



Village of Arlington Heights
Plan Commission
Board Room
Arlington Heights Village Hall
33 S. Arlington Heights Road
Arlington Heights, IL 60005
August 8, 2018
7:30 PM

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. Napleton/Arlington Lanes Parking Lot - 7/25/18
- B. Arlington Downs - 7/25/18

IV. PUBLIC HEARINGS

- A. Chapter 28 Text Amendment - R-7 District - PC#17-005

V. OTHER BUSINESS

- A. 2019 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.



Item: Napleton/Arlington Lanes Parking Lot - 7/25/18

Department: Planning & Community Development

ATTACHMENTS:

Description

Minutes - 7/25/18

Type

Minutes

PLAN

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

RE: NAPLETON/ARLINGTON LANES PARKING LOT -
3435 NORTH KENNICOTT AVENUE - PC# 18-014
LAND USE VARIATION FOR AUTO SALES LOT, VARIATIONS

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Plan Commission Meeting taken at the Arlington Heights Village
Hall, 33 South Arlington Heights Road, 3rd Floor Board Room, Arlington Heights,
Illinois on the 25th day of July, 2018 at the hour of 7:30 p.m.

MEMBERS PRESENT:

TERRY ENNES, Chairman
LYNN JENSEN
MARY JO WARSKOW
BRUCE GREEN
GEORGE DROST
JOHN SIGALOS

ALSO PRESENT:

SAM HUBBARD, Community Development Planner

CHAIRMAN ENNES: This meeting of the Arlington Heights Plan Commission is hereby called to order. Would you all please rise and join us in the pledge of allegiance?

(Pledge of allegiance recited.)

CHAIRMAN ENNES: Sam, would you please take the roll?

MR. HUBBARD: Commissioner Cherwin.

(No response.)

MR. HUBBARD: Commissioner Dawson.

(No response.)

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.

(No response.)

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Here.

MR. HUBBARD: Commissioner Warskow.

COMMISSIONER WARSKOW: Here.

MR. HUBBARD: Chairman Ennes.

CHAIRMAN ENNES: Here. Okay, Sam, were public notices for the hearing made?

MR. HUBBARD: For both items, yes, the public notices were made.

CHAIRMAN ENNES: Okay, thank you. We have a set of minutes from our last meeting. I want to, do we have a motion to approve those? Did everyone receive those?

COMMISSIONER GREEN: I'll make that motion.

COMMISSIONER JENSEN: I'll second.

CHAIRMAN ENNES: All in favor?

(Chorus of ayes.)

CHAIRMAN ENNES: Anybody opposed that wasn't here?

COMMISSIONER WARSKOW: I was not here.

CHAIRMAN ENNES: I was not here.

COMMISSIONER DROST: I was not here.

CHAIRMAN ENNES: Okay.

COMMISSIONER WARSKOW: I do have to say I found a typo in the minutes according to --

COMMISSIONER DROST: What kind of life do you lead?

COMMISSIONER WARSKOW: It was a number that made the other numbers not make any sense, and I'm a numbers person.

CHAIRMAN ENNES: Okay, you'll take care of that?

COMMISSIONER WARSKOW: Yes.

CHAIRMAN ENNES: Okay, that sounds good. So, our first Petitioner is

going to be the petition for Napleton/Arlington Heights Parking Lot that is 18-014. Is the Petitioner present?

MR. PONTON: Yes.

CHAIRMAN ENNES: Can I ask you to please come up, state your name, and please spell it for our court reporter?

MR. PONTON: My name is Ryan Ponton, that's R-y-a-n P-o-n-t-o-n, and I'm Assistant General Counsel for Napleton Automotive.

CHAIRMAN ENNES: Okay, can I swear you in? Please raise your hand. (Witness sworn.)

CHAIRMAN ENNES: Thank you. Would you please tell us about your petition?

MR. PONTON: Sure. All right, the Chrysler Jeep Ram Dodge dealership located at 1155 West Dundee Road was built in 2013. Since such time, the Petitioner, Napleton Automotive, has been a proud member of the Arlington Heights community. The dealership has seen significant sales growth since 2015, with annual sales increasing by 15 and 16 percent. Due to such sales growth, the Petitioner is leasing parking spaces at Arlington Heights Bowling Lanes, currently leasing 75 parking spaces out of a total of 230 current spaces there, and we are currently seeking three variances from the Village: a land use variation to allow a motor vehicle sales parking lot not contiguous to an automobile sales room within the M-1 Zoning District; a variation to allow tandem parking where certain spaces do not open directly upon a drive aisle; and a variation to allow for 150 parking spaces at the Lanes where 166 are required.

The proposed use will not alter the essential character of the locality and it will be compatible with the existing uses and zoning of nearby property. To cite a few examples, Petitioner owns a sales lot 700 feet to the west of the subject property, Arlington Heights Ford storage lot -- sorry, I believe east of the subject property, and there are four car dealerships within a half mile of the subject property. The plight of the owner is due to unique circumstances which may include the one that's on the subject property has been vacant as zoned. There has been a persistent overabundance of empty parking at the subject property since the current owner purchased the property. In addition, the proposed variations are in harmony with the spirit and intent of Section 22 of the Zoning Code.

Petitioner has proposed various parking lot and landscaping repairs as per the landscape plan on the final slide. We plan to, within 60 days of ordinance approval, to repair the areas of deteriorated pavement and curbing as well as making new landscapes grading along Kennicott Avenue. As additional notes, the total motor vehicles to be parked by Petitioner will not exceed 100. No vehicle repairs will occur at the subject property, and there will be no For Sale signs on the vehicles parked at the subject property.

That's it.

CHAIRMAN ENNES: Okay, Ryan, have you seen the Staff report and the 10 conditions that they are recommending?

MR. PONTON: Yes. Yes, I have.

CHAIRMAN ENNES: Do you agree with all of those?

MR. PONTON: Yes, I am. In terms of the repairs which were requested, we agree with them. Most of them, in terms of the landscaping repairs and curbing repairs, are pretty much in the proposal, in the last slide. I know it's a little foggy there, I've got clearer copies here which I can hand out. But we do agree with all the requests that are in there.

CHAIRMAN ENNES: Okay, are any of these requests being taken care of by the landowner?

MR. PONTON: So, in terms of the, so the landowner is handling removing some of the damaged trees. So, we're removing two of the damaged trees, I think six of them were mentioned. Let me pull that real quickly.

CHAIRMAN ENNES: So, you have this covered with them?

MR. PONTON: Yes, yes.

CHAIRMAN ENNES: Are they present?

MR. PONTON: Yes, Mr. Robert Kuhn is here.

CHAIRMAN ENNES: Oh, okay, okay.

MR. PONTON: So, basically, if you pan out the rest of the way, he'll handle the remaining trees and the remaining islands on the property. So, basically, the rest of the property will be --

CHAIRMAN ENNES: Okay, that might come up under questioning. Okay, I just wanted to ask that.

MR. PONTON: Yes.

CHAIRMAN ENNES: But thank you. If you want to have a seat? We'll have the Staff report.

MR. PONTON: Sure.

CHAIRMAN ENNES: Sam, would you please provide us with the Staff report?

MR. HUBBARD: Sure. Thank you, Chairman Ennes. So, the subject property is located at 3435 North Kennicott Avenue, that's on the north side of Arlington Heights. It's located in an M-1 Zoning District which is a research, development and light manufacturing district, but zoned on our Comprehensive Plan as suitable for commercial uses. The requested land use variation to allow a motor vehicle sales lot not contiguous to an automobile sales room, motor vehicle sales lots are not allowed in the M-1 district and they're not allowed in any of the B districts unless they are contiguous to an automobile sales room. This one is not in a B district so it's an M-1 district, and additionally, it's not contiguous to the Napleton facility to the west. So, therefore, the land use variation is required in this instance. They are requesting two variations, one to allow a tandem parking, and the other is to reduce the parking requirements on site.

On May 10th, 2017, they did appear before the Conceptual Plan Review Committee which I believe was called the Plat & Sub Committee at that time. It was met with a favorable recommendation to move forward and there weren't any huge issues brought up at that meeting.

So, here is the site aerial. You can see a lot of the parking is already occurring here. These are the spaces that are leased by Napleton, here, and then this row here, and then up here. So, you can see the tandem parking is already occurring, and the spaces are mostly full by Napleton vehicles. So, this illustrates one of the variations to allow tandem parking.

Staff is supportive of this variation. It's pretty typical for a dealership lot to pack in as many cars as possible, so that's not atypical. Additionally, when we zoom out and look at the context of the area, you'll see this is the existing Napleton facility here, but there are auto storage lots here, and then immediately to the east, this is the Ford Dealership with their auto sales lots here. So, it's within the character of the area, and we believe the necessary

criteria for the land use variation and tandem parking has been met.

When we looked at the overall parking variation for the site, here are the calculations. The site has 230 parking spaces. The bowling alley and associated restaurant requires 151 parking spaces, plus an additional 15 for their amusement device arcade use, for a total of 166 parking spaces required. If you subtract the 75 spaces that are leased by Napleton, and five additional spaces that have to be striped as handicap spaces to comply with current handicap parking code, you result in a 16-space deficit. So, a variation is required to allow 150 parking spaces where 166 are required.

In order to substantiate the validity of that request, the Petitioner surveyed the parking lot of the bowling alley on four different occasions on June of 2017. They found that of the 150 spaces that would be used and allocated to the bowling alley, the maximum peak usage was 125 at any one time, and that occurred during the early afternoon when they had a lot of league bowling occurring. They did survey during the evenings, and I would have thought that evening parking would be peak time, but it's really during the afternoons on the weekends when they have their league bowling going in full swing. So, they have illustrated that they will not have a detrimental effect relative to parking on neighboring properties. They'll accommodate for the demand on site.

Staff did require the submission of a landscape plan in conjunction with this application. One of the things that was happening is because of the tandem parking, some of the porters would come up and they would drive over the front lawn here and just access, you know, some of the cars here, pull them out, back them out on the lawn and then head out, rather than having to move some of the stacked cars there. So, we've asked the Petitioner to comply with current landscape requirements and plant a continuous buffer along the parking lot which we are hoping is going to prevent that activity. Since we brought it to the Petitioner's attention at the Conceptual Plan Review Committee meeting last year, we've noticed that it's stopped for the most part although I have seen some tire ruts on the lawn still. We think that this landscaping which will bring the property in compliance with code will also help to mitigate that behavior.

So, we are recommending approval subject to several conditions. I'm happy to get into those if the Plan Commission would like, and that concludes my presentation.

CHAIRMAN ENNES: Thank you, Sam. Could I have a motion to accept the Staff report?

COMMISSIONER DROST: I'll make that motion.

CHAIRMAN ENNES: And a second?

COMMISSIONER SIGALOS: I'll second.

CHAIRMAN ENNES: All in favor?

(Chorus of ayes.)

CHAIRMAN ENNES: Anybody opposed?

(No response.)

CHAIRMAN ENNES: Okay, well, let's start with questioning. John, would you like to start?

COMMISSIONER SIGALOS: Yes. I was at the Conceptual Plan Review meeting at the time, and I really don't have too many questions. The only one I had then, and I'd just like to go on the record that this is just strictly for car storage, it's not going to have any For

Sale signs or balloons or anything like that there, correct?

MR. PONTON: Not at all.

CHAIRMAN ENNES: No marketing, just parking, right?

COMMISSIONER SIGALOS: Just parking. I have no further questions.

CHAIRMAN ENNES: Okay, Commissioner Jensen. First, I wanted to thank you for filling in for me last week.

COMMISSIONER JENSEN: Glad to do it. Just actually a little clarification.

Is the Petitioner only going to improve the parking lot, or part of that parking lot, and the rest of it which isn't really your affair, is that going to be left as it is now? Or is the entire lot going to be improved?

MR. PONTON: The entire lot will be. The remaining portion will be improved by the owner.

COMMISSIONER JENSEN: I'm sorry, you'd have to --

CHAIRMAN ENNES: Ryan, please.

MR. PONTON: We will improve our portion and then the remaining portion will be improved by the owner.

COMMISSIONER JENSEN: So, the entire parking lot is going to be improved.

MR. PONTON: Correct.

COMMISSIONER JENSEN: The landscaping and so forth, and obviously you worked out what you're responsible for and what they're responsible for?

MR. PONTON: Correct, yes.

COMMISSIONER JENSEN: That's really my only question. I want to commend Staff, the depth of my concern about what it meant to be in the harmony and spirit of the chapter, I appreciate you putting those words in the Staff rider. I now understand that relative to this case. So, I don't have any further questions.

CHAIRMAN ENNES: Mary Jo?

COMMISSIONER WARSKOW: Yes. I just want to go on record saying I am glad to see an impervious surface like a parking lot actually being utilized and improved with the trees in the parking lot surface. I actually visited there with my family and noticed the use, and I thought it was a very good and innovative relationship. That's all I have.

CHAIRMAN ENNES: Commissioner Green?

COMMISSIONER GREEN: I was in the Plat and Sub, and I really have, my only concern was driving across the right-of-way and parking like you do on Dundee Road with your four-wheel drive trucks on the right-of-ways. So, that's a practice that I really don't like to see because I don't really think your product should be at the curb line. So, I know it's a favorite trick of all the car dealers around here, but I'm hoping that you guys will refrain from that behavior.

MR. PONTON: I will advise them.

COMMISSIONER GREEN: Thank you.

CHAIRMAN ENNES: Okay, Commissioner Drost?

COMMISSIONER DROST: Yes, two questions. One is on spirit and harmony. For an M district to become a B for parking, Sam, does the owner have to be contiguous or just a business, light business have to be contiguous? Because it appears from the site that there is a contiguous auto dealer there but not Napleton.

MR. HUBBARD: No, it has to be contiguous to the dealership that is --

COMMISSIONER DROST: To the exact dealership. But maybe that's something we want to look into, too, if you have a business that's contiguous but not necessarily the ownership, that that can also be a way to create that harmony that we all love.

MR. HUBBARD: Sure.

COMMISSIONER DROST: Okay, I mean I just want that for the record, and I think the Trustees will probably read into that.

Then the second item, maybe ask Ryan this question. With this, assuming we're going to have an approval of the project, is this going to affect your revenues from the standpoint of improving and increasing revenues, making it accommodative to your business?

MR. PONTON: I would hope so, yes. It can't hurt it, so yes.

COMMISSIONER DROST: No, it can't, but it can facilitate more auto sales in the Village.

MR. PONTON: Yes.

COMMISSIONER DROST: Okay, that's for the record. Good, thanks.

COMMISSIONER GREEN: They love that.

CHAIRMAN ENNES: Do we want to quantify that?

