



Village of Arlington Heights
Plan Commission
Virtual Meeting
August 26, 2020
7:30 PM

I. CALL TO ORDER

- A. In response to the COVID-19 pandemic, this meeting is closed to in-person, public attendance. The meeting is being held virtually, which permits the public to fully participate via their computers or using their phones.

To participate in the virtual meeting, please follow these instructions: <https://bit.ly/34kQgsR>

Individuals who wish to comment or ask a question on an item on the Agenda may either participate virtually or send an email to the Village at shubbard@vah.com. Please limit emails to 200 words or less. To be shared at the meeting, the email must be received by 3:00 p.m. on August 26, 2020.

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. Mariano's Gas Station - 7/22/20

IV. PUBLIC HEARINGS

- A. Pet Suites - 1050 E. Rand Rd. - PC#20-010
Rezoning from the B-3 District to the B-2 District, Land Use
Variation for Commercial Kennel, Variations

V. OTHER BUSINESS

- A. 2021 Budget

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.



**Plan Commission
8/26/2020**

Item: Mariano's Gas Station - 7/22/20

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
Mariano's Gas Station - 7/22/20	Minutes

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PLAN

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

COMMISSION

RE: MARIANO'S GAS STATION - 406 EAST NORTHWEST HIGHWAY - PC# 20-009
SPECIAL USE PERMIT FOR AUTO SERVICE STATION, VARIATIONS

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Plan Commission Meeting held via virtual Webinar which permits the
public to fully participate in the virtual hearing via the Webinar or their phones, pursuant to
orders issued in response to the COVID-19 pandemic, on the 22nd day of July, 2020,
at the hour of 7:30 p.m.

MEMBERS PRESENT:

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

ALSO PRESENT:

SAM HUBBARD, Development Planner
BILL ENRIGHT, Deputy Director

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CHAIRPERSON ENNES: We will call this meeting of the Arlington Heights Plan Commission to order, and we'll start with the Pledge of Allegiance.

Bruce, you've got the flag, you want to do it?

COMMISSIONER GREEN: I will start. It's behind me in the picture here.

(Pledge of Allegiance recited.)

CHAIRPERSON ENNES: Thank you.

Sam, would you like to take roll?

MR. HUBBARD: Yes.

Commissioner Cherwin.

COMMISSIONER SIGALOS: Jay, you have to unmute.

MR. HUBBARD: Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes, sorry. My spacebar wasn't working.

I'm here.

MR. HUBBARD: Commissioner Dawson.

COMMISSIONER DAWSON: Here.

MR. HUBBARD: Commissioner Drost.

COMMISSIONER DROST: Here.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Here.

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Here.

MR. HUBBARD: Commissioner Lorenzini.

COMMISSIONER LORENZINI: Here.

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Here.

MR. HUBBARD: Commissioner Warskow.

COMMISSIONER WARSKOW: Here.

MR. HUBBARD: Chairman Ennes.

CHAIRPERSON ENNES: Here.

Sam, unless you have something else, our first order of business would be to approve the minutes from our last hearing. Is there a motion to do that?

COMMISSIONER GREEN: I'll make a motion to approve the minutes from June 10th, 2020.

COMMISSIONER LORENZINI: I'll second.

MR. HUBBARD: You actually have to do a roll call vote on everything. It's one of the Governor's new requirements. So, I have to do a roll call vote, unfortunately, for approval of the minutes.

Was there a second?

COMMISSIONER LORENZINI: I believe I did.

MR. HUBBARD: Lorenzini had the second, okay.

Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes.

MR. HUBBARD: Commissioner Dawson.

COMMISSIONER DAWSON: Yes.

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MR. HUBBARD: Commissioner Drost.

COMMISSIONER DROST: Aye.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Yes.

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.

MR. HUBBARD: Commissioner Lorenzini.

COMMISSIONER LORENZINI: Yes.

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MR. HUBBARD: Commissioner Warskow.

COMMISSIONER WARSKOW: Did not attend.

MR. HUBBARD: Noted. And Chairman Ennes.

CHAIRPERSON ENNES: Yes.

MR. HUBBARD: All right, thank you for that. Just one last thing, I just want to go over protocol for this meeting. So, the way it's going to work is that once we open the agenda item for the Mariano's Gas Station, Staff will give our presentation. Then once Staff is done with our presentation, we'll open it up to the Petitioner. The Petitioner will give their presentation. The Plan Commission may have some preliminary comments that they might ask. Then we'll turn it over to people in the audience who wish to make comments.

Once we do that, if you are wishing to make a comment, and it's the appropriate time, you can use the Raise Hand feature in Zoom. That way I'll be able to identify you and then I can unmute you to make your comment. Or alternatively, if you are calling on a phone, you can dial *9 and you'll be added to the queue to speak.

Just Zoom 101, please, if you're not speaking, put yourself on mute. As the host of this meeting, I have the ability to put anyone on mute. So, if I see that you're not speaking, I might put you on mute. So, just be prepared, if you thought you weren't on mute, you might get put on mute just so that we don't get feedback. If I lose my connection at any time during this hearing, please stay here, and once I can connect back, everything should start moving again. If you lose your connection, then you can just join back the same way you joined the first time and you should be able to jump right back in.

That being said, we're ready to move forward with new business if you are, Chairman Ennes.

CHAIRPERSON ENNES: Yes, I am.

So, we have a hearing this evening, PC# 20-009, for a Mariano's Gas Station on Northwest Highway.

Sam, if you would present the Staff report?

MR. HUBBARD: Yes. Let me first mention that all of the public notices were met and requirements have been met. Chairman Ennes, I also need you to read, as part of the new rules, you'll see before you there could be an item highlighted in green.

CHAIRPERSON ENNES: Okay.

MR. HUBBARD: A statement on the virtual hearing. If you would please read that to comply with the Governor's Executive Order?

CHAIRPERSON ENNES: Yes. In accordance with the Governor's Executive Order, I find that the public health concerns related to Coronavirus pandemic render

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in-person attendance at the regular meeting location not feasible and, therefore, we are meeting as we are.

MR. HUBBARD: Thank you, Chairman Ennes.

If everyone can see, I'm happy to get into the Staff report at this time.
Are you ready, Chairman Ennes?

CHAIRPERSON ENNES: Yes, please.

MR. HUBBARD: Okay, so the subject property that we're talking about, this is 406 East Northwest Highway. The property is located at the corner of Northwest Highway and Belmont Avenue. It's currently occupied by the Grant Shell Service Station and Gas Station which includes four dual-sided pumps and four service bays as well as a small convenience store. This site is approximately just a little under half an acre, and access is provided by two curb cuts on Northwest Highway and two curb cuts on Belmont Avenue.

The Petitioner has the property under contract and is proposing to demo the existing building and clear the site and redevelop it with the Mariano's branded gas station that would have five dual-sided gas pumps and a small kiosk for retail sales about 276 square feet. That's the proposal.

The gas station would be 24 hours and it would be staffed only during times when the Mariano's Grocery Store was open. So, the attendant would be there during those times, and then overnight there would be no attendant, but just gas for sale.

So, the site is zoned B-3 which is a General Service, Wholesale and Motor Vehicle District. Automobile service stations are required to receive special use permits in that zoning district. The existing gas station did not have any record of a special use permit; therefore, this redevelopment is triggering the requirement to get a special use permit for a gas station.

The Staff Development Committee has reviewed this proposal. They are generally supportive of the development. We believe that the proposal will have a positive impact given the elimination of the auto repair use that currently exists on the property. They would provide enhanced landscaping and would eliminate some of the curb cuts. So, the Staff Development Committee is in support of the requested land use variation.

The site is designated as commercial on the Village's Comprehensive Plan, and so the proposed redevelopment is compliant with our Comprehensive Plan designation.

The Petitioner has submitted their response to the land use, I'm sorry, to the special use permit approval criteria, and Staff believes that the necessary criteria has been met.

We would note that the zoning code prohibits any deliveries or unloading after 10:00 p.m. and before 7:00 a.m. So, even though the proposed use would be 24 hours, you're not going to get any service vehicles or tankers, you know, coming in overnight and doing any loading or unloading. So, any traffic generated by the use overnight would really be only for the gas component which would be minimal.

In addition, the convenience store is going to be smaller than the existing one. There is going to be no alcohol sold on the site. So, we really don't see a substantial, you know, change in impact from the proposed redevelopment.

So, there have been a few steps that the Petitioner has taken to get them to this point. They appeared, well, they had an electronic Conceptual Plan Review in April

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of 2020. Overall, I would say that the Conceptual Plan Review Committee was generally positive. There were some concerns about the appearance of some of the outdoor concession items, and the noise and light impact on neighbors, and on circulation with some of the parking spaces that were proposed at that time.

Concerns over the parking spaces have been addressed. The spaces in question back from April of this year have now been redesigned, so some of the commissioners concerns have already been addressed. The Conceptual Plan Review Committee encouraged the Petitioner to move forward.

On June 23rd, Mariano's appeared in front of the Design Commission. They did receive a favorable recommendation by a vote of four to one, subject to certain requirements. Prior to that meeting, the Park District had submitted a letter to the Design Commission outlining some concerns. The Design Commission really focused more on the design and architectural elements, and they deferred some of the zoning and planning concerns highlighted by the Park District to the Plan Commission for this evening's consideration. The minutes from the meeting of the Design Commission are transmitted in the packet that went to the Plan Commission, and Staff is recommending a condition of approval to conform with the motion and requirements stipulated by the Design Commission.

So, here is an aerial of the site. You can see Northwest Highway here, and then Belmont Avenue here. To the north, right here, this is a building that's owned by the Park District and, from what I understand, is rented out. It's a residential building; it's rented out to some of the Park District employees. To the west is a travel agency office use. To the east is Recreation Park and an auto service-related use. Then to the south is the railroad tracks and Northwest Highway.

I just kind of want to introduce the comparison of the existing versus proposed site plan. So, on the left-hand side, you can see an aerial showing the existing site; on the right-hand side is the proposed redevelopment. So, a few things you may notice right away, so they're closing the existing curb cuts that are close to the corner. They'll also be closing this one along Northwest Highway. So, this is really going to be enhancing the site circulation and minimizing these vehicular conflict points that have the potential for accidents.

Also, you may notice that the green space along the site is increasing. We're getting a new island here, code-compliant islands here. Then on the north, Staff has been working extensively with the Petitioner to add additional buffer and green space a little bit more so than the current site has.

In analyzing the site plan, the site conforms to all setback, bulk, and height restrictions as required in the B-3 District. There is a fence proposed along the northern property line. It's at six-foot tall, and that fence does require a variation for a portion of it that extends into what's considered technically the front yard along Belmont Avenue. So, it's really just this portion that requires a variation to allow for the six-foot tall height. Code would only allow a three-foot open fence in this location because technically it's considered a front yard along Belmont Avenue.

So, Staff is supportive of this variation. We believe that it meets the criteria for approval and will allow for an enhanced buffer to the north and the residential property to the north. So, we are supportive of the variation. Ultimately, the fence may need to be pulled back a little bit. This is kind of a vision triangle area, so we want to make sure that cars coming down the driveway here for the apartment complex will have visibility as they come out. So,

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again the fence may have to be pushed back a little bit here. But we are supportive of this variation and recommending approval.

The Petitioner submitted a photometric plan in conjunction with their application. There was an area where the foot candle readings, the illumination levels at the property lines exceeded code requirements. It was in this area right here. So, the Petitioner has provided an amended plan. We got it a few days ago, and it does conform to code requirements. So, illumination on the site will conform to code requirements and no variation will be needed or is requested to those elements.

I will point out that the two exterior site lighting elements are located here and located here. There will be of course lighting elements under the canopy for the gas station as well. Compared to the existing gas station, there is an existing light pole here that is missing a fixture, and then there is an existing light pole here. The existing gas station has two roof-mounted lights that point out, one located here, and the other located here, which roof-mounted lights are eliminated under the current proposal.

I don't believe that any of the existing lighting for the gas station conforms to current code requirements. There are no cut-offs; they shine directly out and they don't shine down, which is what's required by our code currently. So, not only does the proposed illumination conform to code requirements, but my hope is that it will be an enhancement over the existing site lighting.

Relative to utilities and drainage, the site conforms to all code requirements. The site has been designed to generally receive stormwater in three drains in the parking lot. One here, one here, and one here. They will all funnel stormwater to an underground detention vault that will slowly release that water into a service line that will eventually go into the Village storm main system.

The site conforms to code requirements relative to necessary capacity. There is a slight deficit relative to capacity required, so the Engineering Department has allowed a fee in lieu of to accommodate for a tiny bit of detention in our Village system, but it does conform to code requirements. There is a condition of approval that would formalize that requirement for a fee in lieu of stormwater required but not actually provided on the site.

Coordination with IDOT will be required as Petitioner has proposed the closure of this curb cut along Northwest Highway. So, that is a condition of approval recommended by Staff.

Finally, the Public Works Department has asked that this sidewalk along Northwest Highway be extended to be six feet in width. The reason is because it's a sidewalk that directly abuts a street. There is no, this is the edge of the sidewalk and the curb and then the street. There is no parkway there. So, where sidewalks directly abut a street, typically we ask for a larger-than-standard sidewalk. In this case, a standard sidewalk would be five feet wide. The Village has asked for a six-foot wide sidewalk and the Petitioner has agreed to install that. It will require a small easement where that sidewalk is going to extend on to the private property, but the Petitioner is aware of that and has agreed to grant that easement for the six-foot wide sidewalk.

Relative to landscaping, the Petitioner has worked closely with Staff to increase this buffer area to allow for a significant green space width that will allow for more substantial plantings. They're proposing a continuous line of arborvitae trees here to provide a hedge of buffer to the north. They've provided some perimeter landscaping that conforms with

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code requirements, and they have added some of the parking lot landscaping islands required adjacent to parking spaces. So, overall, this is a huge improvement over the existing site condition, and it does conform to code landscape requirements.

This is the rendering of the project. It gives kind of a sense of how it could look once it is complete.

Finally, I want to briefly touch on traffic and parking. Typically, on a project like this, a full traffic study would be required, which would require the traffic consultant to take counts of the existing traffic volumes on adjacent streets to determine capacity and level of service for intersections. Because traffic is significantly reduced below standard levels due to the COVID pandemic, taking a survey of existing traffic and traffic volumes on neighboring streets would be pointless, because it wouldn't give us any type of meaningful data.

So, what the Petitioner has done with their traffic analysis is compared the increase relative to typical traffic generation rates of the existing gas station and service station compared to the redevelopment. Based on the ITE standard method for estimating traffic volumes based on usage, the five-pump redevelopment creates a very minor increase in expected traffic relative to what could be expected under the existing four-pump gas station. I think total on a daily basis, there was an estimated daily increase of 180 trips for the proposed redevelopment. Many of those trips are not going to be occurring during peak traffic hours. So, during peak times, I think it was an actual increase of maybe around 10 or 15 cars during a peak hour. So, it's really not much of an expected traffic difference that this redevelopment would have.

Relative to traffic, it is estimated that the traffic increase from the redevelopment would be less than one percent of the total average daily traffic volume on Northwest Highway. The traffic consultant estimated that the average daily volume on Northwest Highway is about 59 percent of max capacity if it were to operate at a level of service B. So, it has significant reserve capacity to accommodate for the small increase by this gas station. Additionally, they found that the closure of curb cuts will improve circulation within the site. The traffic signals at Kensington and at Arlington Heights Road create sufficient gaps in traffic to allow for ingress and egress to and from Belmont during peak times.

So, relative to code, the site complies to parking. We don't anticipate there to be a parking problem here. The vast majority of business will be with the gas, not for the convenience store portion, so there really shouldn't be any significant parking demand for anyone other than an employee or a person parking at the gas pump. So, in sum, the site complies to code requirements relative to parking.

That being said, the Staff Development Committee is supportive of the development. We recommend approval subject to the five conditions as outlined in the Staff report.

CHAIRPERSON ENNES: Sam, thank you for a very thorough report.

Is there a motion to accept the Staff report?

COMMISSIONER GREEN: I'll make that motion.

COMMISSIONER CHERWIN: I'll second.

CHAIRPERSON ENNES: Jay, was that your second?

COMMISSIONER CHERWIN: Yes.

MR. HUBBARD: You've got to do a roll call for this.

CHAIRPERSON ENNES: Roll call vote, okay.

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MR. HUBBARD: Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes.

MR. HUBBARD: Commissioner Drost.

COMMISSIONER DROST: Aye.

MR. HUBBARD: Commissioner Dawson.

COMMISSIONER DAWSON: Yes.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Yes.

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Yes. Sorry about that.

MR. HUBBARD: Commissioner Lorenzini.

COMMISSIONER LORENZINI: Yes.

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MR. HUBBARD: Commissioner Warskow.

COMMISSIONER WARSKOW: Yes.

MR. HUBBARD: Chairman Ennes.

CHAIRPERSON ENNES: Yes.

MR. HUBBARD: Thank you.

CHAIRPERSON ENNES: Yes, thank you for that report.

So, we will move on to the Petitioner. Do we know who is going to speak for the Petitioner?

MR. HUBBARD: Yes, we do. I'm going to bring them in right now. Let's see.

So, we have as the Petitioner Tim Kratz from Seven Engineering Solutions, who should now be here.

Tim, are you here?

MR. KRATZ: This is Tim Kratz; can everybody hear me?

CHAIRPERSON ENNES: Yes, we can.

MR. HUBBARD: Yes.

CHAIRPERSON ENNES: Yes. Tim, will you be the only participant from your team that will be talking today?

MR. KRATZ: No, we also have several members from the team that will be available to answer questions. Dan Ferrel with Mariano's real estate will also speak a little bit about the project itself. Then we have representatives from the Roundy's side of the property, Mr. Troutman and Mr. Dams from Troutman & Dams. Then also, Shaun Nelson who is the Division Fuel Manager, and Natalie Mouw who is the Construction Manager from Mariano's, are also available for questions if the need for it arises.

CHAIRPERSON ENNES: Okay, Sam, a question. I take it we will have one person that can talk at a time? We're not going to get them all logged in?

MR. HUBBARD: Right, yes. When Tim is done, if he wants to open it up to somebody else, I'll just grab them and unmute them.

CHAIRPERSON ENNES: Okay, can they all hear us at this point?

MR. HUBBARD: They should be, yes. Everything should be audible.

CHAIRPERSON ENNES: Okay, Tim, I would like to ask you and your team

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that are going to talk, I want to swear you all in. So, I'm going to ask the people that aren't directly on to affirm that, what I want is a statement, and you can repeat after me.

(Witnesses sworn.)

CHAIRPERSON ENNES: I take it that the rest of your team has made that same statement. So, we'll proceed. If you would like to tell us about your project, please go ahead.

MR. KRATZ: Sure, absolutely. Thank you to Mr. Hubbard for that project description. I think he takes a lot of my steam out of my presentations. That was really nicely done, I appreciate that.

CHAIRPERSON ENNES: He does a good job.

MR. KRATZ: Yes, that's great. Very well put.

I would like just to do a quick overview of the program that Mariano's still is a part of. So, Mariano's is a subsidiary of Kroger which is a nationwide grocer. They have 1,500 company-operated fuel centers across the nation. They operate in 37 states. They really have their own petroleum marketing program that they think very highly of, and they look at opportunities at each store as an intent to boost that store and to continue developing the store, same as if they were to remodel or do something with let's say the butcher area or add a sushi table. So, they look at it as an improvement to the store, and also as an opportunity to keep up with the market of grocery stores offering fuel. It's that one-stop shop mentality that you'll see in other grocers nationwide.

From a site's perspective, I think I will share my screen, but you guys saw pretty much everything I have. I'm able to do that, correct?

MR. HUBBARD: You should be, Tim. I did enable screen sharing. So, if you can't, I do have your backup presentation here, just let me know.

MR. KRATZ: I'm not seeing an option -- oh, here we go. I hope that this one will work. Oh, cool, I think that works.

MR. HUBBARD: Yes.

MR. KRATZ: Yes, so awesome.

So, I'll just touch on a few things to add to what Mr. Hubbard said. So, it is a five-dispenser layout. You see the canopy is in this dotted line, surrounded around here. It's intended to go over the dispensers as you'd expect like a conventional fuel center. The kiosk itself is non-conventional. So, the idea here is that you have a transaction opportunity, two restrooms as required by Illinois Code, and all the transactions actually occur from the outside in. So, there's actually a slot that a gas station attendee can receive payment for gas or potentially the outdoor sales items like pop and chips. They're grab-and-go type items. Things you're passing by, it's equivalent to, if you were to walking from, going to pay for your groceries down the aisle and you grab a pack of gum on your way out, it's the impulse buy type things. Then the rest of the transactions, the majority of the transactions actually occur at the dispensers themselves.

Kroger will have the underground fuel tanks that will comply with the federal and state standards. So, it's permitted through the Office of the Illinois State Fire Marshal, but they're up to everything they need to proceed, every available code out there. So, they're double-walled; they're monitored. They have continuous monitoring so they can identify an issue at any time. Then they have a series of other manual interactions that help ensure that those things are kept in premier condition. That's part of the EPA requirements, but it's

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something that Kroger as a up and traded risk diverse company, they take very seriously.

There was mention about the outdoor sales items which I'll touch on on the next slide. I did want to identify that we'll have an IT room that's intended for the server equipment, because we're an off-site location, we're a little ways away from the store. In most cases, if you're in the store area, they'll actually plug the fuel center directly in with a direct connect to the store. But if they're off-site, they have to have a small IT area where they then tie in remotely to the store and so they can still operate off the same systems.

I wanted to show you a little bit about the outdoor sales items. There were some questions about this in Design Committee, so we thought this would be a good opportunity to show you what they're looking at. So, I think the tendency is to kind of picture the large pallets full of mulch surrounding the sites, you know, that you see at some of these gas stations these days. Really, Mariano's is looking for a much more clean look, again, it's like that impulse buy type thing, or a necessity items like windshield wiper fluid, or sometimes during the hot months, they may have cases of water.

But you see here, they have these cabinets. So, these are just closeable cabinets that can lock after hours. Same thing as these pallet cages. So, these are the items of the dispensers here and here. You can see, hopefully you can see my mouse as I move it along.

So, you have those items at the dispensers themselves, and then the rest of the items are really meant for that, you know, that cashier grab-and-go type thing. So, you have the smaller reach-in coolers in front and that would be this reach-in cooler here, and then slightly larger reach-in coolers in the back. All of these are in an enclosure so that they can be locked up and safe during after-hour times. So, they really, the idea is you can prevent vandalism, but kind of give them a clean aesthetic look where sometimes if you have different vendors and different merchandises, you get different looking things mismatched. So, the idea here is you get a consistent, clean look of the same outdoor sales unit around.

On the side of the building, we do propose an ice machine. It's the same concept, and this is just the same public trash. There are these other blocks at the end of the dispensers is really meant for, you know, trash receptacles, and your standard keep garbage off the floor.

I will just touch briefly, excuse me, touch briefly on the landscape plan. So, as Mr. Hubbard mentioned, we really put a lot of thought into two things being to the north, and then enhancing the surrounding landscape because you can see that this is a small site. There is not a lot of opportunities for landscape areas, so we tried to take every area that we didn't actually need for circulation and utilize it for landscaping.

So, you'll see the smaller grow items that are along the front of Northwest Highway and South Belmont. Then the arborvitaes Mr. Hubbard referenced. We intend to plant them at eight-foot in height, planting height. So, you start off with day one with kind of like a two-step screening to the north which we feel will really do a good job of improving upon what's existing now. Another nice thing about the arborvitaes is, you know, they're year-round screening. That, in addition to the cedar fence that we're proposing on the north side of those plantings, should provide a fairly good visual screening.

I will move on here. So, the photometric, I just want to, I was going to touch base, but Mr. Hubbard actually pointed out the things that we did modify. I realize now that you can't see that too well here, but really our intent here is to light the driveways and light

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the dispenser area for safety. So, it's really safety-oriented lighting. We will be zero at the property lines to the north, and obviously, the additional fence and landscaping will only improve upon that. We have adjusted that and we'll continue to work with Staff to make sure everything meets and exceeds the Village Ordinance.

Real briefly on materials, so we did work with the Design Committee to modify. Really the intent is that if you were to drive past this, you would see it and get the sense that it's the same as the Mariano's. You'll see the same Mariano's logo. You'll see cars on the following slide. Brick and stone veneer to match the store colors, but really it's the same architectural features. So, the idea is really just a nice, clean look masonry to try to achieve that higher-end Mariano's look that the stores have also achieved.

Here is a floor plan just so you can see how de minimis this kiosk actually is. So, most of the time, there will be one employee in here. He'll be in this area where he can pass transactions through this transaction drawer. Then you'll have a restroom, a then a unisex restroom behind it.

So, really again, the idea is that you're not, the public does not have access into this cashier office. All transactions are outside. That's part of why like the 24-hour service also works because it allows you, and Illinois State code allows it, to keep the dispensers on and transactions just occur at the dispensers. So, you wouldn't be able to do a gas transaction, but you could do your credit card transactions the same as you would in any -- then they have a variety of safety measures that go with that, from our cameras to shop alarms and things of that nature to ensure that you can still monitor and keep it safe.

Here is a rendering, I just wanted to quickly note the change. So, this is the fence that we are actually looking to cut that slightly just to improve this view angle, but a cedar fence will give a natural transition. Again, you see the plantings we show here, we tried to show at our original planting height, but really you have a six-foot fence with an eight-foot arborvitae in front of it and then some low-grow plantings just to give a better look from our side. You can see the Mariano's logo here. It's on a silver plate background which is also intended to match the store. The rest of the items, again, the idea is they're going for a clean looking aesthetic with some of the masonry finishes and the outdoor sales items.

With that, I think I'd like to pass it over to Dan Ferrel just to talk a little bit about the program and the interactions he's had, and then I think we probably could open it up to the questions that you have.

CHAIRPERSON ENNES: Thank you, Tim.

MR. HUBBARD: Dan, I can't see your name. I see a DF-number-number sign, attendee sign. Is that --

MR. FERREL: That is me, I got it on mute. Can you hear me? Can you hear me okay?

MR. HUBBARD: Yes.

COMMISSIONER GREEN: Yes.

MR. FERREL: Okay, well, first of all, thank you very much for reviewing our plan tonight and hearing from us. I just wanted to thank you for your time. Coincidentally, I don't know how many of you've been around for the last 10 years, but this is the week, 10 years ago, that we opened a Mariano's Grocery Store. So, we've been having anniversary sales and interactions all week, celebrating the 10 years of the first Mariano's that opened in the state of Illinois. So, it's kind of fitting that we're here before you tonight.

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But with that said, I really just wanted to kind of expand upon what, you know, Tim had said, and that is that fuel is really a driving force and a big initiative for the Mariano's division of Roundy's and overall the Kroger Company. We are looking to provide that one-stop shop, as Tim had said, and really have the interaction between our program that we have right now where you can shop the store, earn fuel points and then utilize them at a local station and, you know, get the benefit of a reward for the amount of groceries, you know, you're buying from us and then ultimately, you know, make sure that the combination of fuel purchase and a grocery purchase which most, you know, customers do both, kind of can be done at the same time.

So, one of the things we look for is locations that are very close to our stores when possible, on-site is preferred. In this case, the parking lot was just a little too tight to put something on site, so you know, we looked to move down the major carrier not too far. Obviously, we have the opportunity to redevelop this site that's been a fuel station for quite sometime and we feel that the corners are a very appropriate use to continue on, you know, that process of the fuel station.

So, just to give you a sense, we've got four stations operational today. They've got good interaction with our stores. We've got one additional location already under construction, and along with presenting to Arlington Heights, there's a couple more municipalities that we are in front of and are talking with Staff to continue to develop the fuel program.

So, again, I just kind of wanted to let you know that we're very happy to be, you know, doing business in Arlington Heights. It's been a great community to work with. From our standpoint, we like to be good neighbors and work with, you know, Staff, Commissions, and neighbors to make sure that we're an addition to the neighborhood rather than a detraction to.

So, on that note, I would like to just mention that we're aware of, you know, of the Park District behind us. As a matter of fact, during Design review, it came up that the Park District had looked at this property as an opportunity for them at one point in time. So, we've, since that meeting, been in discussions with the Park District and have talked about partnering with them. As you'll read in a memo that I think they either did or will be submitting, they've got a development that's kind of in the works right now, and we feel like we can potentially play a role in the upgrades to the park. So, you know, we welcome them as neighbors and hope to work with them through both, you know, our development of this parcel and in their, you know, redevelopment of the park itself.

So, with that said, I'd love to answer any, you know, specific questions you have, but I just really wanted to let you know that we appreciate being, you know, a strong retail operation in Arlington Heights and would like to continue investing in the community.

CHAIRPERSON ENNES: Thank you, Dan.

Commissioners, do any of you have questions you would like to either address to Staff, Mr. Kratz, or Mr. Ferrel?

(No response.)

CHAIRPERSON ENNES: No questions right now?

COMMISSIONER DROST: Terry, I've got one question. There was, and Sam, you probably don't have the answer, but a few years ago, maybe five years ago, there was

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a Citgo station that was replaced on North Arlington Heights Road. The discussion was if you allow the PNC Bank to build a facility there, what would be the loss of the revenues, or would they be able to be captured by surrounding service stations. That was the question, and I don't know, you don't have to answer it now, but when maybe the audience or the public speaks, that might be addressed at that point if you can dig deep into your well.

CHAIRPERSON ENNES: Okay.

COMMISSIONER JENSEN: One other question I have, are we only going to deal in gasoline or are you going to deal potentially in charging stations, assuming that we may have more electric vehicles on the road?

MR. FERREL: This is Dan Ferrel with Mariano's. My response to that would be we'd probably put the electrical vehicle charging stations over at the store rather than at the fuel station, because they really don't have a reason to be sitting at the fuel station. But they could do their grocery shopping at the same time as they would charge. So, to me, I would recommend that we would try to incorporate it over there as the benefit to them, you know, being on-site, too, to have other activity.

COMMISSIONER JENSEN: And then, finally, just sort of an observation to respond to George's question, since we're replacing a service station with another service station, it should be fairly neutral in terms of the revenues to the Village. It's not that we're doing what we did before which is replacing a service station with a bank, which would cost the sales tax. So, I think this is probably revenue neutral would be my guess.

CHAIRPERSON ENNES: Well, let me just make a comment about that. If they're doing credits on that, how would that impact the sales tax revenue from the gas versus the groceries? Is that something that you could comment on, Mr. Ferrel?

MR. FERREL: As far as credit at the fuel station you're saying?

CHAIRPERSON ENNES: Yes, well, if you, you know, give people credits for their grocery shopping at the pump, do you know if you pay the sales tax on the gross, pre-discounted transaction amount?

MR. FERREL: To be honest with you, I don't know that answer on how that works because they earn the points through the store. So, I don't know how, from an IT perspective or from an accounting perspective, they deal with that sales revenue. But I would expect that between the store and the gas station, that the total revenue that we collect would be what the tax would be then collected on.

CHAIRPERSON ENNES: Okay, I'm sorry for interrupting. I just thought that fell in line with your question.

COMMISSIONER JENSEN: Good point.

CHAIRPERSON ENNES: Any other --

MR. FERREL: To that point, just to make a comment on that, you know, we're going from four MPDs or stations that can be served by both sides, so we go from an eight-pump station to a 10-pump station. And as we talked briefly, we expect a little bit higher traffic volume. So, my expectation would be that we'd pump a little more gas than what they are today; that would be my expectation just based upon the availability of the additional pumps.

CHAIRPERSON ENNES: Okay, any other --

COMMISSIONER LORENZINI: Terry, this is Joe, I've got a question.

CHAIRPERSON ENNES: Yes. Yes, Joe.

COMMISSIONER LORENZINI: So, for Mr. Kratz or the other gentleman.

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Your other service stations, are they open 24 hours with no attendant there at the evening hours?

MR. FERREL: I would have to double check. I believe one of them is not open after the attendant leaves right now, but I believe the other, three of the four I believe are open 24 hours for pumping. If you could unmute Shaun Nelson, he would know that answer for sure.

COMMISSIONER GREEN: Shaun, are you there?

MR. NELSON: Let's see, does that work?

MR. HUBBARD: Yes.

MR. NELSON: Okay, so Dan, we have four operational right now. Two have 24-hour pumping and two do not. They're limited to the hours of the grocery store operations which is what we mimic at all locations. So, those two locations, all of our locations are manned from 6:00 a.m. to 10:00 p.m., and then two of the locations allow for pumping after hours.

COMMISSIONER LORENZINI: And what type of security, you mentioned something about cameras? What type of security do you have in place there?

MR. NELSON: Sure. So, we have, depending on the canopy size of the location, there's anywhere from approximately 11 or 12 to 16-17 cameras on the outside. Then we have additional cameras inside the fuel kiosk as well. At this location, with the extra technology small shed if you will, there will be a couple more cameras that will be in that area as well. Those cameras all tie in to both the grocery store, so anyone who's in the grocery store within store management or our loss prevention department would have access to it. Then myself and other members of our regional executive teams do have access to it remotely as well.

COMMISSIONER LORENZINI: Okay, then since it's going to be a 24-hour operation, the lights are going to be on all night then, right?

MR. NELSON: Correct, yes. So, the lights, and Tim, you can speak to this in a little bit more detail, but the lights that we use in the canopy are set up so that they're pointed at the dispensers themselves. They're, actually they're the newest LED lights that we could have, but point at the dispensers so that they really provide the best security if you will for the customer at night. So, they can both see what they're doing at the fueling dispenser with the credit card and the pin-pad and then provides enough light around them at the same time without actually bleeding into any of the neighboring properties or the street.

COMMISSIONER LORENZINI: Okay, thank you.

MR. NELSON: You're welcome.

COMMISSIONER SIGALOS: This is John Sigalos, can everybody hear me?

COMMISSIONER GREEN: Yes.

COMMISSIONER SIGALOS: Yes, I had a couple of questions. One is, this is touching on the security with the vending machines you have outside. You mentioned you lock them at night when the attendant leaves, but how do you protect vandalism with the glass doors of these vending machines?

MR. NELSON: Sure. So, there's two parts to that. The actual vending machines themselves, and we call them vending, but they're not, it's not a traditional vending machine as if you've got to put a quarter up and grab everything out. So, at night when they're

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finished, we have a really nice, and it wasn't in Tim's picture unfortunately, but we have what we call a shroud, a security shroud that covers the soda pop machines. The way it does it, it basically has a really nice looking garage door if you will that pulls down, and it has two side locks. So, if somebody wants to get in there, they're going to have to do some pretty heavy lifting, no pun intended, to get some of the product out of there.

COMMISSIONER SIGALOS: Okay, thank you. That answers that question. My last question is have you developed a gas station on a site that previously there was a gas station?

