Village of Arlington Heights
Plan Commission
Board Room, 3rd Floor
Arlington Heights Village Hall, 33 S. Arlington Heights Rd.
June 22, 2022
7:30 PM

I. CALL TO ORDER

II. ROLL CALL

IIIAPPROVAL OF MINUTES

A. Plan Commissioner Training Session - 6/8/22

IV.PUBLIC HEARINGS

A. Mueller Lot Consolidation - 318 W. Mueller St. - PC#22-003
Plat of Subdivision to Consolidate, Variation

B. St. Anne Home Shelter for Girls - 800 N. Fernandez Ave. - PC#22-004
SUP for Sheltered Care Home, Variation

V. OTHER BUSINESS

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 Rosangela Maldonado, at 33 S. Arlington Heights Road, Arlington Heights, Illinois 60005, rmaldonado@vah.com or (847)368-5791.

Plan Commission
6/22/2022

Item: Plan Commissioner Training Session - 6/8/22

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
Plan Commissioner Training Session - 6/8/22	Minutes

PLAN
COMMISSION

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

RE: PLAN COMMISSIONER TRAINING SESSION

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 8th day of June, 2022 at the hour of 7:30 p.m.

MEMBERS PRESENT:

MARY JO WARSKOW, Acting Chairperson
LYNN JENSEN
JOE LORENZINI
BRUCE GREEN
GEORGE DROST
JOHN SIGALOS
JAY CHERWIN

ALSO PRESENT:

SAM HUBBARD, Development Planner
HART PASSMAN, Village Counsel

DRAFT

ACTING CHAIRPERSON WARSKOW: It's 7:30; I'm calling the Plan Commission hearing to order. Can we have a, let's stand for the Pledge.

(Pledge of Allegiance recited.)

ACTING CHAIRPERSON WARSKOW: Great. Now, can we have a roll call?

MR. HUBBARD: Commissioner Cherwin.
COMMISSONER CHERWIN: Here.
MR. HUBBARD: Commissioner Drost.
COMMISSONER DROST: Here.
MR. HUBBARD: Commissioner Ennes.

(No response.)

MR. HUBBARD: Commissioner Green.
COMMISSONER GREEN: Here.
MR. HUBBARD: Commissioner Jensen.
COMMISSIONER JENSEN: Here.
MR. HUBBARD: Commissioner Lorenzini.
COMMISSONER LORENZINI: Here.
MR. HUBBARD: Commissioner Sigalos.
COMMISSONER SIGALOS: Here.
MR. HUBBARD: Chair Dawson.

(No response.)

MR. HUBBARD: And Vice-Chair Warskow.
ACTING CHAIRPERSON WARSKOW: Here.

All right, so we have minutes from the May 25th hearing to approve. Do I have a motion?

COMMISSONER GREEN: I'll make that motion for approval.
ACTING CHAIRPERSON WARSKOW: Can I have a second?
COMMISSONER CHERWIN: I'll second.
ACTING CHAIRPERSON WARSKOW: All those in favor say aye.

(Chorus of ayes.)

ACTING CHAIRPERSON WARSKOW: Okay, so I believe the business before us today is to have some training session.

MR. HUBBARD: Yes, thank you, Chair Warskow, for the introduction. We are trying to hold kind of a refresher course on some of the basic principles of planning and some of the items that the Plan Commission should keep in mind when evaluating and deliberating on projects as well as best practices for being a Plan Commissioner. So, I'll touch on a few things this evening. I'll talk about just the general role of the Plan Commission and Staff in this process. I'm going to outline some of the plans and documents and codes that are the foundation for planning and zoning in Arlington Heights. These are items that provide kind of the regulatory framework for evaluation of projects that we review at the Plan Commission, both taking into account the Staff analysis and then items that the Commissioners should consider when evaluating and deliberating on their recommendation.

Hart Passman, the Village Counsel, will talk about some of the specific evaluation criteria for different types of zoning approvals that are requested by petitioners, as well as the overall decision-making process and how to analyze each project and the procedural rules for deliberations and best practices. He'll also touch on the Open Meetings

DRAFT

Act and some ethics, and then we'll open up the floor for any questions. So, I'll get right into it.

So, the Illinois State Statutes set forth the legal authority for the zoning and planning commissions to exist here in Illinois. Our Municipal Code sets for the local regulatory standards for the Arlington Heights Plan Commission, specifically, the Plan Commission is authorized by Section 6-201 of Chapter 6 within the Municipal Code which provides a purpose and intent for the Plan Commission, which is to provide for an appointive, fact-finding advisory body which shall, after due deliberation and public hearing when required, make recommendations to the Board of Trustees on matters pertaining to the Comprehensive Plan and Official Map. So, any time there is an amendment to the Comprehensive Plan or when the Comprehensive Plan is proposed to be updated, that will go before the Plan Commission for your consideration.

Any time someone wants to change the zoning regulations contained in Chapter 28 of the Municipal Code, that also has to go before the Plan Commission for a public hearing and you'll make a recommendation on those changes for the Village Board to consider. Similarly, for Chapter 29, the subdivision regulations, any property proposed for subdivision will need to appear before the Plan Commission. And any individual petitions pertaining to those items above, such as a request for a rezoning or a special use permit, a land use variation or a PUD; those are individual petitions which will also come before the Plan Commission for your consideration, deliberation and recommendation.