COMMISSIONER DROST: No, we don't have to quantify, empirical is okay.

CHAIRMAN ENNES: Okay, Ryan, I have a question for you. I'm assuming you're done, George?

COMMISSIONER DROST: I'm done.

CHAIRMAN ENNES: Okay, Ryan, I have a question for you, actually a couple. When the dealership, have you been with the dealership since it was built in 2013?

MR. PONTON: Two years.

CHAIRMAN ENNES: Two years, so you weren't there originally.

MR. PONTON: No.

CHAIRMAN ENNES: You might know the answer to this anyways. When the dealership was developed, were there any tax incentives granted to the dealership from the Village of Arlington Heights?

MR. PONTON: I'm not certain. I can get back to you on that.

CHAIRMAN ENNES: Yes, no, that's okay. I think just bringing it up, the Board might. What my question is going to there, will increased sales in any way be impacted by an incentive if it does exist, is this something to the betterment of the Village?

Let's see. Do you know what the current size acreage of the dealership property, the actual sales and parking lot of the dealership property is? Do you know how many acres that is?

MR. PONTON: Exactly? Not exactly, no.

CHAIRMAN ENNES: No, okay, because obviously the trend is towards larger dealerships. Other dealerships in the area have either moved out of their small locations, that's why there's three vacant ones just about three-quarters of a mile east of you, and some of the other dealerships have gone and done what I think you guys want to do which is to go out and find excess parking, some kind of a lot that you can --

MR. PONTON: I can assure you we have no plans of leaving any time

soon.

CHAIRMAN ENNES: Yes. No, no, no, I'm just saying. But parking for dealerships, especially some of the smaller ones is important.

I do have a question for Arlington Lanes, if their representative could come forward? Could you please tell us your name and what your capacity is with --

MR. KUHN: Sure. My name is Robert M. Kuhn. I've owned Arlington Lanes now for the last six years.

CHAIRMAN ENNES: Okay, hi, Robert. Would you spell that for our court reporter?

MR. KUHN: K-u-h-n.

CHAIRMAN ENNES: Okay, and since I didn't swear you in before, do you swear to tell the truth about the matters before us this evening?

(Witness sworn.)

CHAIRMAN ENNES: On the parking spreadsheet that was shown in the Staff report, I'm sure you've seen that?

MR. KUHN: Yes.

CHAIRMAN ENNES: It's showing all the uses, but there was one use that I didn't see mentioned in that graph, and that was the banquet usage. Yet in the parking study, on one of the dates, you had a banquet. I've been in the bowling alley a number of times over the years, and where do you, it said that an area can be converted for banquet use. Where do you --

MR. KUHN: Yes, we have three, as we call them, meeting rooms or banquet rooms that are in the facility.

CHAIRMAN ENNES: Oh, okay.

MR. KUHN: They're in the west side of the building towards the south end.

CHAIRMAN ENNES: What is the maximum capacity of that? Is there a, so you could have a banquet going on at the bowling?

MR. KUHN: Yes, each room can probably handle 50 to 75 people, in each of the rooms.

CHAIRMAN ENNES: Okay, 50 to 75. So, you could have potentially a banquet, if it was at full capacity, 150 people plus bowling?

MR. KUHN: We'd probably have, yes, 125 I think --

CHAIRMAN ENNES: My thinking is worst case scenario, what will we have if we had all the bowlers and the banquet fully utilized?

MR. KUHN: Well, there's 40 lanes times four would be, four in a team would be 160. So, you're looking at somewhere around 300 people.

CHAIRMAN ENNES: Question for Sam. Would we have a parking problem? Should that have been included in the demand for parking there?

MR. HUBBARD: If you see in the table, we do include, you know, some restaurant areas. That kind of encompasses where those banquet areas are, those are classified as --

CHAIRMAN ENNES: Okay, so that includes the conference rooms?

MR. HUBBARD: I believe it does, yes. I believe it includes the bar and some of, if not all of, the conference rooms. The conference rooms also I believe have some of the amusement gaming stuff.

MR. KUHN: Arcade games.

MR. HUBBARD: So, that's also accommodated for in there, right. So, it's really, you know, we consider it to be an auxiliary function, and the primary functions are captured in the parking counts.

CHAIRMAN ENNES: From your experience, have you ever had a situation where the bowling alley was full, all your conference rooms were going?

MR. KUHN: Say it again?

CHAIRMAN ENNES: From your experience, you've been there how many years now?

MR. KUHN: Six years.

CHAIRMAN ENNES: Six years. From your experience, have you ever had a situation where your banquet rooms are full, you're fully utilizing the bowling and the other facilities?

MR. KUHN: Maybe three or four times a year, maybe.

CHAIRMAN ENNES: So, pretty rare. You think --

MR. KUHN: We have an agreement with the Mental Health building across the street that we can always use their parking on weekends.

CHAIRMAN ENNES: If you need, okay.

MR. KUHN: Actually, the majority of the time we won't be close to our capacity.

CHAIRMAN ENNES: Okay, thank you. That's all I have.

MR. KUHN: Thank you.

CHAIRMAN ENNES: Is there anybody in the audience that wanted to comment on this? Okay, then are there any other questions or do we have a motion?

COMMISSIONER WARSKOW: I'll make a motion.

A motion to recommend to the Village Board of Trustees approval of PC#18-014, a Land Use Variation to allow a motor vehicle sales parking lot not contiguous to an automobile sales room within the M-1 Zoning District, and the following Variations:

1. **A Variation to Chapter 28, Section 10.2-9, *Access*, to allow a tandem parking where certain spaces do not open directly upon a drive aisle.**
2. **A Variation to Chapter 28, Section 10.4, *Schedule of Parking Requirements*, to allow 150 parking spaces where 166 spaces are required.**

This approval shall be subject to the following conditions:

1. **The total number of vehicles to be parked by Napleton on the subject property shall not exceed 100.**
2. **The Land Use Variation is solely for Arlington Heights and/or their future assignees and subject to their maintaining a central dealership facility in Arlington Heights.**
3. **If the lease to allow Napleton to park automobiles on the subject property is terminated for any reason, the parking variation shall become null and void.**
4. **In the event that the subject property is redeveloped, or if Napleton**

- discontinues use of the parking area on the subject property, the Village shall repeal the ordinance that grants approval of this Land Use Variation.
5. The Petitioner shall obtain a permit to repair areas of deteriorated pavement and curbing within the area that they have leased to park automobiles. Such repairs should take place within 60 days of ordinance approval.
 6. Parking lot landscape screening shall be installed along Kennicott Avenue within 60 days of ordinance approval. A detailed landscape plan that includes information on the species and quantities to be planed shall be required when a building permit is obtained for the required parking lot repairs.
 7. All dead trees within the parking lot landscape islands shall be replaced.
 8. No vehicle repairs shall be allowed on the subject property.
 9. There shall be no 'For Sale' advertising on any of the automobiles parked on the subject property.
 10. The Petitioner shall comply with all applicable federal, state, and Village codes, regulations, and policies.

CHAIRMAN ENNES: Would you please take roll call vote?

MR. HUBBARD: Is there a second?

COMMISSIONER DROST: Yes, there needs to be a second.

CHAIRMAN ENNES: Okay, is there a second?

COMMISSIONER JENSEN: Second.

CHAIRMAN ENNES: Okay, and if you could take a roll call vote, Sam?

MR. HUBBARD: Commissioner Drost.

COMMISSIONER DROST: Aye.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Yes.

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MR. HUBBARD: Chairman Ennes.

CHAIRMAN ENNES: Yes.

MR. HUBBARD: Commissioner Warskow.

COMMISSIONER WARSKOW: Yes.

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.

CHAIRMAN ENNES: So, Ryan, you have a unanimous approval, and you can go on to the Village Board. Sam, is there a date for that?

MR. HUBBARD: We're anticipating the second meeting in August for this.

CHAIRMAN ENNES: Okay, thank you very much.

(Whereupon, the above-mentioned petition was adjourned at 7:54 p.m.)

DRAFT



Item: Arlington Downs - 7/25/18

Department: Planning & Community Development

ATTACHMENTS:

Description

Minutes - 7/25/18

Type

Minutes

PLAN

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

COMMISSION

RE: ARLINGTON DOWNS - 3400 WEST EUCLID AVENUE - PC#18-010
 PUD AMENDMENT, PLAT OF SUBDIVISION, AMENDMENT TO SUP,
 LAND USE VARIATION, VARIATIONS

REPORT OF PROCEEDINGS had before the Village of
 Arlington Heights Plan Commission Meeting taken at the Arlington Heights Village
 Hall, 33 South Arlington Heights Road, 3rd Floor Board Room, Arlington Heights,
 Illinois on the 25th day of July, 2018 at the hour of 7:54 p.m.

MEMBERS PRESENT:

TERRY ENNES, Chairman
 LYNN JENSEN
 MARY JO WARSKOW
 BRUCE GREEN
 GEORGE DROST
 JOHN SIGALOS

ALSO PRESENT:

SAM HUBBARD, Community Development Planner

CHAIRMAN ENNES: Moving on to our next petition, 18-010, Arlington Downs. Is the Petitioner here? Will anybody else be testifying with you and speaking?

MR. KLUEMPER: Yes.

CHAIRMAN ENNES: Can we all come up and I'll swear you all in at the same time?

MR. KLUEMPER: Yes.

CHAIRMAN ENNES: Raise your hand.

(Witnesses sworn.)

CHAIRMAN ENNES: As you come up, if you would just state your name and spell it, okay? But let's start with the Petitioner, thank you.

MR. KLUEMPER: Thank you, Commission members. My name is Mark Kluemper, last name is spelled K-l-u-e-m-p-e-r. I'm with OKW Architects representing the Petitioner, Arlington Devco, LLC, regarding revisions to a previously approved PUD at Arlington Downs.

CHAIRMAN ENNES: Yes.

MR. KLUEMPER: So, really I wanted to outline briefly the history and the rationale for presenting this before you. It really in large part is due to market conditions that, since the original PUD approved in 2012 and then subsequent revisions in 2015, there have been further developments in the marketability of the site. So, the amendments that are proposed before you to be considered tonight are an extension of that. They really drive the demand that exists with residential, the lack of demand that exists within the retail environment, further dynamics to the typical hotel that's approved for the site, as well as the existing shuttered water park. So, collectively, those changes are incorporated into a series of amendments that modify several parcels in the site and the associated variations that are requested.

So, Staff has done a really excellent job. It's a pretty detailed and complicated series of steps that we'll talk about tonight. So, I'll try to keep this part brief and I imagine you've read and enjoyed your materials that we'd welcome your questions.

So, going into the original PUD, again several lots that was primarily retail-oriented with residential on two ends of it, there is a Phase I residential which is complete now, and what we're going to talk about is producing Phase II residential along with some of the retail that was always envisioned at the corner. So, our current PUD master plan envisions a continuation of the retail quadrant which is Lot 4A at the corner of Euclid and Rohlwing. Within the ring road, approximately 28,500 square feet of retail space is envisioned within several buildings. Also within that retail quadrant, the proposed hotel which was formerly in Lot 16 at the intersection of Salt Creek Lane and Rohlwing, it is proposed to move that hotel within Lot 4A along Rohlwing Road and Stonegate Boulevard.

Then the residential component that was envisioned on Lot C is now being proposed in a reconfigured fashion between Zones C and E, Lots 3 and 5. There was originally 12,000 square feet of retail space envisioned along Lot 5, and that subsequently had been eliminated in that portion of the site. This is going to be an exclusively residential zone, housing 263 dwelling units and associated parking.

Then lastly, there's two future phase portions which are to be developed, and our understanding is that when those would become projects that the developer would pursue, they would come before this Commission again as well as the Board, seeking specific approval of those particular sites. So, one is being called ADR-III which is in Lot 3 of

approximately 180 dwelling units, and then the ADR-IV which is between Lot 16 and Lot 2B of approximately 360 dwelling units.

The summary of our requests are basically that the petition has been revised consistent with the essential character of the previous approval. There are simply these different elements being relocated to different portions of the total property that require these amendments. We're trying to focus the retail and restaurant usage more in the southwest quadrant than the residential building along Lot C and 3, reconfigured with the hotel being moved in the future phase residential. That's basically the summary of our requests.

So, in terms of the character that we have, we're working from the previous approved PUD, have carried through into this version as well. The corner of Euclid and Rohlwing, we have a development sign that has a Welcome to Arlington Heights component to it, that's something that's going to be initiated in this next phase. Then the walkability factor has been maintained throughout this quadrant and the extension across Stonegate in the future phases as well. So, this is definitely a 360-degree development. There's no, we're trying to be sensitive to the fronts and backs of all the buildings and allow it to be a very walkable environment and connected to the various components.

There is a series of minor revisions that we are working through at the Staff level. Let me just point those out now, the first of which is a fire lane along Stonegate Boulevard to address the fire safety of the residential building ADR-II. So, along Stonegate is being proposed to widen the eastern portion of northbound lanes to 26 feet minimum width curb to curb, and have the building sited so it's within 30 feet of that curb line. So, we think we might have refinements and we'll be revisiting that at the Staff level to ensure that that's in compliance and approved.

The second condition, along Euclid Avenue, to better screen the Retail Buildings A and B, we're accepting of additional landscaping that's been shown in this diagram, I think it's 12 evergreen trees that front that and further screen that. The associated refuse enclosures that are exterior to the building will be oriented so that they do not face Euclid, so we'll be repositioning that and engaging it into each of those buildings. Then the additional screening of loading and associated utilities along ADR-II as well as the hotel structure along Rohlwing, we agree to all those minor Staff comments and their conditions of this approval.

So, I have a few other slides, but basically they're for reference. Just the ADR-II building itself is one of several that are being proposed, but we have already been through the Design Commission and have received a positive recommendation from them for the residential building. So, there's just a few slides that I could show the general character of what that exterior looks like. Subsequent retail buildings as well as future phase residential will again be developed at the point they proceed forward and they'll come to this Board in a similar manner.

With that said, I want to turn this over to Pat Dimmer of Eriksson Engineering, and he can go through some of the nuances of utilities and infrastructure.

CHAIRMAN ENNES: Thank you, Mark. Welcome.

MR. DIMMER: Hi. Again, Pat Dimmer with Eriksson Engineering, last name is D-i-m-m-e-r. Really just to touch on some of the changes that are being presented here from an overall site, really the access points are, the existing access points are all still there but you'll see the access point up to the north to Salt Creek Lane and no new access points over on the west side to Rohlwing. Then also, I know we've got the existing drive on the east side of the

site and then adding, making this passage to the south of that prior building more of an actual fire lane thoroughway that somebody could use seeing as that parking garage for ADR-III has an access point out the back side down here on the southeast corner. So, residents could use that rear lane to access the signals at Salt Creek Lane as opposed to exiting the west side of that structure.

