTAINED IN VIOLATION, IS HEREBY DEDICATED TO THE PUBLIC, AND RESERVED TO THE SEVERAL OWNERS OF THE SEVERAL LOTS IN THIS SUBDIVISION AND TO THEIR HEIRS AND ASSIGNS.

WITNESS OUT HANDS AND SEALS THIS _____ DAY OF _____, 20____

CONSOLIDATED COMMUNITY SCHOOL DISTRICT #25 AND TOWNSHIP HIGH SCHOOL DISTRICT #214.
OLIVE-MARY STITT GRADE SCHOOL SCHOOL DISTRICT 25
THOMAS MIDDLE SCHOOL SCHOOL DISTRICT 25
HERSEY HIGH SCHOOL SCHOOL DISTICT 214

OWNER: _____ OWNER: _____
OWNER: _____ OWNER: _____

NOTARY

STATE OF ILLINOIS)
COUNTY OF _____) SS

I HEREBY CERTIFY THAT THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING CERTIFICATE ARE KNOWN TO ME AS SUCH OWNERS. GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____, A.D. 20____

MY COMMISSION EXPIRES: _____

SIGNED: _____ NOTARY PUBLIC

"UNDER THE AUTHORITY PROVIDED BY 65 ILCS 5/11-12 AS AMENDED BY THE STATE LEGISLATURE OF THE STATE OF ILLINOIS AND ORDINANCE ADOPTED BY THE VILLAGE BOARD OF THE VILLAGE OF ARLINGTON HEIGHTS, THIS PLAT WAS GIVEN APPROVAL BY THE VILLAGE OF ARLINGTON HEIGHTS AND MUST BE RECORDED WITHIN 6 MONTHES OF THE DATE OF APPROVAL BY THE VILLAGE BOARD, OTHERWISE IT IS NULL AND VOID.

APPROVED BY THE VILLAGE PLAN COMMISSION AT A MEETING HELD _____

SIGNED: _____ CHAIRMAN

SIGNED: _____ SECRETARY

APPROVED BY THE VILLAGE BOARD OF TRUSTEES AT A MEETING HELD _____

SIGNED: _____ PRESIDENT

SIGNED: _____ VILLAGE CLERK

APPROVED BY THE VILLAGE COLLECTOR

SIGNED: _____ VILLAGE COLLECTOR

APPROVED BY THE DIRECTOR OF ENGINEERING

SIGNED: _____ VILLAGE ENGINEER

STATE OF ILLINOIS)
COUNTY OF COOK) SS.



I, THOMAS R. KNAUBER, HEREBY CERTIFY THAT I AM AN ILLINOIS REGISTERED LAND SURVEYOR IN COMPLIANCE WITH THE LAWS OF THE STATE OF ILLINOIS, AND THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY COMPLETED BY ME ON NOVEMBER 5, 2015, THAT ALL MONUMENTS AND MARKERS SHOWN HEREON ACTUALLY EXIST, AND THAT I HAVE ACCURATELY SHOWN THE MATERIALS THAT THEY ARE MADE OF.

Lic. Exp. 11-30-16
Thomas R. Knauber Illinois P.L.S. #035-003405
Professional Design Firm Lic. No. 184.005204