MR. NELSON: We personally have not at Mariano's yet. Tim maybe will speak to that since he's been working in some of the other divisions that we have in other states. Then Natalie, who is on, who's our facility engineering who actually does the oversight of building of them, she's had a little bit more experience in some of the other states and divisions than I have. So, I'll cede to them and see if they have a better answer for you.

COMMISSIONER SIGALOS: The reason I'm asking is I don't know if you've done any soil testing, but typically, there's a great deal of contaminated soil. Fuel pumps, especially in old gas station that exists there now; they leak through the years. The cost to remediate that soil could be extremely expensive.

MR. NELSON: Absolutely, yes. We have, in doing our due diligence process with the group that is purchasing the property, there have been the required environment tests. Similarly, what Tim touched on earlier, we do go above and beyond what's required by the state and the EPA. So, we have done some of our own environmental testing of that site already.

COMMISSIONER SIGALOS: Okay, thank you. That's the only questions I had.

MR. NELSON: Okay.

CHAIRPERSON ENNES: Thank you, John.

Anyone else?

COMMISSIONER CHERWIN: Terry, this is Jay.

CHAIRPERSON ENNES: Yes, Jay.

COMMISSIONER CHERWIN: I was going to generally wait for public comments, but I had reviewed this in the Conceptual Plan Review Committee and was overall comfortable with the project. The two issues I had was what John just described, the environmental condition of the property and, you know, assuming Mariano's is taking whatever actions necessary to make sure it's compliant going forward. Then the other one I think was some parking spots that were in the southwesterly part of the site that had been I think since moved from the plans. But I was overall generally comfortable with the property, so I'll defer any further comments.

CHAIRPERSON ENNES: So, you're good at this point, okay.

I do have one question that kind of goes along John's concern, the possible environmental, and I would suspect a firm like Mariano's wouldn't want their name in the chain of title on an environmentally contaminated property. But I noticed in the report, Sam, and you might be able to address this, I believe what I read was that if you're improving an existing gas station and the tanks are greater than one year old, they have to be replaced? Did I read that correctly? Is that something new? I've never seen anything like that before.

MR. HUBBARD: It's not a zoning code requirement. Where was it that you

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encountered that?

CHAIRPERSON ENNES: I believe it was part of the development report, and I don't know exactly where it was that I saw it. But there was reference to, as I recall, tanks over one year old having to be replaced.

MR. FERREL: Chairman?

CHAIRPERSON ENNES: Yes.

MR. FERREL: Just to clarify that, I think what you read was that if a tank is not in operation for a year, it would need to be removed.

CHAIRPERSON ENNES: Oh, for a year.

MR. FERREL: But just to clarify that, we will be removing all improvements on the site and be starting with everything brand new.

CHAIRPERSON ENNES: Okay, I wasn't, so that might be what it was, probably what it was, if they had been sitting idle. It just surprised me that such a new tank would have to be pulled out, but on the same token, if you're replacing them all, that's fine.

Okay, if there's no other questions at this point from the Commissioners, we can go to the public portion of the meeting.

Sam, if you can extend an invitation to the audience and get some questions from them?

MR. HUBBARD: Absolutely. So, if you're in the audience and you want to make a comment, please click the Raise Hand feature in Zoom and I will identify you and open up the floor to you when we have a moment. Let me just start going down the list. Sorry, so we'll start with John Schroeder.

QUESTIONS FROM AUDIENCE

MR. SCHROEDER: Hi, can you hear me?

CHAIRPERSON ENNES: Yes, Mr. Schroeder.

MR. SCHROEDER: It's Schroeder, but regardless.

CHAIRPERSON ENNES: Schroeder, okay.

MR. SCHROEDER: So, my family and I live in Recreation Park in the neighborhood, and I've lived here for about 15 years. My wife grew up in the Village and has lived here for over 30 years. We live actually within a quarter mile of the proposed gas station, and the view from our front door that my family and I step out of everyday is of the beautiful WBA building, the Rec Park building.

We visit the park daily, and I vehemently oppose the proposed changes by Mariano's. It's absolutely a detraction for the neighborhood. I opposed the sale of the property to Mariano's in the first place. I was actually under the impression that the Park District had the right of first refusal for all sales on adjacent property to Rec Park. I know they actually own the vast majority of those properties, but this is one that they did not own and I thought they were able to purchase it upon the next time it was for sale.

Really, the question I want to ask is do we want another commercial gas station with its parent company based in Milwaukee and really that parent company based then in Cincinnati, the Kroger Company, where all profits will go not to the Village aside from taxes and won't really benefit the community? Or do we want an expanded park where we can really, really benefit the Village?

Mariano's property has a perfectly good and currently empty parking lot that they can partially convert into a gas station. I know the team has said that it might be too small, but maybe we can use the COVID time to re-think that. Mariano also says that the proposed gas station will only result in a minor increase in traffic, but I sincerely disagree. With its current form, the gas station is only a fairly minor business in our neighborhood. With an increased amount of pumps, the increased hours of operation, operating 24 hours in the neighborhood is way too much. The gas subsidy that Mariano's offers, there's likely going to be a significant impact on the neighborhood.

The flawed and really incomplete or non-existent traffic study doesn't really outline the potential change that's going to happen in the neighborhood. It really kind of seems as if Mariano's is using the pandemic to force their way into the location without really any oversight. I realize COVID has had a decrease in traffic, but it will increase again at some point in the near future.

Now, Northwest Highway, sure, we'll probably see some increase in traffic with the change, but so will the neighborhood that's directly nearby. Both Belmont and Miner are thoroughfares between the two Mariano's locations that are proposed, and both will be significantly impacted. Both streets are already pretty taxed with the large number of people cutting through the community or cutting through the neighborhood. Belmont also has a playground where young children, including my own children, play everyday, and with the new library building at the corner of Belmont and Miner, there's definitely going to be increased pedestrian traffic. So, increased automobile traffic will not only be a nuisance to the community, but will also be a danger to the library patrons, both young and old.

The traffic study is not sufficient for the changes that Mariano's is proposing. If the Village moves forward with the sale and this proposal, I will lose faith in our local government. I will not be appeased really until the proposal is denied, the sale of the lot to Mariano's is rescinded, and the lot is instead offered for sale to the Park District for increasing the Recreation Park.

Our community could have a beautiful park, or it could have another commercial gas station. Really, the only community benefit would be the park.

Thank you for your time and consideration.

CHAIRPERSON ENNES: Thank you for your comment, Mr. Schroeder.

MR. HUBBARD: All right, we'll go down the line. We have Rob Nesvacil.

MR. NESVACIL: All right, can everyone hear me?

CHAIRPERSON ENNES: Yes.

COMMISSIONER GREEN: Yes, we can.

MR. NESVACIL: Okay, thank you. Thank you Chairman Ennes. Thank you, Commissioners. So, I'm here on behalf of the Park District; I am a Park Commissioner. With us online, we also have Commissioner Brian Owen as well as Commissioner Will Ploger, and Executive Director, Carrie Fullerton. Our President, Maryfran Leno and Vice President, Tim Gelinas unfortunately had other commitments this evening and could not attend.

But if you may, I would like to read a statement on behalf of the Park District, and Mr. Hubbard has the statement. I believe, Mr. Hubbard, you also have the master plan for Recreation Park? If you're able to share that on the screen?

Thank you. All right, thank you very much.

So, again, thank you for your time this evening. The Arlington

Heights Park District prides itself in its quality park and recreation system which we provide to our residents. Past and current elected officials have the foresight and the commitment to acquire and preserve open space throughout the community, especially land which is adjacent to one of our community center parks.

In the nearly 100 years since the residents voted to create the Park District, the District has purchased several houses and business which are adjacent to our parks to assist with preserving open space and providing recreation. This includes properties which surround Frontier Park, Sunset Meadows and, as shown, Recreation Park.

Recreation Park is the most iconic and the oldest of the community center parks in our system. It is home to our oldest community center, swimming pool, tennis and basketball courts, baseball diamond, playground, as well as the Frontier Days Festival and more amenities for our community. The Park Board is committed to the Arlington Heights Park District Master Plan for Recreation Park, which was developed more than 20 years ago, and we are committed to following through on opportunities as they present themselves.

In order to fulfill the District's mission over the years, the Arlington Heights Park District has assembled and become the owner of all Recreation Park adjacent properties, except for the proposed retail fuel center also known as the Shell Station, and one single-family home on Belmont Street. On the diagram, it's a little hard to see on the screen, but we have a gray outline on the two properties that we do not yet own. In addition to Mr. Hubbard's aerial view of neighboring properties shown earlier, the Park District actually does own the two car mechanic shops directly to the east of the Shell Station.

As such, the ultimate master plan for Recreation Park has been to acquire adjacent properties as they become available, to ultimately convert and preserve these properties as open land for the purpose of the residents' use, for open space, and recreational use. As the owner of all the adjacent properties to the above property in question, the Park District would like to be on record to express that the above proposal for the site to continue as a retail fuel center does not fit with the Arlington Heights Park District Recreation Master Plan, nor the overall plan for this Arlington Heights residential area. The Park District has planned for this property to be preserved for open space should it ever become available, and this seems to be the last possible chance.

We would like you to consider the following as this project proceeds: the increase in traffic into the adjacent park and residential area; the increased customer counts and needed parking for this site; the library's proposed Makerspace is located in this area. This facility will be a new destination and will bring additional traffic and people to the park and residential areas. We have been working with the library to potentially provide a joint parking lot to serve both the Makerspace and Recreation Park.

The Village of Arlington Heights' beautification project for the Northwest Highway Corridor would be enhanced with the addition of new pollinator gardens and other curated plants if the full Recreation Park Master Plan were able to be realized.

The Park District also was recently awarded \$450,000 total in multiple grants to be used towards a \$1.3 million project to renovate and update the open space and amenities at Recreation Park. You can see a vision of that on the screen now. The District is currently in the development phase on this project which includes some of the property along Northwest Highway being redeveloped as open space and flower garden plantings.

Also, the National Rec and Park Association national standard for

park acreage is 10 acres per 1,000 people in population. To meet the standard for Arlington Heights, it suggests that we should aim for 750 acres of open space for the community. At this point, the Park District owns or leases a total of just under 716 acres. One of the reasons we are looking to increase our total acreage is to meet this national standard.

In closing, on behalf of the Arlington Heights Park District Board of Commissioners, we believe this is the wrong location for this project as it does not mesh with the master planning of Recreation Park nor the residential areas surrounding Recreation Park. Thank you for accepting this statement, and I appreciate your time this evening.

CHAIRPERSON ENNES: Thank you, Rob. Is your last name pronounced Nesvacil?

MR. NESVACIL: Nesvacil, you've got it. It's a fine Czech name.

CHAIRPERSON ENNES: Okay, thank you for your comment.

MR. NESVACIL: Sure, we'd be happy to entertain questions if you do have any.

CHAIRPERSON ENNES: Okay, does anybody have a question for Mr. Nesvacil at this time?

COMMISSIONER LORENZINI: This is Joe, I have a question. Why didn't the Park District purchase this property?

MR. NESVACIL: We were in negotiations to do so.

COMMISSIONER LORENZINI: And?

CHAIRPERSON ENNES: Can you expand on that?

MR. NESVACIL: I don't know where the negotiations ended, but at a certain point they ended.

COMMISSIONER GREEN: So, you didn't want the property?

MR. NESVACIL: No, we did.

COMMISSIONER GREEN: But you ended the negotiations.

MR. NESVACIL: We did not.

CHAIRPERSON ENNES: So, it was on the market for sale?

MR. NESVACIL: It was on the market for sale and we made an offer. We also made a counter offer.

Mr. Robert, if you, I don't know if Mrs. Fullerton would like to speak. She may have some details as well.

CHAIRPERSON ENNES: Well, first, if there's any other questions from the Commissioners?

COMMISSIONER CHERWIN: I guess I would just add, if there's any elaboration on that, at what point did the Park District and the seller, at what point were they in negotiations? Is it a recent development or has this been years in the making?

MR. NESVACIL: So, I've been on the Board now for a number of years. The seller had approached the Park District several years prior; I don't recall the exact date. We were in negotiations at that point and again those negotiations were ended. The seller continued to operate his business; I've gotten gas there many times. I've bought many gallons from the business, so it's a fine business. But at that time, the property was not sold to the District.

Then, again, starting approximately a year-and-a-half ago, maybe two years ago, the District became aware again, that the seller was looking to sell the property.

We did make an offer. There was a counter offer which we responded to with a second offer. Then after that, things went quiet. It was, excuse me, I'm just getting a note here, it was October of 2019.

COMMISSIONER CHERWIN: So, is it safe to assume that the seller received a more favorable offer from Mariano's than it did from the Park District?

MR. NESVACIL: You'd have to ask the seller.

CHAIRPERSON ENNES: Okay, well --

COMMISSIONER JENSEN: Well, you know, I've got the same set of issues here. I don't recall these negotiations. If there was a price offered and they went through several back and of it, but basically the Park District didn't want to meet the price and Mariano's did, it isn't, I mean, that's just the standard way we do business. It isn't a negotiation that collapsed, you know, the Park District wasn't willing to meet what was probably close to the market price for that property.

So, I'm not understanding what their position is. Do they want the property basically below market price given to them? Is that what we're asking for?

MR. NESVACIL: No, based on comps in the area, we believe we did make a fair offer.

COMMISSIONER JENSEN: Okay, so then, but Mariano's must have made a better offer it sounds like.

MR. NESVACIL: Again, you'd have to ask the seller.

CHAIRPERSON ENNES: Okay, but that's really not a point of concern for the Plan Commission.

COMMISSIONER CHERWIN: Well, it's not, but everybody, the big issue here that keeps coming up is, you know, a role that the Park District would have. So, I think, Terry, we're just trying to understand --

CHAIRPERSON ENNES: Right.

COMMISSIONER CHERWIN: -- if Mariano's has the plan under contract and people are saying, you know, there's some insinuation that, you know, the Park District has some right to it when I don't see where that exists. I guess we're just asking for clarification there.

COMMISSIONER JENSEN: That's exactly my point. It isn't, you know, you're basically going to be asked by the Park District to block this from going forward. It is a matter for the Plan Commission, without a doubt, because we would vote one way or the other to allow this to go forward or not. So, the Park District is essentially saying we want that property, but we're not going to meet the going price.

CHAIRPERSON ENNES: Well, I think that --

MR. NESVACIL: So, Commissioner Jensen, if I may? We're willing to negotiate to come to an agreed price, but if the seller had a different offer, you know, we don't know what that offer was. So, it's not that we weren't willing to discuss.

COMMISSIONER DAWSON: Yes, I don't see the Park District saying that they weren't willing, that they want it cheaper. They said that the negotiations ended, but to Terry's point, that has nothing to do with us. The seller has every right to enter into any contract. He could sell to Mariano's for less than the Park District offered. That's not in our purview.

COMMISSIONER JENSEN: Well, basically the Park District is asking us to block this from going forward.

COMMISSIONER DAWSON: Sure, but they're not asking us to block it from going forward due to price.

COMMISSIONER JENSEN: Well, whether it's price or not, the point is that it's already under contract for Mariano's and they're asking the Plan Commission as well as the Board to block that from going forward in essence so that they can use that to develop further the Park District.

COMMISSIONER DAWSON: Exactly, but that has nothing to do with anybody getting a price --

COMMISSIONER JENSEN: Well, no one mentioned price, Susan. No one mentioned price, but price does play a role in this.

COMMISSIONER DAWSON: You did mention price, but --

COMMISSIONER JENSEN: No, what I'm saying is they're not talking price, neither Mariano's nor the Park District, but it certainly does play a role in this.

COMMISSIONER DAWSON: Sure, but that has nothing to do with us. My point is --

CHAIRPERSON ENNES: It's not the Plan Commission's --

COMMISSIONER DAWSON: Right, exactly. The terms of the contract are irrelevant to me. The owner of Grant Shell could be selling it to Mariano's for a dollar, it has nothing to do with me, what the terms of the contract are. So, my point is we need to move off of worrying about the terms of the contract. The bottom line is he's in a contract with Mariano's. Park District has presented us with what they feel are grounds for us to say no to the special use permit. You may disagree, but it has nothing to do with the terms of the contract here. Our discussion today has nothing to do with the terms of the contract.

CHAIRPERSON ENNES: Right. What we're here to do is whether or not to allow the conditions, the special use permit that was being requested. I think if there's going to be a decision made to limit this or to prevent this transaction, this is something that's got to be taken up by the Village Board, not by the Plan Commission. That's not what we're here to do.

COMMISSIONER GREEN: That's correct. I agree with that, Terry.

CHAIRPERSON ENNES: Listen, I love our Park District. We all do. We have great parks. I mean, some of us know that, or at least occurred in the past that there was a restriction on some properties here for right of first refusal, and if the seller --

COMMISSIONER GREEN: They obviously refused.

CHAIRPERSON ENNES: It didn't work.

COMMISSIONER DAWSON: Guys, I think we should finish public commentary before we start talking, because I don't think public commentary is done yet.

CHAIRPERSON ENNES: Right.

COMMISSIONER DAWSON: So, you know, I don't disagree with the comments that are being made. I'm just saying let's finish public commentary and then we can have our deliberation.

CHAIRPERSON ENNES: Okay.

MR. NESVACIL: And I'm sorry, Commissioner Ennes, I don't know if you can still hear me? This is Rob Nesvacil.

CHAIRPERSON ENNES: Yes, absolutely.

MR. NESVACIL: Okay, thank you. So, we understand, you know, the Commission, each Commissioner has a role to play. Again, our interest here is in open space

and the compatibility of the special use permit with the park, of which the park does completely surround this property and the open neighborhood in general of which Recreation Park is the anchor of that neighborhood.

CHAIRPERSON ENNES: Right, and I totally understand that. I understand where your long-term plan is going. I just don't think it's an issue for here. But as Sue said, we'll welcome to hear anyone else in the audience that has comments about this.

MR. NESVACIL: Thank you very much. There's been some discussion about this idea of right of first refusal, sometimes known as a reservation plan. That does not exist in this case.

CHAIRPERSON ENNES: Okay.

MR. NESVACIL: So, however, again, the neighboring adjacent properties, even though they are zoned B-3, they are currently on plan to be converted over to open space, similar to the baseball field and soccer field that now on the old Weber warehouse property which is zoned for manufacturing; however, it is open space.

CHAIRPERSON ENNES: Right.

MR. NESVACIL: Thank you.

CHAIRPERSON ENNES: Okay, thank you, Mr. Nesvacil.

Sam, is there anyone else in the audience?

MR. HUBBARD: Yes, so I do see about 10 more people that want to speak, so there's a lot of people. I just want to mention that the format, the way this works is typically, you know, you would make a comment and then your comment would be finished and you would go back and listen to the discussion afterwards. You don't typically make a comment, and then if there's something else that you wanted to say and then raise your hand and make another comment. It's not like a back and forth discussion. It's make a comment and then you're done and we move on. Occasionally, the Plan Commission may have further follow-up questions for you if you make a comment, and that might happen. But typically, once you make your comment, you've made your public comment, you're done and it's not a back and forth. Otherwise, these meetings end up, you know, going into the wee hours.

CHAIRPERSON ENNES: Right.

MR. HUBBARD: So, I want to make that clear.

Next up on the queue we have Doug Reed.

CHAIRPERSON ENNES: And I would like to mention that we do ask the public, when they are making these comments, to not, you know, for the purpose of brevity, not to repeat what other speakers have already mentioned. So, if we could go forward with that in mind, it would be appreciated.

MR. HUBBARD: Doug, you have the floor now. You should be audible.

CHAIRPERSON ENNES: Mr. Reed?

MR. HUBBARD: Mr. Reed, we're not hearing you. It looks like you may have some technical difficulties on your end.

CHAIRPERSON ENNES: Go on to the next speaker, and if Mr. Reed corrects his problem, we can come back to him.

MR. HUBBARD: Sounds good.

Next on the list, we have Sharon and Jim Potsch.

MR. POTSCH: Jim Potsch. Can you hear me okay?

CHAIRPERSON ENNES: Yes.

MR. POTSCH: Okay, fantastic.

I live at 113 North Pine Avenue. I'm a little concerned about the traffic study and the kind of lack of thought about that. I'm concerned about the traffic on Belmont Avenue with the park being right there and also the future Maker Center, and that people are going to get frustrated leaving the station out onto Belmont instead of trying to exit back on to Northwest Highway, because it looks like from the plans, there's going to be room for maybe two cars to line up on Belmont heading south. I'm worried that this is going to cause a huge amount of traffic in the Rec Park down a rather quiet residential street.

I'm also, a question to the Mariano's folks. I'm curious what the conversion rate is for grocery sales to fuel sales at your current four locations, because I think that's going to drive, I think that's a better barometer of the amount of traffic that's going to come through this station rather than just saying it's going to be one percent change. I don't feel that that's a true marker of the use of this property with this style of gas station.

MR. HUBBARD: Thank you for your comment. Jim, you had submitted an e-mail to me the other day and asked me to share it. Do your comments satisfy that e-mail that you had previously sent?

MR. POTSCH: Yes. A lot of my comments were about lighting and things, and I think you covered, I believe that's been covered very well. So, I just wanted to talk about the traffic; that was the only thing I really wanted to bring up. Thank you.

CHAIRPERSON ENNES: Thank you. So, so we have Doug Reed back?

Mr. Reed?

MR. HUBBARD: Yes, I think Mr. Reed is having a problem. When I tried to open him for speaking, it said he had an older version of Zoom and could not be allowed to be unmuted. I needed to add him as a panelist. Now he's added as a panelist, but for some reason we can't hear his audio. I think it's showing in Zoom that he's not muted, but there must be a problem, another problem on his end with the compatibility of technology.

CHAIRPERSON ENNES: Okay, we're sorry about that.

Is there another person from the audience?

MR. HUBBARD: Yes, we have aumeteladmin.

MS. KITSMILLER: Hi, this is Amy Kitsmiller. I apologize, with this format I'm unable to change my name. So, I am a resident of Arlington Heights.

I'm really surprised at this meeting. There's a lot of discussion of all kinds of details of this plan without any discussion with the Park District beforehand. It really feels to me like this, a very non-local company, has come in and kind of, and I understand the contract has nothing to do with this Commission, but it does seem very strange that Mariano has undercut our own Park District and our own community plans for building open space in this area and is asking the community to then go back and give them variances. Grant them variances and also to undercut the pricing of other locally-owned gas stations, hurting their business as well.

So, the whole thing to me seems really backward. I would have thought that, first, we would have been talking about our Park District plan and looking into that more. I saw there was some mention of it in the minutes in the last meeting, but then it's like you're all unaware of the Park District plans and that you're looking at these variance approvals without thinking about the community in a broader lens.

I really appreciated Rob and the Park District's presentation as well

as Mr. Schroeder. I agree that the traffic plans, it's very underestimated in terms of the amount of business that's going to be going through there.

What I'm requesting is that this process be paused and looked at in a more broader sense of the community, of what we really want in this space. Do we really want these variances? Is this what our community has planned? We've all voted in Commissioners into the Park District. There is a master plan for that, and now this Commission is approving variances that would go and contradict that plan.

So, I'd like to request that these variances be paused and not approved at this time and looked at it in a broader sense of the community with the Village or whoever takes part in that.

CHAIRPERSON ENNES: Well, that is something that, is your last name, Amy, Kitsmiller?

MS. KITSMILLER: Yes, Kitsmiller.

CHAIRPERSON ENNES: Kitsmiller. That is something that the Village Board may address when this petition comes before them. But the Plan Commission, we have a Petitioner that's come to us, and the only variance that they're looking for is that they're allowed to put a six-foot privacy fence there between their property and the adjoining property. That's the only variance.

MS. KITSMILLER: But there's an approval process of the entire plan?

CHAIRPERSON ENNES: Well, I mean, that is subject to the conditions of the Staff.

MS. KITSMILLER: Yes, I'm requesting that it be paused and reviewed at a broader community level.

CHAIRPERSON ENNES: Okay, thank you.

MR. HUBBARD: Okay, next up, we have Paul Culhane.

MR. CULHANE: Okay, can you hear me? I just unmuted myself.

CHAIRPERSON ENNES: Yes, Mr. Culhane.

MR. CULHANE: Okay, my name is Paul Culhane. I live on Carlyle Place. I'm a regular user of Rec Park and a member of various environmental groups. I participated last year in the plan that the Park District had for the greening of Rec Park. They received a very good -- of grants for open space development grants from the state of Illinois that would be implemented by having that whole strip along Northwest Highway as green space, pollinated gardens, and so forth. So, I'm supporting the Park District, that plan, which has been supported by the state of Illinois.

Therefore, I hope, and I should say I'm also a Mariano's customer and a long-time customer of Grant Shell; both are fine businesses. But since this is adjacent to the park, we ought to be paying very close attention to the presumption that the park should be able to acquire that land and they made a bona fide offer for it. I think Amy Kitsmiller's points are also very, very good, so I'd support her points as well. Okay?

CHAIRPERSON ENNES: Thank you, Mr. Culhane. Next?

MR. HUBBARD: Next, we have Delores Georg.

CHAIRPERSON ENNES: Ms. Georg, can you hear us?

MS. GEORG: Hi, this is Delores Georg, can you hear me?

CHAIRPERSON ENNES: Yes, we can.

MS. GEORG: So, I'm a 25-year Arlington Heights resident, and I live on

South Harvard Avenue. I just recently heard about this idea of the sale to the Mariano's Gas Station and I want to take a step back similar to the other callers and ask if the Park District can once again be considered to take over that space and not have it be Mariano's. I am also a strong Mariano's shopper; I know it's great. So, it's nothing against Mariano's.

We don't have a lot of green space left and many of you know that because you've all been residents. If we have the opportunity to just expand our park a little bit more, I really think we should look at doing that seriously and not just let another gas station go there just because there's a gas station there before. That doesn't make it right. So, I would like to have the opportunity to have the Park District re-look at this.

I'm not well versed in the government processes, but I feel like if the contract is done with Mariano's and you guys as a Plan Commission are going to grant the six-foot variance, is the Village Board actually going to decline it because it's so far down the pipeline already so it feels like they've talked about this in April, May, June, and now it's July. When it gets to the Village Board, the Village Board is going to be like, well, the Plan Commission has approved it and the contract is already done; at what point do we pause it and say does the Park District deserve it? So, maybe you could help educate me a little bit on the process because I'm not sure how well it really works in my mind.

CHAIRPERSON ENNES: Sam, I don't know if you want to touch on that. We are a Planning Department, Commission, and we look at a number of issues. If there is a legal issue between the Park District and the owners of Grant Shell property, that's another issue. That's not something that we can address. I don't think even any of the attorneys on the Commission here, and we have three of them, want to address that, but it isn't an issue for us.

I mean, I believe in our parks. I'm surprised they didn't acquire this property, but that's not my issue; that's not our issue. That's between the Park District and the seller of the property. So, if it's a legal issue, that's something they need to address there, not with us.

All we're doing is saying should we allow a gas station on a piece of property that's properly zoned to continue to operate there irrespective of what this other issue is? You know, it's like coming to the Design Commission and asking them to approve the sale of a property. It's not our topic.

Don't think I disagree with you and the other speakers. Sam?

MR. HUBBARD: Sure. Yes, and Chairman Ennes, I can talk a little bit about process. So, the Plan Commission is only a recommending body. They don't have power to approve or deny this project. At the end of this evening, they'll vote to make a recommendation of approval subject to conditions, or a recommendation of denial. From there, the project goes along to the Village Board, and at that point the Village Board has the power to approve or deny. So, after this meeting, the project is not a done deal by any means. The Village Board is, you know, a separate body from this Commission and they occasionally differ in opinion compared to recommendations from the Plan Commission. So, at no means is this a done deal after this evening.

COMMISSIONER JENSEN: Well, Sam, could I ask you to be a little more specific or clear on what our charge is? So, we've got a Petitioner coming before us that basically is asking for a special use permit. The variance is minor. It's a variance of whether we have a visual sight or not that will create a problem. So, what is the purview of this Commission? Is it essentially to say, yes, that special use does fall within what, you know, fall with what this is

zoned and we can say yes or no to whether they ought to get the special use? I'm trying to understand what our purview is, because I did take the points that Commissioners Dawson and Ennes made that I probably was moving a bit beyond what our scope was. So, please define for all of us what the scope of this Commission is relative to the petition.

MR. HUBBARD: Sure. So, there's two items before the Plan Commission this evening. There's the variance to allow the fence that extends into the front yard; that's the portion that was circled in red in my presentation. Then there is the special use permit to allow the gas station on the subject property.

In evaluating whether or not a special use permit is appropriate on any property, there's three criteria in the zoning code that the special use proposal has to meet. They're outlined in the Staff report, I'm happy to reiterate them again this evening if you'd like. But the charge of the Plan Commission this evening is to determine does the proposal for a gas station comply with the criteria for approval of a special use permit.

COMMISSIONER JENSEN: Please reiterate for everybody what are those three criteria.

MR. HUBBARD: Sure. That said special use is deemed necessary for the public convenience at this location, that's one. Number two, that such case will not under any circumstances of the particular case be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity. Three, that the proposed use will comply with the regulations and conditions specified in the zoning ordinance for such use and with the stipulations and conditions made a part of the authorization granted by the Village Board of Trustees.

COMMISSIONER JENSEN: Well, thank you, I really appreciate that. It sounds to me like most of the issues that are being raised, and I wouldn't say I disagree with the issues that are being raised, really are purely Board considerations and not Plan Commission considerations.

COMMISSIONER GREEN: I would agree with that, Lynn.

COMMISSIONER DAWSON: I just wanted to speak just for the audience so they understand, and then certainly I think we should still continue to hear all of them, you know, and all their concerns, but that the Planning Commission's purview is very limited. The Board's purview is larger. They do disagree with us; it does happen. This is not a done deal. But we have a very limited scope which we can look at in this instance.

CHAIRPERSON ENNES: Thank you all. Sam, do we have other members from the audience?

MR. HUBBARD: We do. We have Skip coming up next.

MR. OTTOLEIDO: Hello, I am a resident on the park property. I am at 15 South Belmont; my name is Skip Ottoleido. Since I am a direct neighbor of the gas station, I live next to that row apartment building that's right next to the gas station.

My concern would be about 24-hour usage. If there is an emergency like a fire at the gas pump with no attendant there, that poses a threat to most likely my house, but definitely my neighbor's house. It's a three-unit apartment building that's inhabited by Park District employees, and that would be directly next door. So, my concern would be for safety of operating when there's no attendant there.

As far as the Park District's concern, they do not use the entire south end of that park behind that baseball field. It's gone undeveloped for years. It is only, now it is

an unlicensed dog park where people bring their dogs to poop. That park is full of dog poop. People are concerned about it.

So, anyway, that has nothing to do with this. My concern is for 24-hour usage and the safety of it, if there's an emergency, and increased traffic down my street when people can't get on to Northwest Highway. They will wind up going north on Belmont and my concern is increased traffic and fire safety or emergency safety.

Thank you very much. This meeting has been, this is my first virtual meeting and it's exciting. Thanks. It's well run.

CHAIRPERSON ENNES: Mr. Ottleido?

MR. OTTOLEIDO: Sorry, it's Ottoleido, O-t-t-o.

CHAIRPERSON ENNES: My apologies.

MR. OTTLEIDO: That's okay.

CHAIRPERSON ENNES: Skip, thank you for your comments. I believe both of the issues that you raised, we can address and get you some answers from the Petitioner after the public portion of the meeting and we will pursue them.

MR. OTTOLEIDO: Thank you very much.

CHAIRPERSON ENNES: Sam?

MR. HUBBARD: Okay, we have Jim coming up next to talk.

MR. TROUTMAN: Hi, this is Jim Troutman, can you hear me?

CHAIRPERSON ENNES: Yes, Jim.

MR. TROUTMAN: Yes, this is Jim Troutman of Troutman & Dams Commercial Real Estate. We're the contract purchaser of Mr. Grant's property and will be the landlord of Mariano's for the property. I'm also a resident of Arlington Heights. I live at 209 South Burton Place which is about a block south of the Northwestern railroad tracks there across from Grant Shell. Actually, it looks to me like the rocket on top of there is even a spot in the middle of the street in front of my house.

CHAIRPERSON ENNES: The Rocket Shell?

MR. TROUTMAN: Yes.

CHAIRPERSON ENNES: We all call it that.

MR. TROUTMAN: When we identified Mr. Grant's property as a potential location for Mariano's fuel center, we contacted the Arlington Heights Planning Development Department to see how they would view the redevelopment of the property for the Mariano's fuel center use. This was back in October or November of last year. We were informed that the Village Comprehensive Plan showed the property as commercial, and although the Park District had at one time put a reservation on the property, they had released it a couple of years ago. We were also informed by Mr. Grant's broker that the Park District was the first party he contacted, but they had submitted a very low offer that put the burden of environmental remediation on Mr. Grant. That was commercially unreasonable and not acceptable to Mr. Grant.

So, we made an offer to Mr. Grant to put the property under contract. We then negotiated a ground lease with Mariano's and jointly began the planning and approvals process. We conducted phase one and phase two environmental studies, and we've contracted with an environmental remediation company for removal of the existing underground tanks so that Mariano's can put in fresh and clean tanks.

Now, at the eleventh hour, the Park District has moved to block the

project based upon their long-term planning. They have submitted a plan tonight that's quite a bit different than the plan they shared with us on July 2nd which excluded Mr. Grant's property. The Park District also owns the two properties southeast of Mr. Grant's property. They have removed them from the tax rolls and yet collect rent from the tenants. These properties don't look so good and they present a negative image for an important commercial corridor of the Village.

The proposed Mariano's fuel center is a very positive development for the Village. The current leaking underground storage tanks will be removed and the site will be fully remediated. The property will remain on the real estate tax rolls and the property will produce increased sales tax and motor vehicle fuel taxes that the Village really needs.

If the Park District blocks the redevelopment of the property, Mr. Grant will be denied a retirement that he deserves, and the Village, the school districts, the library and other taxing bodies will be denied the increased tax revenue that the redevelopment could provide, and the Village will be sending a message to Mariano's and other potential businesses that Arlington Heights isn't friendly to business.

So, in closing, I would just point out that exclusion of this parcel from the park is a very minor impact on the park. But the loss of this project has a very negative impact from the real estate, sales tax, and motor fuel tax to the Village, school districts, library and other taxing bodies. If the Park District has an interest in having control of this property on the long-term which is evidenced by the fact that they acquire properties and continue to lease them, we would be willing to give the Park District a right of first refusal to purchase the property after its full development if they want to control it in the long-term.

Those are my comments. Thank you for hearing me.