Then as Mark had mentioned, too, the only big change to this that would be coming was the addition of expanding for that fire lane on the west side of ADR-II. But overall, traffic and parking-wise, the site is actually a lot better in terms of there's, because of the residential towers and the parking associated with that, the more residential development, it kind of cuts back quite a bit on the shared parking that's been done in the past and analyzed for by our traffic engineers. The numbers are all better than they used to be; there's still some shared parking, but everything is still in compliance with the shared parking studies showing excess parking throughout the development based on that shared parking analysis, consistent with prior PUDs.

So, on the site, site utilities are probably the biggest changes from a site standpoint, and a lot of that is because of the reconfiguration of ADR-II. Currently, there is a water main that runs east underneath where the building is going and that turns north. That section of the water main is going to be removed and relocated around that northwest corner of that facility. The project would then connect the two, similar to what was done, planned in the past, we are connecting the water mains between the two branches internal to the site. These are private water mains. They are all metered and at the property lines, so these are all private, not public mains. Then the biggest change with the water main on the east side is that it previously ran, it was intended to run straight down this lane, this existing access road. Because of Fire Department connections to the building, we're rerouting that between the buildings and down this back side to provide better fire protection around that east side of the parking garages.

Sanitary-wise, not much has changed. The biggest change is going to be again on the east side. Instead of routing again down that access drive, we're using that rear access drive as sort of the main utility corridor through there. Stormwater-wise, we are still going to be working with Village Engineering as done in the past. We have the existing regional facility way up in the part to the northeast and it continuous a little farther east along Salt Creek Lane. That basin is providing the vast majority of the stormwater management. Onsite storage will be provided for sort of that incremental historic increase that the Village would require for their new requirements as opposed to what was done in the past.

In conjunction with that, the Sanitary District MWRD has new infiltration requirements. So, you can see all these little orange squares throughout the site; those are all intended to be, under parking lots, storage and infiltration of water into the ground. Then we would add new storage sewers connecting all those to the main infrastructure that was installed back in Phase I. There is an existing 60-inch storm sewer that runs through the site; those are sort of the bold green lines through here on site.

I just want to point out that the branch that is currently where that building is going is intended to remain there. It's a large diameter pipe, it is very deep. I want to say it's approximately about 14 feet down, so relocating that would be rather costly. Seeing as the structure itself does not have a basement in this portion, we can span that with the foundation walls and design accordingly to bridge that. Any future maintenance of that, because it is a five-foot diameter pipe, you can actually get somebody in that pipe to perform

maintenance down the road that you can't do if it were a 12-inch pipe or an 18-inch pipe. So, because of the size, it kind of lends itself to being underneath that structure because you can access that and make repairs if you need to.

CHAIRMAN ENNES: Yes, 14 feet down.

MR. DIMMER: That's about all I have from the site standpoint.

CHAIRMAN ENNES: Thank you.

MR. KLUEMPER: That's all I have.

CHAIRMAN ENNES: That's all you have, okay. Is a principal here? Or Mark, can you accept the conditions 1 through 12? Have you read those, you're agreeable to those?

MR. KLUEMPER: Yes. Yes, the Petitioner is agreeable. The Applicant is agreeable to that.

CHAIRMAN ENNES: Okay, thank you. We'll move on to Staff report. Sam?

MR. HUBBARD: Thank you. So, the property is located at the intersection of Euclid and Rohlwing Road, kind of on the western side of the Village, towards the center. The property is zoned B-2 which is a General Business District. It also has an overlay zoning district on top of it as well that's designated as mixed use on the Comprehensive Plan.

The Petitioner is proposing amendments to the previously granted PUD as well as a land use variation to allow residential uses as a principal use in the B-2 district. Traditionally, the B-2 district is for commercial uses and would have residential on upper stories. But because it's a B-2 district and it's going to be a principal use as residential on ADR-II, ADR-III and ADR-IV, they need a land use variation. The land use variation would only apply at this time to ADR-II.

Additionally, they're applying for preliminary plat of subdivision approval to reconfigure Lots 3 and 5 to accommodate for the ADR-II and ADR-III residential buildings. That means that they will have to come back before the Plan Commission for final plat of subdivision approval at a future date. Also, they're amending the previously granted special use permit for a hotel to reduce the room count from 161 to 116 keys, then relocate that hotel from Zone D, I'm sorry, to Zone D from Zone B, and allow construction of ADR-II prior to construction of the hotel. One of the previous conditions of approval from the original PUD was that the hotel had to be constructed before any of the other phases begin after the One Arlington-Sheraton redevelopment was complete. Now, they are asking to waive that condition and allow construction of other phases of development to occur prior to constructing the foundation of the hotel, and Staff is supportive of that.

Additionally, they're requesting three variations: one for parking, one for dwelling units on the first floor of ADR-II, and to waive the requirement for loading spaces on the retail and restaurant uses in Zone D.

So, the Petitioner has appeared at several commissions and committees prior to this evening. On February 28th of 2018, they appeared in front of the Conceptual Plan Review Committee and would characterize the Conceptual Plan Review Committee as enthusiastic to get this moving forward and they understood that as the market changed, so, too, could the development and they were sympathetic to that. Additionally, this appeared in front of the Design Commission on two instances, on May 22nd for the hotel and twice concluding on June 12th for ADR-II, the residential building.

The Design Commission worked extensively with the Petitioner, particularly on the ADR-II residential building to work on some of the finishes and materials and exterior aesthetic. It did take two appearances for them to get approval of ADR-II, and they did end up changing some colors and materials and upgrading the garage significantly which, you know, was originally proposed without much detailing. Ultimately, both the hotel and ADR-II were approved by the Design Commission; the retail buildings, and certainly ADR-III and ADR-IV when those come forward will have to get Design Commission approval.

On June 12th, they appeared before the Housing Commission due to the introduction of some new residential areas in the development. They agreed to conform to the current Affordable Housing policy for ADR-II which requires 15 percent or 39 of the 263 units to be designated as affordable, or a fee in lieu of can be paid. They did agree to a \$25,000 fee in lieu of affordable units which is consistent with what we've gotten for similar projects. However, the Housing Commission did make a strong recommendation that the Petitioner include some of those units in the development as opposed to paying a fee in lieu of for all the affordable units.

Additionally, when the Hickory/Kensington apartment project appeared before the Village Board recently, the Village Board also made it known that they strongly prefer to see, at least to a certain extent, some of the affordable units within the development. So, Staff has recommended a condition of approval to require the developer to include some affordable units in the ADR-II building. The condition leaves that negotiation open between the Village and the developer, but we would like to see that as a recommendation from the Plan Commission and a condition of approval as well.

So, here's the aerial of the site, it's bounded in red here. You can see a lot of the areas on the property are semi-improved. They have a lot of deteriorated parking areas here to the southwest, additionally to the northwest as well. I just want to point out, one of the conditions of approval recommended by Staff was that if these areas haven't commenced development in the next 12 months, then we would ask the Petitioner to remove the deteriorated pavement and any improvements, and reinstall some landscaping in these areas. This is actually an original approval condition from 2012, they required that within five years the developer kind of green these areas with landscaping and remove any deteriorating improvements. That five years expired in 2017, so I think the Village has had a little bit of leniency with the developer and hoping to see some movement here. But again, we're going to be, we're recommending reinstating this condition that within 12 months, these areas be removed of their deteriorated parking areas and landscaped if there's no development commencing.

Additionally, I want to touch on another condition of approval that Staff recommended. We wanted to see a landscaped median in Euclid Avenue. Euclid Avenue is under the jurisdiction of the City of Rolling Meadows and the Cook County Department of Transportation, so any such landscaped median would need to be reviewed by both parties. We think it makes sense and we'd like the Petitioner to include that in their final engineering plans which will be due at time of final plat of subdivision approval. It would require obviously approval from Cook County Department of Transportation, and we would ask and require that the Petitioner be the one to maintain that landscaped median. Otherwise, since it is within the jurisdiction of the City of Rolling Meadows, it would be up to them to landscape that. We think it makes a lot of sense for the Petitioner to be responsible for that landscaping.

Here you can see the previously approved plans. So, up here you'll see where the hotel was originally proposed to be. Down here were some marginal areas of retail, and then right here as well. Then this was going to be a smaller retail building, and then originally this was to be another kind of dual residential tower with about 440 units. As I transition the slides slowly, you'll see the new proposed site plan fade in here.

So, most notable areas of change are here with the new ADR-II, 263 rental residential building. The hotel of course moves down to Zone D from where it was previously approved up here. Then of course the developer is proposing future phases of residential for ADR-III and ADR-IV here as well.

One of the conditions of approval recommended by Staff was that the Petitioner revise the declaration of easements, covenants, and restrictions, because they are kind of changing up the uses here and switching some of the lots. We believe that the easements and conditions and restrictions need to be amended to accommodate for this. We want to ensure that cross access, cross parking, maintenance of all common elements are addressed satisfactorily in the declaration of easements, covenants, and restrictions. So, we're asking that that be recorded to the satisfaction of the Village, to require and plan for those elements prior to building permit approval.

So, the big issue here is parking. As you've heard, the parking has actually improved in this latest iteration of the plans. Technically, a variation is still required. The property operates on a shared parking model. While there may be a deficit relative to code requirements on certain portions of the development, on peak times that's accommodated with a surplus in other areas of the development. Relative to the latest amendment from 2015, you can see 2,526 parking spaces were required by code. Currently, under the new plan, 2,768 parking spaces are required by code, but the supply increases over what was originally amended in 2015. So, actually the deficit decreases from about 500 spaces to about 435 spaces from a code standpoint.

Relative to peak parking demand, based on the shared parking analysis, the maximum number of spaces will be used at any one time to be 2,106 spaces. Based on the supply, the actual peak parking demand surplus has increased to 227 spaces from 170 before. So, from all looks of things, parking has further improved in this most recent version of the plans.

When you look at it from a zone to zone basis, each zone while it may have a technical deficit relative to code requirements, the parking provided is always above the anticipated demand. You can see in ADR-II and III and IV, a lot of the parking demand from a code standpoint is created from these residential developments. When you consider ADR-III and ADR-IV, these are really just placeholders. I mean we don't have any proposal for these sites at this time, so it's, you know, this is just kind of our best guess of what parking demand requirements would be. But they're both parked at an estimated 1.5 spaces per unit.

I would note that ADR-II, the 263-unit rental residential building is parked at a ratio of approximately 1.5 spaces per unit. This property was originally slated for the dual residential high rise in this area and had been previously granted a variation for parking at 1.45 spaces per unit, with the condition of approval that when that development would actually move forward, the Petitioner would survey the parking at One Arlington to see if the parking ratio there was sufficient to accommodate for a 1.45 space parking ratio in the future residential areas. The Petitioner has provided that parking analysis of One Arlington; it's actually parked at

closer to 1.32 spaces per unit. So, it confirms that the 1.45 previously granted variation is still applicable, and furthermore, the Petitioner has proposed parking at 1.5 spaces per unit. So, we are confident that the residential areas will not create a parking problem, and again the shared parking still conforms to expected anticipated demand and we're supportive of the parking variation.

There are a few land use variations required, one for as I mentioned principal use of residential in the B-2 district, and then one to allow residential uses on the first floor in the B-2 district. We are supportive of these variations as well. We believe that they've met the criteria for approval. The site is very unique. It's a former hotel and water park and it requires a creative approach towards redevelopment.

Additionally, the property has been vacant since 2012 relative to when the previous PUD was originally approved. This has been a hot time for the residential rental market, so the fact that these residential uses couldn't move forward during the last five years is evidence that, you know, a variation may be warranted. Furthermore, we do believe it's in compliance with the spirit and intent of the code. One of the intents of the code is to protect the character and stability of residential, business, and manufacturing areas. The Staff Development Committee believes that the proposed variations to allow ADR-II to move forward will help stabilize this area and bring on the redevelopment that I think the Village has hoped to see for the last five years, and it's not a threat to the character of the Village. So, we are supportive of both variations.

The Petitioner has also asked for a variation to waive the loading requirement. This is just for the retail and restaurant uses in Zone D, so it's these retail buildings here. They've justified it by outlining that deliveries will take place during off peak times. There are limited spaces in front of the dumpster enclosures for certain of the buildings that would allow for parking of a small delivery truck. Additionally, there is a large kind of layby lane here that could allow for a larger delivery truck, or they could park on the side of these buildings here when delivering to Retail Building A and B. We believe that this complies with the standards of approval and we're comfortable with this variation being granted and recommending approval of that as well.

So, we are supportive of the application. We are recommending approval subject to 10 conditions, I'm sorry, 12 conditions. Again, I'm happy to go through these conditions if you'd like, but otherwise, that concludes my presentation.

CHAIRMAN ENNES: Thank you, Sam. Can I have a motion to approve the Staff report?

COMMISSIONER JENSEN: So moved.

CHAIRMAN ENNES: And a second?

COMMISSIONER WARSKOW: Second.

CHAIRMAN ENNES: Second. All in favor?

(Chorus of ayes.)

CHAIRMAN ENNES: Anybody opposed?

(No response.)

CHAIRMAN ENNES: Okay, thank you. Lynn, you want to start on your end and the questions that you have?

COMMISSIONER JENSEN: Yes. I've been involved in all of the different iterations of this and just have some general questions. So, from 2012 to now, we've gone

through a number of iterations where we've had, you know, different configurations of retail, different configurations of rental units. The theme park has changed its nature several times. I guess I'm interested in knowing what is the level of interest and commitment from other partners, companies, entities in what you're proposing now. What I'm really asking is are you trying to just divine what's happening in the market, or do you have concrete interest expressed and concrete commitments for any of this?

MR. KLUEMPER: Yes. So, speaking to the concrete interest, the main rationale for pursuing the amendments at this time is that really ADR-II, that development is anticipated to proceed forward into documentation and permit approval, upon approval of the PUD amendments. Likewise, there is interest in the hotel. If you recall, it was originally pursued with a different operator. The Vibe Hotel, which again went through the Design Commission approval process, is the operator that are interested in moving forward as soon as the approval of this amendment takes place. Thirdly, some amount of retail interest in that southwest quadrant is also anticipated to proceed, not all of the buildings are anticipated, but I think at least one would proceed into development upon approval.

COMMISSIONER JENSEN: So, we should assume that probably with approval by the Board, you should be able to move forward and we would see some of this realized with what you're proposing now?

MR. KLUEMPER: Exactly, yes.

COMMISSIONER JENSEN: I mean this Commission and the Board have been very enthusiastically supportive of this project and we all think it's a great project. It's just gone through so many iterations, you know, we're wondering are these, you know, concrete expressions of commitment, and you've answered that and I'm pleased to hear that.