Then other miscellaneous matters could be referred to the Plan Commission, items such as neighborhood plans like the Downtown Master Plan, or a corridor plan like the Rand Road Corridor Plan that was presented to the Plan Commission back in 2018. Chapter 6 also outlines several of the policies and procedures for the Plan Commission such as meetings are to be scheduled so as to end at 10:30pm. So, again once we get to that 10:30 mark, you'll recall that we have to make a motion to either adjourn the meeting at that point or extend it beyond 10:30.

Chapter 6 sets forth the appointment procedures for the Plan Commission. All Commissioners are appointed by the Mayor and approved by the Village Board. You all serve three-year terms until your successor is appointed. The Chair is also appointed by the Mayor and then approved by the Village Board. A Chair cannot sit for more than three consecutive years unless it's determined to be in the best interest of the Village by the Mayor. Plan Commissioners are responsible for attending all meetings, and it is actually in the Village Code that if you miss three consecutive meetings, you're responsible to submit a written explanation to the Chair. Then of course if you cannot make a meeting, you are supposed to notify the Planning and Zoning Department so that we can plan and make sure that we have a quorum for the meeting and hearings that are scheduled to occur.

Relative to the role of the Planning Department, we are led by the Director of Planning and Community Development. That's Charles Witherington-Perkins, and then the Assistant Director Bill Enright. They oversee the Planning Division; also Economic Development activities; the Urban Design area of the Department which is responsible for the Design Commission; the liaison to the Design Commission is the Design Planner; also, the zoning side of things and the Zoning Board of Appeals; and then our housing expertise which reports to the Housing Commission. We do have a mission statement and Department objectives; probably the key one here is number four, Staff provides timely and professional advice to the Village Board and other boards and commissions such as the Plan Commission. So, that's what we do. We analyze projects, we create a Staff recommendation and a Staff

report, and then we give our expertise to you all to consider when you deliberate on those items.

I want to touch on some of the plans and documents and codes that are important and provide a framework for planning and zoning in Arlington Heights. Here are the five key areas.

Relative to the Comprehensive Plan, it is a description of long-range public policy affecting community character, economic well-being, cultural and social amenities, ease and convenience of circulation in the Village and orderly development of various land uses, and it serves as a policy guide in all decisions related to community growth. So, it's an advisory document only. It does not regulate or control the use of private property. It just provides kind of a guide for future growth.

So, if somebody wants to rezone a parcel, like maybe it's zoned residentially and they want to establish a business use and rezone it into one of our business districts, we often look to the Comprehensive Plan to see what it outlines for the future use of that property. There is a map, a Land Use Map within the Comprehensive Plan; every piece of property in the Village is given a classification. I have just an excerpt here for the downtown area, and then of course the legend on the side where each color corresponds to the specific classifications. So, this is one of the factors we look to when evaluating a rezoning, or perhaps it's a commercial piece of property and somebody doesn't want to rezone it, but they want to apply for a land use variation to use it for a more industrial related use that's not permitted in the business district zoning of that property. So, we'll look at the Comprehensive Plan as a lens to analyze that type of request.

The Official Map is part of the Comprehensive Plan. We don't hear too much about it but it does identify the location of present and future public service facilities and improvements, thoroughfare system improvements, park and school sites, and land for other public purposes. In the Comprehensive Plan, there is the Official Map. It does encompass the entire boundaries of the Village, but not every property has a designation unlike the Land Use Map within the Comprehensive Plan. There are only specific properties with designations here. So, for example, if somebody wanted to propose a different type of land use for the area right at Miner Street and Dryden which is occupied by a junior high school, we would look to this plan and it outlines that that piece of property is to be used for a junior high school and any specific proposal that's outside of that designation would not be compatible with the Official Map.

So, some of the other areas that we factor into many of our analyses are relative to specific plans, redevelopment plans or corridor plans that we have in the Village. There are a few of them listed to the left on the screen here such as the Downtown Master Plan, Hickory-Kensington Area Plan, and the South Arlington Heights Corridor Plan. So, when we're analyzing a development proposal on land that's included within one of these planning areas, we'll look to the specific recommendations included within that plan that would consider them within our analysis of that development proposal. For example, on the Hickory-Kensington Apartments that were proposed at the northwest corner of Hickory and Kensington Avenue, that was part of the Hickory-Kensington area plan. That development took into consideration many of the recommendations within that plan and we used that as a basis for analysis and Staff's recommendation on that specific development proposal.

Then of course there's Chapter 28 of the Municipal Code which formally titled The Comprehensive Amendment of the Zoning Ordinance of the Village of Arlington Heights, also called the Zoning Code or the Zoning Ordinance. It sets forth the various zoning districts in the Village, what type of uses are allowed in those districts, and then the

specific development standards for each use such as parking regulations, setbacks, heights, et cetera. So, I would call this the bible of zoning here in the Village.

It also sets forth, at the beginning, its intent and purpose. There are 15 different criteria or goals of the Zoning Ordinance. They are here in this slide, I'm not going to go through each and every one of them but, for example, one of the intents is to provide adequate light, air, privacy, and convenience of access to each property. So, when we look at various development proposals that involve a special zoning approval like a special use permit, one of the standards of approval often refers back to whether the proposal is within the harmony and intent of the Zoning Code. Then here you see what the intent and purpose of the Code is, so we often refer back to these as part of our analysis for specific zoning actions.