CHAIRPERSON ENNES: Mr. Troutman, I have a question for you. Do you know for a fact that the Park District has exempted these two other parcels and that they're collecting commercial rent on them?

MR. TROUTMAN: I know that those two parcels do not pay real estate taxes, and I certainly do hope that they're collecting rent on them.

CHAIRPERSON ENNES: I think they need to look into that without saying anything else. That's not appropriate.

Okay, Sam, is there any other members of the audience?

MR. HUBBARD: We do have Mark Sporcich coming up next.

MR. SPORCICH: Hello, can you hear me?

CHAIRPERSON ENNES: Yes, Mark.

MR. SPORCICH: Hi, thank you for taking my comment. That's Mark Sporcich. I've been a resident of Recreation Park neighborhood for probably 16 years or so. I had attended master plan meetings of the Park District many, many years ago.

One of the things that I hear most of the neighborhood saying here is that they're more interested in the Park District taking ownership of this. I would say I'm in the same camp.

In the criteria that you mentioned for a special use permit approval, one of the things you mentioned was that there should be, that it's deemed necessary for public convenience. I would take exception to that in particular and possibly to the place that it's not detrimental to the neighborhood. With respect to the public convenience, there are plenty of gas stations around, and I understand this has been a gas station, but there are many nearby. As

more and more people are switching to electric vehicles, it makes very little sense to be continuing with the gas stations here.

My feeling is that the Planning Commission should not approve this and they should send it for further deliberation with the community. I think you've heard just about every person and the Park District who has commented be opposed to redeveloping this as a Mariano's Gas Station.

So, that's all I have to say. I hope you'll take a look at everybody's comments and do the right thing. Thank you.

CHAIRPERSON ENNES: Thank you for your comments, Mr. Sporcich.

MR. HUBBARD: Okay, I see one more. It looks like Trey, this would be the last one perhaps.

MR. MURPHY: Hello, this is Kyle Murphy. I'm a resident of Arlington Heights as well. My whole feeling is with this whole, everybody is up and arms about the Park District, is the property was there to be bought and the Park District didn't pony up the money. If they wanted it, they could have had it. If anything, Grant Shell is a pretty rundown building right now. I think that Mariano's building looks beautiful and would make a great addition to Arlington Heights. If the Park District really wants it, just put your money where your mouth is and that's it.

CHAIRPERSON ENNES: Thank you, Kyle.

MR. HUBBARD: Okay, I see that everyone who had their hand raised has been given the opportunity to speak. If there is anyone else that would like to make a public comment, now would be the time to raise their hand and they can be identified.

(No response.)

MR. HUBBARD: Okay, seeing no additional hands being raised, I would say the public has concluded their testimony.

CHAIRPERSON ENNES: I will close the public portion of our meeting.

Do any of the Commissioners have questions from the public comment that they would like to address at this time? Commissioner Dawson?

COMMISSIONER DAWSON: Just the 24-hour impact. We said that we would get back to them on the running of the gas station as a 24-hour. Currently, I don't know what the current hours are but it's not 24 hours.

CHAIRPERSON ENNES: So, can we, Mr. Ferrel? Is it Ferrel, Dan Ferrel?

MR. FERREL: Yes, it's Dan Ferrel.

CHAIRPERSON ENNES: Is that something you can --

MR. FERREL: Certainly, happy to discuss the question.

So, we feel very confident that we've got the safety measures in place to operate, you know, 24 hours. Obviously, it got brought up that Kroger is a very big company and is very risk adverse. So, our preference would be to have a 24-hour location there. We would allow the customer the opportunity to, you know, purchase fuel after hours. However, if the purview of this Commission is that that should not be something, we're open to those discussions and would certainly, you know, be willing to discuss that if that's, you know, the overriding issue.

CHAIRPERSON ENNES: So, Sue, there was a question from one of the public about having it unattended 24 hours if there was a fire. Was that part of your question?

COMMISSIONER DAWSON: Well, I wanted to make sure that that was addressed. My question was in relation to lighting in the area. I've got to admit, even though I

lived there and go to this gas station all the time, I have no idea what time the lights turn off. I don't know if there is going to be 24-hour lighting and how that might impact the residents that live right there.

Do you have any feedback on that, Sam? Or could the Petitioner speak to the lighting issue?

MR. HUBBARD: Yes, I mean, I can address it relative to a code standpoint. We evaluated the photometric plan and it conforms to code. I mean, there is no illumination that it's putting off outside of the property boundaries that exceeds our requirements. They're, you know, keeping the number of parking lot lights the same, at two. I believe that the lights they are going to install are going to be directly facing down, whereas the current parking lot lights kind of face outward towards the site. So, again, from the photometric standpoint, you know, it complies with code and, you know, it could even be an improvement.

COMMISSIONER DAWSON: Sam, are there any other businesses right there on that corridor that operate 24 hours a day? It appears to me that everything else on that corridor is not a 24-hour facility. So, this would be a change because we would have traffic and noise in the middle of the night potentially that does not currently exist along that corridor, unless I'm wrong that there is something there that's 24 hours.

MR. HUBBARD: I can't off the top of my head think of any 24-hour business in this immediate vicinity.

COMMISSIONER GREEN: If I could just jump in on your comment, Sue. I don't think people are going to get up in the middle of the night and go out and fill up their car at this gas station. I think there's a given amount of traffic on Northwest Highway during the nighttime hours, and it might be a convenience stop for one of them. I just don't see somebody setting their alarm to get up to go over here because they're open 24 hours a day. That's just my theory.

COMMISSIONER DAWSON: I'm not implying that that's the case, but someone driving a car down the street is different than someone pulling into a gas station, stopping, maybe talking on their cell phone while they're loading up, making other noise at a gas station. This is abutting a residential community and the 24-hour component does bother me because --

COMMISSIONER GREEN: Well, it is a commercial strip and it is --

COMMISSIONER DAWSON: I'm still talking, Bruce. Bruce?

COMMISSIONER GREEN: Yes.

COMMISSIONER DAWSON: This is my community, okay, so the 24-hour component bothers me. It's not 24 hours right now and I'm just curious what the Village did in considering why we would suddenly allow a 24-hour business somewhere that we have never had a 24-hour business allowed before along, I mean, where on Northwest Highway in Arlington Heights is there a 24-hour business allowed?

COMMISSIONER DROST: This is George Drost. There is not a 24-hour, but the Marathon at Vail and Northwest Highway is open until midnight or 2:00. There's very little activity there, as a resident of the neighborhood and can view it 24/7.

COMMISSIONER DAWSON: I'm just curious why we would have a 24-hour business at this location. I mean, if there's no need, you guys are all saying there's no need, but the Village may --

COMMISSIONER GREEN: I didn't say that there's no need, Sue.

COMMISSIONER DAWSON: -- not want to propose a timeframe rather than allowing it to operate 24 hours?

CHAIRPERSON ENNES: Along that line, Commissioner Dawson, Sam, do you have a graphic that you could put up to show us how close residences are to the subject property? Well, we have the apartment right next door, right? But that's going to eventually be Park District.

MR. HUBBARD: Can everyone see this?
(Chorus of yeses.)

MR. HUBBARD: Okay, so I don't know if you can see this. You can see the property right here; this is the subject property. This is the building that's owned by the Park District that they rent out to their employees. These are the two homes north. This is the travel agent and then this is a home right here.

CHAIRPERSON ENNES: Okay.

MR. HUBBARD: These are businesses that are owned by the Park District and this is Recreation Park.

CHAIRPERSON ENNES: Thank you, Sam.

COMMISSIONER DAWSON: I just want to, we don't see a lot of 24-hour uses going through the Planning Commission, and that's my point. We've had a number of projects that about a small number of residential areas where we have long discussions about what time they have to shut down and when they have to be quiet. I'm just curious for Mariano's why the necessity of it operating 24 hours.

MR. NELSON: This is Shaun Nelson. I can speak to that, and then also if you'd like I can touch on some of the safety components for the 24-hour which the exact question was asked earlier.

To start with the general look at the hours, one of the other Commissioners had mentioned it, but it's not so much that we are anticipating anyone particularly deciding that they need to fuel up at a certain, 2:00 o'clock in the morning, 3:00 o'clock in the morning. But it is generally based off of looking at market studies that we do and seeing the traffic that we see on Northwest Highway and realizing that our customer base may have odd hours for work. They might be up and out for other reasons and it's just giving everyone an opportunity that if they're on the street grid already, they have the opportunity to fuel up no matter what time it may be. So, it's not, we don't look at it as a way that we're trying to generate more traffic to the neighborhood. It's basically taking, pulling traffic off of Northwest Highway that's already there.

Then just quickly on the safety component for 24/7 pumping; the state of Illinois with their Fire Marshal Department considers sites either manned or unmanned. This site, even though we have someone there for the majority of the day, it would be proposed to be an unmanned site, which means that we have to meet stricter regulations when it comes to safety. If you were to go to a site that's not open 24 hours right now, you'll typically notice that they have one, two, maybe a third emergency stop button that are located throughout their property, usually one on the outside of the convenience store. The convenience store employees will have one inside, and then there's usually one near the area that the fuel is going into the ground.

In this case, with our two locations that are 24-hour pumping which are our Lombard location and our Crystal Lake location, based on the square footage of the

canopy size and the distance from the dispensers to the kiosk and to where the fuel goes into the ground, the state requires us to add additional emergency stop buttons. Those emergency stops do need to be tied into the local emergency services. So, if that alarm does go off, not only does it notify myself and then someone at the grocery store as we have employees there 24/7 stocking and doing other things, it does notify that the emergency stop button was pushed.

Then on top of that, we oftentimes, based on municipal code and working with your Fire Department and again with the state, look at other things whether it be heat sensors in the canopy, we have at one location and having, we also do have an emergency 911 phone that has a direct line to 911. It's on the side of the kiosk that's clearly labeled in a red box with a sign above it. So, the precautions are there.

We do, excuse me, just in general, we do meet or exceed all EPA standards. The EPA guidelines changed in October of 2018, and the Kroger Company and Mariano's were making those updates prior to the changes being enforced. As you drive around these days, you may see a number of fuel centers that are under construction with tanks either being changed out or piping being changed. All of our tanks and our piping system are double-walled. So, we do ensure that we have extra precautions in place in the areas that, you know, we can't see with our everyday eyes under the ground. Then the site itself will have a number of sensors, both in the fueling dispensers, underneath dispensers, in the tanks, outside the tanks, in the ground, there's a monitoring wall.

So, we have all of that. That ties into a tank monitor that is web-based. So, not only can the clerks that are there see it, our transportation company that provides the fuel sees it. Myself can see it remotely. The store sees it remotely, and then also different divisional offices have access to it at all times, too.

COMMISSIONER DAWSON: Shaun, can you let me know, the pumps, will they have those automated videos that go on as soon as somebody starts pumping gas?

MR. NELSON: They will not, no.

COMMISSIONER DAWSON: Okay.

CHAIRPERSON ENNES: Susan, is there anything else?

COMMISSIONER DAWSON: No, I just wanted, I'm just curious, you know, from a Commissioner standpoint. A few years ago, we had a Dunkin' Donuts that we grilled them about noise after 10:00 p.m., and all that was behind there is one apartment complex. I'm just a little disappointed in hearing the Commissioners blowing off now we're putting in a 24-hour facility right up against a residential neighborhood. That's, I mean, to me it's concerning. I don't know why the Village didn't take a closer look at the 24-hour component. I'd rather have seen some language in here somewhere that if there's complaints, we would revisit the 24 hours, if we're receiving noise complaints or something along those lines. I think that we're being very flipped about adding a 24-hour facility somewhere that we have never allowed that before.

MR. HUBBARD: So, Commissioner Dawson, if I could just make a point, and you're probably aware of this, but one thing that did factor into the Village's analysis of this is the future plan of the Park District, to redevelop the immediately abutting residential uses into the park land. So, the people that would be most immediately affected by this are located here. The long-term plan is to redevelop that as park land, so that was one thing that we did take into consideration relative to the impacts of this use.

It is certainly in the purview of the Plan Commission to place a restriction on hours of operation if that's something the Plan Commission is interested in doing

and thinks that protects the general welfare and morals of the community. It's something that, you know, is within their purview to consider. From a Staff perspective, again, we took into consideration the surrounding land uses and their future plans, and that's what led to our evaluation.

COMMISSIONER DAWSON: Sure, Sam, I understand that, but I just don't think that we can, the Park District may never redevelop that and those houses may always be there. So, I always look at the property as it currently exists. If those houses were being demolished, maybe that would be a different story, but they're not right now. So, there are people that live right next to this and I'm just a little disappointed that we're not taking that 24-hour component into account.

From the special use perspective, on a necessity. Is it necessary to have it open between the hours of 2:00 a.m. and, you know, 6:00 a.m. or something, you know, to that effect? Do we have another gas station that's open that late down the road, then I can understand why we would allow this one to be open for a similar amount of time. That one is not quite as much in a residential area, but still is a fairly residential area. But here we're allowing 24-hour usage without any limitations, and we frequently see limitations in motions saying if there's complaints we'll revisit. Here, I'm not seeing that at all, so I'm just a little surprised to see the 24-hour component being glanced over so much by the Commission, though maybe other Commissioners agree with me, I don't know.

COMMISSIONER WARSKOW: Can I ask a question, Sam?

I know within the last year or so, we had a petitioner with a gas station abutting a residential area further down on Northwest Highway, closer to New Wilke. I remember discussing the 24-hour component. Do you know offhand how that was resolved? Because I can't remember, specifically.

MR. HUBBARD: No, I can't recall specifically either. I think you're probably talking about the 7-11 Gas Station on Wilke and Algonquin right by the Taco Bell?

COMMISSIONER WARSKOW: No. No, this is like near, I think near Jimmy D's on Northwest Highway.

MR. HUBBARD: Okay, yes, yes, I do know the one you're talking about. Yes, because that never moved forward to the Village Board –

COMMISSIONER WARSKOW: Okay.

MR. HUBBARD: -- maybe, no, no, no, this is the Marathon Gas Station. It was next to Jimmy D's. Yes, that did move forward to the Village Board, I don't recall the outcome or the discussion on hours of operation. I know that was a component and part of the discussion, but that never did of course move forward due to contamination issues, I believe.

COMMISSIONER GREEN: Sam, was that a towing issue? Didn't it have a towing operation? I kind of remember that as well.

COMMISSIONER DAWSON: I think that was years ago. Wasn't that one year ago, the towing issue for the trucks?

COMMISSIONER GREEN: It was a couple, actually, I think.

COMMISSIONER JENSEN: Was that Dakota K?

COMMISSIONER DAWSON: No, not Dakota K.

COMMISSIONER GREEN: No, it wasn't Dakota K.

COMMISSIONER DAWSON: No, there was another facility, an automotive shop along there I remember. I mean, that's the problem, right, Bruce, who's being on for years,

or not the problem, but there's been a lot of potential plans that have gone through there and sometimes they get mixed up. I don't believe I was at that Commission hearing when we talked about a 24-hour gas stations. So, if I'm mistaken and the Planning Commission did have a discussion and did approve and believe that a 24-hour gas station on Northwest Highway was appropriate, then I wasn't at that hearing and then it has been considered. But I just, I don't know, we'd have to, maybe the neighbors can pull up those Commission minutes.

CHAIRPERSON ENNES: It's west of New Wilke's Palatine. So, if it wasn't east of New Wilke.

COMMISSIONER CHERWIN: No, this is over by --

COMMISSIONER DAWSON: So, the Marathon is east of Jimmy D's, that's in Arlington Heights, if that's what we're talking about.

COMMISSIONER WARSKOW: Yes, that is what we're talking about.

CHAIRPERSON ENNES: Okay.

COMMISSIONER CHERWIN: It's close to the BMP development, I think.

COMMISSIONER JENSEN: Just a couple of observations. First of all, I know that, I can see that Sue is looking at this as a potential generator of either more traffic or more noise or more light or whatever for the residents. I view it more as actually something that is a convenience for the public and a safety issue. If people are driving late at night and they need gas, they can go in there. I don't think that it's open 24 hours a day is going to, as Commissioner Green said, generate a lot of new traffic, a lot of new noise, a lot of new light or whatever.

So, I don't see that as a big issue. I think as a general rule in making public policy, you don't take outliers, you don't take things that are out in the tails of the distribution and allow that to move public policy.

But I'd like to go to a more general discussion which is I think the residents have made some excellent points about what ought to be happening with this area and the Park District moving forward with part of their master plan. I think I've been appropriately corrected by Sue and by our Chair that many of those things that have been raised by them are outside of our purview.

I'm going to say a further thing is I'm kind of underwhelmed by what the Park District representatives have brought forward, because if what Mr. Troutman said is correct, that originally the owner of this property went to the Park District and offered it to them because he thought they had first right of refusal and all of that resulted in nothing; that it didn't come to any kind of conclusion. The other comment that was made by a couple of others of the public who said basically the southern half of the Park District's area here has not been developed well by the Park District. It's become a large dog park that's unlicensed with things that you don't want happening generally in your area and so forth. So, I don't really, I'm having trouble seeing that the Park District is in earnest about wanting to meet their master plan.

Now, the owner of this property wants to move forward. He doesn't want to have a service station there anymore, and he wasn't able to reach a deal with the Park District which apparently is not very serious about the developing the entire plan because they're allowing these residential properties to be part of the land that they own and they're renting them out. So, it doesn't look like they're really anxious to aggressively develop the rest of their master plan.

You know, I see that quite frankly Mariano's has a legitimate case to

bring before the Plan Commission. But the Board is going to have to decide whether they want to take these broader concerns of the public seriously and make a different ruling. But from what you have told me, Sam, and so forth, our purview is very narrow: does the Petitioner make these very narrow criteria for getting essentially just one thing, a special use permit? Quite frankly, I'm having trouble seeing where they don't qualify for a special use permit.

I may even agree with all of the public comments, that it would be nice if the Park District would fully develop their master plan. They seem to be reticent or having trouble doing that. I don't see any grounds for this Plan Commission to deny the Petitioner the request for a special use permit. So, I'm having a bit of a dilemma here and I think it's not going to be solved by us at the Plan Commission, it's going to be solved by the Board.

So, as I said, I'm highly conflicted having listened to all the different points that were made by both Commissioners and the public.

COMMISSIONER DAWSON: Lynn, I have to disagree with you on the public policy issue when it comes to the 24 hours. We deal with that quite frequently. I go back to the Dunkin' Donuts, and quite frankly in my family, 24-hour access to a Dunkin' Donuts might be considered a necessity. We love our Dunkin' Donuts. But that facility was not allowed to be open for 24 hours, and we very much discussed it, and we discussed the noise level. We discussed that they had to reduce the speaker box, and we had long-term discussions about at what time it should be quiet there.

So, what I go back to is, I completely agree with you, as sad as I am and as much as my neighbors aren't going to be happy with me on it, I don't see any reason why we can't, why this doesn't fall within special use. But I also don't see any reason why we as a Commission seem so opposed to add language into the motion or into the requirement that says that if there are complaints or if the Village receives excessive complaints, that Mariano's will work with them to, you know, to reduce the nuisance or to revisit the hours. We do that quite frequently. So, that would be my recommendation.

COMMISSIONER JENSEN: Sue, if that's all you want, I agree a 100 percent. I think that language ought to be added in. I think it will be one person a year, but that's fine. I think the language ought to be added in because I agree with you.

COMMISSIONER DAWSON: I don't disagree with you that this falls under special use. I'm just wanting to make sure that we have what is very common to this Commission to add in that kind of language to require Mariano's to work with the Village if it becomes a nuisance in the long run.

COMMISSIONER JENSEN: And I think that should be added in. I don't think it will actually make much practical difference, but I would certainly support that being added in. I'm having trouble seeing how anybody other than the Board can deal with the issues that have been raised by most of the public.

COMMISSIONER CHERWIN: I don't, in my opinion, you know, I don't know that there's been a whole lot of opposition on the Board to restricting the 24-hour. I mean, it's been discussed pretty thoroughly. I think what we haven't heard necessarily is from Mariano's, how critical it is to business operations at this station and are they willing to accept that type of restriction. I don't know what the time range should be, but something less than 24 hours and move forward with their project. I guess I'd like their thought on that from Shaun or Dan.

CHAIRPERSON ENNES: Before we go to that, Commissioner Dawson,

are you saying that you would like to see some kind of a limitation on the hours irrespective, or if there's complaints?

COMMISSIONER DAWSON: No, I think that there's complaints if it becomes a nuisance to the area. I don't know that the Planning Commission has ever dictated to a petitioner that has come forward and gone through and been fully vetted with the Village, received, you know, Staff recommendation for hours, at least cut back on their hours. I don't see a precedent for that, but I do see a precedent for us asking for that language to be included if there is a nuisance, that Mariano's work with Staff on addressing that.

CHAIRPERSON ENNES: And I think I could agree with you on that, although I think the analogy of a Dunkin' Donuts and a gas station at 2:00 in the morning are pretty different. I think somebody who pulls into a gas station for gas at 2:00 in the morning is in need of some gas and get on their way as opposed to some people who are coming home from some place to a Dunkin' Donuts who might be a little bit rowdier at 2:00 in the morning. But if it became a nuisance, I would definitely be open to having the possibility of a limitation and possibly, Mr. Ferrel, are you the person that can comment on that? What are your thoughts on that?

MR. FERREL: Yes, I'd be more than happy to comment on that. So, the answer is we are always looking to be good neighbors. So, if there would be language drafted such that if there's excessive complaints, that we'd work with Staff to resolve those issues or alter operations to make sure that we correct those, and if we can't correct them, that we have hours adjusted, you know, as necessary, I'd be very comfortable with language like that.

MR. HUBBARD: I have draft language for a condition like that whenever the Plan Commission is ready if they want to make a motion.

CHAIRPERSON ENNES: Okay.

COMMISSIONER GREEN: Let's hear it, Sam.

MR. HUBBARD: Should noise generated from activities occurring on the subject property become a nuisance at the discretion of the Village, the Petitioner shall work in good faith to address noise issues, which may include restrictions on hours of operation.

COMMISSIONER JENSEN: Well, Sue, also concerned about lighting; maybe you need to add something about lighting which I don't think will be a problem given all that you've said, but you seem to also have some concern about that in terms of disturbing the neighborhood. So, it isn't just --

COMMISSIONER DAWSON: No, I think, Sam, to me, Sam addressed that in that the lighting, it meets code. I don't know that, you know, I think Staff answered, addressed that question. I was more concerned with noise.

COMMISSIONER JENSEN: Okay, then that's fine. I can't imagine anyone would oppose that.

CHAIRPERSON ENNES: Okay, do we have a motion?

COMMISSIONER DROST: Yes, let me just add two things before we do the motion. One is, you know, this property is right across the street from the railroad tracks, and sometimes trains make noises, too, you know, and I'm a neighbor of that.

COMMISSIONER GREEN: With lights.

COMMISSIONER DROST: Secondly, on the issue of community, I think we can also recognize that Bob Mariano was an Arlington Heights resident and that was one of the driving forces for him to establish the Mariano's in Arlington Heights. He was very thankful

with the support by initiating this first facility and, you know, God bless him. He's successful. He's got a Cincinnati based company that's taken over. It's the way America works, you know. God bless America.

COMMISSIONER GREEN: Hear, hear.

COMMISSIONER WARSKOW: Can I just ask one more question? I'm sorry, I know everybody wants to be finished and make the motion.

CHAIRPERSON ENNES: No, no, please.

COMMISSIONER WARSKOW: I want to better understand what the options are for safety reasons for the fence at the corner of the driveway of that apartment building and the driveway of the gas station. I mean, you even brought it up yourself, Sam, that there, you know, could be visual, it could block vision of a person pulling out of that apartment complex.

MR. HUBBARD: So, yes, thank you. So, let me clarify here. The location of the fence, so I'm just talking about it may need to be pulled back here, and the Petitioner will be required to make that change to comply with code in a way to provide better visibility coming out here.

COMMISSIONER JENSEN: Are you saying reduce the size or move it further?

MR. HUBBARD: Right, pull it back. So, instead of starting here, it starts here and then run the fence like this.

COMMISSIONER JENSEN: So, shorten the run. Shorten the run, then.

MR. HUBBARD: Right, exactly. And they would be required to do that to conform with code, so there's no need for a condition of approval.

COMMISSIONER JENSEN: Okay.

COMMISSIONER WARSKOW: Okay, thank you for clearing that up.

MR. HUBBARD: Yes.

CHAIRPERSON ENNES: Okay, good question, Commissioner Warskow.

Okay, so we're looking for a motion. Is there a motion?

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

A motion to recommend to the Village Board of Trustees approval of PC# 20-009, a Special Use Permit to allow an automobile service station on the subject property, and the following Variation:

- 1. A variation to Chapter 28, Section 6.13, to allow a six-foot solid fence in a front yard where only a three-foot tall open fence is permitted.**

This recommendation shall be subject to the following conditions:

- 1. The Petitioner shall provide a fee in lieu of any stormwater detention capacity required but not provided on site, estimated at a total of \$2,034.**
- 2. IDOT approval shall be required for the proposed modifications to access along Northwest Highway.**
- 3. The Petitioner shall revise the plans to include an approximately six-foot wide sidewalk along Northwest Highway. The Petitioner shall grant a perpetual access easement in any area where said sidewalk encroaches onto the subject property.**
- 4. Compliance with June 23, 2020 Design Commission motion shall be required..**

5. **The Petitioner shall comply with all federal, state, and Village codes, regulations, and policies.**
6. **Should noise generated from activities occurring on the subject property become a nuisance at the discretion of the Village, the Petitioner shall work in good faith to address noise issues, which may include restrictions on hours of operation**

CHAIRPERSON ENNES: Is there a second?

COMMISSIONER DROST: Yes, so I'll second that, and the motion related to noise and noise abatement.

CHAIRPERSON ENNES: That would be condition number six.

COMMISSIONER DROST: Correct.

CHAIRPERSON ENNES: Okay, and any discussion?

Can we have a roll call vote?

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Yes.

MR. HUBBARD: Commissioner Drost.

COMMISSIONER DROST: Aye, with comment.

MR. HUBBARD: Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes, with comment.

MR. HUBBARD: Commissioner Dawson.

COMMISSIONER DAWSON: Yes, with comment.

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Yes, without comment.

MR. HUBBARD: Commissioner Lorenzini.

COMMISSIONER LORENZINI: Just a plain yes.

MR. HUBBARD: Commissioner Sigalos. Commissioner Sigalos?

CHAIRPERSON ENNES: John, we can't hear you.

COMMISSIONER JENSEN: Unmute, John.

COMMISSIONER DROST: Nod your head or shake your head yes or no.

CHAIRPERSON ENNES: Thumbs up, okay, that's a yes.

MR. HUBBARD: All right, Commissioner Warskow.

COMMISSIONER WARSKOW: Yes, with comment.

MR. HUBBARD: Chairman Ennes.

CHAIRPERSON ENNES: Yes.

So, we have comment. Commissioner Drost, can we start with yours?

COMMISSIONER DROST: Yes, it's going to be short. It's basically to advise our Board of Trustees to take a look at the comments, particularly of Lynn Jensen where the equivocation or the balancing has to take place in this process.

CHAIRPERSON ENNES: Okay, thank you.

Commissioner Cherwin?

COMMISSIONER CHERWIN: Yes, I just wanted to say, you know, I'm a big fan of the Park District. They do a great job. I volunteer probably upwards of 100 hours a year for the Park District. Rec Park is, you know, a place I've been going to since 1984, and I've been playing on and coaching on. But Mariano's is also a business here in Arlington Heights

that's given a lot, and I think it's a dangerous precedent to set a trump card with a governmental entity every time a property goes under contract potentially. So, I think that's a big factor here that just have to make sure it's on the record.

CHAIRPERSON ENNES: Thank you.

Commissioner Dawson?

COMMISSIONER DAWSON: I just wanted to say that it's really hard for me to vote yes for this, because as a resident of Rec Park and a resident of the Village of Arlington Heights for the large majority of my life, I would love to see this be a park and not be a gas station. But it meets the criteria of special use, and I see lots of comments there from my, I'm guessing many of my neighbors that don't understand why. So, I'm happy to talk to you guys about why it meets the special use criteria, but it does.

Also, as a business owner, I just don't, I have a hard time feeling that anyone has the right to get in the middle of my sale and I don't think it matters if he's selling to the park or if he's selling to Mariano's or the business for more or less than what the park offered. He has the right to sell his business on terms that he wants to. It was a gas station; it's going to be a gas station.

I have a hard time as a Planning Commissioner opposing that. Village Board, I might be sitting in the audience with all my neighbors, but here, I have to vote yes.

COMMISSIONER DROST: Yes, Commissioner Dawson, don't you have a parent that was in the Park District to, official?

COMMISSIONER DAWSON: Are you going to put all of my vices on the table?

COMMISSIONER DROST: Exactly, yes. Be transparent.

COMMISSIONER DAWSON: Yes, my father was a Park Director for over 30 years, so I'm very, I'm the pro-Park District Planning Commissioner, absolutely. So, it's killing me a little bit to vote yes here, but as a Planning Commissioner, I don't see that I have any other choice, so my vote is yes.

CHAIRPERSON ENNES: Commissioner Warskow?

COMMISSIONER WARSKOW: Yes, I'm with everybody. You know, this is a difficult one to balance in that I really support more open space. I think you all have heard that enough from me. But also, we need to abide by the scope of the Commission, and also the fact that this is a private sale between a property owner and an entity willing to buy the property. Sue mentioned, you know, as a business owner, I can think of as a property owner in general, you wouldn't want somebody stepping in the middle of the sale of your home just because somebody else will add on to it in a way that they like better.

So, you know, this is our purview and this is, and also for tax purposes, I think this is a positive for the community.

CHAIRPERSON ENNES: Thank you all for your comments and deliberation. I think this was a difficult hearing, but I think we came out with the absolute right decision from our purview.

For the Petitioner, Mariano's, I think it's a very nice project. You have probably a long way to go. You've got to go through the Village Board, but I think you've put together a nice package here. The best of luck with your development if it goes that way. So, you have a unanimous decision from the Plan Commission.

Sam, any idea when they might be going to the Village Board?

MR. HUBBARD: The earliest would possibly be August 3rd, although I'm not sure there's room on the agenda for you at that meeting, so we'll be in communication, Tim, as this moves forward and we'll find a date for you.

MR. KRATZ: Understood. Thank you all for your time and comments.

CHAIRPERSON ENNES: Okay, and to all the people in the audience, thank you for your comments and consideration, all of you from both sides. Thank you very much.

Is there any other business on the agenda? I don't see any.

MR. HUBBARD: There's no formal business. I would like to say this would be, at least at this time, our last Zoom meeting. As we go forward to the Village Board in August, that would be an in-person meeting. So, anyone interested in following this project, it would be an in-person meeting in August. I will mention that things could change on a daily basis, so that may not be the case when we move forward, so just check back. Otherwise, that's all that I have.

COMMISSIONER JENSEN: Terry, I've got to say, I'm very impressed with your beard. I can see you're getting ready for the Santa Run at the Rotary Club.

CHAIRPERSON ENNES: I just got a trim the other day, too, but anyways, thanks, Lynn.

Okay, thank you all. I really appreciate all of your comments. I think it was a very interesting discussion and a tough one for us because we love our Village.

But a motion to dismiss?

COMMISSIONER JENSEN: So moved.

COMMISSIONER DROST: Second.

CHAIRPERSON ENNES: Second. All in favor? Do we have to do this by roll?

COMMISSIONER DAWSON: Everything has to be by roll, right?

MR. HUBBARD: Everything has to be roll.

CHAIRPERSON ENNES: Okay, go for it.

MR. HUBBARD: Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes.

MR. HUBBARD: Commissioner Dawson.

COMMISSIONER DAWSON: Yes.

MR. HUBBARD: Commissioner Drost.

COMMISSIONER DROST: Aye.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Yes.

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.

MR. HUBBARD: Commissioner Lorenzini.

COMMISSIONER LORENZINI: Yes.

MR. HUBBARD: Commissioner Sigalos, did you find your unmute button?

COMMISSIONER SIGALOS: I think I did. Yes.

MR. HUBBARD: Commissioner Warskow.

COMMISSIONER WARSKOW: Yes.

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MR. HUBBARD: Chairman Ennes.

CHAIRPERSON ENNES: Yes.

Thank you all, good night.

(Whereupon, at 9:58 p.m., the above-entitled meeting was adjourned.)

DRAFT



Plan Commission 8/26/2020

Item: Pet Suites - 1050 E. Rand Rd. - PC#20-010

Department: Planning & Community Development

Requested Action

1. Rezoning from the B-3, General Service, Wholesale, and Motor Vehicles District to the B-2, General Business District.
2. Land Use Variation to allow a commercial kennel in the B-2 District.

Variations Required

1. Variation to Chapter 28, Section 6.13-3b, to allow a 7' tall solid fence in the side and rear yard where the maximum permitted fence height is 6' tall.
2. Variation to Chapter 28, Section 6.5-2, to allow an accessory structure in a side yard where accessory structures are only allowed in a rear yard.
3. Variation to Chapter 28, Section 6.5-7(b), to allow an accessory structure that is 400 square feet where code limits maximum size to 300 square feet.

Recommendation

The Staff Development Committee has reviewed the petition to rezone the subject property from the B-3, General Service, Wholesale and Motor Vehicles District, to the B-2, General Business District, a Land Use Variation to allow a Commercial Kennel within the B-2 District, and the following variations:

- Chapter 28, Section 6.13-3b, to allow a 7' tall solid fence in the side and rear yard where the maximum permitted fence height is 6' tall.
- Chapter 28, Section 6.5-2, to allow an accessory structure in a side yard where accessory structures are only allowed in a rear yard.
- Chapter 28, Section 6.5-7(b), to allow an accessory structure that is 400 square feet where code limits maximum size to 300 square feet.

The Staff Development Committee recommends APPROVAL of the application, subject to the following conditions:

1. The Land Use Variation for the commercial kennel shall only apply to the petitioner.
2. Outdoor usage/recreation for animals staying at the facility shall occur only within the fenced outdoor play area (i.e. walking of dogs around the property or surrounding neighborhood shall not be permitted).
3. Should excessive noise from the subject property become a problem, at the discretion of the Village, the petitioner shall work with the Village to address said noise issue, which may include (but is not limited to) restrictions on usage times and/or number of dogs within the outdoor play area, the replacement of a portion of the vinyl fence with a solid masonry fence for enhanced sound attenuation, and/or sound attenuation improvements to the building.
4. The landscape plan shall be revised to include plantings around the entire perimeter of the outdoor play area.
5. Compliance with the June 23, 2020, Design Commission motion.
6. The petitioner shall comply with all Federal, State, and Village Codes, Regulations, and Policies.