MR. KLUEMPER: Appreciate that.

COMMISSIONER JENSEN: Another question. You have, for future developments, you have a restricted senior housing development plan proposed as I see it. You're not going to do it at this phase, it's going to be a subsequent phase if I understand it correctly?

MR. KLUEMPER: Yes, a subsequent phase.

COMMISSIONER JENSEN: I had, in the Conceptual Plan Review, I had some questions about really is that a sensible thing to plop down in the middle of this multi-use thing with a lot of kids and all kinds of things going on and a restricted senior housing. Is it viable? I will say that you've taken my recommendation or you may have been planning on doing it all along, you have a very good market study. So, I think you've done your due diligence and I don't have the problems that I initially had with it. There's still a nagging concern if trying to plop down a senior housing that's age-restricted in the middle of this complex is going to be successful, but you've done enough due diligence and I'm happy with what you've done. So, you know, that's for a later stage.

My last question is for Staff actually. What was the rationale for the original affordable housing where it was five percent of the housing stock and the fee in lieu was going to be \$100,000 per unit? Now we've reverted to the more standard one that, you know, that the Village required. Why did we propose the first one?

MR. HUBBARD: That's a good question. I don't have a direct answer for you. From what I understand, our Affordable Housing policy has kind of evolved over time. I think when this was originally proposed, it was right after the great recession and things were just

starting to kind of turn around. So, there may have been a little bit more leniency in what was required there. Our policy has kind of evolved as we try and understand what demand is and what the market is able to accommodate relative to affordable housing.

COMMISSIONER JENSEN: Well, you were lenient once and so you didn't require 15 percent, only five percent. But the total that they'd have to pay was a lot higher than what they will under this current configuration.

MR. HUBBARD: Correct.

COMMISSIONER JENSEN: I do share where the Housing Commission and where the Board tends to go, I think it would be nice to see some of these things actually built out as affordable housing rather than just collecting money. So, I'm very encouraged by that. I'm very enthusiastic about the project and I think that I'm looking forward to it going forward. I don't have anything else.

CHAIRMAN ENNES: Thank you, Lynn. Mary Jo?

COMMISSIONER WARSKOW: Yes. I, too, am supportive of the project and I will second what Commissioner Jensen has said about the affordable housing. I've seen enough projects now collecting money, I would like to actually see some affordable housing units.

My only question is related to the hotel in the fact that there is now this family entertainment center, well, there used to be one there so I guess there's always been a family entertainment component to it. Who is the primary market target of the Vibe Hotel? What would be the demographics of that? Is that a family, is that younger, is that business?

MR. KLUEMPER: Well, I can't speak to who actually will use it, but the Vibe as a brand, my understanding is it's targeted to younger occupants. So, millennials are one of the younger demographic groups that I know the Vibe has tried to brand themselves around.

COMMISSIONER WARSKOW: Okay, my only concern, and I have a hard time seeing it specifically on the plans, is if there were families as guests of the hotel, making it to the Funtopia. I want to make sure that, you talk about walkability, I want to make sure it's truly walkable and we don't have young children going through parking lots in order to get there. Is there a sidewalk along that roadway that takes them right from the hotel to the front of One Arlington?

MR. HUBBARD: There are sidewalks, they have crosswalks.

COMMISSIONER WARSKOW: Okay, that is my only question. Thank you.

CHAIRMAN ENNES: Thank you. Commissioner Green?

COMMISSIONER GREEN: I, too, have a question about the Housing Commission. My question is if we have the ordinance that gives you the option to pay money or to build the units, are we throwing them a curve ball by changing our mind in the middle of the project? I mean is it written as an ordinance one way or the other?

MR. HUBBARD: It's our policy to accept one or the other.

COMMISSIONER GREEN: So, at this point, we're verbally changing our requirement? Is that something we've done before as a Village?

MR. HUBBARD: Well, I think we're pushing for a more inclusive model. So, I don't know if we've had this much push for that to date, but it is kind of a change of what we'd like to see moving forward.

COMMISSIONER GREEN: Should we change the ordinance if that's what

the push is? Instead of encouraging them, strongly encouraging them, you know, are we strong-arming them into this? In other words, an ordinance is something you can read and you can follow, but --

MR. HUBBARD: I think that's a great point. I think, you know, it's worth revisiting. You know, maybe there is language that could go in there that specifies, you know, maybe it's five percent of the 15 have to be included, you know, within the --

COMMISSIONER GREEN: I'm not trying to renegotiate. I'm just wondering, it's a little bit of an oddity the way it is worded here, that it's something we haven't done but we would like to see it. Yet we have an ordinance that says you have this option or this option. So, I just think, you know, there's a negotiation built into this condition here. Are we stating that it has to be a built-out unit or are they just negotiating the strong encouragement by Staff?

MR. HUBBARD: I think we'd like to see actual units within the ADR-II being designated as affordable, and I think how many units is what we're trying to figure out.

COMMISSIONER GREEN: Can you do that legally if there is no ordinance written that says that you should do that or you want to do that?

MR. HUBBARD: I believe we can and that's why it's a condition of approval.

COMMISSIONER GREEN: We shall see. Thank you.

CHAIRMAN ENNES: Thank you. Commissioner Drost?

COMMISSIONER DROST: I echo the same sentiments as the Commissioners have previously stated, and I've only got one comment. This is sort of one of these plan to the market on longer term plans. In future, is there a way that we can handle this administratively rather than having to go through the Commission process? If an, you know, an original approval of the plan doesn't make it economically feasible or because market conditions changed, that the smaller changes to a plan can be handled administratively as opposed to having to come before the Plan Commission?

MR. HUBBARD: Sure, the Village could approve kind of an envelope of what's allowed in the general development parameters. It hasn't been done in this case, but that's something we can certainly look into.

COMMISSIONER DROST: Yes, I mean from the standpoint of moving things along, this is a larger project, it's important to the Village and there may be some efficiencies here that can be incorporated in a larger PUD. Again, looking at longer term ones, when you start in 2012 and we were here when that all came in, you know, some of the bloom is off the rose a little bit and, you know, you're coming into market reality, that there is something that can be done to kind of expedite the process for the developer.

MR. HUBBARD: I think these were some pretty major changes, I don't know if --

COMMISSIONER DROST: Yes, they're major, but I'm just talking in terms of, again longer term phases of projects and there are forces that make the developer rethink what is economically feasible and that it's in keeping with the spirit of the original project and is not detrimental to the spirit and to the actual realization of the developer's plan.

MR. HUBBARD: Sure.

COMMISSIONER DROST: That's it. That's just a broader comment.

CHAIRMAN ENNES: Thank you. John?

COMMISSIONER SIGALOS: I really don't have too many questions that haven't already been raised. Again, I've been part of the Comprehensive Plan Review and, or I'm sorry, the Conceptual Plan Review Committee and previous Plan Commission hearings. What would be your timeframe, assuming this is all approved and that Village Board approves it, as far as moving forward on this? Because I've seen so many of these coming but I haven't seen much action here other than the initial conversion of the Sheraton Hotel to the residential units.

MR. KLUEMPER: Sure. Well, as I had previously stated, the ADR-II project as well as the Vibe Hotel would start immediately after approval into development of documentation that would be submitted for permit. So, it's more --

COMMISSIONER SIGALOS: Do you have the documents prepared or you haven't started the development of the documents?

MR. KLUEMPER: The documents are in development. The majority of the work has been done basically, but we would complete that documentation and submit it for permitting.

COMMISSIONER SIGALOS: So, we would see this starting maybe later this year?

MR. KLUEMPER: Activity later this year.

COMMISSIONER SIGALOS: This year.

MR. KLUEMPER: Is what we would probably anticipate.

COMMISSIONER SIGALOS: My only last comment, I'd like to just go on the record again with this affordable housing that again I've seen so many projects come before us and the developers paying a fee in lieu of and none of the affordable housing being built. I'd sure like to see that pursued more not only for this project, but for other projects. I know this last one we had, the Hickory/Kensington, that didn't have, again there was a fee in lieu of, and I just want to go on the record that I'd like to see more affordable housing units become available in our community. That's all I have.

CHAIRMAN ENNES: Thank you. Mr. Kluemper, I'm not sure that you're the person to answer this, but I have a question that's kind of market related. That is, is it fair to say that these changes illustrate a reduction in the economic intensity of the original proposal? I mean we're going smaller, right, on the residential stuff and we're eliminating some of the retail?

MR. KLUEMPER: Yes, there's a minor reduction in the retail floor area.

CHAIRMAN ENNES: Okay, because I thought the courtyard was going to be, you know, the corner along Euclid, that that was going to be pretty much all retail and restaurants. Now we're moving hotels down into that?

MR. KLUEMPER: Collectively, the hotel --

CHAIRMAN ENNES: Or I shouldn't say hotel, it's residential.

MR. KLUEMPER: The hotel is moved into that quadrant and further reduces some amount of retail spaces. Apologies, I don't have the numbers in front of me, but it's relatively minor. I think there was maybe a total of 60,000 square-foot of retail space originally throughout the site. With the hotel and the active retail and restaurant activities, it's collectively in the 32,000 square-foot range. There's also an additional retail presence for the co-working space that's currently in the first floor of ADR-I. So, there's likely an increase overall if you factor in the ADR-III and IV in terms of residential intensity.

CHAIRMAN ENNES: Now, that co-working space, that's primarily office,

right?

MR. KLUEMPER: It is, yes.

CHAIRMAN ENNES: Yes. Does the residential development have to get to a certain level to act as the catalyst to get retail to commit? Am I saying that right?

MR. KLUEMPER: I'm purely speculating, but I would imagine there is a critical mass of residents locally that would be an automatic attractor for the retail.

CHAIRMAN ENNES: Irrespective of how much of the residential you develop and you complete?

MR. KLUEMPER: Well, considering that the residential, there's a demand for residential which is why ADR-II would commence construction shortly after approval, that there would naturally be an increase in demand for retail in the area based on the number of residents.

CHAIRMAN ENNES: Okay, but we haven't seen any of the retail take off yet.

MR. KLUEMPER: Well, mainly it would come after the second phase residential development.

CHAIRMAN ENNES: Okay, that's all I have. Is there anyone in the audience that has any questions or comments? If we can ask this gentleman to come up? Please state your name.

QUESTIONS FROM THE AUDIENCE

MR. CAVENAUGH: Sure. My name is Rick Cavanaugh, I'm president of Stoneleigh Companies. I haven't been sworn in. Do I need to --

CHAIRMAN ENNES: Shame on you.

MR. CAVENAUGH: I'm sorry.

CHAIRMAN ENNES: Well, then let me quickly do that.

(Witness sworn.)

CHAIRMAN ENNES: Okay, thank you.

MR. CAVENAUGH: Stoneleigh Companies is the managing partner of One Arlington. We are also the current managing partner of the land that is ADR-III that is being contemplated here. We are also the sole owner of Lot 5 within the development, and we are also the managing partner of the Esplanade Shopping Center next door.

CHAIRMAN ENNES: Okay.

MR. CAVENAUGH: So, we have been here since we started construction in June of 2013 on One Arlington. Your question about the residential-retail interaction I think is an important one to consider. We've been very successful with One Arlington. Today it's 98 percent leased.

CHAIRMAN ENNES: Congratulations.

MR. CAVENAUGH: The Esplanade Shopping Center when we bought it in 2012 had two tenants, and they're now 100 percent leased, thank goodness. I think what we have observed over the last five years since we built the Tower, renovated it, and considered what was going to happen with the residential parcel which was to the east which is now Lot 3 and Lot 5, and in conjunction with the developer, we don't own the retail or the water park land, the Petitioner here does, but obviously we have a vested interest in seeing them successful and

getting rid of some of the parking lots they're building out there.

It's been an interesting relationship between those. We built the apartments, they leased up fairly quickly, then we saw the demand come in for the co-working space. We're also the owner of the co-working at 25 North which was done very well and we've expanded the entire retail within the building and filled up all of that office space on the first floor. In my opinion, you know, operating and managing the Tower and dealing with the residents in that, I do think you need a little bit more of a critical mass of residential there to help support the retail. Retail users in the area, having bought the center next door that was primarily vacant and had Dr. Hicks build his, you know, the dental building there, and see how that evolved over time, part of that was driven by the addition of the residences of One Arlington. So, the need for restaurants, the need for inlying retail I think is driven in part by the fact that you have users that will occupy and live and walk within the community.

The original concept for our building was to create a mixed use community here that had a critical mass that operated and thrived on itself, not just having the Tower by itself standing there.

CHAIRMAN ENNES: Right.

MR. CAVENAUGH: In working with Devco over the years and seeing the demand and the potential tenants come and go for the retail uses, and looking at what is required just in the sheer investment that has to happen with the site, the stormwater and MWRD, all the utilities, ComEd and everything else we've had to deal with at the site, it's expensive to build stand-alone retail for six, eight, 15,000-foot buildings without having the rest of the site work and the land development happening. So, that investment has probably prohibited the retail from thriving sooner which is part of the reason why we rethought and kind of reconceived the residential use on Lot 3 and Lot 5 and reconfigured it. The original two high rises that were there, you know, there was perception in today's market given rents and construction costs, it's not feasible to build 19-story buildings on that space with all the structured parking. So, the opportunity to do a five-story building with a structured parking deck is much more in keeping of what you've seen happen in multifamily around the country in relatively suburban-urban areas.

So, I think the plan that's being presented tonight is a much more sellable, financeable, and economically justifiable plan than what we had before from 2012. In 2012, it was a difficult time to imagine how you could have a \$300 million development survive and, you know, you throw things and you see how it works. So, I think the revised plan with the reduction of the retail, the increase of the residential, and the solution of some of the site work and the simplification of the off-site work that has to happen with this is important in order to drive that and get more going. You know, as the owners of the Tower, we are certainly interested in seeing additional work happen in there, and we want to see more activity, we want more people, we want more traffic. We want it to be more of a, you know, regional collection center, not just a Tower standing there by itself.

CHAIRMAN ENNES: Right.

MR. CAVENAUGH: So, we are supportive of the amendment that Devco has presented here, and we, too, want to see something happen and get some activity and some additional interest. I think we've done very well with what we've had so far. We want to see more of it, and it will help the economics of our building, it will help the economics of the center next door, and it will certainly justify the economics for them to take the risk and develop

and finance the remainder of the project.

CHAIRMAN ENNES: Thanks for that perspective.

MR. CAVENAUGH: Okay, thank you.

CHAIRMAN ENNES: Appreciate it. Is there anyone else that has a comment? Questions? Would you please come forward? Tell us your name and spell it please.