Finally, there's Chapter 29 of the Municipal Code. These are the subdivision control regulations. Any time someone is proposing to subdivide property in the Village, we look to the standards within Chapter 29 to evaluate that. There is a purpose within the Subdivision Code, it's a little bit more brief than what is within the Zoning Ordinance. But if there are specific areas of concern during our analysis of subdivision projects, we do look towards the purpose of the subdivision control regulations when analyzing those projects.

So, that being said, I'll turn the floor over to Hart. He's got the far more interesting part of the presentation this evening, and he'll talk about some of the specific criteria for approval.

MR. PASSMAN: Thank you, Sam. Good evening, everybody. I'm going to focus, as Sam mentioned, on some of these processes that Sam introduced at the onset, the standards in our Zoning Code, moving on then from there to some procedural issues, and then finally closing with the Open Meetings Act, a little bit on FOIA and a little bit on ethics.

I'm not going to cover subdivision, primarily in the interest of time. It's a different, I know it's a different topic and I think it occupies less of your time. If we would like to do any more specific training on subdivision, I'm happy to do so of course, but tonight we're not going to focus on that.

So, I wanted to take you through some of the types of relief that you see on a regular basis, and just talk through both Illinois law, the Village Code, and then just some practical considerations that relate to all of these. We'll start with special uses.

As you'll see on your screen, under Illinois law, a special use is one that is generally appropriate in a zoning district, but because of its characteristics, there is a desire for a specific evaluation of its propriety at a given location. It's important to remember under Illinois law, by deeming a use a special use, our Board has said this is generally okay. There's a presumption that the use is okay in some ways. It's only we look at that specific analysis, either something about this location or the way it's being operated in this location that causes an issue or causes a problem. That's an important construct if you ever get into a dispute about a special use, but I think that it's critical for you to understand, and the Village Board also, that there is, I won't say a presumption of validity but there's a little bit of a running start to an applicant for a special use that does not exist for other forms of zoning relief.

Now, our Zoning Code actually has two different sets of standards for special uses. They're similar, but I want to cover both of them. Section 8.2 of the Zoning Code technically is what the Village Board is supposed to look at when it takes your recommendation. I put the two standards on the screen.

The first is, and this is really classic special use analysis, “Is the proposed location and establishment desirable or necessary for the public convenience or

welfare"? That's that kind of critical analysis I mentioned at the onset. Similarly, 'Is it harmonious and compatible with the other uses adjacent in the vicinity'? That's what the Board is supposed to look at.

Yours are similar, not quite the same. The first one is that the special use is deemed necessary for public convenience at the location proposed. The second is that it's not detrimental to the health, safety, morals, general welfare, a phrase we see often in zoning and land use issues.

Finally, a little bit of an odd condition if I may suggest given that we don't know what the conditions are yet, but the third condition is that the use will comply with whatever the conditions may be, which in some respects you can't know because you don't know what the conditions are at the time. Nevertheless, you can recommend conditions, and I think this actually is helpful in a sense, it gives you the ability to do just that. It may be that a special use is in fact appropriate at a proposed location but only if there are certain conditions that are imposed. I know you're familiar with that. I know Staff is very good about recommending to you what conditions it thinks might be necessary, and of course you are very skilled at considering them, debating them, and recommending them yourselves.

By the way, I'm happy to take questions in the middle if you want, it's not a problem. If you want to wait, that's fine, too.

COMMISSONER CHERWIN: I'm going to take notes, but again are we making this available to us after?

MR. PASSMAN: Absolutely, I'd be happy to. Yes, we can do that, sure.

COMMISSONER CHERWIN: All right.

MR. PASSMAN: Absolutely. Statutory standards of special uses, technically there are none. What I mean by that is when you go into the Illinois Zoning Enabling law, that's part of the Illinois Municipal Code, there is no provision that says what you're supposed to look at. We more or less could decide for ourselves how we evaluate these. I will say the conditions or the standards in our code that I just reviewed are pretty typical from what I see in the general area. In a little bit, I'll describe the LaSalle standards, a phrase you may have heard, those are general standards used by courts to review zoning disputes, and I'll come back to those later. But as a general rule, if you go look into an Illinois statute for what you're supposed to do with a special use, there's nothing specific there. It's whatever setup or scheme that the Village Board sets for us here in Arlington Heights.

Let's go to planned developments. Planned developments are, they're described as, there's a quote I put up there from Section 9.1 of the Zoning Code, they're intended to permit site plans and designs that could not be possible under strict application of zoning district regulations. Practically, what does that mean?

A planned development is a tool that's used when someone has a creative idea that we if we took through every single variation or every single special use, it would be a bear of a project to analyze, and/or it might not meet those standards. It might not deserve a variation, and we'll talk in a moment about how a variation requires some particular problem. A planned development doesn't have to address a problem with a zoning, it just might be someone's really good idea, but they can't really work through the regular process of special uses or even code amendments. The planned development allows us to take it as a whole and review it as one package, all of the relief that goes with that and all of the intricacies that go into it. Again, I know you've seen this before.