ATTACHMENTS:

Description	Type
PC Staff Report	Board or Commission Report
DC Staff Report	Board or Commission Report
DC Minutes 6/23/20	Minutes
CPRC Minutes - 1/8/20	Minutes
Aerial	Exhibits
Public Notice	Exhibits
Project Narrative	Correspondence
Justification for Variations	Correspondence
Petitioner Analysis of Pet Suites Locations Adjacent to Residential	Correspondence
Plat of Survey	Exhibits
Site Plan	Exhibits
Elevations	Exhibits
Floor Plan	Exhibits
Landscape Plan	Exhibits
Rendering	Exhibits
Outdoor Play Area Furnishings	Exhibits
Traffic & Parking Study	Exhibits
Department Comments - Round 1	Exhibits

Department Comments - Round 1 -
Petitioner Response

Exhibits



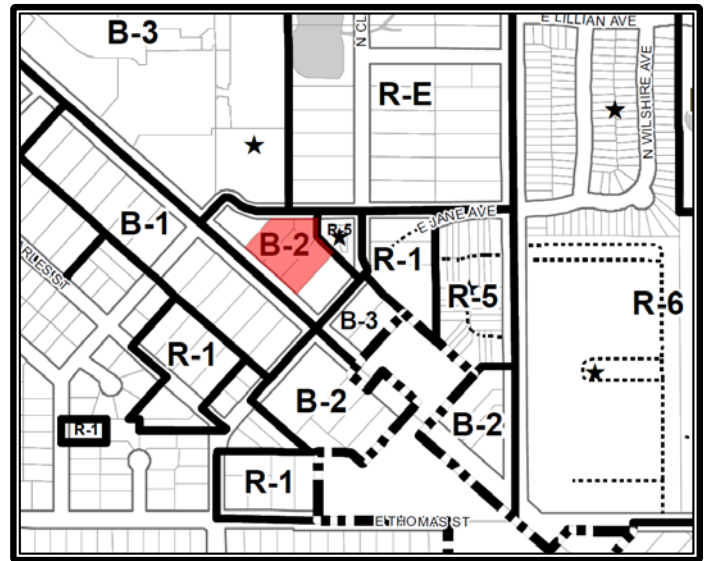
VILLAGE OF ARLINGTON HEIGHTS **STAFF DEVELOPMENT** **COMMITTEE REPORT**

Project Number: PC 20-010
Project Title: Pet Suites
Location: 1050 E. Rand Road
PIN: 03-20-205-002, -004, -007, and -008

To: Plan Commission
Prepared By: Sam Hubbard, Development Planner
Meeting Date: August 26, 2020
Date Prepared: August 21, 2020

Petitioner: Novogroder Properties, LLC
Address: 875 N. Michigan Ave. – Suite 3612
 Chicago, IL 60611

Existing Zoning: B-3: General Service, Wholesale, and Motor Vehicles District
Comprehensive Plan: Commercial



SURROUNDING LAND USES

Direction	Existing Zoning	Existing Use	Comprehensive Plan
North	B-3: General Service, Wholesale, and Motor Vehicles District R-E: Public Lands District	Southpoint multi-tenant shopping center, Single-family home	Mixed Use, Single Family Detached Estate
South	B-2: General Business District, B-1: Limited Retail Business District	Minor auto repair business (Midas), multiple commercial buildings	Commercial
East	R-5: Multi-Family Dwelling District	Multi-family development	Moderate Density Multi-Family
West	B-2: General Business District	Dunkin Donuts/Baskin Robbins store	Mixed Use

Requested Action:

- Rezoning from the B-3, General Service, Wholesale, and Motor Vehicles District to the B-2, General Business District.
- Land Use Variation to allow a commercial kennel in the B-2 District.

Variations Required:

- Variation to Chapter 28, Section 6.13-3b, to allow a 7' tall solid fence in the side and rear yard where the maximum permitted fence height is 6' tall.
- Variation to Chapter 28, Section 6.5-2, to allow an accessory structure in a side yard where accessory structures are only allowed in a rear yard.
- Variation to Chapter 28, Section 6.5-7(b), to allow an accessory structure that is 400 square feet where code limits maximum size to 300 square feet.

Project Background:

The subject property is 72,412 square feet in size and contains a 16,460 square foot single-story building with an additional 5,281 square feet of space within the basement. The building has been vacant for over two years. Access to the site comes from two right-in/right-out driveways along Rand Road and a singular full access driveway along Jane Avenue that leads to the signalized intersection of Rand Road and Jane Avenue. The subject property contains 86 parking spaces.

Pet Suites, a nation-wide animal boarding facility that provides day care and overnight services for dogs and cats, has the subject property under contract and would like to open a location in Arlington Heights. Hours of operation would be from 6:30am until 8:00pm every day, and the petitioner anticipates a maximum capacity of 130 dogs and 10 cats. Initially, the business would have 5 full time employees and up to 10 part time employees, with peak future staffing at up to 25 employees. In addition to minor enhancements to the building façade, the petitioner would be remodeling the interior and adding a screened outdoor play area on the southeastern side of the building. Pursuant to the business plan, the following services would be offered:

- Daycare capacity for up to 130 dogs
- Overnight capacity for 130 dogs and 10 cats
- Animal grooming/washing and haircuts
- Dog training school
- Ancillary retail sales of pet products

The outdoor play area would be screened by a 7' tall vinyl fence with landscape screening around the outside perimeter. A 400 square foot permanent canopy shelter (12' tall) is proposed within the outdoor play area, as well as a portable warming shelter for winter months. Company policy requires the outdoor play area to be under full time supervision during use, and dogs are segregated into separate areas based on size. If a dog is particularly noisy and continues to bark, the dog is brought inside. Outdoor areas are cleaned 3-4 times daily. Staff would not walk dogs within the parking lot or on the exterior of the premises or surrounding neighborhood; all exterior activities take place within the outdoor play area. After the facility closes at 8pm, there is no further usage of the outdoor area.

Zoning and Comprehensive Plan

The Village Zoning Map shows the property as zoned B-2, General Business District. However, during review of this application, it was found that the property was rezoned into the B-3, General Service, Wholesale, and Motor Vehicles District in 1988. There is no evidence that the property was ever rezoned into the B-2 District, and therefore the B-2 classification as shown on the zoning map is presumed to be an error.

However, the Village believes that B-2 zoning on the property is more appropriate than B-3 zoning due to the range of uses allowed under the B-3 classification. The petitioner is therefore seeking a rezoning into the B-2 District. Commercial Kennels are not permitted uses within the B-2 District, therefore, the petitioner is seeking a Land Use Variation to allow a Commercial Kennel within the B-2 District.

The petitioner has provided a written response addressing each of the four hardship criteria necessary for Land Use Variation approval, which criteria have been included below for reference and which response is within the packet provided to the Plan Commission:

- **The proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property.**
- **The plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned.**

- **The proposed variation is in harmony with the spirit and intent of this Chapter.**
- **The variance requested is the minimum variance necessary to allow reasonable use of the property.**

The Staff Development Committee concurs with the petitioner that the necessary criteria for Land Use Variation approval have been met, and notes the following:

- The proposed use will not alter the essential character of the locality in that there are neighboring commercial uses (Dunkin Donuts with a drive-thru and Midas auto repair) that are compatible with the proposed commercial kennel. Neighboring residential uses will be buffered through the existing fence along the northern property line, and the outdoor play area will also be buffered with fencing and landscaping. Perimeter landscaping will be enhanced to the north east and northwest.
- The unique circumstance of an over two-year vacancy illustrates the challenges of finding a user for this site that conforms to the allowable B-2 or B-3 uses.
- Traffic generation during peak times for the proposed use is expected to be equal or less than what it would be for the site had the site been used as a permitted use within the B-2 or B-3 District.

Although the outdoor play area will be screened with a 7' tall vinyl fence, because of the potential for loud noise, staff is recommending a condition of approval that should excessive noise from the subject property become a problem, at the discretion of the Village, the petitioner shall be required to work with the Village to address said noise issue, which may include (but is not limited to) restrictions on usage times and/or number of dogs within the outdoor play area, and/or the replacement of a portion of the vinyl fence with a solid masonry fence for sound attenuation.

The Comprehensive Plan classifies this property as appropriate for "Commercial" uses, and the proposed commercial kennel is compatible with this designation. Three variations are required; 1) for the location of the canopy structure within the outdoor dog play area, 2) the size of the canopy structure within the outdoor play area, and 3) the height of the outdoor play area fence at 7'. These variations will be reviewed in detail below.

Building, Site and Landscaping:

The petitioner has proposed some minor modifications to the exterior of the building to refresh the building architecture and provide an enhanced exterior aesthetic. The primary design feature for the exterior renovation is removal of the existing mansard roof feature, and replacement with a new stucco wall with metal "V" groove grid pattern. The proposed materials and colors work well together, and a new green canopy will coordinate nicely with the wall signage.

On June 23rd, the petitioner appeared before the Design Commission and received unanimous approval subject to a requirement to have the color of the CMU trash enclosure compliment the color of the building, and some minor recommendations on signage and landscaping. Conformance with the motion from the Design Commission shall be required.

As mentioned above, two variations are required for the proposed 400 square foot roofed canopy structure within the outdoor play area, which structure is meant to provide shade for summer workers:

- **Variation to Chapter 28, Section 6.5-2, to allow an accessory structure in a side yard where accessory structures are only allowed in a rear yard.**

- **Variation to Chapter 28, Section 6.5-7(b), to allow an accessory structure that is 400 square feet where code limits maximum size to 300 square feet.**

The Staff Development Committee has reviewed the petitioners request and concurs that the necessary criteria for approval have been met. The accessory structure will be setback over 70' from Rand Road and over 100' from the closest residential property line. It is centrally located within the site and is the minimum variation necessary to allow for reasonable usage of the site as a commercial kennel. The structure will have no walls, so its bulk and mass will have less of an impact than a structure with walls.

The petitioner has proposed a 7' tall white vinyl fence around the exterior of the outdoor play area. Therefore, the following variation is required:

- **Variation to Chapter 28, Section 6.13-3b, to allow a 7' tall solid fence in the side and rear yard where the maximum permitted fence height is 6' tall.**

This variation is warranted as the additional fence height will ensure that agile and excited dogs cannot jump over the fence, which will enhance the safety of the facility. Furthermore, the one-foot increase above the code allowed 6' height maximum is a modest increase considering that the building was originally planned to be expanded in this area, which would have had a much more significant visual impact compared to the 7' tall fence.

The petitioner has proposed revitalized onsite landscaping as part of occupancy, and having new ownership with a long-term tenant will ensure the site landscaping is maintained to conform to code requirements. The petitioner has proposed infilling of missing shrubs in the perimeter screen along Rand Road and the addition of ornamental grasses along Jane Avenue for an enhanced perimeter screen. Four missing shade trees would be added to existing landscape islands, and the outdoor play area would be buffered with evergreen shrubs. However, in order to further buffer this area, the petitioner shall extend the play area evergreen plantings around the entire perimeter of the play area, which will provide better screening to the northeast.

Parking and Traffic:

The petitioner has provided a traffic and parking study by a certified traffic engineer, which traditionally would assesses access (location, design, and Level of Service), on-site circulation, trip generation and distribution, and parking. This analysis would be based on field observations of existing traffic movements within the vicinity, to determine if capacity is available to accommodate for expected volumes from the proposed use. However, due to the CoVid pandemic, existing traffic volumes are significantly lower than typical levels, therefore, field observations are not warranted.

In order to complete a thorough analysis of the traffic implications of the proposed use, the study's methodology compared 1) ITE traffic projections for the building as liquor store (which was the previous use) and 2) ITE traffic projections for building as a retail center, to 3) projected traffic for Pet Suites as based on one weekday observation and one weekend observation at three stores of comparable size in the Indianapolis area from 2017 (total 6 days of study – was conducted pre-CoVid).

Based on the observations from the Indianapolis stores, the study came up with an average anticipated volume for Pet Suites during peak hours, and compared that to the projections for the building as 1) a retail center and as 2) a liquor store. In no instance (AM or PM peak hours) were the average volumes

experienced by Pet Suites' comparable stores in the Indianapolis area greater than the ITE projected volumes for the site if used as 1) a liquor store or 2) general retail center. Staff notes that both a liquor store and general retail center are classified as permitted uses in both the B-2 and B-3 District. The Staff Development Committee does not expect the traffic impact of the development to have an adverse impact on traffic within the vicinity.

The site contains an surplus of parking relative to code requirements. **Table I** below shows the parking calculations:

Table I: Parking Calculations

Tenant	Address	Use	Square Feet	Parking Ratio	Parking Required
Pet Suites	1050 E Rand	Retail	16,435 (ground floor) 5,281 (basement)	1 per 300 SF	72
TOTAL SQUARE FOOTAGE			21,716 sq. ft.		
PARKING REQUIRED					72
PARKING PROVIDED					86
SURPLUS / (DEFICIT)					14

Staff believes that the development will have a minor impact on traffic and a relatively low parking demand. There is sufficient onsite supply to accommodate for the proposed use, and as noted above, a future building expansion had been planned for the site where the outdoor play area has been proposed, which is one of the reasons there is a surplus of onsite parking relative to code requirements.

As the proposed use has the same parking requirement as the previous tenant, an update to the Village's recently adopted bicycle parking regulations is not required at this time.

RECOMMENDATION

The Staff Development Committee has reviewed the petition to rezone the subject property from the B-3, General Service, Wholesale and Motor Vehicles District, to the B-2, General Business District, a Land Use Variation to allow a Commercial Kennel within the B-2 District, and the following variations:

- **Chapter 28, Section 6.13-3b, to allow a 7' tall solid fence in the side and rear yard where the maximum permitted fence height is 6' tall.**
- **Chapter 28, Section 6.5-2, to allow an accessory structure in a side yard where accessory structures are only allowed in a rear yard.**
- **Chapter 28, Section 6.5-7(b), to allow an accessory structure that is 400 square feet where code limits maximum size to 300 square feet.**

The Staff Development Committee recommends **APPROVAL** of the application, subject to the following conditions:

1. The Land Use Variation for the commercial kennel shall only apply to the petitioner.
2. Outdoor usage/recreation for animals staying at the facility shall occur only within the fenced outdoor play area (i.e. walking of dogs around the property or surrounding neighborhood shall not be permitted).

3. Should excessive noise from the subject property become a problem, at the discretion of the Village, the petitioner shall work with the Village to address said noise issue, which may include (but is not limited to) restrictions on usage times and/or number of dogs within the outdoor play area, the replacement of a portion of the vinyl fence with a solid masonry fence for enhanced sound attenuation, and/or sound attenuation improvements to the building.
4. The landscape plan shall be revised to include plantings around the entire perimeter of the outdoor play area.
5. Compliance with the June 23, 2020, Design Commission motion.
6. The petitioner shall comply with all Federal, State, and Village Codes, Regulations, and Policies.

August 21, 2020

Bill Enright, Deputy Director of Planning and Community Development

Cc: Randy Recklaus, Village Manager
All Department Heads

STAFF DESIGN COMMISSION REPORT

PROJECT INFORMATION:

Project Name: Pet Suites
Project Address: 1050 E. Rand Road
Prepared By: Steve Hautzinger

Date Prepared: June 12, 2020

PETITIONER INFORMATION:

DC Number: 20-038
Petitioner Name: Jack Westfall
Petitioner Address: 127 W Berry
Ft Wayne, IN 46802

Meeting Date: June 23, 2020

Requested Action(s):

Approval of the proposed architectural design of a façade renovation for a new pet boarding facility.

Design Commission Responsibility for Projects Reviewed by the Plan Commission:

The subject design is being forwarded to the Design Commission for review pursuant to Chapter 6 of the Municipal Code.

This project requires Plan Commission review and Village Board approval for a Land Use Variation to allow a commercial kennel in the B-2 Zoning District. Because this project is going to the Plan Commission, the role of the Design Commission is limited. The Design Commission's responsibility is as outlined in Chapter 28 of the Municipal Code, Section 14.2-1, which states:

"For developments where a public hearing is necessary before the Plan Commission or Zoning Board of Appeals, the design review process should, if feasible, be completed by the time of the public hearing. Development proposals requiring rezoning, PUD or other Plan Commission approvals, shall be reviewed by the Design Commission for building and signage only."

Summary:

The petitioner is proposing to renovate and reuse an existing 16,435 square foot retail building, formerly Teddy's Liquors, to create a new pet boarding facility. Pet Suites is a national pet boarding business that provides day care and overnight services for dogs and cats. The scope of the project includes interior and exterior renovation of the building, new signage, and site improvements.

Architectural Design:

The primary design feature for the exterior renovation is removal of the existing mansard roof feature, and replacement with a new stucco wall with metal "V" groove grid pattern. A decorative green metal canopy will highlight the entrance at the corner of the building. The existing clear anodized aluminum storefront and red face brick will remain.

Overall, the proposed design has a fresh clean appearance, and it will be a welcome improvement and update to the property. The proposed materials and colors work well together, and the green canopy coordinates nicely with the wall signage.

Signage:

The petitioner is proposing two new wall signs, and one new ground sign. The primary wall sign is located on the new stucco wall above the main entrance facing Rand Road. A second wall sign will face Jane Avenue to the north. The wall signs are nicely designed, code-compliant, and they fit comfortably on the building walls.

The existing large "Teddy's Liquors" ground sign will be removed in its entirety and replaced with a new code-compliant ground sign to be installed in the same location facing Rand Road. The new sign is a simple design with a purple painted structure to coordinate with the business' branding. Staff encourages the petitioner to consider a more decorative support structure for the ground sign with a brick masonry base to match the building. However, the mature landscaping across the front property line will conceal the base of the sign, so Staff does not object to the proposed post-mounted sign in this location.

Rooftop Mechanical Screening:

The existing rooftop mechanical equipment is located towards the back of the building, so it is not visible from the road. The petitioner has agreed to provide screening, if any visible new mechanical units are installed,

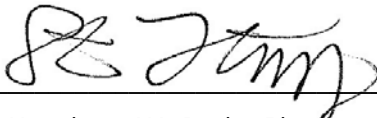
Trash Screening:

There is an existing trash dumpster enclosure at the east corner of the building constructed of slatted chain link fencing. The petitioner is proposing to replace the enclosure in the same location with a new split-face CMU enclosure, which will be a nice improvement. The color of the split-face CMU is not indicated, but it should be required to match or complement the building design.

RECOMMENDATION:

It is recommended that the Design Commission approve the architectural design for Pet Suites located at 1050 E. Rand Road. This recommendation is subject to compliance with the architectural plans received 5/27/20, and trash enclosure and signage plans received 6/12/20, Design Commission recommendations, compliance with all applicable Federal, State, and Village codes regulations and policies, the issuance of all required permits, and the following:

1. A more decorative support structure for the ground sign with a masonry base to match the building is encouraged.
2. The color of the split-face CMU trash enclosure match or complement the building design.
3. This review deals with architectural design only and should not be construed to be an approval of, or to have any other impact on nor represent any tacit approval or support for the proposed land use or any other zoning and/or land use issues or decisions that stem from zoning, building, signage or any other reviews. In addition to the normal technical review, permit drawings will be reviewed for consistency with the Design Commission and any other Commission or Board approval conditions. It is the architect/homeowner/builder's responsibility to comply with the Design Commission approval and ensure that building permit plans comply with all zoning code, building permit and signage requirements.
4. All signage must meet code, Chapter 30, or approved variations.



June 12, 2020

Steve Hautzinger AIA, Design Planner

Cc: Charles Witherington Perkins, Director of Planning and Community Development, Bill Enright, Deputy Director of Planning and Community Development, Sam Hubbard, Development Planner, Petitioner, DC File 20-038

APPROVED

MINUTES OF
THE VILLAGE OF ARLINGTON HEIGHTS
DESIGN COMMISSION
VIRTUAL MEETING
JUNE 23, 2020

Chair Fitzgerald called the meeting to order at 6:30 p.m.

Members Present: John Fitzgerald, Chair
Jonathan Kubow
Ted Eckhardt
Kirsten Kingsley
Scott Seyer

Members Absent: None

Also Present: Mike Firsel, Attorney for *Pet Suites*
Jack Westfall, representing *Pet Suites*
Kyle Wigg, GPD Group for *Pet Suites*
Brad Dethloff & Brendan Durkin, Manhard Consulting for *Pet Suites*
Tim Kratz, Sevan Solutions for *Mariano's Retail Fuel Center*
Steve Hautzinger, Staff Liaison

Chair Fitzgerald read the following statement as requested by the Village: I find that the public health concerns related to the coronavirus pandemic render in-person attendance at the regular meeting location not practical or prudent.

REVIEW OF MEETING MINUTES FOR JUNE 9, 2020

A MOTION WAS MADE BY COMMISSIONER KUBOW, SECONDED BY COMMISSIONER ECKHARDT, TO APPROVE THE MEETING MINUTES OF JUNE 9, 2020.

ECKHARDT, AYE; KUBOW, AYE; SEYER, AYE; FITZGERALD, AYE; KINGSLEY, ABSTAINED.
MOTION CARRIED.

ITEM 1. COMMERCIAL REVIEW

DC#20-038 – Pet Suites – 1050 E. Rand Rd.

Mike Firsell, attorney representing the contract purchaser of the property, Jack Westfall, representing the owner, Kyle Wigg, representing *GPD Group*, and Brad Dethloff and Brendan Durkin, representing *Manhard Consulting*, were present on behalf of the project.

Mr. Hautzinger presented Staff comments. The petitioner is seeking approval of the proposed architectural design of a facade renovation for a new pet boarding facility. This project requires Plan Commission review and Village Board approval for a Land Use Variation to allow a commercial kennel in the B-2 Zoning District. Because this project is going to the Plan Commission, the role of the Design Commission is limited to building and signage only.

The petitioner is proposing to renovate and reuse an existing 16,435 square foot retail building, formerly Teddy's Liquors, to create a new pet boarding facility. Pet Suites is a national pet boarding business that provides day care and overnight services for dogs and cats. The scope of the project includes interior and exterior renovation of the building, new signage, and site improvements. The primary design feature for the exterior renovation is removal of the existing mansard roof feature, and replacement with a new stucco wall with metal "V" groove grid pattern. A decorative green metal canopy will highlight the entrance at the corner of the building. The existing clear anodized aluminum storefront and red face brick will remain. Overall, the proposed design has a fresh clean appearance, and it will be a welcome improvement and update to the property. The proposed materials and colors work well together, and the green canopy coordinates nicely with the wall signage.

The petitioner is proposing two new wall signs, and one new ground sign. The primary wall sign is located on the new stucco wall above the main entrance facing Rand Road. A second wall sign will face Jane Avenue to the north. The wall signs are nicely designed, code-compliant, and they fit comfortably on the building walls. The existing large "Teddy's Liquors" ground sign will be removed in its entirety and replaced with a new code-compliant ground sign to be installed in the same location facing Rand Road. The new sign is a simple design with a purple painted structure to coordinate with the business' branding. Staff encourages the petitioner to consider a more decorative support structure for the ground sign with a brick masonry base to match the building. However, the mature landscaping across the front property line will conceal the base of the sign, so Staff does not object to the proposed post-mounted sign in this location.

The existing rooftop mechanical equipment is located towards the back of the building, so it is not visible from the road. The petitioner has agreed to provide screening, if any visible new mechanical units are installed. There is an existing trash dumpster enclosure at the east corner of the building constructed of slatted chain link fencing. The petitioner is proposing to replace the enclosure in the same location with a new split-face CMU enclosure, which will be a nice improvement. The color of the split-face CMU is not indicated, but it should be required to match or complement the building design.

Staff recommends approval of the proposed architectural design, with a recommendation to provide a more decorative support structure for the ground sign with a masonry base to match the building is encouraged, and that the color of the split-face CMU trash enclosure match or complement the building design.

Mr. Firsell said that he is the attorney for the contract purchaser of the property. Pet Suites will be a tenant at this location; however, the contract purchaser of the property is under the obligation to obtain the entitlements in coordination and cooperation with Pet Suites. He introduced the team working on the project that are participating in tonight's virtual meeting.

Mr. Firsell responded to the comments in the staff report. He said that the existing Teddy's Liquor sign that stands 22-feet tall will be removed; it certainly is not in keeping with the character of the Village, much less the surrounding area. The color of the CMU trash enclosure will match as close as possible to the brick of the building. As it relates to the new ground sign, they considered the option of a 6-foot tall base with a 6-foot tall sign; however, his client felt strongly that due to the 100' plus right of way on this street, a taller ground sign was much more preferable because the sign needs to stand out and lit to help customers when visiting the facility during early morning and evening hours in the winter. They are more than happy to work with Staff if there are other suggestions as to how to treat the pole base of the sign being proposed.

Mr. Firsell concluded his comments and welcomed any questions from the commissioners.

Chair Fitzgerald asked if there was anyone from the public that wanted to comment on the project, and Mr. Hautzinger replied that there were virtual public attendees, but none were indicating that they wanted to speak at this time.

The commissioners gave their comments. Commissioner Eckhardt said he was very pleased to see a developer and tenant interested in reviving this building on Rand Road, which is an important street in the Village. He was very pleased with the modern aesthetic of the design being proposed, and felt that the partial extension of the new fascia going down the building was a very nice detail. He had no real concerns about the design; it is simple and understated to an extent, and he liked it. He was interested and curious to know if the name of the business will be painted on the roof of the building, which is shown on one of the exhibits, and Mr. Wigg said that was not their intent. Commissioner Eckhardt concluded his comments at this time.

Commissioner Kingsley said it was a really nice design and she was glad to see the building being updated. The proposed design is simple and straightforward, and she liked the color scheme. She asked if the building material would be stucco or EIFS, and Mr. Wigg replied that stucco is being proposed, but they are open to options if necessary. Commissioner Kingsley preferred stucco as proposed. She also liked the metal canopies in lime green and how the metal canopy locates the front door; however, she was concerned about heat gain in the three bays of windows not covered by the canopy. She recommended the canopy over the front door could be slightly thicker to signify the front entry, and the canopy be continued so the rest of the windows get some sun protection. Commissioner Kingsley further stated that she preferred brick to the split face block being proposed on the trash enclosure, acknowledging that this would be an upgrade. She had no further comments and added that the sign being proposed looks good and does not need to have a brick base.

Commissioner Kubow did not have much more to add and felt this was a vast improvement on a pretty blighted building. He liked the colors and the pop of color being proposed for the building, and said that it sounds as though the petitioner is willing to take on both of the comments that Staff had. He felt the design looked great.

Commissioner Seyer agreed with the comments made by Commissioner Kubow, and he completely agreed that the proposed design looks good. He had no further comments.

Chair Fitzgerald liked the project as well and said it looks really great as proposed. He was okay with the sign as proposed, with a recommendation that the existing hedge along Rand Road be mulched so that it looks cleaner, which will be easier to maintain than trying to mow in between each shrub. He had no further comments.

Mr. Hautzinger clarified that the large wall mounted dog silhouette sign shown in the rendering is not in the scope of the project. Mr. Firsell confirmed that they do not plan to include the dog logo.

Chair Fitzgerald asked again if there was anyone from the public that wanted to comment on the project, and Mr. Hautzinger replied there was none.

A MOTION WAS MADE BY COMMISSIONER KUBOW, SECONDED BY COMMISSIONER SEYER, TO RECOMMEND APPROVAL OF THE ARCHITECTURAL DESIGN FOR *PET SUITES* TO BE LOCATED AT 1050 E. RAND ROAD. THIS RECOMMENDATION IS SUBJECT TO COMPLIANCE WITH THE ARCHITECTURAL PLANS RECEIVED ON 5/27/20, AND TRASH ENCLOSURE AND SIGNAGE PLANS RECEIVED 6/12/20, DESIGN COMMISSION RECOMMENDATIONS, COMPLIANCE WITH ALL APPLICABLE FEDERAL, STATE, AND VILLAGE CODES, REGULATIONS, AND POLICIES, THE ISSUANCE OF ALL REQUIRED PERMITS, AND THE FOLLOWING:

1. A REQUIREMENT TO PROVIDE A MORE DECORATIVE SUPPORT STRUCTURE FOR THE GROUND SIGN WITH A MASONRY BASE TO MATCH THE BUILDING, TO BE REVIEWED BY STAFF.
2. A REQUIREMENT THAT THE COLOR OF THE SPLIT-FACE CMU TRASH ENCLOSURE MATCH OR COMPLEMENT THE BUILDING DESIGN, TO BE REVIEWED BY STAFF.

3. A RECOMMENDATION TO CONSIDER EXTENDING THE CANOPY AT THE FRONT ENTRANCE TO PROVIDE SUN PROTECTION OF THE WINDOWS ALONG THE STOREFRONT.
4. A RECOMMENDATION TO PROVIDE MULCH IN LIEU OF GRASS ALONG THE HEDGE OF SHRUBS LOCATED AT THE FRONT OF THE PROPERTY.
5. THIS REVIEW DEALS WITH ARCHITECTURAL DESIGN ONLY AND SHOULD NOT BE CONSTRUED TO BE AN APPROVAL OF, OR TO HAVE ANY OTHER IMPACT ON, NOR REPRESENT ANY TACIT APPROVAL OR SUPPORT FOR THE PROPOSED LAND USE OR ANY OTHER ZONING AND/OR LAND USE ISSUES OR DECISIONS THAT STEM FROM ZONING, BUILDING, SIGNAGE OR ANY OTHER REVIEWS. IN ADDITION TO THE NORMAL TECHNICAL REVIEW, PERMIT DRAWINGS WILL BE REVIEWED FOR CONSISTENCY WITH THE DESIGN COMMISSION AND ANY OTHER COMMISSION OR BOARD APPROVAL CONDITIONS. IT IS THE PETITIONER'S RESPONSIBILITY TO INCORPORATE ALL REQUIREMENTS LISTED ON THE CERTIFICATE OF APPROPRIATENESS INTO THE PERMIT DRAWINGS, AND TO ENSURE THAT BUILDING PERMIT PLANS AND SIGN PERMIT PLANS COMPLY WITH ALL ZONING CODE, BUILDING CODE AND SIGN CODE REQUIREMENTS.
6. ALL SIGNAGE MUST MEET CODE, CHAPTER 30, OR APPROVED VARIATIONS.

Mr. Hautzinger asked for clarification on the first two items in the motion; is the intent that it be a requirement for a more decorative ground sign base? Commissioner Kubow said that he remembered the petitioner previously stating that they were in agreement with this; he intended it to be a requirement to be approved by Staff. Mr. Firsell clarified that he previously said that rather than have the straight, purple pole being proposed for the ground sign, they might be able to do something else with that support and can work with Staff on this; however, it is not their intention, nor are they able to do a full blown ground structure with 6-foot masonry base and a 6-foot sign on top of it, as suggested by Staff.

Commissioner Kubow asked the petitioner what their intentions are right now with the ground sign. Mr. Firsell replied that the ground sign they are proposing will have plantings at the base that will take up 3 to 4-feet of height, and the hedge along the street is already 3 to 4-feet tall, so in order to maximize the exposure of the ground sign to go to the code allowed 16'-6" with a 6' x 9' sign. They are open to some sort of a different color or design or material for the pole, and to work with Staff to determine what type of decorative support structure the commissioners are looking for.

Commissioner Kubow asked the commissioners if they were comfortable with Staff working with the petitioner on this matter. Chair Fitzgerald said he was completely comfortable with that, mainly because the hedge is going to hide whatever the petitioner does. Commissioner Eckhardt was also comfortable with Staff working with the petitioner on this. He said that he likes the purple pole to match the sign, and he was okay with some detail at the ground level, assuming the existing hedge is a year-round green hedge. He felt it was unnecessary to build a brick base behind where it cannot be seen by the public; if the petitioner wants to make a few changes to the ground sign, then Staff can review and approve it, or bring it back to this commission if they are unsure.

Chair Fitzgerald clarified that the existing hedge is deciduous; the leaves will fall off in the winter; however, it is still a pretty dense branch structure and the sign post would still be hidden pretty well during the winter. Mr. Hautzinger added that code requires additional landscaping around the base of any ground sign, so more landscaping will be added on the backside of the existing hedge around the base of the sign. Mr. Firsell confirmed this.

A MOTION WAS MADE BY COMMISSIONER KUBOW TO AMEND THE MOTION AS FOLLOWS:

1. A RECOMMENDATION TO PROVIDE A MORE DECORATIVE SUPPORT STRUCTURE FOR THE GROUND SIGN WITH A MASONRY BASE TO MATCH THE BUILDING, TO BE REVIEWED BY STAFF.

COMMISSIONER SEYER SECONDED THE AMENDED MOTION.

ECKHARDT, AYE; KINGSLEY, AYE; KUBOW, AYE; SEYER, AYE; FITZGERALD, AYE.
ALL WERE IN FAVOR. MOTION CARRIED.

REPORT OF THE PROCEEDINGS OF
THE CONCEPTUAL PLAN REVIEW COMMITTEE

OF THE VILLAGE OF ARLINGTON HEIGHTS PLAN COMMISSION

HELD AT VILLAGE HALL ON:

January 8, 2020

Project Title: Pet Suites

Address: 1050 East Rand Rd.

Petitioner: Mike Firsel

Address: 2801 Lakeside Drive – Suite 207
Bannockburn, IL 60015

Requested Action:

1. Land Use Variation to allow a commercial kennel in the B-2 District.

Variations Required:

- Chapter 28, Section 6.13-3b, Side and Rear Yards, to allow a 7-foot tall fence in where maximum fence height is restricted to 6 feet.

Attendees: Scott Dolan, ARC Real Estate Group
Jack Westfall, Group Five
Mike Firsel, Attorney for Petitioner
John Sigalos, Plan Commissioner
Bruce Green, Plan Commissioner
Lynn Jensen, Plan Commissioner
Sam Hubbard, Development Planner

Project Summary:

The subject property is approximately 27,500 square feet in size and contains a 16,435 square foot single-story building with a basement that has been vacant for a little over two years. Access to the site comes from two right-in/right-out driveways along Rand Road and a singular full access driveway along Jane Avenue that leads to the signalized intersection of Rand Road and Jane Avenue. The subject property contains 86 parking spaces.

Pet Suites, a nation-wide animal boarding facility that provides day care and overnight services for dogs and cats, has the subject property under contract and would like to open a location in Arlington Heights. Hours of operation would be from 6:30am until 8:00pm every day, and the petitioner anticipates a maximum capacity of 120 dogs and 10 cats. Initially, the business would have 5 full time employees and 10 part time employees. In addition to minor enhancements to the building façade, the petitioner would be remodeling the interior and adding a screened outdoor play area on the southeastern side of the building.