MS. PAYNE: Good evening. My name is Elizabeth Payne, P-a-y-n-e.

CHAIRMAN ENNES: Hi, Elizabeth.

MS. PAYNE: Hi.

CHAIRMAN ENNES: I don't have to swear you in.

MS. PAYNE: Thank you. I'm here this evening on behalf of the City of Rolling Meadows. Here, we're not opposed to the project but we would like to have our comments on the record as well.

Firstly, probably most straightforwardly with regards to building a landscaped median along Euclid, we have no objection provided that it is the Petitioner that has the maintenance of it as Mr. Hubbard did indicate would be the intent. Secondly, in our review of the documents that were provided on the website with regards to this petition, the traffic study did call for a southbound right turn lane to be provided at Rohlwing Road. However, the traffic study did not provide and we cannot locate in the documents timing with regards to the development of that particular improvement.

It was our understanding that with the beginning of Phase II, that that development would be begun as well. We of the city are not opposed to having further discussions with the rest of that. We're certainly open to discussing the timing of it and whether or not the project will warrant it given the future traffic and parking studies. But we would like to have that discussion as well.

CHAIRMAN ENNES: You're in the process of addressing that with the Village?

MS. PAYNE: Yes, we have reached out to the Village of Arlington Heights with regards to that.

CHAIRMAN ENNES: Okay.

MS. PAYNE: Another thing which we have reached out to the Village of Arlington Heights as well is additional improvements along Rohlwing Road. We are requesting that a five-foot wide sidewalk be installed within the right-of-way along Rohlwing Road. Initial plan review comments way back in 2012-2013 did request streetlights, at that time there were going to be I believe three curb cuts into Rohlwing Road which would have triggered those streetlights. But we would still like to see them included in the project.

Finally, this evening, we have a small, well, maybe not so small, we have a request with regards to the setback of the hotel. From what we could see on the plans, the hotel is set back 15 feet from the property line. We would like to see consideration given to a slightly larger setback of 30 feet to be in line with the properties from what we could understand the setbacks would be along Euclid Avenue and in conjunction with the setbacks within the City of Rolling Meadows. I'd like to thank you for your time this evening.

CHAIRMAN ENNES: Thank you, Elizabeth. Is there anyone else that would like to comment? Would you please come forward? State your name and spell it please.

MR. JANCEK: My name is Chris Jancek.

CHAIRMAN ENNES: Hi, Chris.

MR. JANCEK: I live in Rolling Meadows, I back up to Euclid.

CHAIRMAN ENNES: Chris, could you spell your last name please?

MR. JANCEK: J-a-n-c-e-k. So, my concerns are obviously on noise, light pollution from the buildings that are there. I mean we're already dealing with the light, because my house actually is right where traffic goes in and out on Euclid for the Arlington Tower there. So, any time a car comes out, their headlights are shining right towards the back of my house. I do have a fence there and it's not as bad in the summertime, but the light that comes off like anything over there, I mean the whole back of our house that's in there area are lit up. The backyards are lit up. I mean at night, you can walk out there and don't need a flashlight. So, putting up that large apartment complex that close to the road with, you know, full-time residents there, it's only going to add more light. That's concerning.

The other is the garbage trucks that are coming and going, you know, extremely early in the morning, you know, before hours of when they should be operating. You know, I'm hearing that. Snow plows during the winter, all hours of the night, dropping blades, backup alarms going. You know, we're already dealing with that, with just what's there now. So, with everything else that's proposed to go in there, I mean that's a lot more noise and a lot more light.

CHAIRMAN ENNES: So, you're on the south side of Euclid?

MR. JANCEK: Correct.

CHAIRMAN ENNES: You say your house is just across from the drive in to the race track?

MR. JANCEK: Yes, from where it goes into the Tower there for your entrances that are current.

CHAIRMAN ENNES: Okay, okay.

MR. JANCEK: Yes. Yes, we're on the south side there. Yes, when we look out, that street looks straight into that drive. So, those lights are basically kind of in my neighbor's house to the east of me.

CHAIRMAN ENNES: The fences along those properties, is that all one uniform like stockade fence?

MR. JANCEK: It is not.

CHAIRMAN ENNES: All different.

MR. JANCEK: If there's any kind of a privacy fence there, it's provided by the homeowner. The fence is an old dilapidated chainlink fence that I believe the county owns, and we all know how Cook County maintains. So, because they came through and mowed and just shredded garbage and everything all over the place today, that eventually blows into all of our yards.

CHAIRMAN ENNES: Yes, nothing I can do about that.

MR. JANCEK: No.

CHAIRMAN ENNES: But as far as garbage trucks being out too early, that's something you can call the Village and they'll put you in contact with the right people.

MR. JANCEK: Okay.

CHAIRMAN ENNES: Sam, is there, I mean light from the hotel should not, it should not be going over the property line, correct?

MR. JANCEK: It's the lights at the entrance is what it is. They're bright

enough to where, like I say it shines in the back of our house.

CHAIRMAN ENNES: Okay, but you're talking about the apartment development being a problem, too?

MR. JANCEK: Yes, I'm just concerned about all of the additional lighting that's going to go in, you know, I guess like the light pollution from that is going to be so much more over there besides just what's currently there. I mean we've already noticed it with just what's going on in there now, you know. Obviously, plus the lights, the noise from the additional traffic going in and out of there now. We've been there 15 years in our current location, so I mean it's definitely increased.

CHAIRMAN ENNES: Okay, thank you for your comments.

MR. JANCEK: Thank you.

CHAIRMAN ENNES: Is there anything that can be done about the headlights crossing the street?

MR. HUBBARD: I mean if you live across from a drive aisle, I mean that's something we try to plan for. But if it's an already existing drive aisle, there is not too much that can be done. Certainly the homeowner who can plant landscaping on, you know, their side of the fence, but it sounds like that's already done, but maybe some more evergreens for year-round screening.

CHAIRMAN ENNES: There was one ore lady in the back? Good evening.

MS. PACHECO: Hello.

CHAIRMAN ENNES: So, would you like to give us your name and spell your last name?

MS. PACHECO: Dane Pacheco, P-a-c-h-e-c-o. I also live right across the street, a few houses from them. First of all, I just talked to many neighbors that did not even receive, they did receive it but they did not know that they got this notice because it looked like junk mail. I almost threw mine away. Even though right now three of the houses on our block are vacant, and two of them are rentals, one family has four kids so they cannot come today, basically not very many people showed up because of the house situation right now. But not only the garbage truck noise, but if the backs of the buildings are going to be to Euclid, we get the, the wind comes from the north, so right now we always smell the race track because --

CHAIRMAN ENNES: You live next door, yes.

MS. PACHECO: So, then we would also be smelling their trash because of when it comes from the north across to us. So, if the buildings are there, we would get all that trash.

But as far as the hotel, that's my more concerning issue is the hotel. Within a mile away, there's three other motels. We know the problems that those motels have.

CHAIRMAN ENNES: What kind of problems?

MS. PACHECO: The Motel 6 right across the bridge, there's always police there like every single day for whatever the issues are.

CHAIRMAN ENNES: Okay, well, there's nothing I can do about that.

MS. PACHECO: Well, but if there's going to be another motel there or hotel, whatever on Rohlwing Road, that's going to be much closer to our house. Is there going to be anything that, any way to provide that it's going to be safer?

CHAIRMAN ENNES: There's not a lot we can do to control who comes into

the neighborhood, but we have a very low crime rate.

COMMISSIONER DROST: One of the best.

CHAIRMAN ENNES: I'm sorry?

COMMISSIONER DROST: One of the best, safest city, villages, municipalities.

MS. PACHECO: That's what I'm just afraid of with the motel being there. As far as the noise, the light, seeing the light, a lot of times we also see the humming or buzzing from those tall tower lights. So, if there is going to be more lighting, is there going to be more noise pollution probably that's coming from the lights, like the electric current through the lights or something, I don't know.

CHAIRMAN ENNES: Can somebody comment? Do the lights make noise?

MR. CAVENAUGH: I think from the lighting standpoint, you know, the parking lot lights that are required, the big hats that are on the driveway are something that are driven by the ordinance. They're all LED lights in our site, when we did the building, we did everything LED in the entire site. The lights on the top of the building that circle the building and also the lights within the units are all LED. So, those don't include transformers that drive noise and create pollution out of that apartment building. In One Arlington, when you look at that tower at nighttime and you see it, and how resident's lights are and the fact that we've got 97 percent dimming shades on every window, produces a lot less light than the hotel use that produces within that development. There's a lot less parking lot lights that exist today.

I'm not sure what the plan is within the retail side as far as replacing some of the lights that have already been taken down or fallen down in the parking lots. But there are substantially less because most of them are sitting back in, right now that have been taken down. All of the lights that we installed on the ring road going in are all LED towers. So, from a light pollution standpoint, part of that is just what's required by ordinance, part of it is what's required by Engineering as part of lighting for retail uses and drive lanes and fire lanes that are out there.

Maybe there's a bad light or two out there in the old parking lot lights that buzzes, but the Tower itself, the LED lights just don't buzz. They're driven by the low voltage wires so they don't produce the sound pollution for that.

CHAIRMAN ENNES: The parking lot lights, the old parking lot lights will eventually probably all be gone?

MR. CAVENAUGH: They would all have to be replaced yes.

CHAIRMAN ENNES: So, that's going to improve.

MR. CAVENAUGH: Because the standards of the new lights that the Village requires on sites when you get a permit to develop, it will all go to the LED lights and will go to more of the thin tower lights that produce slightly better light for a lot less wattage being used. So, the old lights are the old metal halide lights is what they call them. Those do buzz a little bit. There are, as I said, there's less than half of what there was before. So, I think those lights will be replaced over time with more energy efficient lights according to the current energy codes on the site.

CHAIRMAN ENNES: Thank you again.

MS. PACHECO: I guess I'm just more worried about the hotel, especially with the transient thing, the safety of the kids.

CHAIRMAN ENNES: Yes. I don't know about transients being in the hotel but --

MS. PACHECO: No, the other hotels, people actually live in them and that's all within a mile of where that's at.

CHAIRMAN ENNES: Okay, thank you. Is there anybody else that has a comment?

MR. CAVENAUGH: One more comment, sorry. I apologize, I forgot to bring this up earlier. I appreciate Commissioner Drost's comment about the simplification of the process. I would ask, being the one who controls the declaration process from the Tower standpoint because we're the first ones to build, we kind of manage that and oversee it, I think it would be beneficial that when we have to make amendments to the declaration and to the plats, that be dealt with a little more administratively than we've had to in the past.

One of the fears we have as the developer and as we've looked at changes on this as it's evolved is that the time and the effort and the process of what we have to go through as we continue to cut this up into smaller pieces doesn't diminish. So, it was as much work, it will be as much work to do a two-acre parcel as it was to do 32 acres originally. I think the declaration, one of the things we have been talking about internally with the Petitioner is trying to create a master declaration so that sub-declarations within the retail site to manage theirs still honor the master but they don't have to go through laborious legal process and drafting. It's very expensive to do these things.

CHAIRMAN ENNES: Oh, I know.

MR. CAVENAUGH: So, I encourage some type of simplification as this gets, as smaller and smaller pieces have become manageable versus the larger PUD concept that we had seven years ago when we first started this. Thank you.

CHAIRMAN ENNES: I can appreciate that. Thank you. So, I'm going to close the public portion of the meeting and go back to the Commissioners. I don't know if there's any other questions or do we have a motion?

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

A motion to recommend to the Village Board of Trustees approval of PC#18-010, a proposed amendment to PUD Ordinance Numbers 12-006, 12-037, 12-039, 14-025, 15-049, and 18-019, to allow modifications to the approved development plan for Arlington Downs; a Land Use Variation to allow a residential use as a principal use in the B-2 District for 'ADR-II'; Preliminary Plat of Subdivision to reconfigure Lots 3 and 5 to accommodate for the proposed 'ADR-II' and 'ADR-III' residential buildings; an amendment to the hotel Special Use Permit to reduce the number of rooms from 161 to 116 to allow the hotel within Zone D; and to allow for development within Zone C prior to constructing the foundation of the hotel, along with the following Variations:

1. **A Variation to Chapter 28, Section 10.4, to reduce the required onsite parking from 2.768 spaces to 2.333 spaces.**
2. **A Variation to Chapter 28, Section 5.1-11.4(a), to allow dwelling units on the first floor on Lot 5A.**
3. **Section 10.7, *Schedule of Loading Requirements*, to waive the requirement for two (10' x 50') off-street loading berths for the retail/restaurant uses in Zone D.**

This approval shall be subject to the following conditions:

- 1. Final Plat of Subdivision approval is required.**
- 2. A PUD Amendment will be required for the ADR-III and ADR-IV development sites when a project for those properties has been proposed.**
- 3. The previous approved ordinances shall be amended as outlined in Exhibit 1.**
- 4. Prior to Final Plat of Subdivision approval, the Petitioner shall:**
 - A. Modify the plans for ADR-II as necessary to comply with fire lane requirements as mandated by the Village.**
 - B. The Petitioner will revise the landscape plan to incorporate 12 additional evergreen trees along Euclid Avenue to screen the rear areas of Retail Buildings A and B.**
 - C. Provide a revised site plan that shows the dumpster enclosures for Retail Buildings A and B as part of the building via a wing wall and the opening for these enclosures to be facing away from Euclid Avenue.**
 - D. Provide better screening for the mechanical and loading/delivery area at the rear of the ADR-II. Such screening may require a screen wall.**
- 5. The developer shall work with Staff to include a certain portion of the 39 required affordable units on site and shall pay a fee-in-lieu for the difference, compliant with the Housing Commission motion from June 12, 2018.**
- 6. Prior to building permit issuance, the Petitioner shall provide the Village with a copy of the amended declarations, covenants, and restrictions for the PUD. To the satisfaction of the Village, this document shall provide for reciprocal access, parking, and shared maintenance amongst all developments within the PUD. The revised document must also contain language that addresses payment responsibility for water loss between the master meters and individual meters within the development to the satisfaction of the Public Works Department, or alternatively, the developer can enter into a separate onsite utility and maintenance agreement to address the concerns from Public Works (for review and approval by the Village).**
- 7. Impact fees for ADR-II shall be required at the time of building permit issuance, compliant with Village Code.**
- 8. The removal of any debris and dilapidated concrete/asphalt, and the replacement of any dead landscaping within each zone will be required if construction within any zone has not commenced within 12 months of approval of this PUD Amendment. Additionally, if at any time during construction within any zone said construction ceases for a period of 12 months, then that zone shall be cleared of debris, construction material, and landscaped to the satisfaction of the Village.**
- 9. The Petitioner shall explore construction of a landscaped median in the Euclid Avenue right-of-way and shall construct said median if determined to be feasible by the City of Rolling Meadows and Cook County Department of Transportation. All maintenance costs for this landscaped median will be the responsibility of the property owner.**

10. **The AC units located in the front yard of the hotel building shall be screened with a screen wall that is architecturally compatible with the hotel building and provides complete screening of the units (three sides). Alternatively, these units can be relocated to the roof of the building and appropriately screened.**
11. **Prior to zoning approval being granted for future development of ADR-III and ADR-IV, the Petitioner will need to survey the existing parking within One Arlington and ADR-II to determine if the parking ratios for these developments adequately capture their parking demand.**
12. **The Petitioner shall comply with all federal, state, and Village codes, regulations, and policies.**

CHAIRMAN ENNES: Is there a second?