Our code does ask you to make four findings as recommendations to

the Board. Not so much that you have to find all four of these, but the code says you're supposed to advise the Board what you think of these four items, and I'll just mention them briefly.

The first is why the proposed departures, and I would say that's probably analogous to a variation, why the proposed departures are or are not deemed in the public interest. You'll see that and you recall this. Someone is going to ask for more height, more density, closer setbacks, what have you than the code provides. You're supposed to tell the Board in this planned development construct why or why not that's a good idea. In some ways that is a shortcut for is this holistic proposal something that should be treated as a planned development and approved in this fashion.

Second is the extent to which the development does or does not make adequate provision for, that's supposed to say utilities, public services, utilities, traffic, open space or recreation. This is really the only place that we have in our Zoning Code where these specific things are called out. I find in my experience open space or recreation really become a key part of a planned development. It's not a requirement for a variation or even a special use, not by code. But when you do a planned development, typically municipalities say how are you going to make this a place that is not just a business or residence, but it's got some open space and recreational ideas? So, this is again consistent with what I've seen in other communities throughout the area.

Finding about whether or to what extent there are physical and economic benefits of the development for the entire community, I think that's pretty self-explanatory.

The last one, one that we're very familiar with in any planning commission or zoning board, the impacts on traffic. It's obviously an important issue that all of us understand and that the residents do as well.

Now, as to your standards for approval in our Zoning Code, there aren't any. I think the findings are it. I will tell you it's a little interesting to me when I looked at that. There's nothing specific that you have to find or have to determine to recommend a planned development, and similarly, the Board has no particular standard. I think the findings are the closest we've got.

There are some standards listed in the Zoning Code for variations within a planned development, but that's not really getting at the whole of the development. The variations are but a part of it. Again, we're looking at a planned development as really one holistic concept rather than the individual components of which it's comprised. So, that's a little bit of an oddity, but nevertheless this is the code that we all have to put into play here at the Plan Commission.

Variations. Variations of course are generally sent to the Zoning Board. That's one of their main roles. But you get variations whenever there's an application, Sam, correct me if I'm wrong, an application that also has another form of relief that only the Plan Commission has. The idea is we're not sending applicants to two different bodies, they can get everything done at the Plan Commission rather than have to come to recommending bodies two nights instead of one.

The variations are covered in state law, at least to some extent, and I have quoted a provision of the Illinois Municipal Code. For the lawyers in the room, it's Section 11-13-5. All of you can go look at it if you want. But the key, and I've bolded and italicized the key language here, variations are to be authorized when there are practical difficulties or a particular hardship in applying zoning regulations. We'll talk about it in a minute. It's not about

convenience or just a good idea that someone likes. It's about there being a problem with applying the Zoning Code.

Probably the classic example that I can think of, I don't think we have too much of it here in Arlington Heights, but other communities deal with it a lot, they have different grade changes. We have some of it here. Imagine someone has a property where it's on a slope, and if you measure the height according to the rules in the Zoning Code and there are rules in the Zoning Code, it will yield a house that's much smaller than its neighbors, maybe because the point of measurement is lower or higher than it should be. That might be something unique that's happened. It's a practical difficulty. If everyone has a 35-foot tall house, I made the number up, and you could only get 29 feet, that's a lot of house. That's a big difference. That's a kind of classic hardship or difficulty where someone's property is just different, there's something about it.

The other key about a variation, I weaved the word through my last sentence, it's about the property, it's not about the person. This is a challenge that plan commissions and zoning boards face all over Illinois. An individual who has an idea, has a concept or has something about them, and not necessarily physical but something about their lifestyle or their wishes for their lifestyle, that's not really what a variation is about. The reason for that is because, and I know you all know this, variations are permanent, right? When you allow a house to be built bigger or be able to be built closer to a street, whatever it may be, that's going to outlive the person who asked you for it.

So, it's hard to do but if you're going according to Hoyle, under Illinois zoning law, you're looking at the conditions of the property when you're evaluating variations. Now, we have a rather large departure from that, something that Arlington Heights has done, and I'll cover it in a moment. It's the land use variation, that's unlike most variations, we'll talk about that, but generally speaking, variations are about the property, not the user.

We do have some standards in our Zoning Code for variations. They're found in two different places. The first reference there is 6-202. That's in the code provision about the Zoning Board, it's in that provision where the code lays out how the Zoning Board is to interpret and apply variations. Again, they're doing this all the time; you're only doing this in connection with other developments, but I still think it's a good idea to refer to these concepts. These are pretty standard in Illinois law and in municipalities throughout the area.

That first one, we mentioned it a moment ago it's reflective of state law. There has to be a practical difficulty or a particular hardship, and it can't be just a convenience, not just a good idea or be nice to have. As Sam mentioned earlier, we look sometimes to the intent and purpose of the Zoning Code. You'll see that in the third bullet here, that's in our code. A variation is supposed to be harmonious with the spirit and intent of our Zoning Code. It shouldn't alter the essential character of the locality. It should be compatible with existing uses and zoning of nearby property, and it should be the minimum relief necessary.

