



Agenda  
Village of Arlington Heights  
Ordinance Review Committee  
Community Room, 3rd Floor  
Arlington Heights Village Hall, 33 S. Arlington Heights Rd.  
September 28, 2022  
6:30 PM

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. APPROVAL OF MINUTES**

**IV. REPORTS**

**V. OLD BUSINESS**

**VI. NEW BUSINESS**

- A. Chapter 28 Overlay Zone Amendment - Arlington International Racecourse

**VII. OTHER BUSINESS**

- A. Public Comment

**VIII. ADJOURNMENT**

Persons with disabilities requiring auxiliary aids or services, such as an American Sign Language interpreter or written materials in accessible formats, should contact Rosangela Maldonado, at 33 S. Arlington Heights Road, Arlington Heights, Illinois 60005, [rmaldonado@vah.com](mailto:rmaldonado@vah.com) or (847)368-5791.



**Ordinance Review Committee  
9/28/2022**

**Item:** Chapter 28 Overlay Zone Amendment - Arlington International Racecourse

**Department:** Planning & Community Development

**Background**

In July, 2021 the Village Board adopted Ordinance 21-024, establishing the Arlington International Race Course Overlay Zoning District. The overlay zone established additional zoning and subdivision standards for redevelopment of the former race course site including a requirement that any development shall be part of an approved Planned Unit Development. In addition, the Overlay encourages Transit Oriented Development near the Metra Rail Station.

The Chicago Bears Football Club have indicated that they intend to include a Sports Wagering Facility (aka: Sports Book) as part of their master plan for the property. Currently a Sports Wagering Facility is not a permitted use or special use in the B-3 district nor the Overlay Zone. At this time, the Village is proposing adding to the Overlay Zone as a Special Use a Sports Wagering Facility. It is important to note that this Ordinance does not approve a Sports Wagering Facility.

**Recommendation**

It is recommended that the Ordinance Review Committee recommend to the Plan Commission approval of the proposed Ordinance amending the Arlington Race Course Overlay Zoning District to include as a Special Use a Sports Wagering Facility.

**ATTACHMENTS:**

**Description**

Memo to ORC  
Ordinance to Amend

**Type**

Memorandum  
Ordinance

## Memorandum

*To: Ordinance Review Committee*

*From: Bill Enright, Assistant Director Planning and Community Development*

*Date: September 22, 2022*

*Subject: Text Amendment to Chapter 28 Zoning -*  
*An Ordinance Amending the Arlington International Race Course*  
*Overlay Zoning District*

*Meeting Date: Wednesday, September 28, 2022 6:30 pm Community Room*

In July, 2021 the Village Board adopted Ordinance 21-024, establishing the Arlington International Race Course Overlay Zoning District. The overlay zone established additional zoning and subdivision standards for redevelopment of the former race course site including a requirement that any development shall be part of an approved Planned Unit Development. In addition, the Overlay encourages Transit Oriented Development near the Metra Rail Station.

The Chicago Bears Football Club have indicated that they intend to include a Sports Wagering Facility (aka: Sports Book) as part of their master plan for the property. Currently a Sports Wagering Facility is not a permitted use or special use in the B-3 district nor the Overlay Zone. At this time, the Village is proposing adding to the Overlay Zone as a Special Use a Sports Wagering Facility. The proposed Ordinance, which would add as a Special Use a Sports Wagering Facility, is attached for consideration.

The Ordinance includes a definition of a Sports Wagering Facility and a section adding this use as a Special Use. The Ordinance would require that the Sports Wagering Facility is part of an approved development that includes a stadium. Therefore, consideration and approval of a Special Use for a Sports Wagering Facility would have to be concurrent with, or thereafter, approval of a Special Use for a stadium.

### *Special Uses*

As outlined in Chapter 28 Section 8 of the Zoning Regulations, the purpose of Special Uses are described as follows:

*The principal objective of the Zoning Code is to provide for an orderly arrangement of compatible building and land uses, and for the proper location of all types of uses required in the social and economic welfare of the Village. To accomplish this objective, each type and kind of use is classified as permitted in one or more of the various districts established by this Chapter (28). However, in addition to those uses specifically classified and permitted in each district, there are certain additional uses which it may be necessary to allow because of their unusual characteristics or the service they provide the public. These "Special Uses" require particular consideration as to their proper location in relation to adjacent established or*

*intended uses, or to the planned development of the community. The conditions controlling the location and operation of such Special Uses are established by the provisions outlined in Section 8 of Chapter 28.*

It is important to note that the proposed amendment does not approve a Sports Wagering Facility, it merely allows for a Sports Wagering Facility to be considered as a Special Use, subject to review and approval of the Village Board.