Meeting Discussion:

Mr. Firsel introduced the petitioners team and stated that he represented the petitioner, who was the prospective buyer of the site, and the petitioner would lease the site to Pet Suites. The site had been vacant for quite a while.

Mr. Westfall introduced Pet Suites, which was owned by National Veterinary Associates, who operates over 700 veterinary clinics, hospitals, and ER rooms around the country. Pet Suites is their “resort” brand, with around 80 stores throughout the United States. It is corporate owned, and it provides boarding and related services for dogs and cats. No medical care would be offered on the subject property.

Mr. Firsel stated that they would request a Land Use Variation to allow a Commercial Kennel in the B-2 District. They would be making minor enhancements to the exterior of the building, and would be making substantial improvements to the interior. The site had enough parking to meet demand. They anticipated around 25 employees. About 50% of the animals would be there for the daycare, and 50% for the overnight care. An outdoor play area of approx. 3,800 square feet would be constructed at the southeast of the building. Dogs there would be under supervision the entire time, although there would be more than 2 dogs outside at a time. Pet Suites is well financed and they are experienced operators. They felt the use was a great fit for this location.

Mr. Hubbard explained the business would require a land use variation since the property was zoned B-2, General Business District, and commercial kennels were not allowed in the B-2 District. The petitioner will need to justify any land use variation as per the four hardship criteria necessary within the Zoning Code. The proposed 7-foot tall fence screening the outdoor play area requires a height variation as the maximum allowable height for a fence is 6 feet. A Design Commission application would be required for the proposed exterior changes to the building. Landscaping would be evaluated as part of any Plan Commission review process, and any dead or missing landscaping will need to be replaced. The condition of the existing fence will need to be evaluated.

The outdoor play area should be screened with landscaping. The existing fence around the dumpster enclosure should be replaced with a fence that compliments the materials on the building. The B-2 District requires that all "uses, operation or products shall not be objectionable due to odor, dust, smoke, noise, vibrations, or other similar causes" to neighboring properties. The petitioner should be aware of this requirement as they move forward with their site design, given that the site borders a residential development. The Village has mandated additional sound attenuation measures on similar proposals that abut residential areas, and the petitioner should be aware of this. Building vents and openings may require sound attenuation buffers.

A traffic and parking study will be required. If the petitioner has average daily traffic and parking counts at existing facilities, it would be helpful to provide those as part of this application. Staff was supportive of the use relative to addressing the items as outlined in the staff report.

Commissioner Sigalos asked about the size of the kennels.

Mr. Firsel replied that there would be several different sizes of kennels, depending on the size of the dog.

Commissioner Sigalos asked about rates for services.

Mr. Westfall stated that Pet Suites has certainly run those number to determine what likely rates will be given the local market, but they do not have that information at this time.

Commissioner Sigalos asked about the need for bike parking spaces.

Mr. Hubbard explained that it was he believed it was a code requirement, but would revisit the code to verify if it applied in this instance. With most new tenants, it kicks in the requirement, but it may not apply in this instance. If it was a code requirement but the petitioner did not believe it was practical, they can request a variation.

Commissioner Jensen asked about what happens if a dog gets sick while under supervision at Pet Suites.

Mr. Westfall stated that he believed they contacted the owner and would have the owner pick the animal up. If they could not pick the animal up, they would bring the animal to a vet for services.

Commissioner Jensen asked competition and stated that Dogtopia would be located nearby. Would training be offered for dogs that are being boarded.

Mr. Westfall replied that he believe they offer training classes.

Commissioner Jensen clarified that Dogtopia would teach a dog tricks and commands while being boarded

Mr. Firsel stated that they will provide a full description of the array of services that Pet Suites will offer.

Commissioner Jensen stated that he did not think bike parking spaces were necessary for this business and explained his perspective on the bike parking regulations and what he'd like to see the Village do to address the regulations.

Mr. Firsel asked about the traffic study requirement.

Mr. Hubbard responded that it was a code requirement, but that they could request a variation and we would evaluate any data or reasoning that could justify the request. In uses such as a daycare or kennel, there is often a morning peak and afternoon peak, that corresponds with the peak traffic on surrounding streets, and we just want to ensure that there is capacity for the anticipated peaks. A parking study would not be as important as the site was likely over parked.

Commissioner Green stated he thought this would be a good project. He thought the rear ingress/egress was a good attribute of the site that would help with traffic and circulation.

RECOMMENDATION

The Conceptual Plan Review Committee advised the petitioner to proceed forward with their application.

Bruce Green, Chair
CONCEPTUAL PLAN REVIEW COMMITTEE
Sam Hubbard, Recorder



0.03 mile
1 inch equals 167 feet

Map created on January 2, 2020.

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Disclaimer: This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

Address and Parcel for Photo View

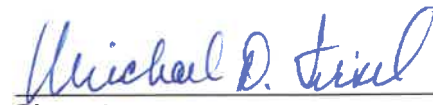
Parcel Lines for Photo View



NOTIFICATION

I, MICHAEL D. FIRSEL, hereby certify as follows:

- 1 That on the 11th day of August 2020 affiant caused to be mailed in the Post Office of Deerfield, Illinois, copies of the attached Notice of Public Hearing to all listed taxpayers of real estate within 250 feet, excluding all Public Right-of-Ways of the subject property and to the owners, or representatives, of property listed as exempt, and to all Condominium Associations whose property is within 250 feet of the subject site for which the hearing is being held.
- 2 That the parties to whom said notice was mailed are set forth on the attached list.
- 3 That the petitioner stated that the required signs were erected as required by the Village of Arlington Heights.


Signature

Subscribed and Sworn to before me
this 11th day of August, 2020.


Notary Public



Date: August 11, 2020

NOTICE OF PUBLIC HEARING

Please be advised that a petition has been filed with the Village of Arlington Heights for a rezoning from the B-3, General Service, Wholesale, and Motor Vehicles District, to the B-2, General Business District, a Land Use Variation to allow a Commercial Kennel within the B-2 General Business District, and the following Variation(s) from Chapter 28 of the Municipal Code:

- Variation to Chapter 28, Section 6.13-3b, to allow a 7' tall solid fence in the side and rear yard where the maximum permitted fence height is 6' tall.
- Variation to Chapter 28, Section 6.5-2, to allow an accessory structure (canopy shade tent) in a side yard, rather than in the rear yard the subject property.

The location of the property is 1050 East Rand Road, Arlington Heights, IL 60004.

Charles Karavidas is the owner of the property.

A Plan Commission public hearing on this petition will take place at 7:30 p.m. on Wednesday, August 26, 2020. Pursuant to orders issued in response to the COVID-19 pandemic, this Plan Commission hearing is closed to in-person, public attendance. The hearing is being held via Zoom Meeting, which permits the public to fully participate in the virtual hearing via Zoom. Individuals who wish to comment or ask a question on an item on the Agenda may either participate via Zoom or send an email to the Village at shubbard@vah.com. Please limit emails to 200 words or less. To be shared at the hearing, the email must be received by 3:00 p.m. on August 26th. Specific details on how to access and participate in this online hearing will be available at www.vah.com no later than August 21, 2020.

Any individual who would like to attend this meeting but because of a disability needs some accommodation to participate, should contact David Robb, Disability Services Coordinator, at 33 S. Arlington Heights Road, Arlington Heights, IL 60005 (847) 368-5793 or TDD # (847) 368-5794.

Any individual who would like to attend this meeting but because of a disability needs some accommodation to participate, should contact David Robb, Disability Services Coordinator, at 33 S. Arlington Heights Road, Arlington Heights, IL 60005 (847) 368-5793 or TDD # (847) 368-5794.

Regards,



Michael D. Firsell, Attorney for Petitioner

03-20-200-011-0000
TJ CHICAGO PROPERTIES
801 BROAD AV
RIDGEFIELD NJ 07657

03-20-200-012-0000
INLAND SOUTHPOINT
P O BOX 3666
OAK BROOK IL 60522

03-20-203-010-0000
MICHAEL P LASCO
1700 N CLARENCE AVE
ARLINGTON HTS, IL 60004

03-20-203-011-0000
JAMES PATRICIA KEHM
1626 N CLARENCE AV
ARLINGTON HTS, IL 60004

03-20-203-012-0000
WILLIAM C CHRISTOFFEL
1622 N CLARENCE AVE
ARLINGTON HTS, IL 60004

03-20-203-013-0000
TJ CHICAGO PROPERTY
801 BROAD AVENUE
RIDGEFIELD, NJ 76571

03-20-203-015-0000
TJ CHICAGO PROPERTIES
801 BROAD AVE
RIDGEFIELD, NJ 76571

03-20-203-016-0000
INLAND SOUTHPOINT
PO BOX 3666
OAK BROOK, IL 60522

03-20-204-004-0000
ROBERT J LINDGREN
1705 N CLARENCE
ARLINGTON HTS, IL 60004

03-20-204-005-0000
JOHN RUPCZNSKI
1701 N CLARENCE
ARLINGTON HTS, IL 60004

03-20-204-006-0000
ALEX S LEE
1621 N CLARENCE AV
ARLINGTON HTS, IL 60004

03-20-205-001-0000
DUNKIN BRANDS RE TAX
130 ROYALL ST 3WB
CANTON, MA 20211

03-20-205-002-0000
CHARLES KARAVIDAS
1215 W ALEC ST
ARLINGTON HTS, IL 60004

03-20-205-004-0000
CHARLES KARAVIDAS
1215 W ALEC ST
ARLINGTON HTS, IL 60004

03-20-205-005-0000
MARVIN F POER CO
52427 POB MIDAS REALTY
ATLANTA, GA 30355

03-20-205-007-0000
C KARAVIDAS
1215 W ALEC ST
ARLINGTON HTS, IL 60004

03-20-205-008-0000
CHARLES KARAVIDAS
1215 W ALEC ST
ARLINGTON HTS, IL 60004

03-20-205-009-0000
THOMAS KREMER
1360 N SANDBURG #2604
CHICAGO, IL 60610

03-20-205-010-0000
LYNNE E HANSE
1612 CLARENCE AV
ARLINGTON HTS, IL 60004

03-20-205-011-0000
JEREMY ARGEST
1608 N CLARENCE AVE
ARLINGTON HTS, IL 60004

03-20-205-012-0000
VULLAKULA SRIRAMOJU
1604 N CALRENCE AVE
ARLINGTON HTS, IL 60004

03-20-205-013-0000
PARKSIDE TOWNHOME ASSO
1612 N CLARENCE AV
ARLINGTON HTS, IL 60004

03-20-206-001-0000
EXEMPT

03-20-206-002-0000
EXEMPT

03-20-206-003-0000
EXEMPT

03-20-206-004-0000
NBD TR CO 2748 AH
1306 E RAND RD
ARLINGTON HTS, IL 60004

03-20-206-005-0000
BK TR ARL HTS 2748
1306 EAST RAND ROAD
ARLINGTON HT, IL 60004

03-20-209-008-0000
955 E RAND ROAD VENTUR
1 S 450 SUMMIT AVE #50
OAKBROOK TER, IL 60181

03-20-210-001-0000
REMY RLTY CORP
27 REDWOOD RD
DENVER, NJ 78343

03-20-210-002-0000
THE SALVATION ARMY
10 W ALGONQUIN RD
DES PLAINES, IL 60016

03-20-210-003-0000
THE SALVATION ARMY
10 W ALGONQUIN RD
DES PLAINES, IL 60016

03-20-210-004-0000
BRKDIA COMMERCL MRTG
323 NORRISTOWN RD #300
AMBLER, PA 19002

03-20-210-005-0000
HAMPPTON MERCURY
27750 STANSBURY #200
FARMNGTN HLS, MI 48334

03-20-210-006-0000
HAMPTON MERCURY
27750 STANSBURY #200
FARMNGTN HLS, MI 48334

03-20-210-019-0000
DONNA BONGIOVANNI
1528 N DRYDEN AV
ARLNGTON HTS, IL 60004

03-20-213-027-0000
RE ARLINGTON CENTER
600 CENTRAL AVE #226
HIGHLAND PK, IL 60035

PLAN COMMISSION PUBLIC HEARING

NOTIFICATION AFFIDAVIT

I, Michael D. Firsell, hereby certify that the public meeting signs required by Chapter 28, Section 14.2-5.2 of the Arlington Heights Municipal Code were erected on the property commonly known as 1050 E. Rand Road on August 11, 2020

Michael D. Firsell
Signature

August 11, 2020
Date

Subscribed and Sworn to before me
this 11th day of August 2020

Deborah J. Melinger
Notary Public



WINES *Teddy's* LIQUORS

NOTICE OF PUBLIC HEARING

Hearing for: REZONING FROM THE B-3 DISTRICT TO THE B-2 DISTRICT A LAND USE VARIATION TO ALLOW A COMMERCIAL KENNEL IN THE B-2 DISTRICT AND VARIATIONS FROM CHAPTER 28 OF THE MUNICIPAL CODE
THIS WILL BE A "VIRTUAL" PUBLIC HEARING THAT CAN BE ACCESSED ONLINE ONLY. DETAILS ON HOW TO ACCESS AND PARTICIPATE IN THIS ONLINE "VIRTUAL" HEARING WILL BE AVAILABLE AT WWW.VAH.COM NO LATER THAN AUGUST 21, 2020

DATE: AUGUST 26, 2020 TIME: 7:30 P.M.

PUBLIC PARTICIPATION & COMMENTS INVITED

For Details call:
Jack Westfall
312-752-5840

OR: Village of Arlington Heights
Department of Planning and
Community Development
Phone: (847) 368-5200



NOTICE OF PUBLIC HEARING
Having set a public hearing on the subject of the proposed
amendment to the Charter of the City of Chicago, the
Board of Aldermen, on the 10th day of June, 2020, at a
public hearing held at the City Hall, Chicago, Illinois,
has received the following report from the
Commissioner of the Department of Public Works:
"The proposed amendment to the Charter of the City of Chicago,
as amended by the Board of Aldermen, on the 10th day of June, 2020,
is hereby recommended to the Board of Aldermen for their
consideration and action thereon."
DATE ADJOURNED: 10 JUNE 2020 TIME: 5:00 PM
THOMAS J. MURPHY, Mayor
JACK J. ROSEN, Deputy Mayor
JACK J. ROSEN, Deputy Mayor
JACK J. ROSEN, Deputy Mayor

NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN THAT THE PLAN COMMISSION OF THE VILLAGE OF ARLINGTON HEIGHTS WILL CONDUCT A PUBLIC HEARING ON AUGUST 26, 2020, AT 7:30 P.M. to consider Petition No. 20-010, a request for rezoning from the B-3, General Service, Wholesale, and Motor Vehicles District to the B-2 General Business District, and a Land Use Variation to allow a Commercial Kennel in the B-2 District, on property located at 1050 East Rand Road, in Arlington Heights, IL. Pursuant to orders issued in response to the COVID-19 pandemic, this Plan Commission hearing is closed to in-person, public attendance. The hearing is being held via Zoom Meeting, which permits the public to fully participate in the virtual Plan Commission hearing via Zoom or their phones. Details on how to access and participate in this online virtual hearing will be available at www.vgh.com no later than August 21, 2020.

The legal description for the subject property is as follows: LOTS 54, 55, AND 56 IN C.A. GOELZ'S ARLINGTON HEIGHTS GARDENS, A SUBDIVISION IN THE NORTH-EAST QUARTER OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

As part of said petition the applicant is requesting the following variations from Chapter 28 of the Municipal Code:

- Variation to Section 6.5-2, to allow an accessory structure in a side yard where accessory structures are only allowed in a rear yard.
- Any additional variations as determined necessary by the Plan Commission to allow for said request.

All persons desiring to be heard shall be given the opportunity to be heard. Should any individual need auxiliary aid or service, such as a sign language interpreter or materials in alternative formats, please contact the Health Department at 33 South Arlington Heights Road, Arlington Heights, Illinois 60005, (847) 368-5760, TDD# (847) 368-5754.

Terrence Ennes, Chairman
ARLINGTON HEIGHTS PLAN COMMISSION
Published in Daily Herald August 10, 2020 (4549385)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of Algonquin, Antioch, Arlington Heights, Aurora, North Aurora, Bannockburn, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Crystal Lake, Deerfield, Deer Park, Des Plaines, Elburn, East Dundee, Elgin, South Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Franklin Park, Geneva, Gilberts, Glenview, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Highland Park, Highwood, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Bluff, Lake Forest, Lake in the Hills, Lake Villa, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Melrose Park, Montgomery, Morton Grove, Mt. Prospect, Mundelein, Niles, Northbrook, Northfield, Northlake, Palatine, Park Ridge, Prospect Heights, River Grove, Riverwoods, Rolling Meadows, Rosemont, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake Park, Schaumburg, Schiller Park, Sleepy Hollow, St. Charles, Streamwood, Sugar Grove, Third Lake, Tower Lakes, Vernon Hills, Volo, Wadsworth, Wauconda, Waukegan, West Dundee, Wheeling, Wildwood, Wilmette

County(ies) of Cook, Kane, Lake, McHenry

and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992

Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 08/10/2020 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY

Danula Baltz
Authorized Agent

Control # 4549385

RECEIVED
AUG 17 2020
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT



MICHAEL D. FIRSEL
MICHAEL E. ROSS
CHRISTINE S. BOLGER
KAREN JERWOOD
JESSICA T. COOPER

2801 LAKESIDE DRIVE, SUITE 207
BANNOCKBURN, IL 60015

O 847-582-9900
F 847-582-9933

WWW.FIRSELROSS.COM

RECEIVED

JUL - 2 2020

PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

June 30, 2020

Mr. Terrence Ennes and
Members of the Plan Commission of the
Village of Arlington Heights
33. S. Arlington Heights Road
Arlington Heights, IL 60005-1403

**Re: Request of Novogroder Properties, LLC, an Indiana limited liability company ("Petitioner"),
for a Plan Commission Hearing and Recommendation – PetSuites at 1050 East Rand Road
(the "Property")**

Dear Mr. Ennes and Members of the Plan Commission,

Please consider this the formal request of Novogroder Properties, LLC, in conjunction with Charles Karavidas, the current owner of the Property, to present Petitioner's proposed project to develop a PetSuites dog and cat "Resort" at the Property (the "**Project**"), before the Plan Commission of the Village of Arlington Heights (the "**Village**"), for review and recommendation to the Arlington Heights Village Board.

Petitioner is proposing a new Resort for the short-term and long-term boarding of dogs and cats on the 72,412 square foot (1.66-acre) parcel of land formerly occupied by "Teddy's Liquors". The improvements primarily consist of a single-story building with a basement measuring approximately 16,406 square feet, located between Jane Avenue on the northeast, Midas Auto Shop on the southeast, and Dunkin' Donuts on the northwest. The building has been vacant for over two years. The undersigned has been authorized to submit this letter to the Village for and on behalf of the Petitioner of the Project.

The Project will involve exterior changes mostly to the façade of the existing building on the Property including, but not limited to: (i) enhancements to the building such as new doors and awnings, and (ii) updates to the architecture, including replacement of the existing outdated mansard roof with a stucco parapet wall. Additionally, the Project will include an outdoor activity area, with the ground surface of the activity area to be made of a synthetic, washable turf with floor drains. A seven (7) foot tall solid white vinyl fence will be constructed around the outdoor activity area with tasteful perimeter landscaping to be installed around the fenced-in area. The existing dumpster enclosure will be replaced with a complementary brick enclosure attached to the building. The landscaping shows updated and additional landscaping. All large trees will be preserved and only one will be relocated on site as reflected on the landscape plan.

Mr. Terrence Ennes and
Members of the Plan Commission of the
Village of Arlington Heights
June 30, 2020
Page 2

Inside, the first floor will be completely renovated as shown on the floor plan simultaneously submitted with this Application. The fire sprinkler system will be updated and tested. All renovation work inside will be completed in full compliance with Village Code as well as fully ADA compliant.

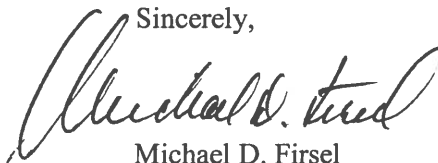
PetSuites, as a national chain, is able to provide patterns and information as to how the Project will operate based on their experience from operating over 40 locations nationwide. Please see the enclosed PetSuites Information Summary for information regarding the operation of the Resort.

It is currently contemplated that construction on the Project will commence in the fall of 2020 and is expected to last for approximately six months.

Petitioner is seeking three land use variations to the Village's Zoning Code, each of which Petitioner has vetted with the Village staff. The requested land use variances are essential, justified, and necessary. The Property is currently zoned B-2 and as such, Petitioner will be seeking a land use variation to allow a commercial kennel within the existing B-2 zoning district. Petitioner will also be seeking a land use variation to allow the installation of a seven-foot fence surrounding the outdoor activity area rather than the Code required six-foot fence. This will provide greater assurance that animals on either side of the fence are unable to jump over it. Petitioner is also requesting that it be allowed to forego installation of a Code mandated bicycle rack at the Project. Please see Petitioner's "**Written Justification for Land Use Variations**" simultaneously submitted herewith for a more in-depth explanation of the necessity of these variances.

Petitioner looks forward to presenting this Project before the Village Plan Commission and, ultimately, the Village Board for review and approval.

Sincerely,



Michael D. Firsel

MDF/djm
Enclosure

PETSUITES® INFORMATION SUMMARY

- 1. General.** PetSuites is a division of NVA (National Veterinary Associates), a pet care company that includes 748 animal hospitals, specialty clinics and emergency rooms, plus another 89 “pet resorts”, all spread across 5 countries and 44 states in the US. The PetSuites brand has been in the boarding and daycare pet business since 2000. Many other NVA brands of resorts have been in the business for much longer than that. PetSuites’ promise is to provide a personalized, playful, safe and loving environment for pets, and a memorable service for those who love them.
- 2. Project.** The Project will be an adaptive reuse of the existing former “Teddy’s Liquors” building located on the Property as a luxury pet “resort” solely for dogs and cats. The resort will accommodate both daily care and longer-term boarding. Significant improvements to both the exterior and interior are planned.
- 3. Inside.** The building consists of a single level with a basement. The basement will not be used in the operation of the business other than for storage. The interior first floor of the building will be completely renovated. The front-of-house will include a reception area and a small retail shopping space for boarding and pet related items, employee and management offices and the various pet suites. The resort suites will be separated based on size of dog and short term or longer-term care. Cat suites will be separate from the larger dog areas.
- 4. Outdoor Area.** Petitioner is proposing a fenced and screened outdoor activity area for pets to exercise, walk and play. This area will be under full-time employee supervision and will be cleaned by employed personnel 3-4 times per day as needed. The outdoor activity area will also be divided into separate areas based on the size of the pets. Most of the time dogs do not bark in familiar environments. Based on the vast experience of PetSuites, noise from barking animals either inside or outside is not an issue. If a dog continues to bark outside it will be separated from the others, or brought back inside.

Aside from the separation of the outdoor activity area by fencing, there will also be a solid vinyl clad white solid fence around the entire outdoor activity area. Based on the experience of PetSuites, a 7’ high fence is recommended. Even though Village Code allows a 6’, Petitioner wants to make certain that access by animals jumping fences (from either side) remains highly unlikely. The one-foot height difference will prove to be significant.

There will be no walking, playing or exercising of pets outside of the fenced outdoor activity area.
- 5. Hours.** The resort operating hours will be from 6:30 a.m. to 8:00 p.m., seven days a week.
- 6. Services.** PetSuites services are limited to boarding and grooming. No formal medical care (other than in the event of an emergency) will be administered. There is no veterinarian on staff. In the event of a medical emergency, the manager will evaluate the situation. If there is time, the manager will attempt to call the customer. If not, the manager will gather all information regarding the stay and, if close by, PetSuites will take the pet to the veterinarian that the customer has designated to treat their pet in emergency situations. While at the veterinarian,

the manager will attempt to call the owner again. If the owner is reached, all information will be relayed to the owner, and the veterinarian information will be provided. If the owner is not reached, PetSuites will take the pet to a veterinarian nearby to treat the pet until owners are reached.

- 7. Staffing.** Full time: 1 General Manager and 1 Resort Manager. 2 Pet Pro leads and 1 Pet Host Lead. Up to 10 part-time employees. Could grow to 20-25 employees over 3 years.
- 8. Circulation.** PetSuites observes staffing ratios of no more than 25 dogs: 1 staff member. This low ratio allows the dogs ample room to run and play while enabling the staff member to keep a close eye on all the dogs. The dogs are rotated inside and outside on any given day. Dogs typically start going outside around 6:30 a.m. and are all inside by 8:00 p.m. On an average day there may be up to 40 dogs outside, with higher numbers during the 2-3 peak holiday periods per year (spring break weeks, Thanksgiving, winter holiday weeks).
- 9. Noise.** PetSuites has commissioned noise studies at several of their sites in the past. The results are typically consistent – the ambient noise from the car traffic and general community activities is louder than the dogs outside. Dogs tend to bark or make noise when they encounter unfamiliar people or other dogs. PetSuites tends to build a consistent staff and regular customer base which means that most of the dogs are usually quietly enjoying the fresh air.
- 10. Smell.** A large part of the PetSuites brand image is that their resorts do not smell. The staff will quickly pick up, wash down, and dispose of all dog waste. All solid waste is scooped immediately and placed into a 1.1 mm black trash bag inside of a trash can with lid. Every evening, each of the approximately 10 trash bags are retrieved from their cans and thrown into a 10 yard outdoor dumpster that is emptied weekly. The elimination is quickly cleaned from the room with the cleaning agent Envirocide.
- 11. Traffic.** PetSuites resorts have consistent traffic patterns and do not drive a significant spike in overall traffic counts. On an average weekday PetSuites expects to have 50-70 cars drop off and pick up their dogs. Drop-offs and pick-ups rarely exceed 5 minutes

Most resorts that have a decent daycare business will be busy from 6:30 a.m.-9:00 a.m. and 4:00 p.m.-7:00 p.m. For boarding customers, Fridays and Saturdays before noon are always busy at every resort for drop-offs.
- 12. Bicycles.** Resort customers do not drop-off or pick-up their pets by use of a bicycle. A bicycle rack at the Property is totally unnecessary.
- 13. Community Involvement.** Each resort joins the local Chamber of Commerce when entering a new market. The resort will host a ribbon cutting and give a private tour to all the Chamber Ambassadors in attendance. While the building renovations are being completed, the General Manager and Resort Managers work to build excitement and engagement within the community. PetSuites sponsors community events and partners with local business to host events. The management team will work throughout the year to build relationships and partners with local businesses, including non-profits. Those businesses are not just limited to the animal field. They also include other businesses in the community that could benefit from a partnership with PetSuites as well. A press release will be released regarding jobs in the community.



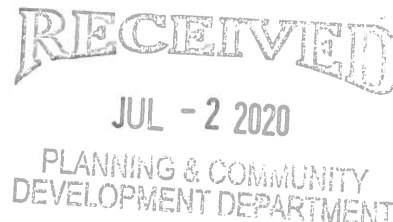
MICHAEL D. FIRSEL
MICHAEL E. ROSS
CHRISTINE S. BOLGER
KAREN JERWOOD
JESSICA T. COOPER

2801 LAKESIDE DRIVE, SUITE 207
BANNOCKBURN, IL 60015

O 847-582-9900
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June 30, 2020



Mr. Terrence Ennes and
Members of the Plan Commission of the
Village of Arlington Heights
33. S. Arlington Heights Road
Arlington Heights, IL 60005-1403

**Re: PetSuites at 1050 East Rand Road (the "Property"); Novogroder Properties, LLC
("Petitioner") for Plan Commission Hearing and Recommendations**

WRITTEN JUSTIFICATION FOR LAND USE VARIATIONS

A. Variation to Chapter 28, Section 5.1-1, Permitted Use Table, to operate a Commercial Kennel in a B-2 District.

- 1. The proposed use will not alter the essential character of the locality and will be compatible with existing uses of zoning of nearby property.*

Correct. Petitioner seeks to operate a commercial kennel in a B-2 district, noting that pursuant to the current zoning ordinance for the Village, the operation of a commercial kennel is a special use that is permitted only in a B-3 district. However, the request for a special use in a B-3 District would require both a zoning change from the currently zoned B-2 zoning district. as well as a special use approval. Due to the fact that there are permitted uses in a B-3 zoning district that would be inconsistent and incompatible with the current uses in the area, Petitioner is requesting a variation within the existing B-2 district. Neighboring properties, include commercial businesses such as the Midas Auto Shop to the southwest of the Property and the Dunkin' Donuts to the northwest of the Property, in addition to numerous other commercial businesses located just beyond the Property. The essential character of this locality will not be altered and will be compatible with other existing uses of zoning of nearby properties.

- 2. The plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned.*

Correct. The Property has been vacant for over two (2) years. As such, it is beneficial for the Village to allow this special use for a commercial kennel, rather than allowing the Property to

Mr. Terrence Ennes and
Members of the Plan Commission of the
Village of Arlington Heights
June 30, 2020
Page 3

remain vacant. As a result of the vacancy at the Property, homeless individuals have been observed sleeping in the existing Teddy's Liquors entryway, the Property has become overgrown with weeds, including in the parking lot, and unauthorized vehicles, including large trucks and campers, have been parking in the parking lot. Petitioner's operation of the Property as a commercial kennel would include exterior enhancements to the Property, providing a more aesthetically pleasing appearance than that of the existing vacant Teddy's Liquors.

3. *The proposed variation is in harmony with the spirit and intent of this Chapter.*

Correct. It is the intention of the Village Municipal Code "[t]o protect the character and stability of the residential, business and manufacturing areas within the Village and to promote the orderly and beneficial development of such areas." Petitioner seeks to develop the Property into a commercial kennel in order to provide revenue to the Village, employment opportunities, more customers for associated uses in the area, and essential pet-boarding services for Village residents.

4. *The variance requested is the minimum variance necessary to allow reasonable use of the property.*

Correct. This variance is the minimum variance necessary to allow a commercial kennel in a B-2 district. Alternatively, rezoning the Property to B-3, and obtaining a special use would entail a much broader scope and would not be the minimum variance necessary to allow this use. A commercial kennel is a reasonable use of the Property given the nature of the neighboring properties.

B. Variation to Chapter 28, Section 6.13-3b., to allow a seven (7) foot tall solid fence in an exterior yard parallel to a major road.

1. *The proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property.*

Correct. The essential character of the locality will not be altered as this variance is only one (1) foot above that which is allowed by the current zoning ordinance, which provides that a six (6) foot tall fence is allowed by right in a B-2 district. The outdoor activity area at the kennel would be enclosed by a seven (7) foot fence. A small portion of the fence surrounding the outdoor activity area would run parallel to Rand Road, and the one (1) foot difference in height of the fence will hardly be noticeable to car passengers driving past the Property. Additionally, the seven (7) foot fence will provide better security to keep all animals staying at the commercial kennel on the Property. Petitioner operates many similar facilities all over the United States and this additional one foot is significant in keeping any dogs from leaping over the fence.



Mr. Terrence Ennes and
Members of the Plan Commission of the
Village of Arlington Heights
June 30, 2020
Page 4

2. *The plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned.*

Correct. The Property is unique in that the Property is bordered by both residential and commercial properties. The extra one (1) foot of fencing will serve to keep all animals staying at the commercial kennel on the Property, preventing any animals from entering onto the neighboring properties and busy streets.

3. *The proposed variation is in harmony with the spirit and intent of this Chapter.*

Correct. It is the intention of the Village Municipal Code “[t]o protect the character and stability of the residential, business and manufacturing areas within the Village and to promote the orderly and beneficial development of such areas.” The purpose of increasing the height of the fence surrounding the outdoor play area is to maintain and promote order as related to the development of the Property into a commercial kennel by keeping all animals safely on the Property.

4. *The variance requested is the minimum variance necessary to allow reasonable use of the property.*

Correct. As Petitioner is only seeking to increase the fence height by one (1) foot, Petitioner is taking extra care to ensure that all animals are kept safely on the Property, and so as not to disturb any of the neighboring properties.

C. Variation to Chapter 28, Section 10.8, Schedule of Bicycle Parking Requirements, to omit requirement for Bicycle Parking at the Property.

1. *The proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property.*

Correct. Since there is no currently existing Bicycle Parking at the Property, there will not be any incompatibility with the proposed development of the Property without Bicycle Parking. Furthermore, as the proposed development of the Property is for a commercial kennel, customers of the commercial kennel will not require the use of Bicycle Parking to drop off or pick up their pets for daycare and boarding services.

Mr. Terrence Ennes and
Members of the Plan Commission of the
Village of Arlington Heights
June 30, 2020
Page 5

2. *The plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned.*

Correct. The unique circumstances include that as the Property is located on Rand Road, there are not many bicyclists in the area and most, if not all, customers will access the Property by motor vehicle.

3. *The proposed variation is in harmony with the spirit and intent of this Chapter.*

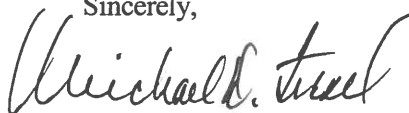
Correct. It is the intention of the Village Municipal Code “[t]o protect the character and stability of the residential, business and manufacturing areas within the Village and to promote the orderly and beneficial development of such areas.” Nothing about the omission of Bicycle Parking at the Property will, in any way, disrupt the spirit and intent of this Chapter.

4. *The variance requested is the minimum variance necessary to allow reasonable use of the property.*

Correct. As customers of the commercial kennel will not require the use of Bicycle Parking to drop off or pick up their pets, this variance will save Petitioner from spending unnecessary funds to have a bicycle rack that would never be used is totally unnecessary.

Should you require any further information or clarification, please do not hesitate to contact the undersigned.

Sincerely,



Michael D. Firsel

MDF/djm



MICHAEL D. FIRSEL
MICHAEL E. ROSS
CHRISTINE S. BOLGER
KAREN JERWOOD
JESSICA T. COOPER

2801 LAKESIDE DRIVE, SUITE 207
BANNOCKBURN, IL 60015

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August 6, 2020

Mr. Terrence Ennes and
Members of the Plan Commission of the
Village of Arlington Heights
33. S. Arlington Heights Road
Arlington Heights, IL 60005-1403

**Re: PetSuites at 1050 East Rand Road (the "Property"); Novogroder Properties, LLC
("Petitioner") for Plan Commission Hearing and Recommendations**

SUPPLEMENTAL WRITTEN JUSTIFICATION FOR ADDITIONAL LAND USE VARIATION

A. Variation to Chapter 28, Section 5.2., to allow an accessory structure in a side yard (shade canopy).

1. *The proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property.*

Correct. The essential character of the locality will not be altered as this variance is to place a 4-post covered shade structure in the side yard rather than the rear yard of the subject property. There is more distance to the property borders by placing this structure in the side yard rather than the rear yard.