Now, that's a tricky one. But again, put yourself back in the mind set of what is the hardship, what am I addressing, and how do we fix that? There might be a hardship, and I'll use my height again. There might be a hardship to build a house if you take the grade and the slope and however we measure height under our Zoning Code. But that fact alone doesn't then entitle someone to go up to 50 feet, that's not the minimum necessary. That's an easy one to understand. The minimum necessary is whatever gets them to whatever the norm is, expected in that area of Arlington Heights.

I would say again, that area matters. There might be different

neighborhoods or, you know, sub-districts that have different zoning developments. We know that to be true. We look at really the immediate area. How will we allow someone to use their property in a way that puts them more or less on level footing with their neighbors because their property presents a challenge that their neighbors don't have? That's the concept of the variation.

We do have, as I mentioned, land use variations in Arlington Heights. I don't have a slide on this. There's not a lot in the code about them except some similar standards to what you see on the screen here. That's a unique tool that Arlington Heights has. Uses typically, in other communities, either have to get special use approval or some kind of a code amended. The idea that a use could be permitted through a variation process where it's otherwise prohibited is something I've only seen here in Arlington Heights.

So, it's an interesting thing we've got. I know it's a system that has worked in Arlington Heights, so it's something we have to deal with. It might be a little challenging to apply these standards to land use variations, but nevertheless that's the code that the Village Board has given us to apply.

Now, rezoning and text amendments is the last of the substantive topics, I'm going to cover tonight in terms of what you do substantively. I toyed with another slide that said there are no standards because that's not exactly accurate. But there are standards in the code and there are standards in the statute, and that's because what our code says and how we do our districts is a pure legislative and policy decision of the Village. Ultimately, the Village Board makes that decision, but you are empowered to make recommendations on every single amendment to the Zoning Code and every single amendment to the Zoning Map.

So, how should you analyze those proposals? It's really a policy decision. If you think a property should be rezoned to allow a denser development or a less dense development, that's just a judgment call. That's fine, there's nothing wrong with that. The Village Board does the same thing, they have to make a judgment call what the Village Board wants its policy to be.

But if we got into a fight and had to go to court on a proposed text or rezoning amendment, the court would apply what's called the LaSalle factors. It's called the LaSalle factors because of a, what is it, late 50's-early 60's, Illinois Supreme Court case where our court laid out six factors that it said courts should use to analyze a zoning fight. A later court decision which is referred to as Sinclair Pipe added the seventh and eighth factors. They're commonly referred to as LaSalle standards or LaSalle/Sinclair Pipe standards. It's what a court will look at if we ever get in front of a judge because we've denied someone's zoning or perhaps someone says we shouldn't have approved zoning.

I am not here to tell you you should apply these the way a court would. That's not your job. As I mentioned, neither our court nor state law says that you or the Village Board have to apply these, but I think they're good to have in mind because these are the things that a court will look at if we ever get in front of them. I don't wish zoning litigation on this Village, it's not that much fun, I've done it, but it happens from time to time and we have to be prepared for it.

I say also I don't want you to necessarily follow these slavishly because state law also says if we get into a court fight over a decision by the Zoning Board, I'm sorry, by the Village Board, it's a brand new trial. It's a de novo process. The court doesn't look back or shouldn't look back at what the Plan Commission said or the Village Board said. They look at everything fresh and let the parties make their cases as to whether these eight standards are met.

So, you could totally ignore these or flub these when you have a hearing on a rezoning request, and the Village Board could follow them or not and we still get to have a whole new shooting match in front of a judge. But again, that said, these are good guideposts. If we ever do get into a zoning fight, I want you to, you know, do a good job as I know you will, I want the Village Board to do a good job, because that is persuasive for a court and it's important to set that record straight if we ever need to. Again, not wishing this on us, we have, you know, bigger fish to fry.

COMMISSONER CHERWIN: Okay, can I, you just, I mean, refresh me a little bit on what you just mentioned about reviewing it de novo. That's different, my recollection was, when I started out and was doing more zoning work was the Village of Lisle principles in that case, it was different, right? Where we had more of a, I guess the evidence was there and we had a fact-finding role as a plan commission, but has that changed?

MR. PASSMAN: It's a great question. You've heard of the Klaeren v. Village of Lisle case.

COMMISSONER CHERWIN: Yes.

MR. PASSMAN: It's a, I don't know how many of you are familiar with it, it's a dreadful decision. It's a dreadful decision because, the adage is bad effects make bad law. There was a fight over a zoning proposal in the Village of Lisle, and there were all sorts of just procedural difficulties, people fighting and arguing, a joint meeting with the village board and the plan commission. It was a mess, and out of it came a mess of an opinion for the Supreme Court where the Supreme Court, that's about 20 years ago now, he said, well, the proceedings below are quasi-judicial and, therefore, there are all sorts of due process rights at a plan commission. So, you had to become fact finders in a body like this. There had to be rights of cross examination which, I mean, you know, plenty of lawyers who litigate don't know how to cross examine well, but now you had people, residents being told they should or could cross examine, all sorts of protections that we think had no business being in a plan commission proceeding that the court foisted upon plan commissions throughout the state.

The legislation I mentioned about everything being de novo, a new trial, was adopted by the legislature in response to the Klaeren decision. What that law specifically says is it doesn't matter whether the proceedings below are considered administrative, legislative, quasi-judicial or something else. If a village board makes a decision about a zoning request, the court reviews that de novo. Now, that's different, I'll point out, than when a final zoning decision is made by a subsidiary body, and our Zoning Board does have the final authority over variations, correct?