**Recommendation**

It is recommended that the Ordinance Review Committee recommend to the Plan Commission approval of the proposed Ordinance amending the Arlington Race Course Overlay Zoning District to include as a Special Use a Sports Wagering Facility.

AN ORDINANCE AMENDING “THE 2002 COMPREHENSIVE AMENDMENT OF THE ZONING ORDINANCE OF THE VILLAGE OF ARLINGTON HEIGHTS,” AS AMENDED, REGARDING THE ARLINGTON INTERNATIONAL RACECOURSE OVERLAY ZONING DISTRICT

WHEREAS, the Village of Arlington Heights is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs; and

WHEREAS, “The 2002 Comprehensive Amendment of the Zoning Ordinance of the Village of Arlington Heights,” as amended (“*Zoning Ordinance*”), establishes, among other things, zoning districts and special and permitted land uses within those zoning districts; and

WHEREAS, on July 6, 2021, the Village Board of Trustees adopted Ordinance No. 2021-024, amending the Zoning Ordinance to create the Arlington International Racecourse Property Overlay Zoning District (“*AIC Overlay Zoning District*”), which consists entirely of the property formerly used as the Arlington International Racecourse (“*Property*”), and set forth regulations governing development in the AIC Overlay Zoning District; and

WHEREAS, pursuant to Section 5.1-22.1 of the Zoning Ordinance, no portion of the AIC Overlay Zoning District may be redeveloped except upon approval by the Village of a master Planned Unit Development for the entire Property; and

WHEREAS, pursuant to Section 5.5 of the Zoning Ordinance, any uses not specifically listed as a permitted or special use in a Village zoning district are deemed prohibited; and

WHEREAS, the Village President and Board of Trustees desire to further amend Sections 3 and 5.1-22.1 of the Zoning Ordinance to allow sports wagering facilities as a special use in the AIC Overlay Zoning District, but only as part of an approved development that includes a stadium (“*Proposed Amendments*”); and

WHEREAS, a public hearing by the Plan Commission to consider the Proposed Amendments to the Zoning Ordinance was duly advertised in the \_\_\_\_\_ on \_\_\_\_\_, 2022, and held on \_\_\_\_\_, 2022, and findings of fact in support of the Proposed Amendments were approved by the Plan Commission on \_\_\_\_\_, 2022 (Public Hearing No. \_\_\_), in accordance with and pursuant to Section 14 of the Zoning Ordinance; and

WHEREAS, the Village President and Board of Trustees have considered the Proposed Amendments and the recommendation of the Plan Commission, and have determined that adoption of the Proposed Amendments, as set forth in this Ordinance, will serve and be in the best interest of the Village and its residents;

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

**SECTION 1. RECITALS.** The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

**SECTION 2. DEFINITIONS.** Section 28-3, titled “Definitions,” of the Zoning Ordinance is hereby amended further to add the following definitions:

“Section 28-3 Definitions. For the purposes of this Chapter, the following words shall have the meanings set forth in this Section.

\* \* \*

**Sports Wagering Facility: A facility at which wagering is conducted with respect to the outcome or portions of a professional sport or athletic event, a collegiate sport or athletic event, a motor race event, or other event or competition of skill, or with respect to the individual performance statistics of athletes in a sports event or combination of sports events, or with respect to any other events upon which wagering is permitted under the Illinois Sports Wagering Act, 230 ILCS 45/25-1 et seq., as it may be amended.**”

\* \* \*

SECTION 3. REGULATIONS FOR A SPORTS WAGERING FACILITY IN THE AIC OVERLAY ZONING DISTRICT. Section 5.1-22.1 of the Zoning Ordinance is hereby amended further to read as follows:

“Section 5.1-22.1 – Conditions of Use:

\* \* \*

**g. In addition to the uses permitted in the underlying B-3 District and not prohibited pursuant to Section 5.1-22.1.c of this Zoning Ordinance, a sports wagering facility is allowed in the Arlington International Racecourse Property Overlay Zoning District, but only upon issuance of a special use permit therefor (which may be approved as part of a planned unit development), and only as part of an approved development that includes a stadium.**”

\* \* \*

SECTION 4. SEVERABILITY. If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance are to remain in full force and effect, and are to be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

SECTION 5. EFFECTIVE DATE. This Ordinance will be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

[SIGNATURE PAGE FOLLOWS]

AYES:

NAYS:

PASSED AND APPROVED THIS \_\_\_\_ day of \_\_\_\_\_, 2022.

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Village President

ATTEST:

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Village Clerk