COMMISSIONER DROST: I'll second the motion.

CHAIRMAN ENNES: Are there any further discussions? No? Can we have a roll call vote?

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Yes, with comment.

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MR. HUBBARD: Commissioner Warskow.

COMMISSIONER WARSKOW: Yes.

MR. HUBBARD: Chairman Ennes.

CHAIRMAN ENNES: Yes.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Yes.

MR. HUBBARD: Commissioner Drost.

COMMISSIONER DROST: Aye.

CHAIRMAN ENNES: Commissioner Jensen?

COMMISSIONER JENSEN: Well, my comment goes to the issues that Commissioner Green raised. If the Village wants to encourage more affordable housing rather than just fees pay, I think we need to revisit that part of the code so that we don't end up in a very odd position where we're, you know, encouraging or nudging people to do something that's really not required by code. I think it puts us in an awkward position. I think it ought to be reviewed and there ought to be more clarity on that. I hope it ends up on the side of encouraging more affordable housing.

CHAIRMAN ENNES: I would second that. So, you have a unanimous approval. Is there a date for the Village Board meeting?

MR. HUBBARD: Tentative date for the second meeting in August.

CHAIRMAN ENNES: So, good luck and happy building.

MR. KLUEMPER: Thank you very much.

CHAIRMAN ENNES: Thank you. Just a comment. I really didn't say anything about the affordable housing, but I totally agree. I think that we're making too many variances to the code, we're not ending up with affordable housing and I think we need to do something, if we want this to work, to do it better. I don't think it was ever the intention to build

up a war chest of dollars, because what are we going to do with it? We're not going to go build one building that's going to be all affordable, I don't think.

COMMISSIONER GREEN: Bike lanes.

CHAIRMAN ENNES: Bike lanes, there we go.

COMMISSIONER GREEN: Bike lanes.

CHAIRMAN ENNES: That's another subject. Okay, but anyways, so our next meeting is?

MR. HUBBARD: Going to be --

CHAIRMAN ENNES: Beginning of August? Do we have --

COMMISSIONER JENSEN: There's an issue with holidays, right?

COMMISSIONER DROST: Yes, with the --

CHAIRMAN ENNES: Well, that's the 29th. We rescheduled --

MR. HUBBARD: That's the 22nd. Yes, we're looking to reschedule the meeting on the 22nd to the 29th. I believe Mr. Enright may have something on for Chapter 28 Amendments for the first meeting in August. I will have to double check. There's no Plan Commission petitions.

CHAIRMAN ENNES: Maybe you could send us a copy of the zoning for the Affordable Housing so that we can review that.

MR. HUBBARD: I can do that.

CHAIRMAN ENNES: In our free time. Is there any other business? Can I have a motion to adjourn?

COMMISSIONER GREEN: I'll make that motion.

CHAIRMAN ENNES: Is there a second?

COMMISSIONER SIGALOS: I'll second.

CHAIRMAN ENNES: And we're all in favor?

(Chorus of ayes.)

CHAIRMAN ENNES: Okay, good night, ladies and gentlemen. Thank you for coming.

(Whereupon, the above-mentioned petition was adjourned at 9:07 p.m.)



Item: Chapter 28 Text Amendment - R-7 District - PC#17-005

Department: Planning & Community Development

BACKGROUND

— Earlier this year the Village Board approved several amendments to Chapter 28, including amendments to certain development standards in the multi family districts. As part of this discussion, amendments to the R-7 district were proposed but given that there was an active proposal (Sigwalt Street Apartments) that was seeking R-7 zoning, that portion of the text amendments did not move forward at that time.

The following includes proposed amendments to the R-7 district, which for the most part includes property surrounding the downtown area. These amendments were recommended for approval by the Ordinance Review Committee in October, 2017.

ATTACHMENTS:

Description	Type
Staff Memo	Memorandum
PC Minutes 1-10-18	Minutes

Memorandum

TO: *Plan Commission*
FROM: *Bill Enright, Deputy Director of Planning and Community Development*
DATE: *July 30, 2018*
Subject: *Chapter 28 Text Amendment – R-7 District*
Wednesday, August 8, 2018, 7.30 PM

Earlier this year the Village Board approved several amendments to Chapter 28, including amendments to certain development standards in the multi family districts. As part of this discussion, amendments to the R-7 district were proposed but given that there was an active proposal (Sigwalt Street Apartments) that was seeking R-7 zoning, that portion of the text amendments did not move forward at that time.

The following includes proposed amendments to the R-7 district, which for the most part includes property surrounding the downtown area. These amendments were recommended for approval by the Ordinance Review Committee in October, 2017.

Additions to the code are underlined in red, and deletions are ~~struck through~~.

Section 28-5 Use Districts

5.1-7 Multiple-Family Dwelling District (R-7). The purpose of the R-7 district is to provide high density multiple-family developments which will provide a buffer between the Downtown (B-5) District and the single family neighborhood, reduce transportation needs by locating high density developments close to public transportation facilities and provide a consumer base for the Downtown District area. In addition, the purpose of the R-7 District is to stimulate development in areas within a designated redevelopment area consistent with a redevelopment plan.

5.1-7.1 Location. All land within the R-7 zoning district classification, shall be located in the areas adjoining the area designated Downtown District mixed use or areas within a designated redevelopment area consistent with a redevelopment plan and also designated for “High Density Multi-Family” on the Village of Arlington Heights General Comprehensive Plan. All other parcels of land zoned R-7 prior to the adoption of this amendment, but not indicated as “High Density Multi-Family” shall conform to the requirements of the R-6 District, except that the minimum lot area for two or more dwelling units shall be 2,100 square feet per dwelling unit.

Proposed Amendments:

5.1-7.8 Maximum Building Height: 60 ft. exclusive of elevators, penthouses, stair heads and mechanical equipment.

5.1-7.4 Minimum Lot Size (Density):

Multiple Family:

2 bedroom or more: 900 sq ft per dwelling unit

1 bedroom or less: 600 sq ft per dwelling unit

5.1-7.9 Spacing Between Multi Family Buildings, ~~Including Court Standards. The following standards shall apply for:~~ shall be no less than 25 feet for principal buildings.

~~a. Between the opposing walls of outer and inner courts. Inner courts are not permitted.~~

~~b. When two or more buildings which contain attached dwelling units or multi family dwelling units are located on the same zoning lot.~~

~~c. When the windows of a living unit in a multi family or attached single family building are opposite an accessory building.~~

5.1-7.10 Spacing Standards

Conditions	Minimum Distance between Opposing Walls
-----------------------	--

a. If either or both walls contains a living room window	50 feet
---	--------------------

b. If either or both walls contains a bedroom window	30 feet
---	--------------------

c. Both walls contain windows of other rooms	24 feet
---	--------------------

d. When there are no windows in either of opposing walls	12 feet
---	--------------------

e. If either or both walls contains windows of other rooms	15 feet
---	--------------------

~~5.1-7.11 Additional Court Standards projections in Outer Courts. Projections in outer courts shall not exceed five feet.~~

5.1-7.6 Required Minimum Yards:

Front Yard: 25 feet ~~plus 1 foot for each foot or fraction thereof by which building height exceeds 40 feet.~~

Side Yard: 10% of lot width ~~plus 1 foot for each foot or fraction thereof which exceeds a building height of 40 feet.~~

Exterior Side Yard: On corner lots, there shall be maintained a side yard of not less than 20 feet on the side adjacent to the street which intersects the street upon which the building maintains frontage, and in the case of a reversed corner lot, there shall be maintained a setback from the side street of not less than 50% of the front yard required on the lots in the rear of such corner lots, but such yard need not exceed 20 feet. No accessory building on said reversed corner lot shall project beyond the front yard required on the adjacent lot to the rear, nor be located nearer than 5 ft to side lot line of adjacent lots.

5.1-7.7 Maximum Building Lot Coverage: ~~45%~~ 55% for new construction.

APPROVED

PLAN

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

COMMISSION

RE: CHAPTER 28 TEXT AMENDMENTS - PHASE 2 - PC#17-005

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Plan Commission Meeting taken at the Arlington Heights Village
Hall, 33 South Arlington Heights Road, 3rd Floor Board Room, Arlington Heights,
Illinois on the 10th day of January, 2018 at the hour of 7:30 p.m.

MEMBERS PRESENT:

TERRY ENNES, Chairman
MARY JO WARSKOW
JOE LORENZINI
BRUCE GREEN
GEORGE DROST
JOHN SIGALOS

ALSO PRESENT:

BILL ENRIGHT, Planning Deputy Director

APPROVED

CHAIRMAN ENNES: I'd like to call this meeting of the Plan Commission to order. Would you please all rise and join us in the pledge of allegiance?

(Pledge of allegiance recited.)

CHAIRMAN ENNES: I think the first item is approval of the St. James meeting minutes from our last meeting.

COMMISSIONER DROST: I'll make that motion.

CHAIRMAN ENNES: All in favor?

COMMISSIONER GREEN: I'll second it first.

CHAIRMAN ENNES: All in favor?

(Chorus of ayes.)

CHAIRMAN ENNES: Any opposed?

(No response.)

CHAIRMAN ENNES: Okay. We will move on to our first item of business and ask Bill to present the changes.

MR. ENRIGHT: Well, first, do the roll call. Commissioner Dawson.

(No response.)

MR. ENRIGHT: Commissioner Drost.

COMMISSIONER DROST: Here.

MR. ENRIGHT: Commissioner Green.

COMMISSIONER GREEN: Here.

MR. ENRIGHT: Commissioner Lorenzini.

COMMISSIONER LORENZINI: Here.

MR. ENRIGHT: Commissioner Sigalos.

COMMISSIONER SIGALOS: Here.

MR. ENRIGHT: Commissioner Warskow.

COMMISSIONER WARSKOW: Here.

MR. ENRIGHT: Chairman Ennes.

CHAIRMAN ENNES: Here.

MR. ENRIGHT: Public notice was provided in the Daily Herald.

Well, as you are well aware, the Ordinance Review Committee reviewed this project on October 25th. Phase one of the text amendments were recommended for approval by the Village Board, adopted by the Plan Commission and approved by the Village Board earlier this year, or rather 2017.

Phase two now gets into various other sections of the code, some of which is just, you know, shortening the code on its length, redundant sections that aren't necessary to show up in multiple locations. Many of the zoning districts have the Christmas tree regulations which we're just going to have once in the code, it's still there but only once, as well as the community residence standards. Rather than having it show up multiple times in the code, it will just be at the end of the use district section and appear just once. So, that will be good to just shorten the code because any user of the code flipping through its numerous pages, shortening it is certainly beneficial to the users.

Regarding some of the actual textual changes that have a little more impact, one definition that we wanted to update for sometime and kind of overlooked as part of phase one was our definition of amusement facilities. It's a very archaic definition that refers to

computer internet places where, remember back in the day when you'd have storefronts opening up with 20 or 30 computer monitors when the internet first came out and that's where people would go to get hooked up to the internet. Well, you know, that's kind of gone to the side now with the advent of the smart phones and laptops and so forth. So, and it didn't really reflect some of the things that we are seeing with respect to amusement facilities.

So, we have a new definition that caters to real uses that we're seeing in today's world and the business world, a facility that provides indoor activities for kids or adults including video arcades, games, or other recreational type of amusement such as play equipment, trampolines, laser tag, et cetera. We're recommending that larger facilities of 5,000 square feet or greater are special uses, and smaller facilities less than 5,000 would be permitted as of right. So, that was something that we wanted to add in to the recommended changes.

Chairman, would you like me to pause for any questions as we go along? Or do you want me to just move through all of these?

CHAIRMAN ENNES: I would just as soon that you went through since we've reviewed them. But if anybody has questions, do you want to --

COMMISSIONER GREEN: I just have one quick question. How many lots do we have that are actually 49 feet?

MR. ENRIGHT: Well, when we get, do you want me to, I'll address that --

COMMISSIONER GREEN: No, I'm just reading it here.

MR. ENRIGHT: Yes, I'll address that when we get to it. That's coming up shortly.

COMMISSIONER GREEN: Okay, okay.

MR. ENRIGHT: So, regarding amusement facilities, I'll take it that nobody has any concerns about that additional definition or revision.

Regarding the next section in the code, the use district sections, we're looking at the 50 to 49 feet minimum lot width. Right now, the code permits you to build on a 50-foot lot, and that's width, if a majority of the houses on your street between two intersection streets on either side of the block are less than the standard 70 feet. There are quite a few that are 50 in the center of town, the older part of town. Obviously, as you get north and south, the standard 70 with all the subdivisions in the 60's and 70's and 80's were built to the current standards.

49 footers though, we do have a couple of locations. There is one neighborhood that's south of Central and east of Arlington Heights Road where there's quite a few 49 footers. I don't quite understand it looking at the plat maps, but that's how they were platted for some reason, and these go way back, you know, 100 years. We have found in some instances where people want to either do an addition or build a new house or a tear-down, or again just an addition to an existing house because they don't meet that minimum of 50 feet, they have to go to the Zoning Board. So, we have a few of these go through the Zoning Board, you know, maybe a couple, two to three a year. So, we're recommending just altering that section just slightly to incorporate those odd locations, there's a few other small neighborhoods where this occurs kind of happenstance. So, that would be, you know, we think that's a pro-citizen or pro-resident change because it will, you know, allow people to not have to go to the Zoning Board.

In addition, as part of that, right now if you have a 50-foot lot but the majority of the houses on your block are not less than 70 feet, it's not a buildable lot. You have

to go to the ZBA to get a variation to build on it. That also includes, if there is an existing house there, so if someone wants to build an addition which is largely a nonconforming use or do a tear-down, they would have to go to the Zoning Board. We think it's illogical that someone can't build on a lot where there already is a house established there, and onerous on the citizens who own lots like this to have to go to the Zoning Board. So, we've added language or recommending language to basically in effect exempt those types of properties that already have a house on them, even if it's a tear-down. If there's a house established, then it's buildable. So, we're recommending that change because there are a handful, you know, two or three a year that go to the ZBA, they get the approved variation because it's illogical to not allow someone to build an addition where you have a house there already, as long as they meet, they still have to meet all the setback, FAR standards and impervious coverage.