Planning commissions almost never have final authority over anything unless they're combined bodies, but if our Zoning Board makes a decision on a variation, that is reviewed through the administrative review law. On that, I'll just very briefly, administrative review law is when you look at the record below. So, if a zoning Board denies a variation and someone sues, I'll take them out of the Daley Center or Rolling Meadows, the court will take the transcript and take all the paperwork provided to the zoning board. The court in that case says was the zoning board right or wrong, that's the whole fight. There is no new evidence in an administrative review case. That's different than anything that comes before you.

COMMISSONER CHERWIN: Right, okay. So, Klaeren is out.

MR. PASSMAN: Yes, Klaeren has been effectively gutted because it doesn't really matter whether we, I mean, we should follow procedure, but if we don't follow the standards, we're going to get a new trial anyway.

COMMISSONER CHERWIN: Yes.

COMMISSONER DROST: I remember when we were doing that. I go back, you know, to the ancient days, you know, and we did actually pretend like it was a court.

MR. PASSMAN: It's challenging.

COMMISSONER DROST: It is.

MR. PASSMAN: Plan commissions serve an important role but, you know, there was a way that they worked and it worked well for years, and to have that thrust upon us was not helpful. So, fortunately, in the final analysis not much has changed and I think that's a good thing.

Real quick, the standards on your screen, the first one is probably the most important, and some courts will even say that. If someone asked for a rezoning or a text amendment and its denied, first thing, well, you know, is it consistent with the existing zoning or not? If you've got a property that's zoned industrial and all around is residential, it's a little hard for it to meet the standard if we say no. We could, there are seven other factors. No one factor is determinative.

Generally speaking, you look at what the zoning is. You look at whether the property has been vacant for a while under that zoning. You look at the harm being, you know, imposed upon the owner if they can't do what they want because the existing zoning doesn't let them, versus the gain to the public. There may be a reason why we don't want a certain use or a certain density in the property.

I want to focus a little bit on the seventh one. Sam mentioned the Comprehensive Plan a few moments ago. Whether and to what extent a municipality engages in regular and careful planning is one of the factors. A community that has an out-of-date comprehensive plan is going to have trouble meeting that standard no matter how they do on the other seven because, the thinking is, well, if you haven't updated your plan in a while, or haven't, you know, reviewed it in light of whatever has happened in the last who knows how many years, then maybe your plan is out of whack. Maybe looking at the plan and using that as a reason to deny someone wasn't a very well thought out decision. So, I know it's something that Staff looks at carefully, comprehensive planning. It doesn't have a formal role, it doesn't bind anything, but it does show up when we get into zoning fights.

All right, so all that said, this is a quiz, okay. Whose burden is it to prove that whatever the standards are have been met? Is it (a) the Staff, (b) the Applicant, (c) an Objector, or (d) you the Commission? Anyone want to take a stab at it? D? Good choice is B. Anyone else want to take a stab at it? Correct answer is B. It's the Applicant's job. You are calling balls and strikes.

Now, we'll talk a little more about how you do that. You should engage, as I know you do asking questions, debating, hey, help me understand this, why does this do this, what about that, what about this condition, that's all relevant. But at the end of the day when you're voting, it's the Applicant's job to present the facts and evidence to you that allow you to make a finding and a recommendation that something should be approved by the Village Board. Technically and academically, if they haven't brought you that information, it's their burden to do it. It's not your job to fill in the gaps for them.

So, what do you do? You follow the standards. We talked about that a bit now. Whatever the standards are, that's your guidepost. Did the Applicant give me the information to make the appropriate findings or recommendation? If they did, then sail on with a positive vote. If not, you should vote no. Each of you gets to make that decision individually.

So, with that, let's talk about the Open Meetings Act. I'm going to switch over to procedure. I know a lot of you, and probably all of you I hope know this, but it's important to have the refresher, the Open Meetings Act, that's one of our two main sunshine laws. It applies to all public bodies, and a public body is any legislative or executive body of a city or village, and any subsidiary bodies. That's where you come in. You're a subsidiary body of the Village of Arlington Heights. You are a public body, you're subject to the Open Meetings Act.

A meeting, all right, meetings have to be open to the public. A meeting is defined as a gathering of a majority of a quorum for the purpose of discussing public business. There's really three components to a meeting: a gathering, a majority of a quorum, and discussing public business. So, that's what I want to talk about briefly here tonight.

Let's talk about that second one first, a majority of a quorum. This is a nine-member body. A quorum is five, the majority of five is three. So, what that means is if two of you are talking, it is not a meeting. You can talk all you want, two of you, as long as you want. You don't need to do it out in the open, you can talk about public business, not a problem. Three of you cannot. I don't know that you guys are all spending your weekends talking with each other about Plan Commission items, but if you're doing it two by two, you can.