2. *The plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned.*

Correct. The Property is unique in that it is somewhat of an odd shape, and the adjacent streets cause the property front and rear yards to be narrower than the side yards, where there is more room for this accessory structure

3. *The proposed variation is in harmony with the spirit and intent of this Chapter.*

Correct. It is the intention of the Village Municipal Code "[t]o protect the character and stability of the residential, business and manufacturing areas within the Village and to promote the orderly and



Mr. Terrence Ennes and
Members of the Plan Commission of the
Village of Arlington Heights
August 6, 2020
Page 2

beneficial development of such areas.” The purpose locating this accessory structure in the side yard is to promote order as related to the development of the Property into a commercial kennel by keeping this accessory structure as far away from neighboring properties as possible, and keeping all employees and animals in a safe shaded area when the weather is too hot or otherwise inclement.

4. *The variance requested is the minimum variance necessary to allow reasonable use of the property.*

Correct. As Petitioner is only seeking to relocate this accessory structure from a smaller rear yard to a more expansive side yard, Petitioner is taking extra care to ensure that all animals are kept as far away as possible from the neighboring properties.

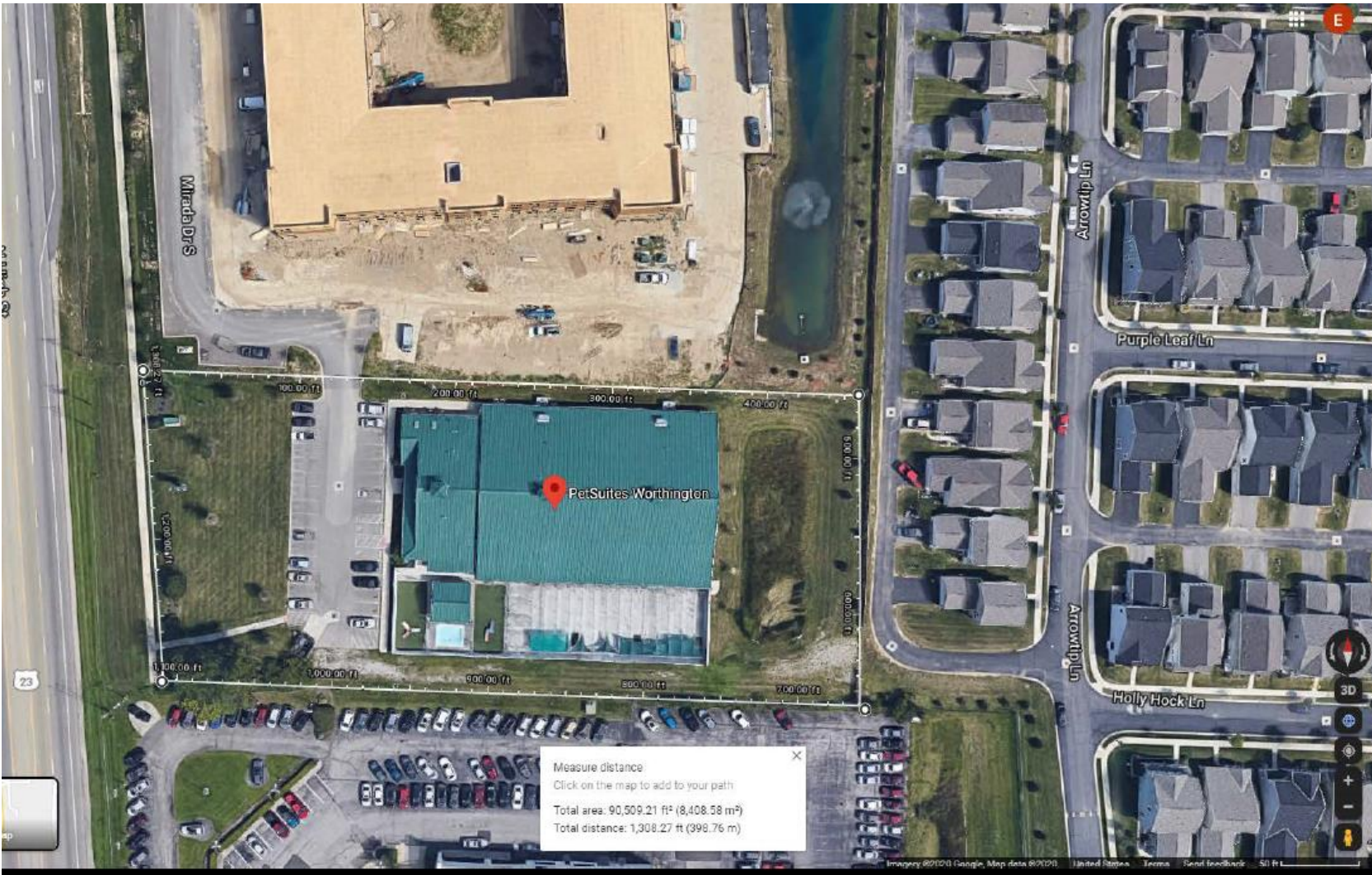
Sincerely,

A handwritten signature in blue ink that reads 'Michael D. Firsell'. The signature is written in a cursive, flowing style.

Michael D. Firsell



- Site Name: PetSuites Roswell
- Address: 951 Mansell Rd, Roswell, GA
- Year Opened: 2016
- Neighbors: Large residential community behind the resort.
- Complaints: None



- Site Name: PetSuites Worthington
- Address: 8678 N High St, Columbus, OH
- Year Opened: 2015
- Neighbors: Large residential community next to and behind the resort.
- Complaints: One 5 yrs ago after opening, altered outside hours. No complaints since.



- Site Name: PetSuites Fern Creek
- Address: 9420 Seatonville Rd, Louisville, KY
- Year Opened: 2019
- Neighbors: Large residential community next to the resort; large church across the street.
- Complaints: None.

6415 N. Caldwell Ave.
Chicago, Il. 60646

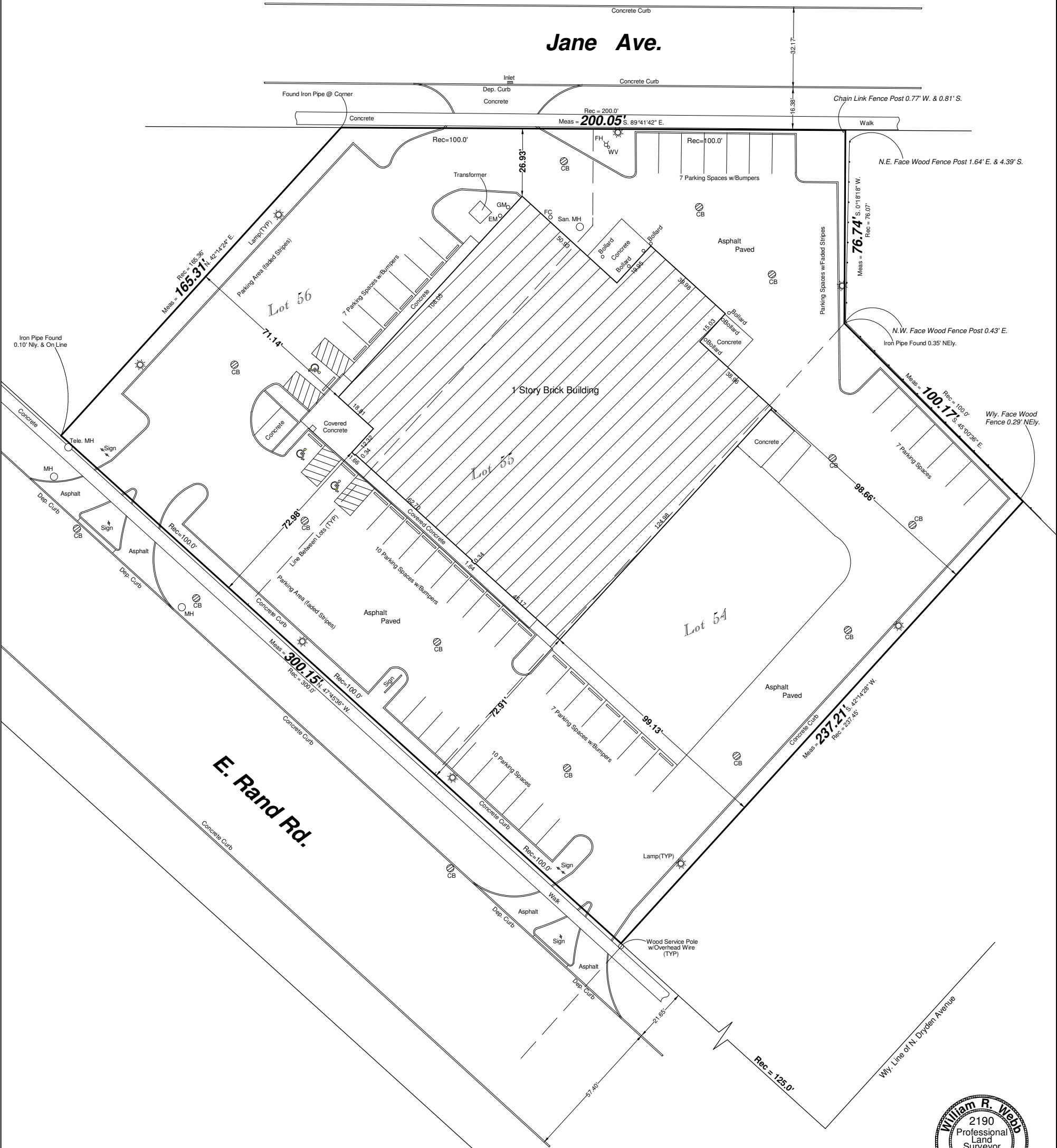
ALTA/NSPS Land Title Survey

by Central Survey LLC

Phone (773) 631-5285
Fax (773) 775-2071
www.Centralsurvey.com

Legal Description

Lots 54, 55 and 56 in C.A. Goelz's Arlington Heights Gardens, a Subdivision in the Northeast ¼ of Section 20, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois
Commonly Known as: 1050 E. Rand Road, Mount Prospect, Illinois
Area of Land Described: 72,412 Sq. Ft.



Legend

N. = North
S. = South
E. = East
W. = West
(TYP) = Typical
Rec = Record
Meas = Measure
St. = Street
Ave. = Avenue

Decimal/Inch Conversions		
0.01' = 1/8"	0.05' = 1"	0.58' = 7"
0.02' = 1/4"	0.17' = 2"	0.67' = 8"
0.03' = 3/8"	0.25' = 3"	0.75' = 9"
0.04' = 1/2"	0.33' = 4"	0.83' = 10"
0.05' = 5/8"	0.42' = 5"	0.92' = 11"
0.06' = 3/4"	0.50' = 6"	1.00' = 12"
0.07' = 7/8"		

Scale: 1 Inch equals 25 Feet.
Ordered By: Novogroder Companies
Order Number: 1050B
Assume no dimension from scaling upon this plat. Compare all points before building and report any difference at once. For building restrictions refer to your abstract, deed, contract and local ordinances.

State of Illinois)
County of Cook) S.S.

This is to certify to NCI Mount Prospect LLC, NCI Holdings LLC and Chicago Title Insurance Company that this map or plat and the survey on which it is based were made in accordance with the "Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys," jointly established and adopted by ALTA and NSPS and includes items 2, 4, 7(a), 8, 9, 14, 16 and 20 of Table "A" thereof. The field work was completed on February 12, 2020.

Dated this 12th day of February 2020
William R. Webb P.L.S. #2190 (expires November 30, 2020)

Professional Design Firm Land Surveying Corporation (#184-005417)



This professional service conforms to current Illinois minimum standards for a boundary survey.



SITE DATA	
SITE AREA	72,412 SF (1.66 ACRES)
PARKING PROVIDED	81 SPACES
HANDICAP PARKING PROVIDED	3 SPACES
BUILDING AREA	16,385 SF
TOTAL PERVIOUS AREA	12,374 SF
TOTAL IMPERVIOUS AREA	60,038 SF

PETSUITES

Arlington Heights, IL



THE COLORS AND MATERIALS SHOWN IN THIS RENDERING ARE CLOSE APPROXIMATIONS AND NOT AN EXACT MATCH. RENDERING IS TO BE CONSIDERED FOR VISUAL DESIGN INTENT ONLY AND NOT FOR CONSTRUCTION.



PETSUITES

Arlington Heights, IL



THE COLORS AND MATERIALS SHOWN IN THIS RENDERING ARE CLOSE APPROXIMATIONS AND NOT AN EXACT MATCH. RENDERING IS TO BE CONSIDERED FOR VISUAL DESIGN INTENT ONLY AND NOT FOR CONSTRUCTION.

[illegible]

NOT FOR
CONSTRUCTION

PETSUITES CONVERSION
1050 RAND ROAD
ARLINGTON HEIGHTS, IL

FLOOR PLAN

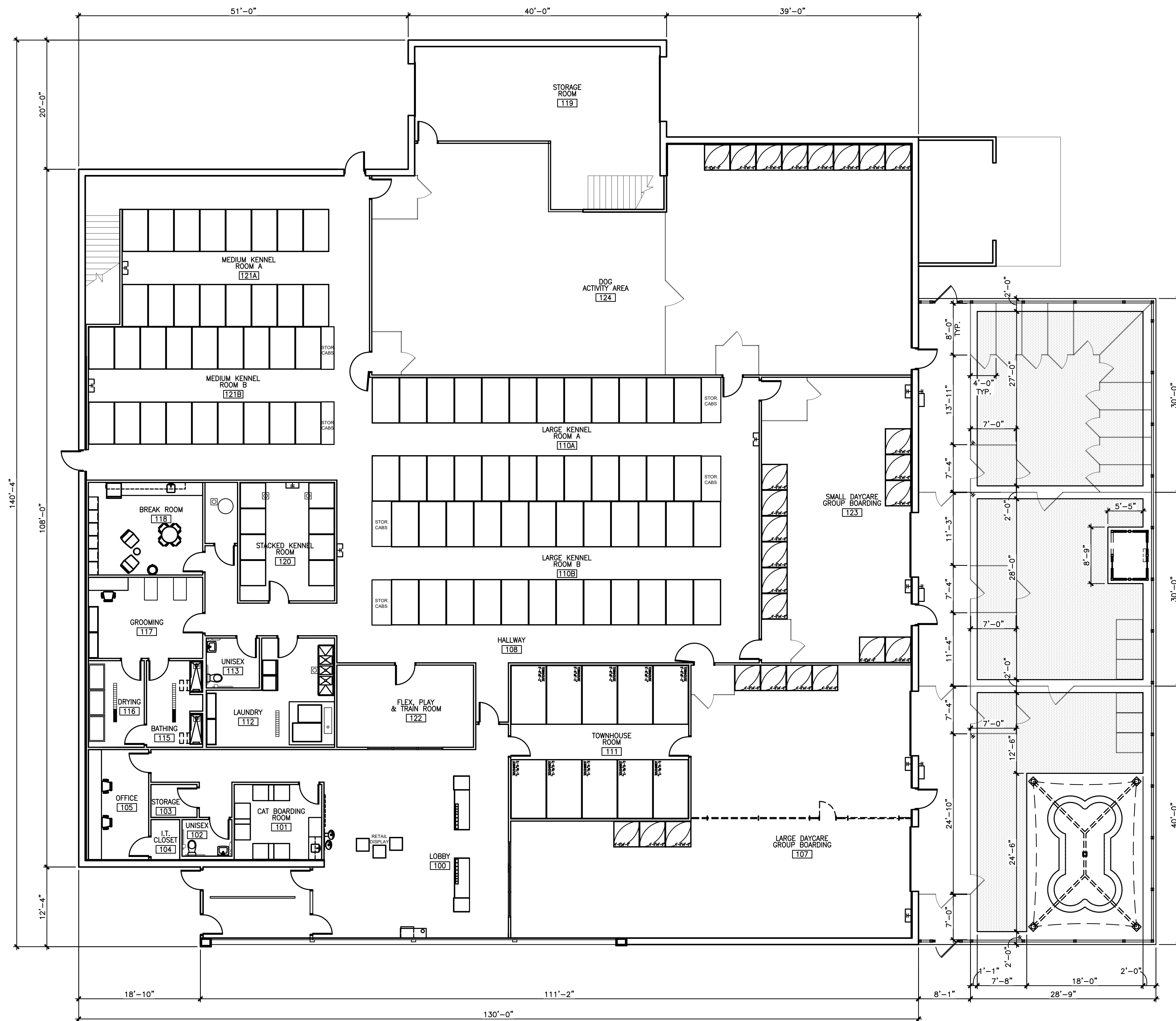
ISSUED FOR:	
PERMIT	-
BID	-
CONSTRUCTION	-
RECORD	-

SITE ID NO.
T.B.D.

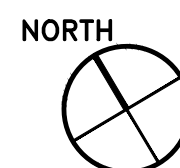
PROJECT MANAGER	DESIGNER
KMW	AMK

JOB NO.
2019155.25

A2.0



1 FLOOR PLAN
A2.0 SCALE: 1/8"=1'-0"





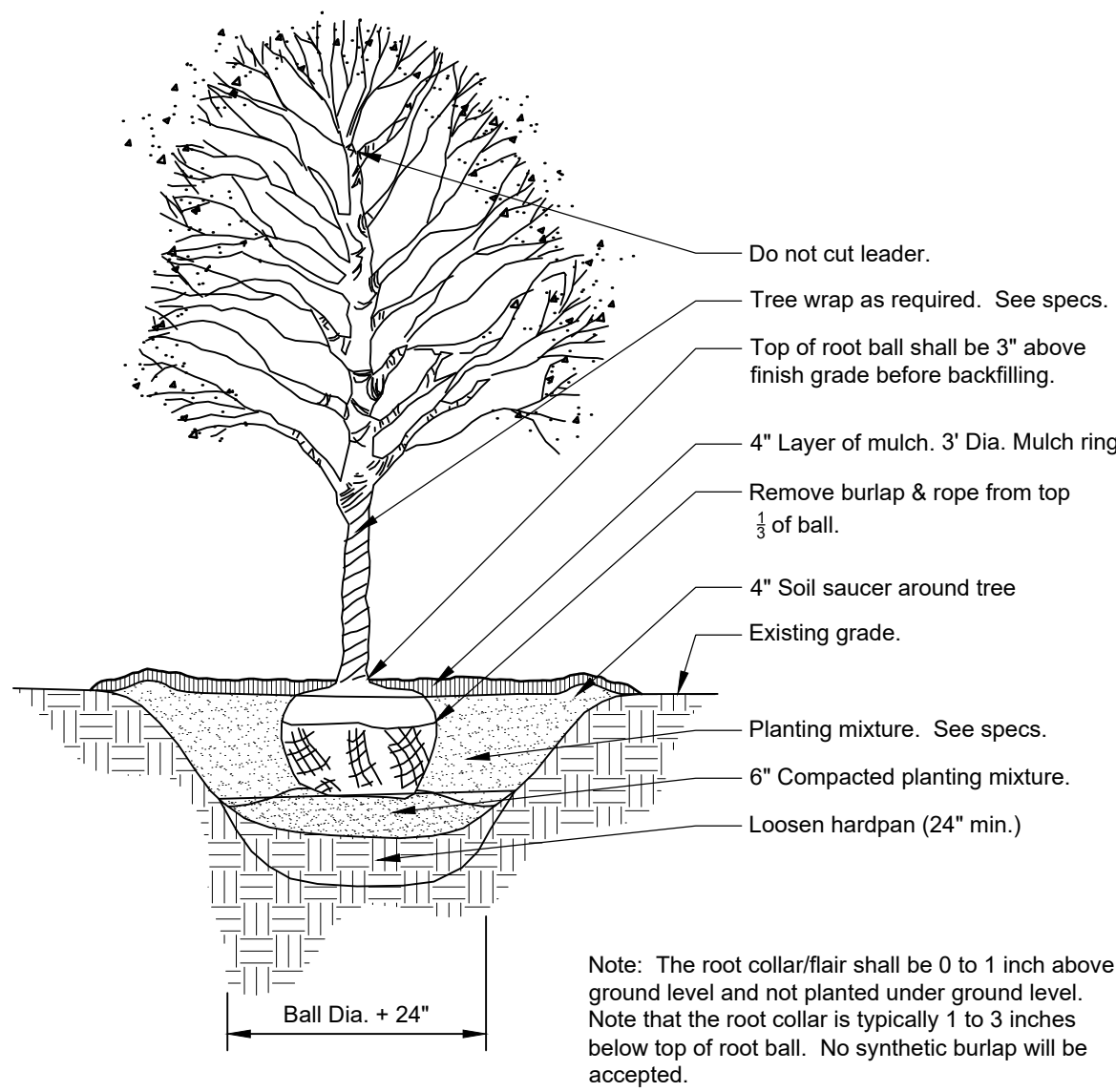
PETSUITES

Arlington Heights, IL

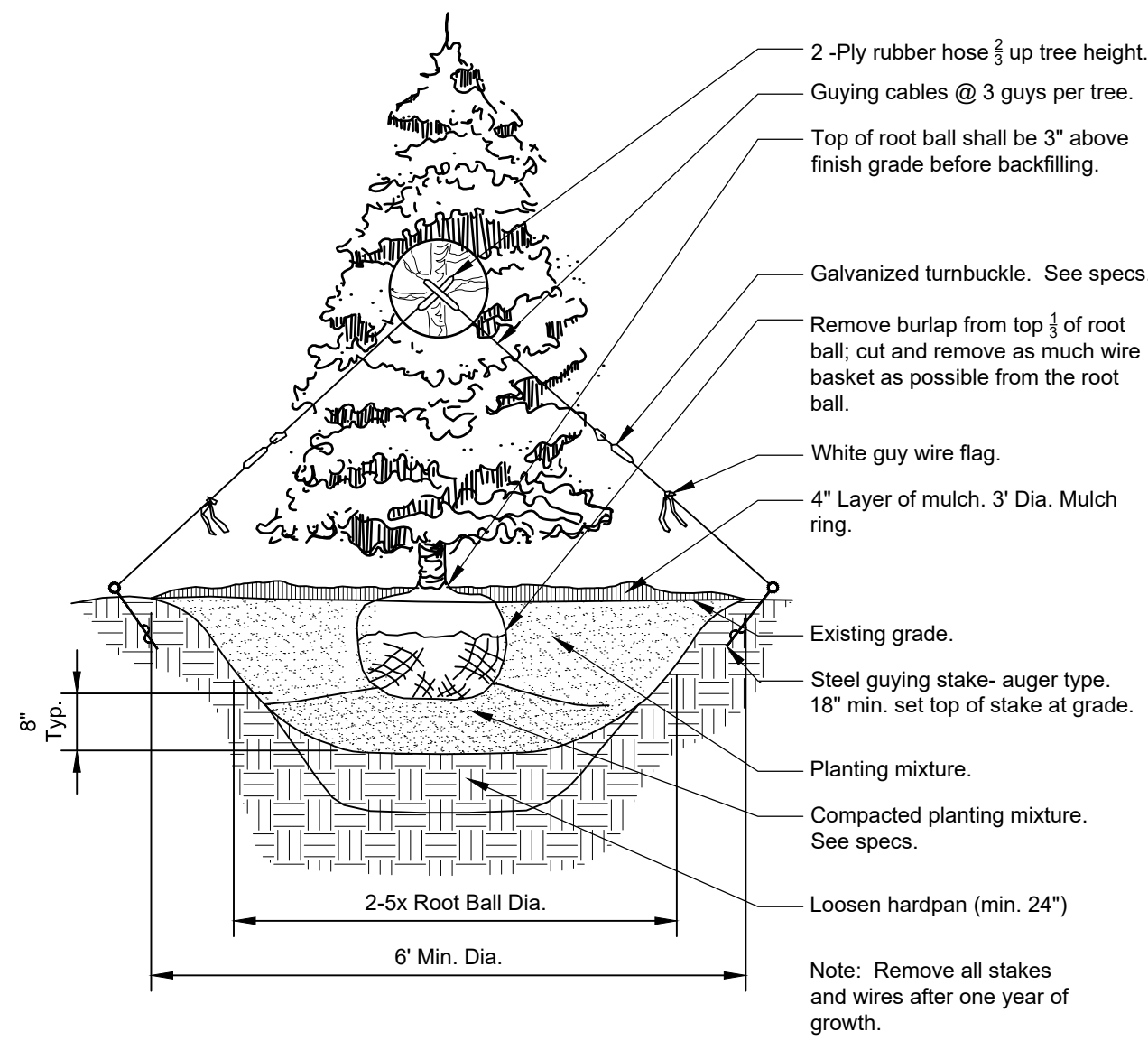


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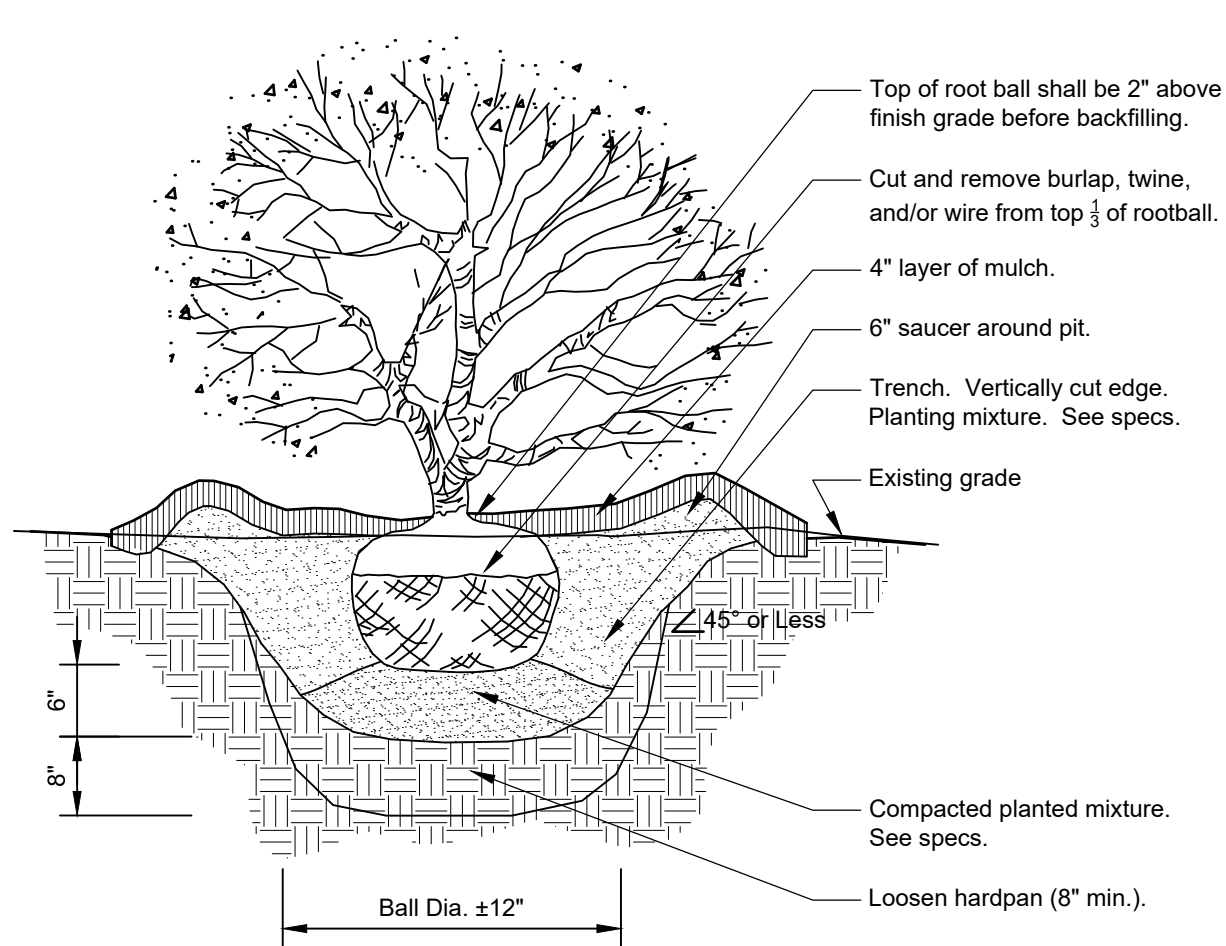




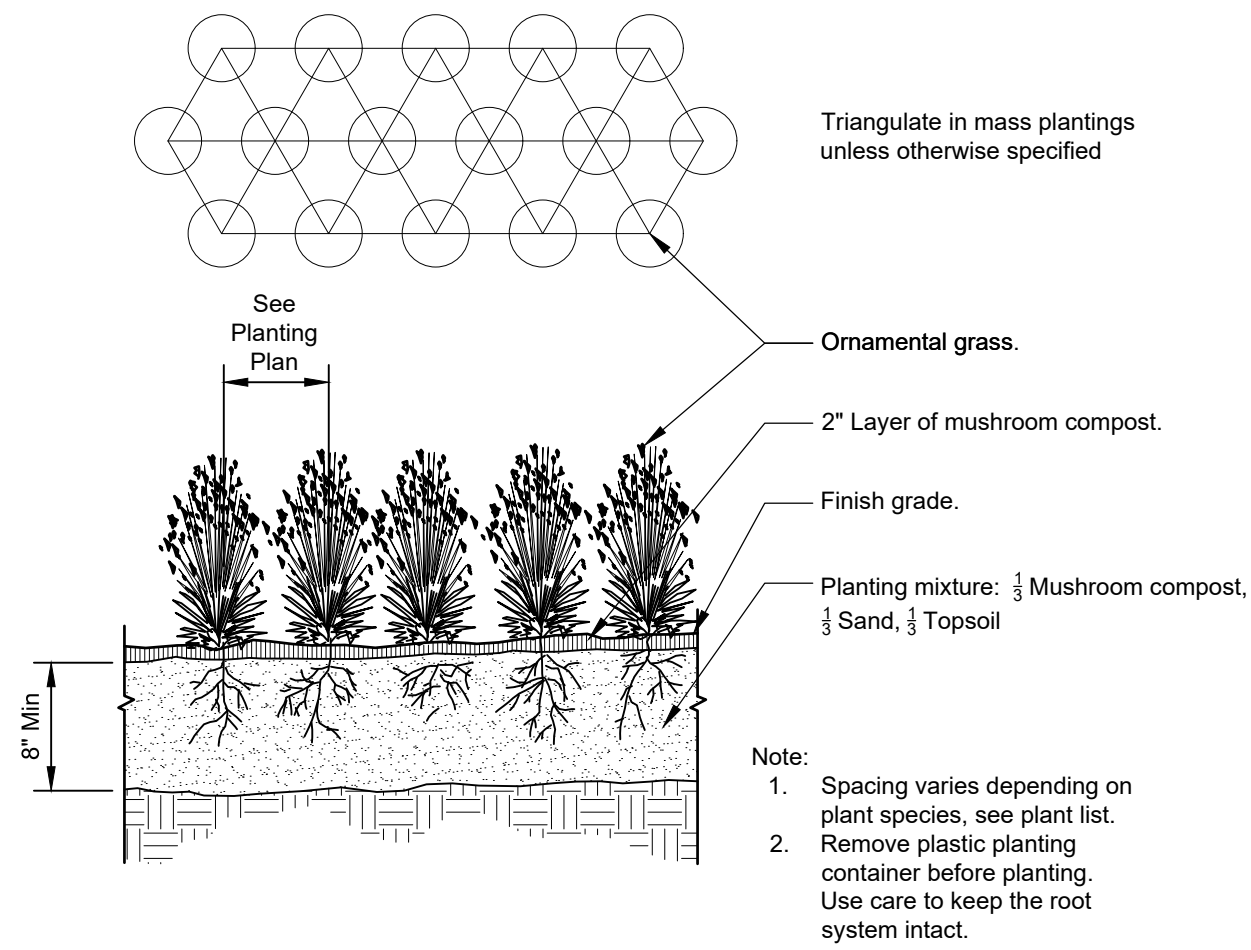
1 DECIDUOUS TREE PLANTING
1/4" = 1'-0" 32 9343.33-20



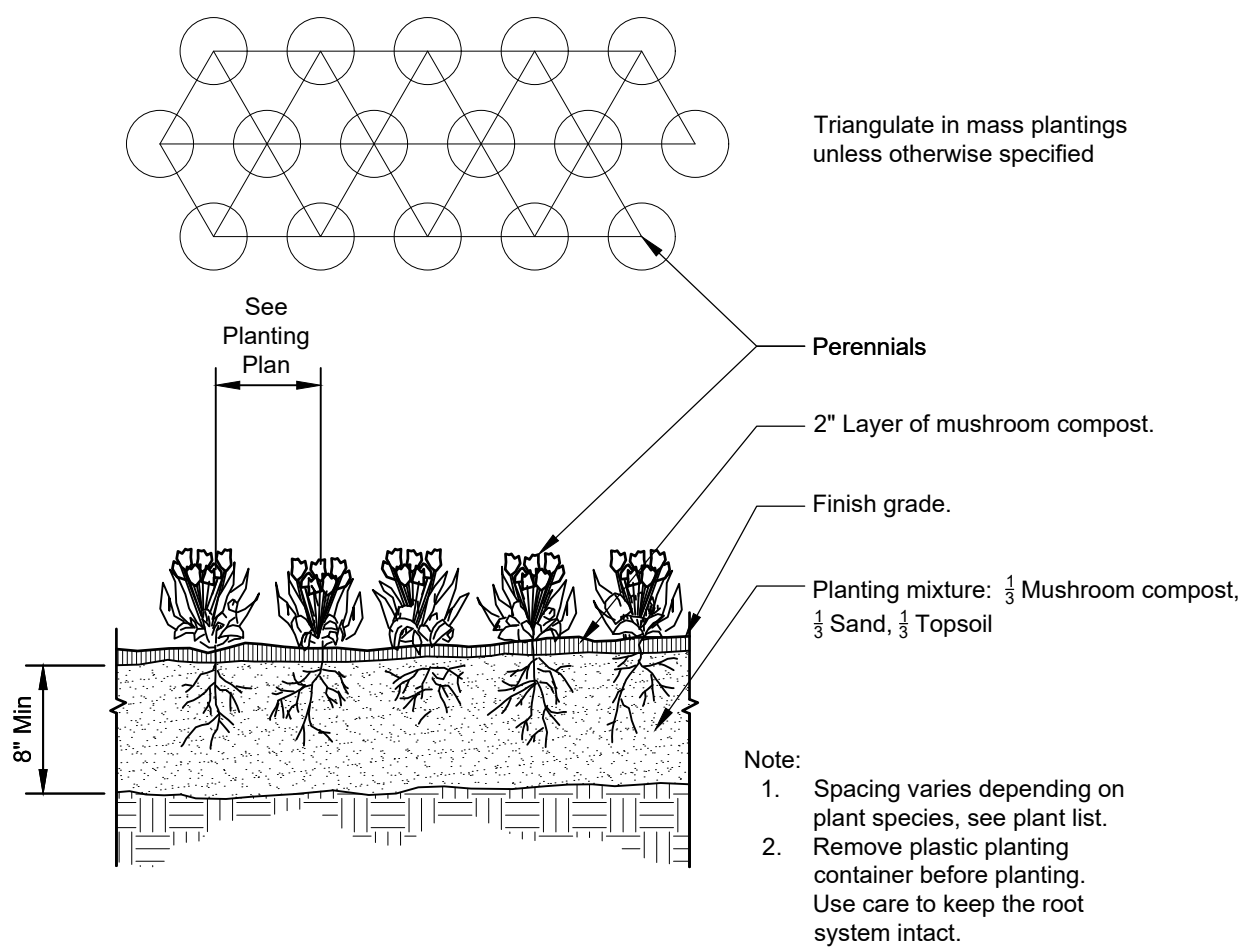
2 CONIFER TREE PLANTING
1/4" = 1'-0" 32 9343.46-01



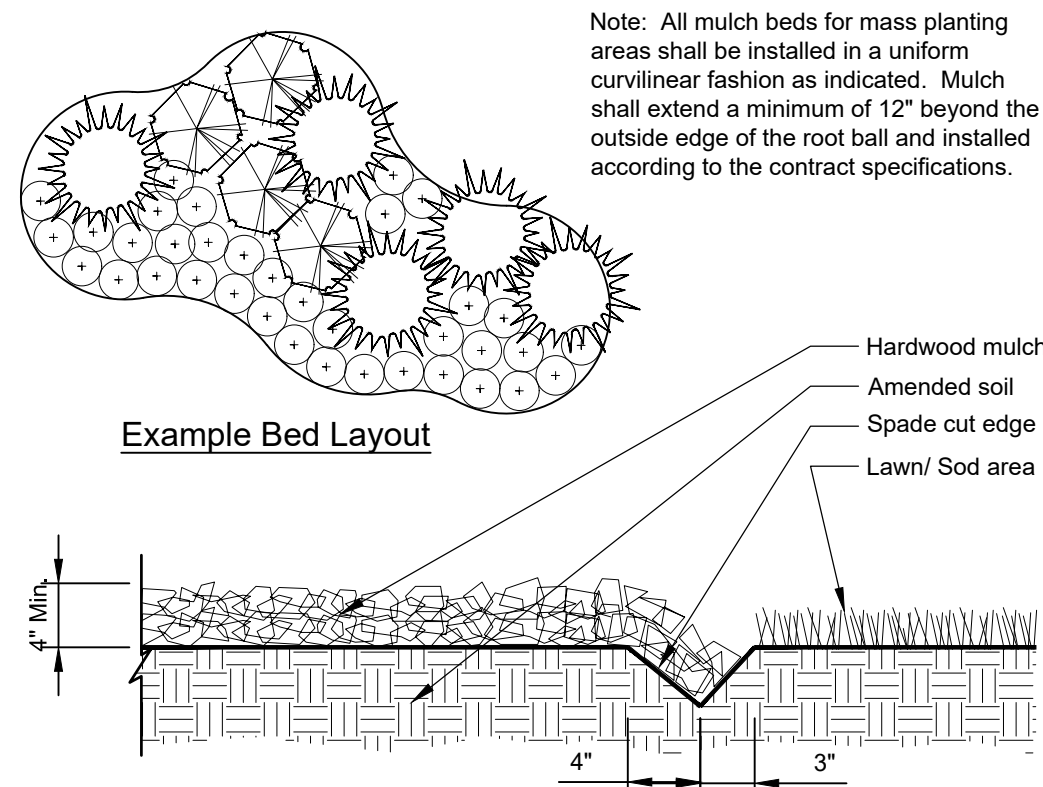
3 SHRUB PLANTING DETAIL
3/4" = 1'-0" 32 9333.16-05



4 ORNAMENTAL GRASS PLANTING
1" = 1'-0" 32 9313-01



5 PERENNIAL / ANNUAL PLANTING
1" = 1'-0" 32 9313-02



6 CONTINUOUS MULCH EDGING
1" = 1'-0" 32 9113.26-01

Village of Arlington Heights Required Landscaping

ROADWAY SCREENING

Requirement: Landscaping required along the entire length of the right-of-way line adjacent to the roadway with a height of 3' except at driveways or intersections which can not be at a height greater than 18".