So, I don't know if that, Commissioner Green, if that --

COMMISSIONER GREEN: I just was curious how many there were. But that kind of answers it.

MR. ENRIGHT: Well, I don't have a count but there's, I would say there's probably a couple of hundred.

COMMISSIONER GREEN: Okay, that's a lot.

MR. ENRIGHT: Yes.

CHAIRMAN ENNES: Are there any that might be 48 feet?

MR. ENRIGHT: No, we don't see 48 feet. We see like 48.9 but we --

CHAIRMAN ENNES: So, 49 is the exception.

COMMISSIONER DROST: So, you round them up?

MR. ENRIGHT: We round them up, yes, if it's close like that.

Moving forward with the R-4, R-5, R-6, R-7 and B-5 development standards, some of the things that we're looking at include, well, I'll just go to the next slide. Also, M-1, M-2 and P-L industrial performance standards, those are the existing Chapter 23. That's another thing we wanted to do is if there are things in other chapters, like with the Plan Commission and the Zoning Board of Appeals, the enabling language that creates those commissions is already in Chapter 6, that's where it should be. It is also in Chapter 28 where it shouldn't be, so we've eliminated that. Same thing with these industrial performance standards, they're in Chapter 23 of the building code, we don't need them to show up in the zoning code as well. Then Hickory-Kensington Overlay, we're recommending a modification of the density standards for just a small area which I'll get to.

Regarding the development standards, in R-4, we don't have much R-4 zoning in town, so this isn't a big change. But right now we're requiring 15 percent of the lot width for a side yard. We're recommending 10 percent which is the standard. The reason for that is most R-4 developments are actually single family homes, which is fine. You could do duplexes, but we just don't see people doing duplexes anymore, building duplexes. But the 10 percent is more consistent because we do see single family homes in R-4, and then they have to comply with 15 percent whereas most single family homes are just 10 percent. So, we think that's just a positive change although it's very minimal in terms of its overall impact considering there aren't many lots zoned R-4.

With respect to R-5, we're recommending the increase to the height. R-5's typically, you know, are either row homes or townhouses. 25 feet is a very old standard. Keep in mind that a lot of these standards were established in 1959, and there's been

amendments to the code up until '85, I know we've had smaller amendments. But a lot of these are pretty archaic in terms of contemporary development standards. So, the Ordinance Review Committee agreed to bump it up 10 feet.

We also have these very archaic spacing standards and this affects both the R-5 and R-6 and R-7 zoning districts where if you have a complex of multifamily townhouses like the Old Arlington Heights Road development by Lexington, the spacing of those buildings varies drastically from several feet to 50 feet, depending upon the windows type, what room is there. Well, we think that just doesn't make a whole lot of sense. If it's a bedroom facing a bedroom, it's a greater distance or less, different if it's a kitchen facing the bedroom. So, we think we should, you know, and we're finding that most of these types of developments, a 25-foot space in between the buildings is adequate. A lot of these are, well, they are PUDs anyway because they're multiple buildings, so you can always, you know, require greater setback. But we think 25 is more than adequate especially given the heights of these districts.

The height in the R-6 we're recommending going from 40 to 50 feet. Some of our R-6 developments that are less than 10-12 years have needed variations just to 40 feet. You know, the floor plates as you all know are just a little greater now. People want nine-foot ceilings instead of 7.5 like 50 years ago or 40 years ago. So, the 50 feet will accommodate four to five stories in the R-6 district, probably closer to four but you could probably get five in. Then again, the setbacks, we're looking at just 25 feet in the front, side 10 percent of lot width, rear 30 feet. Right now in R-6, for every foot of building height above 25 feet, you have to add an extra foot of setback, and we're seeing developers having to seek variations, not just about a recent development that we'll get to in a second, but these types of R-6 developments. We think that the standards put forth here are more than adequate to address, you know, required setbacks.

The R-7, we're not recommending that change in height, we think 60 is fine. Again, there's a 25-foot space in between buildings although very rarely do you see multiple buildings in R-7. I don't know if we have, we might have one older development northwest of the Jewel. But again, it's away from this, you know, what type of windows are facing, it just comes up with a standard 25 feet. Again with setbacks, you know, again R-7 requires when you're above 40 feet you have to add a foot of setback to the front and side. We're saying standard 25 feet, 10 percent of lot width for the sides, also a slight increase to the building lot coverage, 45 to 55 percent because it's more downtown urban. However, we are not recommending any action on this at this time.

The reason for that is of course we have the CA Ventures development that was recently denied by the Village Board. They have resubmitted with a modified plan and we did not want to put this forward at this point in time and have different standards set up which would, you know, change the variations, lessen them quite significantly. So, we just didn't feel at the administration level that it was appropriate, and we talked a little bit about this at the Ordinance Review, to move forward with those changes at this time because we have an active project that's controversial in the neighborhood and we didn't want to recommend these changes right now, although we would want to revisit those down the road.

Then B-5, we're looking at more rational setbacks in the B-5 Downtown District. Right now, you know, one size doesn't fit all. In the B-5 district, we basically want zero lot line in the front, and if it's an infill development on the sides, too. Right now we are different requirements for that depending upon the situation of the property. So, what we're

recommending in the B-5 is that we have public street frontages as one standard, and then interior lot lines as the other standard.

So, public street frontages, so let's take for instance the development that's going up right now, the Park View Apartments, that is completely surrounded by commercial property on all sides, and it has public street frontages on two streets, on Dunton and on Eastman. So, you know, that would be zero lot line, that's all that would be required which makes sense. The only time we'd require a setback is if that public street frontage is actually across the street from residential property. So, for instance, the block where, well, the CA development but that's R-7, north of that is --

COMMISSIONER DROST: The old Paddock property.

MR. ENRIGHT: Yes, the old Paddock property owned by Mr. Adriani. If you look at this downtown zoning map on my cursor here, this is the B-5 part. Part of it's across from R-6, but part of it's across from R-3. So, even though it's a public street frontage, because it's across from residential R-3, we would recommend a 25-foot setback. But up here, up north along Campbell Street or along Highland, since it's across from B-5, it would be zero lot line in terms of code. Then to the south, you know, you have interior lot lines, you have to have 25 feet abutting residential. So, at the south of this property, since it would be abutting R-3, at the south end of the block you would have to have a 25-foot setback.

So, we think this is just more reasonable and fits to the downtown. We think that some of the restrictions previously just didn't make sense in a lot of cases. One good example is 13 East Miner, Mr. Panzarino got the preliminary PUD up on Miner. It's basically zero lot line up front and on the side. He's going to put some windows in on one side, so that has to be five feet back pursuant to building code, but you need a big variation for that. So, you know, those types of infill developments are going to be built building to building more or less and up to the sidewalk. That's kind of the form that we want downtown.

So, we think that these new setbacks are a lot more applicable to the reality of downtown and what we want to see without having to grant all these variations. Then going back to the Hickory-Kensington Overlay, we're recommending an increase to the density. The overlay zone for Hickory kind of involves not this whole blue area but that's the Hickory redevelopment area, we're really just talking about two block faces. As you know, Campbell Street we want to come through, so it's, you know, two lots on either side of the spur line, one lot is that development that's proposed for 74 units. Because of the streets coming through, it's chopped that property by about a third. So, the building they're proposing is five stories, it's meeting all the setbacks and the height for the overlay zone. But because of losing that property to the north for the street and the excess land, they would have to seek variations.

The same would be the case if the Ladoff property where the Mariano's employee parking is, same thing there, with the street coming through, the density doesn't quite fit for what's left over. So, we're just trying to match it with our other development standards for the Hickory overlay zone. It does not affect, you know, the Heller site because that's R-7, or anything north of what will be Campbell Street because that remains R-7. Then the only other portion of the B-2 site, this is where the new daycare is going, so that's going to be there we're presuming for quite some time, is this other block where you have the little strip center here, Kensington and Hickory, and there's, you know, a couple of abandoned buildings. You have the bowling alley here and a couple of service type businesses.

So, it's just the smaller area in red that would be affected by this

APPROVED

overlay, but it does allow for increased density, but the form still looks the same. It's the same height, it's the same building without the penalty of losing that extra land. If this one developer didn't lose all that extra land, they would have been close because I think they were like two or three over. But given that this overlay zone was intended to be form based, what I mean by form based is this is what we want to see, the shape and the setbacks. We don't want 30-foot setbacks, we want it kind of zero lot line to five feet, on Kensington, 10 to 15 feet. So, it meets all those standards. So, that's kind of the gist behind amending that overlay zone just for these two block faces.

General provisions. Height of fences. We used to allow six-foot fences in town and we changed it about 25 years ago maybe, something like that. We're finding a lot of people, we haven't done surveys, but we're finding a lot of people over the years, you know, complaining about not being able to do a six-foot fence. They don't think five is private enough. We do allow six feet when you're adjacent to commercial property. We do allow it if you're adjacent to a major road, as well as solid fences in those cases. But it's five feet otherwise. We're recommending increasing it to six feet. We're also recommending allowing solid fences.

In addition, because we're getting a lot of these prefab fences now with the hard core plastic, they look nice but most of them are solid. Some of them have tiny little gaps in it, but most of them are solid. We think they look fine. People can still choose to do a semi-open fence if they want. Certainly this just affects the sides and the rear, not the front yard. They're still limited to three feet and open in the front.

Then the corner setbacks, corner lot setback, if you have a corner lot and your backyard fronts on a street, you have to set back your fence half the distance between your house and the property line or a minimum of five feet. You know, let's say a house is set back 30 feet, then they'd have to set back their fence 15 feet. That carves out a big chunk of their backyard. We're saying just set it back five feet no matter what the circumstances. On the outside of that, you still have to landscape it like you do now. But we think it's a little onerous to have people having to set back the fence quite a bit, and we get a lot of complaints on that. That's probably one of our biggest fence complaints, because people are basically losing a portion of their backyard if they fence it in because a big portion is on the outside of the fence which no longer really becomes usable.

So, that's a change that, you know, doesn't come up a lot but there's quite a few corner lots. Most houses aren't set back 30 feet. They're, you know, more like, you know, 20 or 15, so most setbacks would be 7.5 to 10 feet. We're saying five for these corner lots.

In addition, our table of permitted obstructions, we want to update it and add things that are more common now. I mean, I don't know why generators -- done before but we'd like to add that. Fire pits are becoming more common although it's not in the permitted obstructions table which is, these are things that are allowed in backyards. Outdoor living kitchen areas, we're getting a lot of those. The sport courts as well, although all of these still have to meet the impervious surface coverage in the rear yard which cannot exceed 40 percent.

Then also in the front, the entryways, we don't allow porches unfortunately unless you meet the setback. So, they can't be a permitted obstruction. We do allow little entryways to be a permitted obstruction into your setback, but it can only be four feet deep and then eight feet wide, which is kind of small. We see a lot of people would want to do a

nice little entryway that's a little more proportional, five feet extended out from the front door, and then 10 feet wide. That allows a little more architecture and, you know, a little more work done with any columns or posts, but nothing huge. We think we're just adopting to, you know, current development standards, things people want to see with their homes and proportion the front entryway to the rest of the house.

We're also recommending eliminating the detached garage 10-foot setback from the house. It's already in our building codes. You can get an exemption from that by building a fire-proof garage, which means the building code does allow less than 10, but our zoning code doesn't. So, people would have to come to the Zoning Board to get a variance. It's strictly a building code issue and that's where we want to leave it, so we're recommending getting rid of that out of the zoning.

Are there any questions on anything --

CHAIRMAN ENNES: With these permitted obstructions, these have to be set back, generators, fire pits, outdoor living kitchen?

MR. ENRIGHT: Yes.

CHAIRMAN ENNES: They have to be set back from the lot line?

MR. ENRIGHT: Yes, they do.

CHAIRMAN ENNES: Are there also restrictions?

MR. ENRIGHT: Yes. Most permitted obstructions in the rear yards have to be set back three feet from the side and five feet from the rear. That's consistent, for instance, a detached garage which could be 720 square feet in size, 15 feet height to the peak, those are required to be three feet and five off the rear. So, that would be the minimum. Pools have to be a little more.

CHAIRMAN ENNES: Do they also have to be separated from the house?

MR. ENRIGHT: Generally not. There may be some code requirements for fire pits, but generally no. I mean, you know, a generator, they're often right up against the house or a couple of feet away for circulation.

COMMISSIONER DROST: Yes, have we, you're aware of what Des Plaines is doing right now? They're creating a little bit more massing, more density in their community.

MR. ENRIGHT: Right.

COMMISSIONER DROST: Reading between the lines, it appears that they're trying to become more developer-friendly and they're trying to reinvent or to make some, well, let's say improvements from what, you know, originally evolved in the downtown area. Are some of these little pieces, you know, kind of going in that direction, too, helping developers out, you know, making our standards more contemporary with the marketplace and some of the competing areas in the northwest suburbs or west suburbs?

MR. ENRIGHT: I think yes. What I like about this phase two is that it's not just, you know, developers building, you know, midsize to large projects depending upon the location, but it's also making I think positive changes for single family homeowners in town. You know, these issues come up a lot. Homeowners are always asking about fences and setbacks for fences and putting fire pits or outdoor living kitchens, things of that nature. So, I think a lot of these changes are positive for homeowners in town, and often we kind of overlook them, we focus on the big stuff. So, I think it's a combination of both.

I do think that the development standards purely with these, a little

bit with the changes in the height, I think, you know, certainly make some more contemporary developments that have been approved. So, these height changes aren't things that are out of whack with the intent. It just eliminates the need for a few variations. Most of those variations get granted anyway. So, I think the Plan Commission and the Village Board recognize that our code is a little out of whack on some of these things.

I think the setback changes, or I think the setbacks now in some of these districts are a little punitive. The higher you go, the bigger the setback. But then, you know, then it becomes harder and harder to even build on the property. So, I think those are definitely positive changes.

COMMISSIONER DROST: Yes, and there's just one horrible example here of the setbacks, you know, on the south end, or just south of us on Arlington Heights Road, that building that always gets, you know, it's almost in the street. So, there is a balance here on we're not going to be afraid of any of those monstrosities coming out of the woodwork.

The second piece, too, is when we're thinking about these changes, do we think about them in a holistic sense from the standpoint of, okay, here are some of the trends? But the trends also bring a certain type of resident and we're looking at sort of the economics, the demographics, the sustainability. How does this add to the, let's say the entertainment piece of the Village? How does it, that's the restaurants and some of the services, particularly in the more vertical downtown area.