A gathering, this is the real kind of third rail, especially today in the 21st century, about the Open Meetings Act. A gathering is any contemporaneous communication between a majority of a quorum, okay. Obviously, an in-person get together is a gathering, that's the easy. But what we have now more than ever before are all these other ways to have gatherings even when you don't know you're having a gathering. This started with telephone, then it moved on to e-mail, now you have text message, messaging apps, and then real trouble is social media. Again, I hope you're not, whatever social media you're on if at all, that you're not spending your time on Instagram or Facebook or wherever just talking about Plan Commission items. You know, you should talk about cats or politics, I guess, but it happens from time-to-time, and it's a problem because you don't know who's watching.

You don't know which of your colleagues are on the same social media app and in the same discussion. I used Facebook as an example. I think it's still among the more popular social media apps and it maybe facilitates violations easier than others. I don't know how many of you have Facebook or have seen it, but someone can post an article or write something, whatever it is, give me anything from look at this ice cream cone I got, to there's an application for a zoning relief, I think it's terrible, and one of you comments on it and a second of you responds and a third of you is on Facebook and observes it. You just violated the Open Meetings Act. It sounds nut but you're there, you're communicating with each other.

The reason why social media is so tricky is you don't know that. The easy lesson here is don't go on social media and talk about Plan Commission items, but we're all human and you all have lives outside of these Wednesday night meetings and sometimes it's tempting, we all succumb to it one way or another. Avoid it, especially on social media. It's just easier.

I should say, and there's a reason I mentioned this earlier, a gathering is a communication. The violation is not when the first person speaks, it's when the second one responds in the presence of a third. So, for example, although I do not recommend it, you e-mail your entire Commission about business, if one of you e-mails the other eight about Commission business, we haven't violated the Open Meetings Act yet. It's when someone replies to all that we just did. So, be very careful about your e-mails and any other type of typing on your phone, tablet, computer, whatever. It's just, it's too easy. I have seen incredibly

experienced and smart officials on city councils, village boards, at every level make a mistake, and it's an innocent mistake but it's very easy to make a mistake because we all do it, right? We all type an e-mail and we have a spelling issue, whatever, try to avoid it as best you can, it's just easier.

We'll talk about FOIA implications in a minute, why it's another reason why this is important. Yes?

COMMISSIONER JENSEN: Pat keeps telling us don't even respond to all to tell whether you're coming to a meeting because you probably are in violation of the Open Meetings. Is that, I mean, that seems a little silly.

MR. PASSMAN: It's a little protective but it's good advice. Don't reply to all. I mean, it just, your colleagues will know if you're there or not when it's 7:30 and your chair is empty. Even now, Sam is not a member of the Commission, or Charles or Bill, anyone else in Staff. I'm not a member of the Commission. The Open Meetings Act only applies to the nine of you.

I want to say one thing on that real quick, Commissioner Sigalos. To not let that happen, I said before, oh, two of you can talk until the cows come home. That's true. What you can't do, and I don't think you're doing this, is two of you talk and then Commissioner B goes to Commissioner C and says, hey, Commissioner A says this, what do you think? Then like a hub and spoke kind of system, don't do that either. I would tell Staff don't be the hub of that kind of communication.

There's a spirit of the law here. If there's public business that needs to be discussed, let's have a meeting. You have a meeting every two weeks give or take, right? You can call a special meeting on 48 hours notice. If there's something pressing and you want to talk about, let's talk about it, call a meeting. Then once you have it noticed up properly, you can talk all you want. That's the remedy.

Commissioner Sigalos?

COMMISSONER SIGALOS: I'm just voicing my opinion on this reply all and along the lines with what Commissioner Lynn Jensen was saying, we would get a notice from Pat Dimatteo that we have a Plan Commission meeting in such and such a date. I always thought it was good to reply all because other people or Commissioners could see if there's going to be a quorum. Maybe I could, if I might have replied no, right, if I see there's going to be quorum, maybe I can change my schedule and make the meeting so there is a quorum. So, under that situation, I thought that was always a good idea to reply all just to give other Commissioners the opportunity to maybe change their schedule and not have a Plan Commission hearing postponed because there aren't sufficient members.

MR. PASSMAN: I understand that, and I think whether or not someone is coming to a meeting I would say is not public business. Strictly speaking, I don't think it's a violation. I would rather you not get in a habit of replying to all. Just candidly.

COMMISSONER SIGALOS: Okay, no, I was just putting it in there.

MR. PASSMAN: Because it's very easy to start to bleed and, you know, I'll say it about a number of contexts including all the substantives as you went through, Staff and our office and the Village Board, we can defend all sorts of substantive decisions on zoning. A lot of zoning is up for interpretation and discretion, but when we have procedural gaffes, even if we were still right, it's a lot harder to, you know, look a judge in the eye. So, I just, it's not a great habit, you know.

I would say in that situation if it comes from Staff, if you're not sure

you can make the meeting, respond just to Staff. If you want to tell Staff, hey, I don't think I can make it but if you need me for a quorum or it's closed, let me know, I'll see if I can -- that's perfectly fine. Tell it just to Sam or Pat or whomever.

COMMISSONER CHERWIN: I would just add, and I agree with Hart to kind of keep the rule, you know, hard and fast, but I will say what I've done in the past and I've had some conflicts, they've always been very accommodating or, you know, I'd say, hey, you know, with all these kids I've got, you know, I've got this graduation or something like that, or you know, if you're going to fail a quorum, let me know and I'll move stuff around on my end so I can do it.

MR. PASSMAN: Right.