E. Rand Road - 230 linear feet not including access drives
Jane Avenue - 160 linear feet not including access drives

Required: 390 linear feet total of 3' height landscaping along roadways

On Plan: 390 linear feet total of 3' height landscaping

292 linear feet of existing landscaping provided on plan and an additional 98 linear feet of additional landscaping provided between parking lot and right-of-way line adjacent to roadway.

Note: Due to the existing limited distance between the parking lot to the north and the right-of-way line of 1' groundcover has been provided in this location as there is not plant material that will grow 3' in height and only 1' in width.

PARKING LOT ISLAND LANDSCAPING

Requirement: 1 Tree required per parking lot island and the parking lot island shall be at least the size of one parking lot space.

Number of Internal Parking Lot Islands: 6

Required: 6 Trees total

On Plan: 6 Existing trees total on the landscape plan

LANDSCAPE REQUIREMENTS BETWEEN ZONING DISTRICTS:

Requirement: One or more of the following screening items should be in place between districts:

- 1) Well maintained masonry wall
- 2) Solid wood fence
- 3) Double row of dense landscape material
- 4) Landscape Berm

On Plan: Existing Solid Wood Fence is provided between the B-2 and R-5 zoning district located at the northeast of the subject property

PLANT SCHEDULE

DECIDUOUS TREES	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER
GLE SKY	2	Gleditsia triacanthos 'Skyline'	Skyline Honey Locust	4" Cal.	B&B
TIL RED	2	Tilia americana 'Redmond'	Redmond American Linden	4" Cal.	B&B

DECIDUOUS SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER
CEP SUS	3	Cephalanthus occidentalis 'SMCOSS' TM	Sugar Shack Buttonbush	5 gal.	
COT ACU	9	Cotoneaster acutifolius	Peking Cotoneaster	5 gal.	
HYD L38	13	Hydrangea paniculata 'Little Lime'	Little Lime Hydrangea	5 gal.	

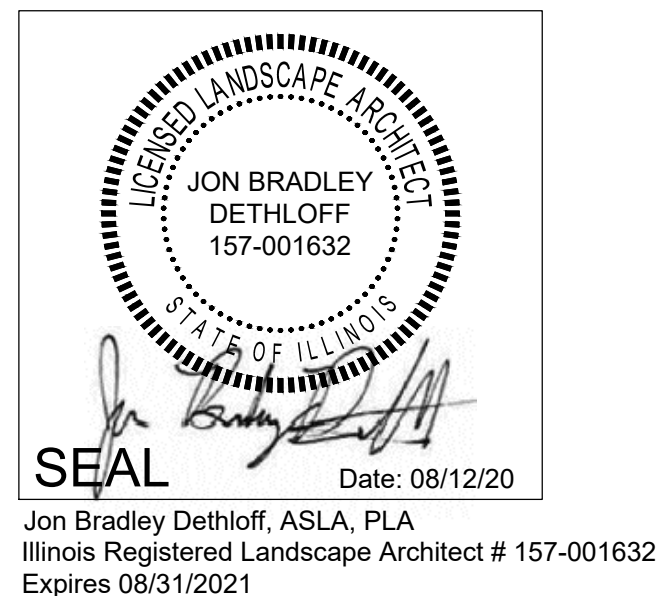
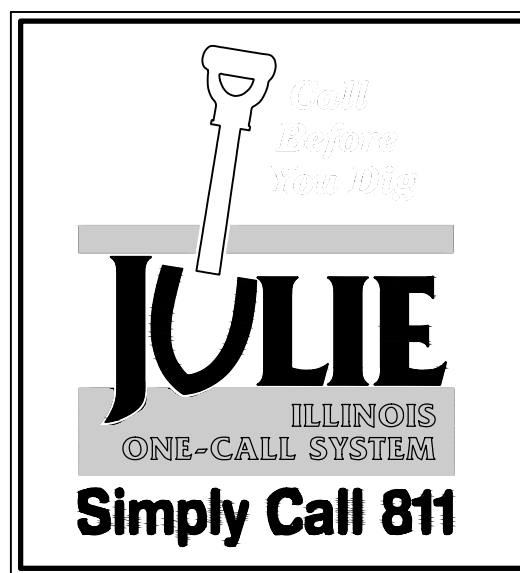
EVERGREEN SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER
JUN LMG	9	Juniperus horizontalis 'Limeglow'	Limeglow Creeping Juniper	3 gal.	
THU HOR	36	Thuja occidentalis 'Halmstrup'	Halmstrup Cedar	6"	B&B

ORNAMENTAL GRASSES	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER
CAL KAR	34	Calamagrostis x acutiflora 'Karl Foerster'	Feather Reed Grass	5 gal.	

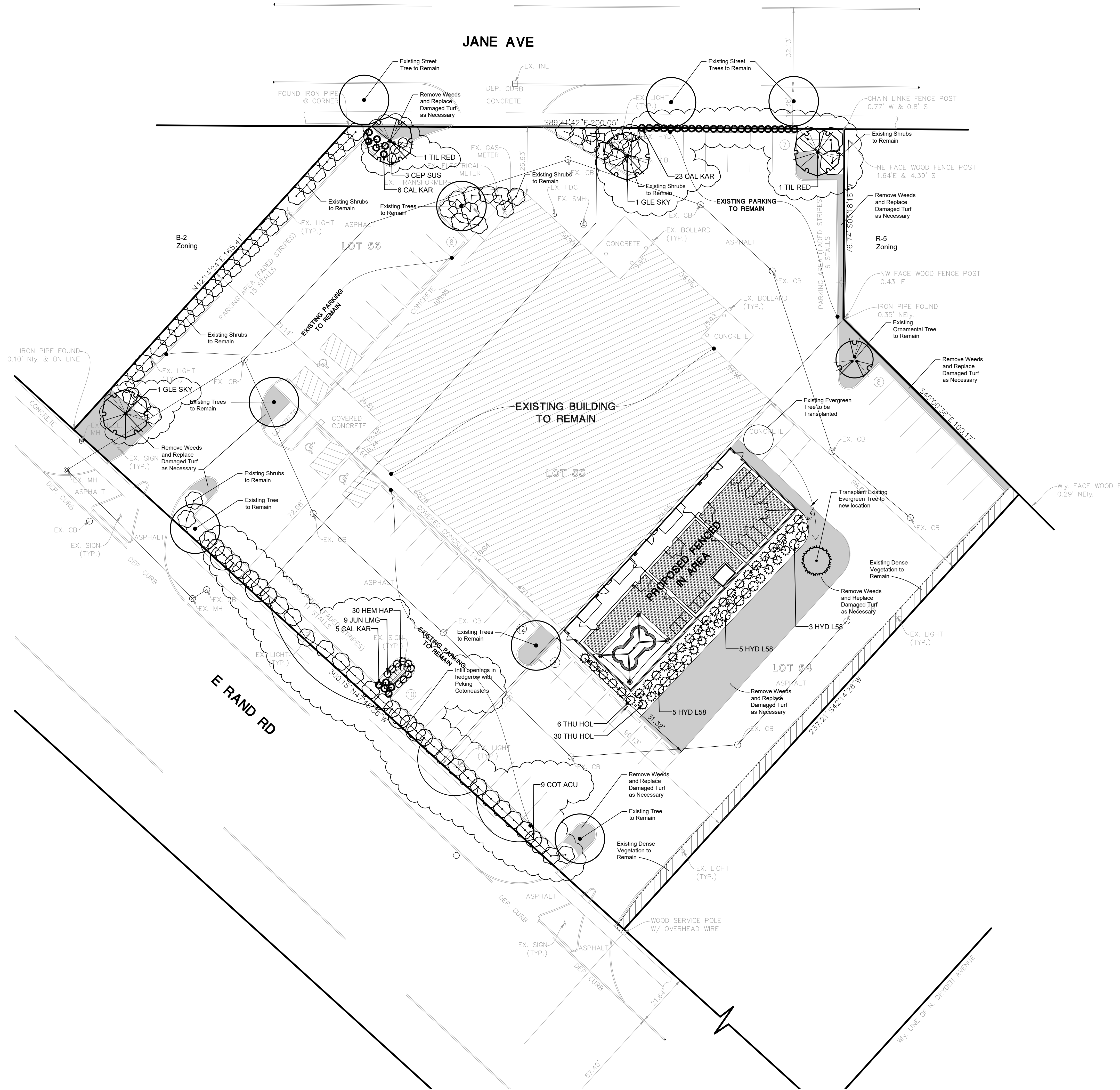
SHRUB AREAS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER
HEM HAP	30	Heemerocallis x 'Happy Returns'	Happy Returns Daylily	1 gal.	

Landscape Notes:

1. Seed/ Sod limit line is approximate. Seed/ Sod to limits of grading and disturbance. Contractor responsible for restoration of any unauthorized disruption outside of designated construction area.
2. Contractor responsible for erosion control in all seeded/ sodded areas.
3. Tree mulch rings in turf areas are 5' diameter. Contractor shall provide a mulch ring around all existing trees within the limits of work. Remove all existing grass from area to be mulched and provide a typical spade cut edge. Landscape Fabric shall not be installed under mulch.
4. Bedlines are to be spade cut to a minimum depth of 3". Curved bedlines are to be smooth and not segmented.
5. All planting, beds shall receive top dressing of mulch. Landscape fabric shall not be installed under mulch.
6. Do not locate plants within 10' of utility structures or within 5' horizontally of underground utility lines unless otherwise shown on plans. Consult with Landscape Architect if these conditions exist.
7. For Lump Sum Contracts, plants and other materials are quantified and summarized for the convenience of the Owner and jurisdictional agencies only. Confirm and install sufficient quantities to complete the work as drawn and specified. No additional payments will be made for materials required to complete the work as drawn and specified.
8. For Unit Price Contracts, payments will be made based on actual quantities installed as measured in place by the Owner's Representative.
9. It is the responsibility of the contractor to locate and provide plant material as specified on this plan. The contractor may submit a request to provide substitutions for the specified plant material under the following conditions:
 - a. Any substitutions proposed shall be submitted to the project owner's representative within two weeks of the award of contract. Substitutions must meet equivalent design and functional goals of the original materials as determined by the owner's representative. Any changes must have the approval of the owner's representative.
 - b. The request will be accompanied by at least three notices from plant material suppliers that the plant material specified is not available and will not be available prior to construction.
10. Verify site conditions and information on drawings. Promptly report any concealed conditions, mistakes, discrepancies or deviations from the information shown in the Contract Documents. The Owner is not responsible for unauthorized changes or extra work required to correct unreported discrepancies. Commencement of work shall constitute acceptance of conditions and responsibility for corrections
11. A minimum of two working days before performing any digging, call underground service alert for information on the location of natural gas lines, electric cables, telephone cables, etc. The contractor shall be responsible for location and protection of all utilities, and repair of any damage resulting from his work at no additional cost to the owner.
12. Contractor shall promptly repair all damages to existing site at no cost to owner.
13. Refer to landscape specifications for additional conditions, standards, and notes.



August 11, 2020 - 10:57 Dwt Name: \\msc-at-osa\Projects\10\Gc\ah101\Kaw\Landscap\02-Final\Landscap Plan 8-12-20.dwg Updated By: bethhoff



Legend

- Turf Areas where existing turf is to remain or to be replaced if damaged during construction.

PET SUITES DEVELOPMENT - 1050 EAST RAND ROAD

VILLAGE OF ARLINGTON HEIGHTS, ILLINOIS

LANDSCAPE PLAN

PROJ. MGR: SMH
PROJ. ASSOC: JBD
DRAWN BY: JBD
DATE: 03/19/2020
SCALE: 1"=20'

SHEET

L2

GFC.AHILO1

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Manhard
CONSULTING LTD.
7000 Oakridge Drive, Manhard, IL 60148
Phone: 847.830.8811 Fax: 847.830.8811
www.manhard.com
Civil Engineers • Surveyors • Water Resource Engineers • Wetland & Wetland Resource Engineers • Landscape Architects • Planners

DATE	REVISIONS	DRAWN BY
8-12-20	REVISED PER VILLAGE COMMENTS	JBD



VIEW LOOKING EAST FROM E. RAND RD



PETSUITES

Arlington Heights, IL



THE COLORS AND MATERIALS SHOWN IN THIS RENDERING ARE CLOSE APPROXIMATIONS AND NOT AN EXACT MATCH. RENDERING IS TO BE CONSIDERED FOR VISUAL DESIGN INTENT ONLY AND NOT FOR CONSTRUCTION.



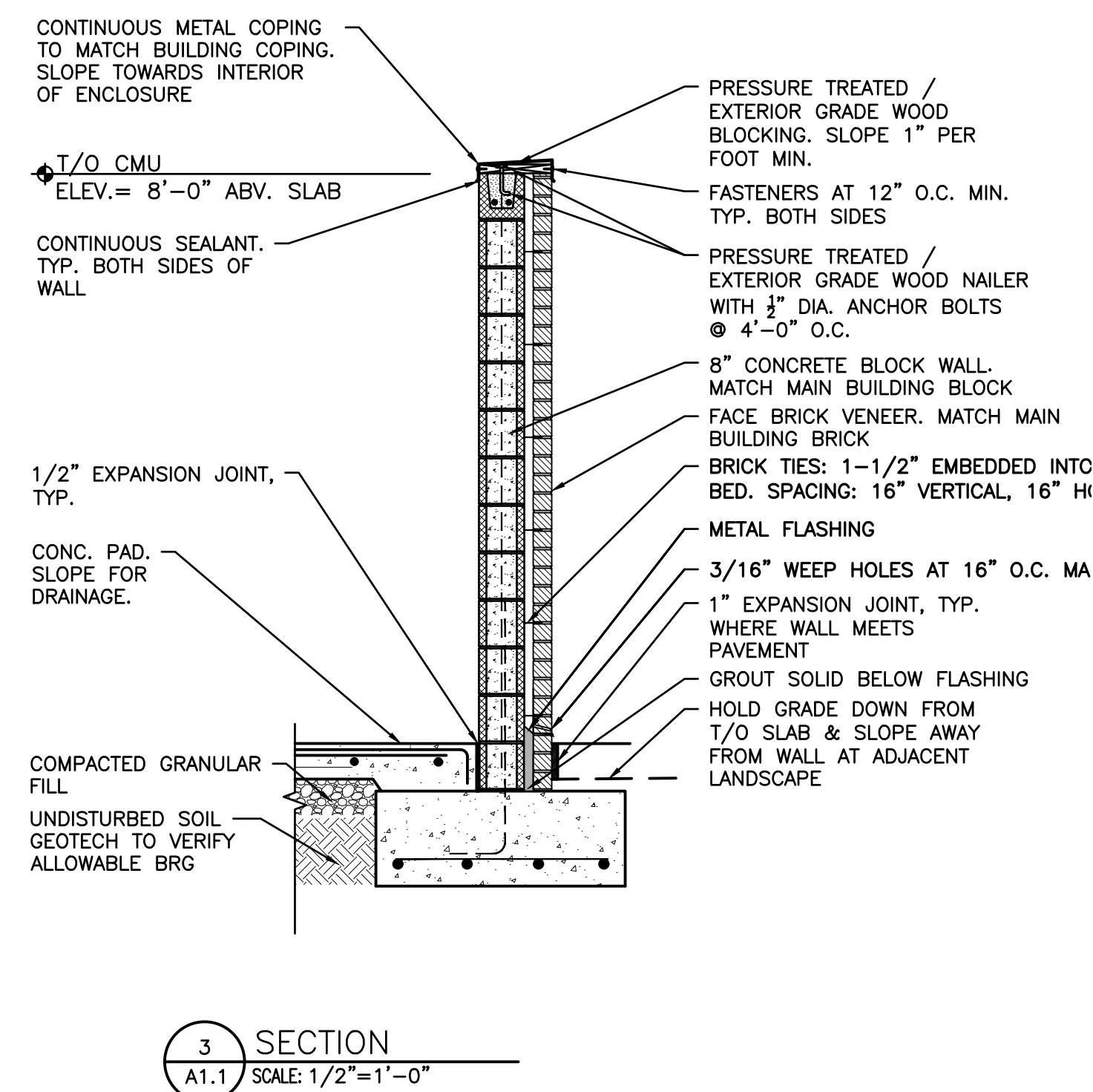
VIEW LOOKING NORTH FROM E. RAND RD



PETSUITES
Arlington Heights, IL



THE COLORS AND MATERIALS SHOWN IN THIS RENDERING ARE CLOSE APPROXIMATIONS AND NOT AN EXACT MATCH. RENDERING IS TO BE CONSIDERED FOR VISUAL DESIGN INTENT ONLY AND NOT FOR CONSTRUCTION.



MEMORANDUM

To: Mr. George Novogroder

From: Peter Lemmon, P.E., PTOE
Katie Biggs, EIT

Date: May 18, 2020

RE: Proposed PetSuites
Trip Generation Evaluation
Arlington Heights, Illinois

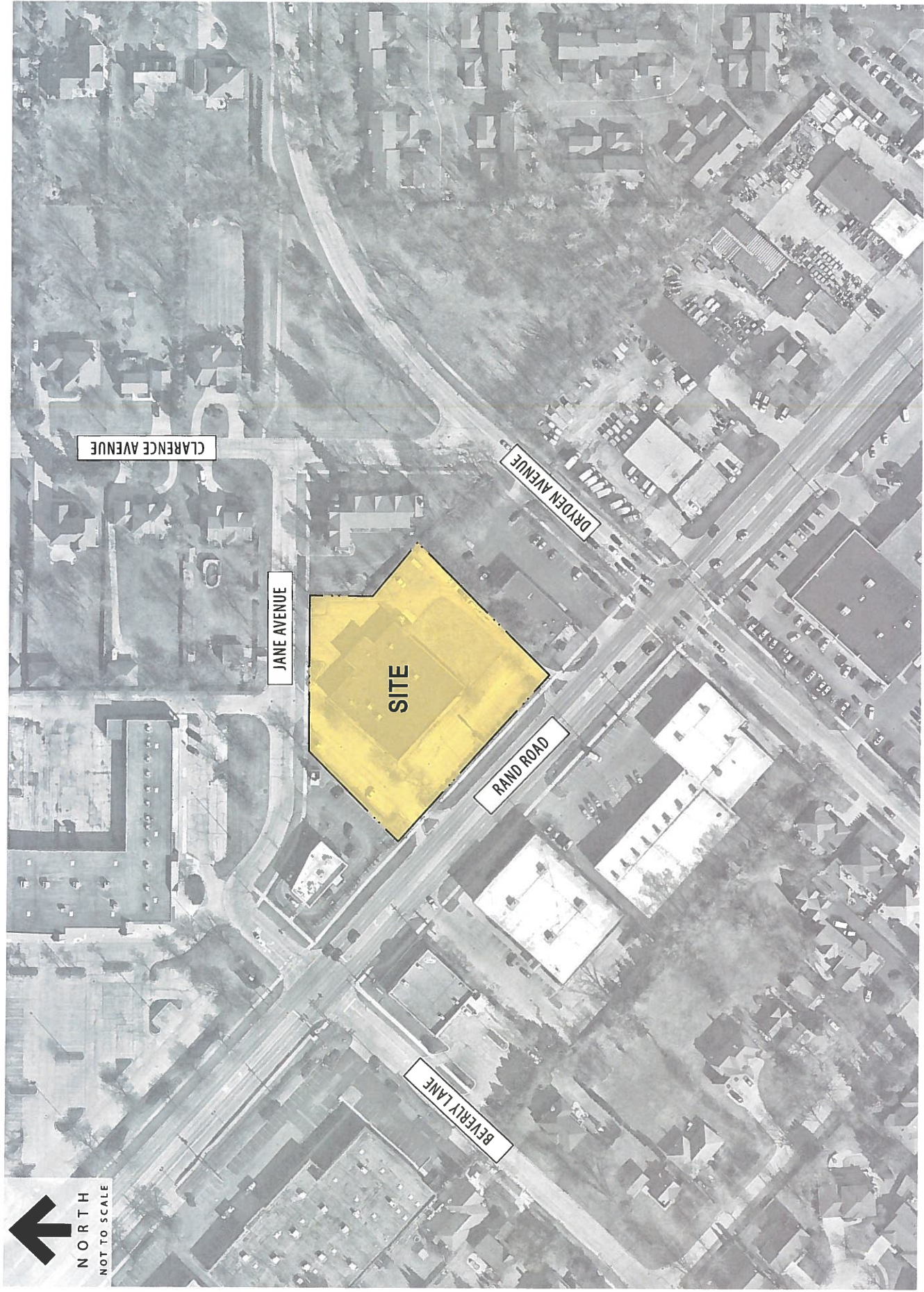
INTRODUCTION

On behalf of Novogroder Companies, Inc, Kimley-Horn and Associates, Inc. (Kimley-Horn) has prepared a traffic evaluation for a proposed adaptive re-use of a vacant retail property generally located at the northern quadrant of Rand Road and Dryden Road in Arlington Heights, Illinois. The subject site location is illustrated in **Exhibit 1**.

The proposed redevelopment plan includes improving the existing property as a daycare, boarding, and grooming facility for dogs and cats, known as PetSuites. The development plan includes re-use of the existing building, formerly occupied by a liquor store, and continued use of the existing parking spaces and three access driveways that currently serve the site.

This memorandum summarizes the proposed redevelopment plan, documents the methodology and evaluation of traffic characteristics associated with the proposed plan relative to the previous liquor store use, and summarizes key findings of the evaluation.





PROPOSED PLAN

The proposed redevelopment plan includes an approximately 16,000-square-foot PetSuites that adaptively re-uses an existing vacant retail space previously occupied by a liquor store. The proposed use provides daycare, boarding, and grooming services for dogs and cats. The redevelopment plan includes continued availability of 78 existing parking spaces, including three ADA-accessible spaces. The proposed plan also maintains the three access driveways that currently serve the property – two right-in/right-out driveways on Rand Road and one full access driveway on the north side of the site via Jane Avenue. A copy of the proposed site plan is provided as **Attachment 1**.

Operationally, the proposed PetSuites is expected to have approximately 10 staff members on site throughout the day and typically 50-70 customers who drop off and pick up their pets each day. Based on PetSuites' experience at other sites, customers are typically parked for up to five minutes while dropping off and picking up. The proposed hours of operation are 6:30 AM-8:00 PM daily. Based on the typical pet drop-off/pick-up times, the proposed use is anticipated to have similar peak hour traffic characteristics as the adjacent street network. Thus, the weekday morning peak hour is expected to occur between 7:00 and 9:00 AM and the evening peak hour is expected to occur between 4:00 and 6:00 PM.

TRAFFIC EVALUATION

Study Methodology

Based on a scope outline provided to the development team by the Village, the traffic evaluation of the proposed PetSuites redevelopment focuses on a relative comparison to the previous use of the subject site, Teddy's Liquors, and a review of the proposed plan with respect to its ability to serve the proposed pet daycare, boarding, and grooming use.

At the time of this study, the building on the subject site was vacant. Thus, a count of traffic generated by the liquor store was not available. To prepare a comparison, trip generation estimates for the previous and proposed uses were developed referencing industry-available data from similar land uses and existing PetSuites locations. From an operational perspective, the site plan is also reviewed in association with the anticipated use of parking for employees and customers, drop-off/pick-up accommodations, and circulation through the site.

Trip Generation Comparison

The Institute of Transportation Engineers (ITE) Manual *Trip Generation, 10th Edition* is a collection of traffic count data collected at sites throughout the United States for a range of land uses based on building floor area, unit count, and other relevant variables. As previously noted, the subject site is currently vacant, but was last occupied by Teddy's Liquors. To estimate the number of vehicle trips that would be generated by a liquor store occupying the approximately 16,000-square-foot building on the site, Kimley-Horn referenced *Trip Generation, 10th Edition*. The manual includes trip generation data for "Liquor Store", classified as land use code (LUC) 899, for daily and weekday PM peak hour periods; the AM peak hour and weekend trip rates are not available. In addition to liquor

stores, an alternative land use code was also reviewed for comparison. LUC 820 (Shopping Center) is a broad retail category, that in the current edition of *Trip Generation*, represents neighborhood community retail uses as well as large shopping centers. Considering trip generation for a more general retail use provides comparisons for weekday morning and Saturday midday peak hours while also providing context for comparing traffic for the proposed PetSuites to an alternative use that could be located at the subject site.

Table 1 provides trip generation rates for the Liquor Store and Shopping Center uses based on *Trip Generation*, 10th Edition data. The estimated number of trips for the previous tenant and alternative use is summarized in **Table 2**.

Trip Generation, 10th Edition does not provide data for a use that directly correlates to PetSuites. Pet-oriented uses are limited to LUC 640 (Animal Hospital/Veterinary Clinic) and LUC 866 (Pet Supply Superstore). The ITE land use descriptions provided for each of these uses is inconsistent with the proposed use. Based on the unique characteristics of the proposed land use, empirical data previously collected from similar PetSuites locations was referenced.

The empirical trip generation rates are based on data supplied by PetSuites for three existing facilities in the vicinity of Indianapolis, Indiana. The counts were conducted on a typical weekday and a typical Saturday. A summary of the data collected at the existing PetSuites locations is presented in **Table 3**. Based on the data provided for the three existing PetSuites facilities and the associated floor areas, empirical trip generation rates were derived as summarized in **Table 4**. Finally, **Table 5** summarizes the projected trip generation of the proposed PetSuites and highlights a comparison to the previous liquor store use and a similar alternative retail use.

Table 1. ITE Trip Generation Rates for LUC 899 and 820

Land Use	Daily	AM Peak Hour	PM Peak Hour
Weekday			
Liquor Store (LUC 899)	T = 101.49X 50% in / 50% out	N/A	T = 16.37X 50%in / 50% out
Shopping Center (LUC 820 ¹)	Ln(T) = 0.68 Ln(X) + 5.57 50% in / 50% out	T = 0.94X ² 62% in/38% out	Ln(T) = 0.74 Ln(X) + 2.89 48% in / 52% out
Land Use	Daily	Peak Hour of Generator	
Saturday			
Liquor Store (LUC 899)	N/A	N/A	
Shopping Center (LUC 820 ¹)	Ln(T) = 0.62 Ln(X) + 6.24 50% in / 50% out	Ln(T) = 0.79 Ln(X) + 2.79 52% in / 48% out	

¹ Fitted equations are for LUC 820 used when R² value for the fitted curve is greater than 0.70

² The average rate is used for Weekday AM Peak Hour. The R² value for the corresponding fitted equation is 0.50.

T Number of Trips

X 1,000 square feet of gross floor area

Table 2. Peak Hour Trip Generation of Previous Tenant and Alternative Use¹

Land Use	Unit	Weekday							Saturday			
		Daily	AM Peak Hour			PM Peak Hour			Daily	Peak Hr of Generator		
			In	Out	Total	In	Out	Total		In	Out	Total
Previous Use												
Liquor Store	16,000 sf	1,625	N/A			130	135	265	N/A	N/A		
Alternative Use												
Shopping Center	16,000 sf	1,730	10	10	20	70	75	145	2,860	80	70	150

¹ Trip generation estimates are rounded to the nearest multiple of five for the purpose of this study

N/A Not Available

Table 3. Peak Hour Trip Generation at Existing PetSuites

Location ¹	Typical Weekday							Typical Saturday						
	Daily	AM Peak Hour			PM Peak Hour			Daily	AM Peak			PM Peak Hour		
		In	Out	Total	In	Out	Total		In	Out	Total	In	Out	Total
Zionsville, IN	98	5	4	9	6	7	13	95	7	7	14	3	4	7
Fishers, IN	276	15	14	29	4	5	9	257	18	18	36	6	6	12
Greenwood, IN	121	8	7	15	3	3	6	128	11	10	21	8	9	17
Average	165	9	9	18	4	5	9	160	12	12	24	6	6	12

¹ Each existing location is approximately 22,000 square feet.

Table 4. Empirical PetSuites Trip Generation Rates

Land Use	Typical Weekday			Typical Saturday		
	Daily	AM Peak	PM Peak	Daily	AM Peak	PM Peak
PetSuites	T = 7.50X 50% in / 50% out	T = 0.80X 50% in / 50% out	T = 0.42X 50% in / 50% out	T = 7.27X 50% in / 50% out	T = 1.08X 50% in / 50% out	T = 0.55X 50% in / 50% out

Table 5. Trip Generation Comparison (Proposed PetSuites vs. Previous/Alternative Use)

Location¹	Typical Weekday							Typical Saturday						
	Daily	AM Peak Hour			PM Peak Hour			Daily	Peak Hour of Generator					
		In	Out	Total	In	Out	Total		In		Out	Total		
Previous Use														
Liquor Store	1,625	N/A			130	135	265	N/A	N/A					
Alternative Use														
Shopping Center	1,730	10	10	20	70	75	145	2,860	80	70	150			
Use	Daily	AM Peak Hour			PM Peak Hour			Daily	PM Peak Hour			AM Peak Hour		
		In	Out	Total	In	Out	Total		In	Out	Total	In	Out	Total
Proposed Use														
PetSuites	120	10	5	15	5	5	10	115	10	10	20	5	5	10
Difference (Proposed – Previous)	-1,505	N/A			-125	-130	-255	N/A	N/A			N/A		
Difference (Proposed – Alt Use)	-1,610	-	-5	-5	-65	-70	-135	-2,745	-70	-60	-130	-75	-65	-140

¹ Peak hour trip generation was rounded up to the nearest multiple of five for the purpose of this study

As shown in Table 3, counts from three existing PetSuites locations indicates that peak hour trip generation is generally low with the highest-volume site generating 29 trips during the weekday morning and 36 trips during the Saturday morning. Using the average trip rates from the three existing sites, the proposed redevelopment is estimated to generate a total of approximately 10-20 trips (5-10 inbound, 5-10 outbound) during the weekday and Saturday peak hours. These projections are lower than projections for a liquor store or shopping center of similar size. Considering the differences in peak hour traffic highlighted in Table 5, the proposed PetSuites is not expected to negatively impact the site access points and nearby intersections relative to the previous liquor store or a retail re-use.

Site Plan Review

The redevelopment plan proposes to maintain the 78 parking spaces currently located on site. The site is expected to have up to 10 employees working at one time. Typical customer volumes are 50-70 per day, but the maximum capacity is approximately double that customer volume and higher levels of customer volumes are typically experienced 1-2 days before and after holidays when customers drop off and pick up pets while out of town.