MR. ENRIGHT: Well, I think regarding, you know, how is this pro-business, I think really phase one when the Plan Commission recommended and the Board adopted the change to the special use waiver for restaurants, increasing it from 1,500 square feet to 4,000, I think that was a real positive step for those types of businesses. We want to see that all throughout town, not just downtown.

COMMISSIONER DROST: Right.

MR. ENRIGHT: So, that's been beneficial I think in terms of being pro-business and then stimulating the market at least for that category of use. I think that some of these changes, I mean we're doing pretty well, I mean you know.

COMMISSIONER DROST: Yes, and that's sort of the dialogue, I mean not that we're going to change it here, but you know, to put it in to sort of the perspective of again a macro look, you know, what we're doing to make our, and again, the downtown area might be the canary in the coalmine, but you know, 20 years ago we didn't allow for outdoor dining, al fresco dining.

MR. ENRIGHT: Right.

COMMISSIONER DROST: Now, you know, with windows and with rollups and, you know, sort of what the expectation level is now from the marketplace to respond to that.

MR. ENRIGHT: Our Village Board is going to be looking at evaluating some of the liquor code changes which may or may not happen. But if they do, you know, it could open up some new types of businesses in town, and we're looking at where those would be appropriate from the zoning standpoint.

COMMISSIONER DROST: Good, just for the record.

MR. ENRIGHT: Okay. Moving on to parking, one of the big issues that the Plan Commission has rightfully had as well as the Village Board is, you know, the parking requirements for elementary schools being kind of out of touch, and we think they are. We're recommending that with the new code, that elementary schools are parked at one space per

employee plus one space for every five classrooms. We did a survey of a bunch of communities around us, and we found out that a lot of them do kind of this hybrid, it's a mix of employee and number of classrooms, you know. An elementary school is adding, you know, five or six classrooms and they're expecting enrollment to go up, then, you know, we've seen that recently with several elementary schools where they may need 90 to 100 spaces but our code requires 320.

So, we're recognizing that our code, and I think every, you know, I don't want to speak for the Plan Commission but that's the feedback that we've gotten from the Plan Commission and Village Board is some of these things seem a little out of whack given the magnitude of variations, and also given the data that the schools have provided to us with actual counts. So, we've tested this new standard and it fits in. It doesn't mean that every elementary school would not have sought a variation. Olive had very little parking space, they would have needed a variation. Some of the other schools that have come through recently would not have needed a variation, or at least wouldn't have been nearly the extent. So, we feel that it's a good standard to make it more fair for the schools.

We haven't found a problem with the high schools in terms of the standards working. You know, the only issue we've had historically is really St. Viater with spillover into streets, but when they built their additional parking lot in the front, that helped a lot.

One other thing we're looking at is the collector provision requirement. We talked about this at the Ordinance Review Committee. The collector provision requirement can sometimes be a bit onerous for community centers or places of worship where we're, or even like Ivy Hotel, where we're looking at the different components within that use and applying the different standards rather than just, okay, this is a place of worship, you need one space for every five seats in the sanctuary. It's kind of grown into more of a map where, you know, you've got the sanctuary and then you've got a meeting space over here and another space over here, and you look at all of them and add it up and you need 600 spaces. Well, the reality is you don't necessarily use all those spaces at the same time, very rarely. So, we want to look at that a little closer.

Certainly, the collector provision works for shopping centers. I mean a shopping center is going to have different types of uses that each have different parking requirements. So, we adopt to that and use the collector provision portion of the code where a restaurant is at one to 45, retail is at one to 300, furniture store is one to 600. So, that's the collector provision. But we also apply it to these bigger uses and we're seeing these huge variations being requested because of the collector provision. So, we want to do a lot more research on that and then report back to the Plan Commission, first to the Ordinance Review Committee probably in, you know, in the next couple of months once we get more data on that. So, we didn't want to push that through at this point.

Accessible spaces, we have the number of accessible spaces in our zoning code; however, it's regulated in the state code which we follow as required. Sometimes the state code can be modified a little bit, and then we don't modify it in our code. So, our attorney is recommending just deleting it from our zoning code, since it's in the state code and we still have to follow it. We as planners all have the chart that says what you need in terms of parking, and when developers ask we can hand that out to them or put it on our website, but it's not something that would be in our code because it's again getting back to being somewhat repetitive.

Then the other thing we're looking at that I think is a real positive for small businesses and smaller uses is the substantial compliance section. We're recommending that Staff can approve a variance, or not even approve a variance, I should rephrase that, it's determining that parking is in substantial compliance with the code if their deficit is less than 10 spaces or it's less than a five percent deficit. So, if you have 100 spaces required and you have 96, that would be a less than a five percent deficit. Or if you're required to have, you know, 100 and you have 91, then that's less than 10 spaces. So, what would have to happen there is a developer or landowner, and usually this comes into play with small, older developments in town, if this is a brand new development, you can't invoke this clause, you have to meet code or get a variation. But if it's an existing building, an older building in town that don't quite have enough parking but they want to bring it in use, if they can demonstrate to us that they have adequate parking through parking counts and data, then Staff can make a determination, as we do everyday with our zoning code, that there is enough parking there so they don't have to go to the Zoning Board of Appeals.

We probably have, you know, five or six of these types of variations that go to the Zoning Board every year. By and large, I think most of them have all been approved, which is fine because they've demonstrated that they have enough parking. So, we think with the smaller type, and they're typically smaller, although it could affect a large location as well, but if it was a big shopping center, you've got 700 parking spaces, you know, if they could demonstrate that, you know, if they're less than five percent short, they've got plenty of parking, why make them go through either Plan Commission or the ZBA. So, we think this is again, you know, small business friendly and avoiding having to go through a somewhat arduous process and leaving it up to Staff to make some of these determinations.

Hardship criteria. We've of course talked about that on many occasions. The Zoning Board, or I'm sorry, this affects the Zoning Board as well, and we did provide this to the Zoning Board on Monday for their information. But we have several, and I included them in the packet, several different types of requirements that different communities have as well as the LaSalle factors which was a 1950's court case in Illinois that kind of established some standards for evaluating variations. What we've come up with, one thing we heard at Ordinance Review is, you know, liking the idea of simplification. We've heard that from the Plan Commission and the Village Board for years now that, you know, some of these things are hard to understand, or not necessarily hard to understand but hard to really evaluate, and hard for developers to really address.

So, we've kind of morphed our existing standards and incorporated a couple of new ones. But we think these four standards really address the issues that come up on variations. The way they're written, they can really be for, you know, a variation for density or height, or it can be a variation for a business that wants to go in that's not allowed in the M-2 District, if it's only 2,000 square feet in size, you know, something of that nature. So, they're really, we wrote them carefully so they can really be applied to either of those types of situations because they're different.

But basically, the proposed use will not alter the essential character of the locality and be compatible with existing uses and zoning of nearby property. That's a pretty fundamental thing that the Plan Commission looks at and rightfully so.

The plight of the owner is due to unique circumstances, may include the length of time the property has been vacant for instance. That's something we look at, too.

So, developers are still going to have to, big and small, are going to have to demonstrate that they meet these criteria. But we think these are a little more crisp and a little easier to understand. We still need to coach them sometimes at the Staff level but that's fine.

The proposed variation is in harmony with the spirit and intent of this chapter. I think what that means is, you know, let's take, you know, a parking garage in a building where they, you know, because of the columns, they can only do 22-foot drive aisles instead of the required 24. Well, that variation, it's meeting the intent of the code. They have a demonstrated reason for that, a unique circumstance, you know, because it is unique, Bruce Green understands that as an architect. So, those types of things where it's still meeting the intent of the code in its totality.

Then, the variance requested is the minimum variance necessary to allow reasonable use of the property. That's kind of reined people in so they just don't come in and say we want 5,000 units when we allow 50, you know, things like that. So, it has to be reasonable.

They have to meet, you know, they have to provide the findings for that and what the justification is. When they're granted, too, it's important for the Plan Commission and the Zoning Board to, you know, state why they think it's okay. You do that kind of during comments. I don't think it necessarily has to become more formalized. The Zoning Board actually issues findings of fact where they'll go one, two, three four. But usually they're looking at like one variation or maybe two for a single family house, a little more straightforward, yours can get a little more complex depending on the scope of the project.

So, you know, we think these are more clear. We used to have that, you know, the economic part of it which was tough to understand, just the basic hardship of our code. You know, in particular, that the property cannot yield a reasonable return. Well, that's always been a tough one for anybody to try and justify, you know, what a reasonable return is. I know Commissioner Jensen brings this up a lot about, you know, how do you do that like for not-for-profit schools? I mean they're not in the business of reasonable return unless it's, you know, good grades.

So, we think these are better and more clear. I think, Commissioner Warskow, this addresses, well, you weren't at the ZBA, I'm sorry, that was, Commission Dawson was there and Commissioner Jensen were the only two there that night. But these are the types of things that they brought up and hopefully that was reflected in the minutes of the Ordinance Review Committee.

So, at this point, you know, there is a nonconforming use section, a Design Commission section. That's just kind of clarifying things, getting rid of duplication with the Design Commission stuff that exists in the enabling ordinance in Section 6 of the code. Nonconforming use, I don't think anything is changing the gist of that, we're just making it a little more clear in the way it's written hopefully.

So, with that, we're recommending approval of the amendments to the various sections listed except for the R-7 standards which we'd like to visit at a later date. Are there any questions?

COMMISSIONER DROST: Good job.

MR. ENRIGHT: Thank you.

CHAIRMAN ENNES: Do those proposed changes for the R-7, would they impact the proposed development that's out there for Campbell?

MR. ENRIGHT: They would.

CHAIRMAN ENNES: They would.

MR. ENRIGHT: They would greatly lessen the setback variations. I still think they would need some setback variations, but it wouldn't be nearly as large. We don't want to, you know, although Staff supported that development and supported the setback variations because in our opinion, as I'm stating today, the R-7 standards and the R-6 and the R-5 with those graduated increases based on height, we think, you know, are a bit antiquated. So, but we're not recommending those changes because we just feel that it's inappropriate, bad form to be putting forth these changes while development is going through the process which would potentially benefit them.

CHAIRMAN ENNES: Is that primarily because of the neighbor complaints?

MR. ENRIGHT: Pardon me?

CHAIRMAN ENNES: Because of the issues the neighbors are having with it?

MR. ENRIGHT: Yes, it's certainly part of that. But I think it's just, even if we didn't have concerns from the residents, I still think that when you have a project that's active going through the process, you don't want to change the code that's going to directly impact that for better or for worse.

COMMISSIONER DROST: Yes, it's the appearance of --

CHAIRMAN ENNES: But is it fair to the developer? I mean if we're talking about doing this anyway --

COMMISSIONER DROST: That's going to be up to the Village Board of Trustees to decide. I mean I think that's, they can, they've got that power to do it.

MR. ENRIGHT: Irrespective of the CA Ventures, I think it's the right thing to do just looking at the zoning ordinance. But again, as Commissioner Drost just briefly stated, you know, there is the appearance, too. We don't want it to look like we're doing this for a developer.

CHAIRMAN ENNES: All right, yes. I understand.

COMMISSIONER DROST: Right. We want to help positive development. There was good article, too, on apartments and the development of apartments in the area. We were not, we're sort of deficient with other communities. We're also talking about the crescendo, you know --

MR. ENRIGHT: Yes, we haven't seen as many. Yes.

COMMISSIONER DROST: Sort of the, again, the economic issue. If you don't mind, I'll make the motion to approve. Is that okay?

COMMISSIONER SIGALOS: I just have one question. You touched on it, when I was reviewing this here tonight. I started, we're eliminating all the different fees. Is that elsewhere in the code or are you eliminating the fees?

MR. ENRIGHT: That's, no, we're not eliminating the fees. Those fees are in other sections of the municipal code, so they don't need to be in the zoning code because they're not zoning issues.

COMMISSIONER SIGALOS: That's what I assumed. Okay, thank you.

COMMISSIONER DROST: If it's okay, I'd like to propose a motion.

CHAIRMAN ENNES: Please do.

A motion to recommend to the Village Board of Trustees approval of PC#17-005, Amendments to Chapter 28, Sections 3, 5, 6, 7, 10, 11, 12, 13, and 14 as outlined in the Staff memo dated January 3, 2018.

COMMISSIONER SIGALOS: I'll second that.

CHAIRMAN ENNES: All in favor?

MR. ENRIGHT: No. Typically, we'll do roll call.

CHAIRMAN ENNES: I don't think we need one though.

MR. ENRIGHT: Well, we might as well.

CHAIRMAN ENNES: But we can, yes. Okay.

MR. ENRIGHT: Let's see. Commissioner Drost.

COMMISSIONER DROST: Aye.

MR. ENRIGHT: Commissioner Green.

COMMISSIONER GREEN: Yes.

MR. ENRIGHT: Commissioner Lorenzini.

COMMISSIONER LORENZINI: Yes.

MR. ENRIGHT: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MR. ENRIGHT: Commissioner Warskow.

COMMISSIONER WARSKOW: Yes.

MR. ENRIGHT: Chairman Ennes.

CHAIRMAN ENNES: Yes. So, you've got a unanimous approval.

COMMISSIONER DROST: Yes, but there's no guarantee. We're just here

to advise.

(Whereupon, the above-petition was concluded
at 8:20 p.m.)



Item: 2019 Budget

Department: Planning & Community Development

ATTACHMENTS:

Description

Proposed 2019 Budget

Type

Exhibits

VILLAGE OF ARLINGTON HEIGHTS

BOARDS & COMMISSIONS 2019 BUDGET REQUESTS

Name of Commission: Plan Commission

Chair: Terrance Ennes

	2017 Adopted Budget	2017 Actual	2018 Adopted Budget	2018 Actual YTD	2019 Proposed Budget	Accounts
Compensation:						
Boards & Commissions	\$3,400	\$1,870	\$3,400	\$765	\$3,400	101-1009-502.10-03
1 Chair x 24 mtgs x \$20						
8 Members x 24 meetings x \$15						
Social Security	\$200	\$116	\$200	\$50	\$200	101-1009-502.19-11
Medicare	\$100	\$27	\$100	\$11	\$100	101-1009-502.19-12
Contractual Services:						
APA membership dues	\$200	\$0	\$200	\$0	\$200	101-1009-502.22-02
Travel & Training						
Educational/training materials	\$300	\$0	\$300	\$0	\$300	101-1009-502.22-03
Photocopying	\$300	\$0	\$300	\$0	\$300	101-1009-502.22-15
TOTAL EXPENDITURES	\$4,500	\$2,013.00	\$4,500.00	\$826.00	\$4,500	