Considering the expectation of 10 employees, the maximum level of customers (assume 150 in a day), and a typical drop-off or pick-up duration of up to five minutes, the entire customer activity would have to be concentrated in an approximately 10-minute period to exceed the parking capacity on site. In such an unlikely scenario, 68 of the 78 total spaces (after accounting for 10 employees) would be available to serve 150 customers. If each customer is parked for 5 minutes/customer, the 150 daily customers would finish using the non-employee parking spaces in just over 10 minutes. Since customer traffic is more spread out over a morning or afternoon, the proposed 78-space lot is

expected to be more than adequate to serve the site. However, to maximize convenience, employee parking spaces are recommended to be designated in the northern portion of the lot so that spaces most proximate to the building entrance are available for customer drop-off/pick-up activity; thus, helping to maximize convenience also limits time needed for each customer to drop off or pick up their pet.

The proposed re-use of the three existing access points helps to distribute traffic across the site and provides flexibility for customer ingress and egress. The two right-in/right-out access locations serve traffic from the southeast and to the northwest while the Jane Avenue access provides full access when used in conjunction with Clarence Avenue and Dryden Avenue.

SUMMARY AND RECOMMENDATIONS

Based on Kimley-Horn's review of the proposed redevelopment plan, comparison with trip generation estimates for the previous liquor store use and an alternative retail shopping use, and trip data from three existing PetSuites sites, the proposed redevelopment is expected to have a lower impact on traffic conditions in the site area compared to the previous or an alternative use. Based on this review, Kimley-Horn offers the following key findings and recommendations.

- The proposed plan to re-use the existing parking and access locations is expected to provide ample parking capacity and good access to/from the subject site.
- Sections of existing parking along the southern and western perimeter of the site has significant fading of marked parking spaces that could be re-striped to improve parking space visibility.
- Designate at least 10 employee parking spaces on the north and northwest sides of the site through posted signs and employee communications.
- Designate the 17 non-ADA spaces along the building's southwest and northwest sides to visitors and customers to provide quick and most-convenient parking.

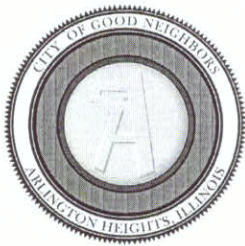


PETSUITES

Arlington Heights, IL



THE COLORS AND MATERIALS SHOWN IN THIS RENDERING ARE CLOSE APPROXIMATIONS AND NOT AN EXACT MATCH. RENDERING IS TO BE CONSIDERED FOR VISUAL DESIGN INTENT ONLY AND NOT FOR CONSTRUCTION.



Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Sam Hubbard, Development Planner, Planning and Community Development
From: Deb Pierce, Plan Reviewer, Building & Life Safety Department
Subject: 1050 E Rand Rd. – Pet Suites LUV – Fence Height Variation
PC#: 20-010– Round 1
Date: July 20, 2020

General Comments:

The information provided is conceptual only and subject to a formal plan review.

Sam –

I do not have any objections to the proposed LUV.

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DEVELOPMENT DEPARTMENT



**Village of Arlington Heights, IL
Building & Life Safety Department**

**Fire Safety Division
Fire/Life Safety Review**

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PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

Date: 7/9/2020 P.C. Number: 20-010 Round 1
Project Name: Proposed Land Use Variation – Pet Suites
Project Location: 1050 E. Rand Rd
Planning Department Contact: Sam Hubbard, Planning and Community Development

General Comments:

The information provided is conceptual only and subject to a formal plan review.

1. All currently adopted codes shall apply.
2. Provide an auto-turn diagram showing apparatus access to the Fire Department Connection.
3. A current certificate of inspection for the fire sprinkler and fire alarm shall be provided prior to occupancy being granted.
4. Fire protection equipment and service rooms shall be identified in an approved manner.
5. A fully functional fire alarm shall be installed per NFPA 72. The alarm annunciator panel shall be located at the front entrance. Changes to the fire alarm system require a separate permit be obtained. No work on the system shall begin unless the permit is obtained.
6. Changes to the fire sprinkler system require a separate permit be obtained. No work on the system shall begin unless the permit is obtained.
7. A key box (Know Box) shall be provided and contain keys to gain necessary access as required by the fire code official.
8. Buildings shall have approved address numbers.
9. Signs shall be posted on both sides of an approach of any fire lane stating "NO PARKING – FIRE LANE". Signs shall have arrows indicating the area of parking restriction.
10. Fire lane signs shall be white with red three-inch letters. The dimensions of the sign shall be 12 inches horizontally and 18 inches vertically. These signs shall be installed so that the top of the sign is no less than 6 feet nor more than 6 feet above grade.

Date 07-09-20

Reviewed By: 

Fire Safety Supervisor

Memorandum

To: Sam Hubbard, Planning & Community Development
From: Cris Papierniak, Assistant Director of Public Works
Date: July 28, 2020
Subject: 1050 E Rand Road, PC# 20-010

With regard to the new construction for Pet Suites LUV, I have the following comments:

1. A replacement water meter is required for this application. It must be a 4" x 1" FM3 as manufactured by Mueller Systems.
2. A 4" and a 2" replacement RPZ is required and will be sized upon submittal of plumbing plans.

If you have any questions, please feel free to contact me.

C. file

PETITIONER'S APPLICATION - ARLINGTON HEIGHTS PLAN COMMISSION

Petition #: P.C. 20-010Petitioner: NOVOGRODER PROPERTIES, LLC
875 N. MICHIGAN AVE., SUITE 3012,
CHICAGO, IL 60611, (312) 951-5500Owner: CHARLES KARAVIDAS, 1215 W.
ALEC ST., ARLINGTON HEIGHTS, IL 60004,
ATTN: CONNIE KARAVIDAS, (847) 840-7322Contact Person: JACK WESTFALLAddress: 127 W. BERRY, FORT WAYNE,
IN 46802Phone #: (312) 752-5840

Fax #:

E-Mail: JACK@GROUPEFIVERE.COMP.I.N.# 03-20-205-002, 004, 007, 008Location: 1050 E. RAND ROAD

Rezoning: _____ Current: _____ Proposed: _____

Subdivision: _____

of Lots: _____ Current: _____ Proposed: _____

PUD: _____ For: _____

Special Use: X For: KENNEL IN B-2Land Use Variation: X For: SEEEXECUTIVE SUMMARY

Land Use: _____ Current: _____

Proposed: _____

Site Gross Area: 72,413 FT² (1.66237 ACRES)

of Units Total: _____

1BR: _____ 2BR: _____ 3BR: _____ 4BR: _____

(Petitioner: Please do not write below this line.)

1. PUBLIC IMPROVEMENTS

REQUIRED: _____ YES NO COMMENTS

a. Underground Utilities

Water _____

Sanitary Sewer _____

Storm Sewer _____

b. Surface Improvement

Pavement _____

Curb & Gutter _____

Sidewalks _____

Street Lighting _____

c. Easements

Utility & Drainage _____

Access _____

2. PERMITS REQUIRED OTHER THAN VILLAGE:

a. MWRDGC _____

b. IDOT _____

c. ARMY CORP _____

d. IEPA _____

e. CCHD _____

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DEVELOPMENT DEPARTMENT

3. R.O.W. DEDICATIONS? _____

4. SITE PLAN ACCEPTABLE? _____

5. PRELIMINARY PLAT ACCEPTABLE? _____

6. TRAFFIC STUDY ACCEPTABLE? _____

7. STORM WATER DETENTION REQUIRED? _____

8. CONTRIBUTION ORDINANCE EXISTING? _____

9. FLOOD PLAIN OR FLOODWAY EXISTING? _____

10. WETLAND EXISTING? _____

YES NO COMMENTS

X X _____X N/A _____X X _____X X _____X X _____X X _____X X _____X X _____

GENERAL COMMENTS ATTACHED

PLANS PREPARED BY: MANUARDDATE OF PLANS: 3/19/2020Michael J. Foy
Director
VILLAGE ENGINEER7/21/2020
Date

PLAN COMMISSION PC #20-010
Pet Suites LUV
1050 E Rand Rd
Round 1

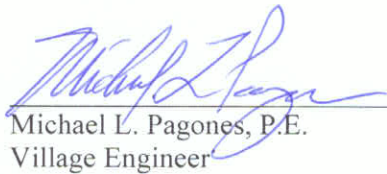
11. The petitioner is notified that these comments are being provided to ensure that the project meets the requirements for submittal to the Plan Commission. Approval by the Plan Commission is not an endorsement or approval of these documents to obtain the required building permits, engineering approval, or permits required by other government or permitting agencies for construction. Detailed plan review with associated comments will be provided upon submittal of plans for a building permit. The petitioner shall acknowledge that they accept this understanding.
12. If new lighting is proposed on the exterior of the building, provide a site photometric lighting diagram indicating lighting intensities, and associated catalog cuts for site lighting and building mounted luminaires. All fixtures must be flat bottom, sharp cut-off, and no wall pack style fixtures will be permitted.
13. Several contribution ordinances are in place for the four parcels. The contribution ordinances are as follows:

#73-106 Sanitary Sewer on Jane Ave from Windsor Dr to Clarence Ave, and on Clarence Ave from Jane Ave to Rand Rd
#74-23 Water main on Rand Rd from Dorothy Ave to Clarence Ave
#79-159 Ivy Hill Relief Sanitary Sewer

The amount due per parcel is as follows:

03-20-205-002	#73-106	\$274.45
	#74-23	\$838.00
	#79-159	\$500.00
03-20-205-004	#73-106	\$326.30
	#74-23	\$838.00
	#79-159	\$881.60
03-20-205-007	#74-23	\$838.00
	#79-159	\$500.00
03-20-205-008	#73-106	\$381.70
	#74-23	\$838.00
	#79-159	\$1,752.00

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DEVELOPMENT DEPARTMENT


Michael L. Pagones, P.E.
Village Engineer

7/21/2020
Date

ARLINGTON HEIGHTS POLICE DEPARTMENT

Community Services Bureau

DEPARTMENT PLAN REVIEW SUMMARY

Pet Suites
1050 E. Rand Rd.
Land Use Variation

Round 1 Review Comments

07/13/2020

1. Character of use:

The character of use is consistent with the area and is not a concern.

2. Are lighting requirements adequate?

Lighting should be up to Village of Arlington Heights code. The exterior of the building should be illuminated especially during nighttime hours for safety, to deter criminal activity and increase surveillance/visibility- potentially reducing theft, trespassing, vandalism, underage drinking, and other criminal activity.

3. Present traffic problems?

There are no traffic problems at this location.

4. Traffic accidents at particular location?

This is not a problem area in relation to traffic accidents.

5. Traffic problems that may be created by the development.

This development should not create any additional traffic problems.

6. General comments:

- Please ensure that there is an emergency information/contact card on file with the Arlington Heights Police Department and that it is up-to-date. Agent contact information must be provided to the Arlington Heights Police Department during all construction phases. The form is attached. Please complete and return. This allows police department personnel to contact an agent during emergency situations or for suspicious/criminal activity on the property during all hours.

A. O. #330

Alexandra Ovington, Crime Prevention Officer
Community Services Bureau

Approved by:

D. Hayes #557

Supervisor's Signature

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DEVELOPMENT DEPARTMENT

PETITIONER'S APPLICATION - ARLINGTON HEIGHTS PLAN COMMISSION

Petition #: P.C. 20-010
Petitioner: NOVOGRADER PROPERTIES, LLC
875 N. MICHIGAN AVE., SUITE 3112,
CHICAGO, IL 60611, (312) 951-5500
Owner: CHARLES KARAVIDAS, 1215 W.
ALEC ST., ARLINGTON HEIGHTS, IL 60004,
ATTN: CONNIE KARAVIDAS, (847) 840-7332
Contact Person: JACK WESTFALL
Address: 127 W. BERRY, FORT WAYNE,
IN 46802
Phone #: (312) 752-5840
Fax #: _____
E-Mail: JACK@GROUPFIVERE.COM

P.I.N.# 03-20-205-002,004,007,008
Location: 1050 E. RAND ROAD
Rezoning: _____ Current: _____ Proposed: _____
Subdivision: _____
of Lots: _____ Current: _____ Proposed: _____
PUD: _____ For: _____
Special Use: X For: KENNEL IN B-2
Land Use Variation: X For: SEE
EXECUTIVE SUMMARY
Land Use: _____ Current: _____
Proposed: _____
Site Gross Area: 72,413 FT² (1.66237 ACRES)
of Units Total: _____
1BR: _____ 2BR: _____ 3BR: _____ 4BR: _____

(Petitioner: Please do not write below this line.)

1. GENERAL COMMENTS:

The business is required to obtain a Kennel Operator license from the Illinois Department of Agriculture and a Kennel business license from the Village of Arlington Heights.

See the attached accessibility comments.

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DEVELOPMENT DEPARTMENT

Sean Freres [Signature] 7/9/20
Environmental Health Officer Date

James McCalister [Signature] 7/9/20
for Direc Date

Plan Review

Address: Pet Suites LUV
1050 E. Rand Road
Land Use Variation to allow a Commercial Kennel in the B-2
District, Fence Heights
P.C. 20-010

Round 1

Submitted to: Sam Hubbard, Planning & Community Development

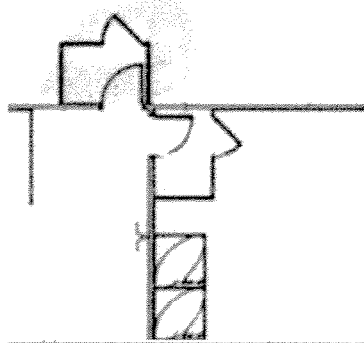
Submitted by: David Robb, Disability Services Coordinator 
(847) 368-5793

Date: July 8, 2020

Re: Illinois Accessibility Code (IAC) Effective October 23, 2018
<https://www2.illinois.gov/cdb/announcements/2018/Documents/2018%20Illinois%20Accessibility%20Code.pdf>

Sheet A2.0

1. The double door vestibule type entry configuration at seven interior doorways does not provide adequate wheelchair maneuvering space on the pull side of the door per Illinois Accessibility Code (IAC) Section 404.2.6 and Figure 404.2.6(a), in accordance with Section 202.3 Alterations.



404.2.6 Doors in Series and Gates in Series. The distance between two hinged or pivoted doors in series and gates in series shall be 48 inches (1220 mm) minimum plus the width of doors or gates swinging into the space.

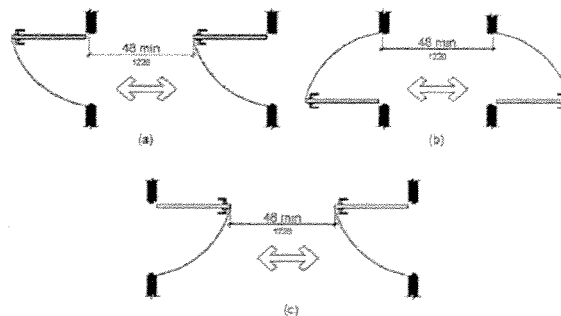


Figure 404.2.6
Doors in Series and Gates in Series

PETITIONER'S APPLICATION - ARLINGTON HEIGHTS PLAN COMMISSION

Petition #: P.C. 20-010
 Petitioner: NOVOGRODER PROPERTIES, LLC
875 N. MICHIGAN AVE., SUITE 3612,
CHICAGO, IL 60611, (312) 951-5500
 Owner: CHARLES KARAVIDAS, 1215 W.
ALEC ST., ARLINGTON HEIGHTS, IL 60004,
ATTN: CONNIE KARAVIDAS, (847) 840-7332
 Contact Person: JACK WESTFALL
 Address: 127 W. BERRY, FORT
WAYNE, IN 46802
 Phone #: (312) 752-5840
 Fax #: _____
 E-Mail: JACK@GROUPEFIERE.COM

P.I.N.# 03-20-205-002,004,007,008
 Location: 1050 E. RAND ROAD
 Rezoning: _____ Current: _____ Proposed: _____
 Subdivision: _____
 # of Lots: _____ Current: _____ Proposed: _____
 PUD: _____ For: _____
 Special Use: X For: KENNEL IN B-2
 Land Use Variation: X For: SEE
EXECUTIVE SUMMARY
 Land Use: _____ Current: _____
 Proposed: _____
 Site Gross Area: 72,413 FT² (1.66237 ACRES)
 # of Units Total: _____
 1BR: _____ 2BR: _____ 3BR: _____ 4BR: _____

(Petitioner: Please do not write below this line.)

- | | YES | NO | |
|----|----------|----------|---|
| 1. | <u>X</u> | _____ | COMPLIES WITH COMPREHENSIVE PLAN? |
| 2. | <u>X</u> | _____ | COMPLIES WITH THOROUGHFARE PLAN? |
| 3. | <u>X</u> | _____ | VARIATIONS NEEDED FROM ZONING REGULATIONS?
(See below.) |
| 4. | _____ | <u>X</u> | VARIATIONS NEEDED FROM SUBDIVISION REGULATIONS?
(See below.) |
| 5. | _____ | <u>X</u> | SUBDIVISION REQUIRED? |
| 6. | _____ | <u>X</u> | SCHOOL/PARK DISTRICT CONTRIBUTIONS REQUIRED?
(See below.) |

Comments:

SEE ATTACHED COMMENTS.

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DEVELOPMENT DEPARTMENT

[Signature]

7-23-20
Date

Planning & Community Development Dept. Review

July 23, 2020



REVIEW ROUND 1

Project: 1050 E. Rand Rd.
Pet Suites SUP

Case PC 20-010
Number:

General:

7. The Plan Commission must review and approve the following actions:
 - a. Special Use Permit to allow a Commercial Kennel on the subject property.
 - b. Variation to Chapter 28, Section 6.13-3b, to allow a 7' tall solid fence in the side and rear yard where the maximum permitted fence height is 6' tall.
 - c. Variation may be required for accessory structure in side yard.
8. Based on further zoning research, it appears that the existing zoning classification of the site is B-3, which allows the proposed use as a special use. Please revise the response to approval criteria to address the three criteria necessary for Special Use Permit approval, as opposed to the four criteria necessary for Land Use Variation approval. Furthermore, the site is not required to update to the Bike Parking requirements since the overall parking requirement for the site is identical to that of the previous tenant.
9. Staff believes 40 dogs within the outdoor play area at one time could result in loud noise. Per Chapter 28, if the use is found to be objectionable due to noise, it is in violation of the B-3 regulations. Can you provide three locations where Pet Suites has similar outdoor play facilities in close proximity to residential uses?
10. Please clarify if any new ground mounted (site) or building mounted light fixtures are proposed. If any new fixture is proposed, please provide catalog cuts for said fixture. If new ground mounted (site) fixtures are proposed, a photometric plan is required.
11. What will the total capacity be for cats and dogs (both during day and overnight if different)?

12. Please ensure any revisions to the plans (or associated documents) include a revision date.

Building:

13. Will the building include any sound dampening materials to buffer noise generated from boarding activities?

Site & Landscaping:

14. Four handicap parking spaces are required. Please revise the striping for the required number of handicap parking spaces. The Illinois Accessibility Code now allows adjacent handicap spaces to share an accessible aisle.

15. Please provide catalog cuts for the furnishings within the outdoor play area, or show these details on the plans.

16. The site renderings appear to show an accessory structure, which could potentially require a variation. Please provide catalog cut sheets on said structure, or provide details on the plans (height, size, material, etc.).

17. Please revise the plans to include details on the proposed dumpster enclosure, as well as the proposed fence around the play area.

Traffic Study:

18. What dates were the traffic counts from the Indiana stores collected?

Prepared by:  _____

Pet Suites - LUV
1050 E. Rand Rd.
PC #20-010
July 23, 2020

1. The landscaping must be consistent with the approved landscape plan pursuant to ordinance 88-112.
2. There are code required trees at the ends of some of the parking rows where the tree is absent. Per Chapter 28, Section 6.15, the ends of all parking rows must include a 4-inch caliper shade tree. Incorporate trees within the existing islands along the northwest property line. In addition, incorporate the required shade trees within the existing islands along the north property line.
3. Per Chapter 28, Section 6.15 a three-foot high screen is required between the public right of way and the parking area. The approved landscape plan per ordinance 88-112 includes Cotoneaster along Jane Avenue. Due to the limited planting area, incorporate ornamental grasses such as Karl Forester within the area between the sidewalk and the parking spaces along Jane Avenue. Along Rand Road, infill any gaps within the existing deciduous shrubs.
4. As identified on the approved landscape plan per ordinance 88-112, incorporate landscaping within the center island along Rand Road.

1050 E. RAND RD. – PC#: 20-010
PETITIONER RESPONSES TO ROUND 1 COMMENTS
AUGUST 12, 2020

RESPONSES TO FIRE SAFETY DIVISION COMMENTS

1. All currently adopted codes shall apply.

Response: Understood.

2. Provide an auto-turn diagram showing apparatus access to the Fire Department Connection.

Response: Attached

3. A current certificate of inspection for the fire sprinkler and fire alarm shall be provided prior to occupancy being granted.

Response: Understood.

4. Fire protection equipment and service rooms shall be identified in an approved manner.

Response: Agreed

5. A fully functional fire alarm shall be installed per NFPA 72. The alarm annunciator panel shall be located at the front entrance. Changes to the fire alarm system require a separate permit be obtained. No work on the system shall begin unless the permit is obtained.

Response: Understood and agreed

6. Changes to the fire sprinkler system require a separate permit be obtained. No work on the system shall begin unless the permit is obtained.

Response: Understood and agreed.

7. A key box (Know Box) shall be provided and contain keys to gain necessary access as required by the fire code official.

Response: Understood and agreed.

8. Buildings shall have approved address numbers.

Response: Agreed

9. Signs shall be posted on both sides of an approach of any fire lane stating, "NO PARKING - FIRE LANE". Signs shall have arrows indicating the area of parking restriction.

Response: Agreed

10. Fire lane signs shall be white with red three-inch letters. The dimensions of the sign shall be 12 inches horizontally and 18 inches vertically. These signs shall be installed so that the top of the sign is no less than 6 feet nor more than 6 feet above grade.

Response: Agreed

1050 E. RAND RD. – PC#: 20-010

PETITIONER RESPONSES TO ROUND 1 COMMENTS

AUGUST 12, 2020

RESPONSE TO ENGINEERING DEPARTMENT COMMENTS

1-10. No response required. Part of Engineering Department form.

11. The petitioner is notified that these comments are being provided to ensure that the project meets the requirements for submittal to the Plan Commission. Approval by the Plan Commission is not an endorsement or approval of these documents to obtain the required building permits, engineering approval, or permits required by other government or permitting agencies for construction. Detailed plan review with associated comments will be provided upon submittal of plans for a building permit. The petitioner shall acknowledge that they accept this understanding.

Response: Acknowledged and understood

12. If new lighting is proposed on the exterior of the building, provide a site photometric lighting diagram indicating lighting intensities, and associated catalog cuts for site lighting and building mounted luminaires. All fixtures must be flat bottom, sharp cut-off, and no wall pack style fixtures will be permitted.

Response: There in no new exterior lighting proposed

13. Several contribution ordinances are in place for the four parcels. The contribution ordinances are as follows:

#73-106 Sanitary Sewer on Jane Ave from Windsor Dr to Clarence Ave, and on Clarence Ave from Jane Ave to Rand Rd

#74-23 Water main on Rand Rd from Dorothy Ave
to Clarence Ave #79-159 Ivy Hill Relief Sanitary
Sewer

The amount due per parcel is as follows:

03-20-205-002	#73-106	\$274.45
	#74-23	\$838.00
	#79-159	\$500.00
03-20-205-004	#73-106	\$326.30
	#74-23	\$838.00
	#79-159	\$881.60

03-20-205-007	#74-23	\$838.00
	#79-159	\$500.00
03-20-205-008	#73-106	\$381.70
	#74-23	\$838.00
	#79-159	\$1,752.00

Response: Understood and Agreed

1050 E. RAND RD. – PC#: 20-010
PETITIONER RESPONSES TO ROUND 1 COMMENTS
AUGUST 12, 2020

RESPONSE TO FIRE DEPARTMENT COMMENTS

1. Building sprinkler system needs to be to code for the proposed use.

Response: Understood and Agreed

2. The Fire Department Connection shall be fully visible and accessible and within 100 feet of the nearest accessible fire hydrant capable of delivering the required flow.

Response: Understood and Agreed

3. A Knox Box shall be located at the main front entrance.

Response: Understood and Agreed

4. The fire alarm system will need to be to code for the proposed use. This includes installing a fully operational annunciator panel or alarm panel at the main front entrance.

Response: Understood and Agreed

5. Please provide an auto-turn diagram for our fire engine.

Response: Attached.

PETITIONER RESPONSES TO ROUND 1 COMMENTS

AUGUST 12, 2020

RESPONSE TO COMMUNITY SERVICES BUREAU COMMENTS

1. **Character of use:**

The character of use is consistent with the area and is not a concern.

Response: No response necessary.

2. **Are lighting requirements adequate?**

Lighting should be up to Village of Arlington Heights code. The exterior of the building should be illuminated especially during nighttime hours for safety, to deter criminal activity and increase surveillance/visibility - potentially reducing theft, trespassing, vandalism, underage drinking, and other criminal activity.

Response: Lighting will be fully compliant with the Village code.

3. **Present traffic problems?**

There are no traffic problems at this location.

Response: No response necessary

4. **Traffic accidents at particular location?**

This is not a problem area in relation to traffic accidents.

Response: No response necessary

5. **Traffic problems that may be created by the development.**

This development should not create any additional traffic problems.

Response: No response necessary

6. **General comments:**

Please ensure that there is an emergency information/contact card on file with the Arlington Heights Police Department and that it is up-to-date. Agent contact information must be provided to the Arlington Heights Police Department during all construction phases. The form is attached. Please complete and return. This allows police department personnel to contact an agent during emergency situations or for suspicious/criminal activity on the property during all hours.

Response: Agreed

1050 E. RAND RD. – PC#: 20-010
PETITIONER RESPONSES TO ROUND 1 COMMENTS
AUGUST 12, 2020

RESPONSE TO PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT COMMENTS

1-6. No response required. Part of Planning & Community Development Department form.

General:

7. The Plan Commission must review and approve the following actions:

- a. Special Use Permit to allow a Commercial Kennel on the subject property.

Response: Please see the response to #8 below.

- b. Variation to Chapter 28, Section 6.13-3b, to allow a 7' tall solid fence in the side and rear yard where the maximum permitted fence height is 6' tall.

Response: The request for the 7' tall solid fence in the side and rear yards is made as a private and public safety measure to prevent dogs trying to jump out of the outdoor activity area, as well as to prevent other animals from entering into the outdoor activity area.

- c. Variation may be required for accessory structure in side yard.

Response: Petitioner will be requesting a land use variation to Chapter 28, Section 6.13-5, to allow an accessory structure on the Property. The accessory structure is an open tented area to provide shade for the staff and dogs during the summer months and inclement weather. It is a permanent structure, but only has only 4 posts securing it to the ground and the roof covering. There is no other impervious ground covering, and the structure is completely open on all four sides. Petitioner's justification for an accessory building land use variation is being submitted under separate cover.

8. Based on further zoning research, it appears that the existing zoning classification of the site is B-3, which allows the proposed use as a special use. Please revise the response to approval criteria to address the three criteria necessary for Special Use Permit approval, as opposed to the four criteria necessary for Land Use Variation approval. Furthermore, the site is not required to update to the Bike Parking requirements since the overall parking requirement for the site is identical to that of the previous tenant.

Response: After discussing the matter with the Village Staff, it has been determined that the current Zoning Map published on the Village's website incorrectly

describes the Property as being zoned B-2 , when it is actually zoned B-3. Based on further discussions with Village Staff, the Petitioner requests that the Property be rezoned to a B-2 zoning classification in which case the currently requested land use variation request would still be applicable, and a Special Use permit would not be applicable.

9. Staff believes 40 dogs within the outdoor play area at one time could result in loud noise. Per Chapter 28, if the use is found to be objectionable due to noise, it is in violation of the B-3 regulations. Can you provide three locations where Pet Suites has similar outdoor play facilities in close proximity to residential uses?

Response: PetSuites operates over 40 locations nationwide and has the same set-up at each location. It does not experience issues with regard to the number of dogs in the outdoor activity area at one time. The dogs are generally very well behaved and there is onsite personal supervision at all times that there are dogs in the outdoor activity area. (no less than one employee for every 25 dogs). If a dog does bark it is either relocated to another part of the area or brought inside. It should also be noted that use of the outdoor activity area will be more limited in the winter and on inclement days. Examples of the three facilities with close proximity to residential uses is attached.

10. Please clarify if any new ground mounted (site) or building mounted light fixtures are proposed. If any new fixture is proposed, please provide catalog cuts for said fixture. If new ground mounted (site) fixtures are proposed, a photometric plan is required.

Response: No new light fixtures are proposed other than for the ground sign, which specifications have been previously submitted.

11. What will the total capacity be for cats and dogs (both during day and overnight if different)?

Response: Cats = 10 (overnight only, there is no day care for cats)
Dogs = Maximum capacity is 130 dogs which occurs only during peak holiday periods. Normal weekend occupancy is 78-90 dogs. The ratio of daycare to boarding varies from 30/70% to 40/60%.

12. Please ensure that any revisions to the plans (or associated documents) include a revision date.

Response: Understood.

13. Will building include any sound dampening materials to buffer noise generated from boarding activities?

Response: Other than the exterior masonry walls, insulation, and wallboard there is no necessity for any additional sound dampening materials, as there are no loud noises emanating from the premises. PetSuites'

representative will be testify that this is not an issue in any of their other 40 locations.

14. Four handicap parking spaces are required. Please revise the striping for the required number of handicap parking spaces. The Illinois Accessibility Code now allows adjacent handicap spaces to share an accessible aisle.

Response: See revised Site Plan attached

15. Please provide catalog cuts for the furnishings within the outdoor play area, or show these details on the plans.

Response: Detailed plans and specifications are attached. Samples are also on the material board

16. The site renderings appear to show an accessory structure, which could potentially require a variation. Please provide catalog cut sheets on said structure, or provide details on the plans (height, size, materials, etc.).

Response: Detailed plans and specifications are attached.

17. Please revise the plans to include details on the proposed dumpster enclosure as well as the enclosed fence around the play area.

Response: Detailed plans and specifications are attached.

18. What dates were the traffic counts from the Indiana stores collected?

Response: May of 2017

Landscaping Comments:

1. The landscaping must be consistent with the approved landscape plan pursuant to ordinance 88-112.

Response: Agreed. See attached revised Landscape Plan

2. There are code required trees at the ends of some of the parking rows where the tree is absent Per Chapter 28, Section 6.15, the ends of all parking rows must include a 4-inch caliper shade tree. Incorporate trees within the existing islands along the northwest property line. In addition, incorporate the required shade trees within the existing islands along the north property line.

Response: Agreed. See attached revised Landscape Plan

3. Per Chapter 28, Section 6.15 a three-foot high screen is required between the public right of way and the parking area. The approved landscape plan per ordinance 88-112 includes Cotoneaster along Jane Avenue. Due to the limited planting area, incorporate ornamental grasses such as Karl Forester within the area between the sidewalk and the parking spaces along Jane Avenue. Along Rand Road, infill any gaps within the existing deciduous shrubs.

Response: Agreed. See attached revised Landscape Plan

4. As identified on the approved landscape plan per ordinance 88-112, incorporate landscaping within the center island along Rand Road.

Response: Agreed. See attached revised Landscape Plan

1050 E. RAND RD. – PC#: 20-010
PETITIONER RESPONSES TO ROUND 1 COMMENTS
AUGUST 12, 2020

RESPONSE TO HEALTH SERVICES DEPARTMENT COMMENTS

1. **GENERAL COMMENTS:**

The business is required to obtain a Kennel Operator license from the Illinois Department of Agriculture and a Kennel business license from the Village of Arlington Heights.

Response: Understood

2. **ILLINOIS ACCESSIBILITY COMMENTS:**

Sheet A2.0

The double door vestibule type entry configuration at seven interior doorways does not provide adequate wheelchair maneuvering space on the pull side of the door per Illinois Accessibility Code (IAC) Section 404.2.6 and Figure 404.2.6(a), in accordance with Section 202.3 Alterations.

Response: See attached revised indoor site plan

1050 E. RAND RD. – PC#: 20-010
PETITIONER RESPONSES TO ROUND 1 COMMENTS
AUGUST 12, 2020

RESPONSE TO PUBLIC WORKS DEPARTMENT COMMENTS

With regard to the new construction for Pet Suites LUV, I have the following comments:

1. A replacement water meter is required for this application. It must be a 4" x 1" FM3 as manufactured by Mueller Systems.

Response: The water meter will be replaced. with a 4" x 1" FM3 as manufactured by Mueller Systems.

2. A 4" and a 2" replacement RPZ is required and will be sized upon submittal of plumbing plans.

Response: Understood and agreed.



**Plan Commission
8/26/2020**

Item: 2021 Budget

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
Staff Memo & Draft 2021 Budget	Exhibits



Memorandum

To: Chairman Ennes and Members of the Plan Commission

From: Sam Hubbard, Development Planner

Date: 8/21/2020

Re: 2021 Plan Commission Budget

The purpose of this memo is to share a draft of the budget for the Plan Commission for the 2021 budget year. The budget topic has been placed on the August 26 Plan Commission agenda and Commission will need to make a recommendation to submit a budget request for Village Board consideration. The draft of the budget is comparable to previous years.

Staff recommends approving the budget as proposed, which is identical to the budget over the last several year.

Please feel free to contact me with any questions at (847) 368-5223.

VILLAGE OF ARLINGTON HEIGHTS

BOARDS & COMMISSIONS 2021 BUDGET REQUESTS

Name of Board or Commission: PLAN COMMISSION

Chair: TERRENCE ENNES

	2018 Actual	2019 Actual	2020 Adopted Budget	2020 Estimated Actual	2021 Proposed Budget	Accounts
COMPENSATION:						
Boards & Commissions	\$ 2,145	\$ 1,535	\$ -	\$ -	\$ -	101-1009-502.10-03
1 Chair x 24 mtgs x \$20						
8 Members x 24 mtgs x \$15						
Social Security	133	95	-	-	-	101-1009-502.19-11
Medicare	31	22	-	-	-	101-1009-502.19-12
CONTRACTUAL SERVICES:						
APA membership dues	180	-	200		200	101-1009-502.22-02
Travel & Training						
Educational/training materials	-	-	300		300	101-1009-502.22-03
Photocopying	3	-	300		300	101-1009-502.22-15
TOTAL EXPENDITURES	\$ 2,492	\$ 1,652	\$ 800	\$ -	\$ 800	