COMMISSONER CHERWIN: And they've always been, I mean, Sam, you know, I'm probably king of that.

COMMISSONER SIGALOS: Let it all just be a message back to Staff, right.

COMMISSONER CHERWIN: Just back to them, let them know.

COMMISSONER SIGALOS: Right.

COMMISSONER CHERWIN: Because Sam does a really good job of keeping track. It's worked for me pretty well.

COMMISSONER SIGALOS: Okay, all right.

COMMISSIONER JENSEN: Is there a difference between contemporaneous and synchronous? So, if you basically are sending something out and somebody at a later date when you're not involved reads it and responds or whatever, is that still a contemporaneous communication?

MR. PASSMAN: There is some point after which we could make a good argument that it's not contemporaneous. I don't know what that is. I don't want to be the case that decides it.

COMMISSIONER JENSEN: Okay.

MR. PASSMAN: I mean, just frankly, but yes, if one of you sends an e-mail to all nine of you, and again I don't think you should be e-mailing all nine of you anyway, just again it's best practice, but let's say one of you does and there's a hearing in the middle and then, you know, a month later you say, hey, remember this one, I thought we did a great job. I'd say okay, I wish you hadn't written that but it's a month later and a lot has changed. I'd say I could probably make a good argument that it's not contemporaneous.

COMMISSIONER JENSEN: Well, is this only business that's either happening or forthcoming? Can you talk about past business?

MR. PASSMAN: Got to be careful, right? The public, I mean, maybe, but public business is anything that might come before this Commission or has come, right? So, what's your purview? Your purview is pretty broad when it comes to zoning and land use. Even something that hasn't been filed yet or a concept, it's going to come here because if it needs, the only kind of time it doesn't come to you is if we know it's just a variation. But you're a recommending body on the Zoning Code for any text amendments, so pretty much anything under the zoning or land use sphere or subdivision I'd say is within your public business. I would avoid even generic discussions about land use issues except at a public meeting.

COMMISSIONER JENSEN: If you're sitting in the Conceptual Review Committee, the meeting is over and we ask Sam, there's three of us there, and say whatever happened to so and so that came before us a year ago and there doesn't seem to be any activity relative to that, is that potentially a violation?

MR. PASSMAN: Potentially. Ask him that question before the gavel bangs.

You're a noticed meeting, you're wide open. If you're at a noticed meeting, after it's been called to order and before it's been adjourned, you can talk about anything, and I encourage you to do so. You'll have to stop at 10:30, so okay, there is that. Extend the meeting, I mean, I'm being a little bit facetious, but legally wide open to talk.

I'm not covering a lot of, we'll talk a little bit about what's on agendas, you can't take final action if something is not on an agenda, but you can talk about anything at a noticed meeting, at all. So, if you need to talk about something, talk about it at a meeting. Hey Sam, before we adjourn, whatever happened to 123 Main Street? Perfectly appropriate topic.

All right, so here's another quiz. Let's assume that these people are members of the Plan Commission. My question for you is, is this permitted? I'm going to make all of you --

ACTING CHAIRPERSON WARSKOW: I'm sorry, what they're talking about?

MR. PASSMAN: So, I'm going to give you three options: yes, no, or I don't know. So, who thinks this is permitted? Who thinks it's not permitted? Yes, two says it's not permitted. Who doesn't know? Okay, Chair Warskow, why don't you know?

ACTING CHAIRPERSON WARSKOW: Because I don't know what they're talking about.

MR. PASSMAN: Right answer.

ACTING CHAIRPERSON WARSKOW: They could be talking about somebody's birthday party.

MR. PASSMAN: And that would not be a violation of the Open Meetings Act. Now, do I recommend the nine of you gather together, you know --

COMMISSONER GREEN: We've got a lot of birthday plans and stuff, come on, a lot of birthday plans go down. I'm kidding.

MR. PASSMAN: It is not a problem to talk about other things. Be mindful of appearances. We don't know here, we don't know what they're discussing, but if they were discussing, and the other thing we don't know is, we don't know if this is a noticed meeting or not, but we do know there's five of them there. So, certainly if you find yourself in a place where there's more than two of you, be thoughtful. What are we talking about, is this a meeting or not?

Let's cover this a little bit. Public business is matters of the public body. It doesn't apply to political matters. It doesn't apply to social matters or private business matters. Talk about your day job, talk about the election, talk about your family member's birthday parties, how the Cubs are doing, not well, whatever you want. Don't talk about Plan Commission business please, unless you're at a meeting.

We talked about this a little bit. I wish they had this caution, don't reply to all. It's generally a good practice, but certainly when it comes to planning and zoning affairs for the Village.

Here, I mentioned it again briefly, we have to have an agenda for a meeting. This is required by the Open Meetings Act. I mentioned before we can consider items that aren't on the agenda, we can talk about anything you want to, but we can't take final action on them. That applies a lot less to a Plan Commission because really you're receiving whatever people are applying and putting before you. But nevertheless, you can't take, you know, we can't make a decision about an application that's not on the agenda. It's not on the agenda. We can talk about it, and we can tonight if you want, but we can't do anything about it. It is possible to void an action if it's not properly noticed, so that's what courts might do if we don't do this right.

I hope you all have taken your Open Meetings Act training. The law does require that you take the PAC, the Public Access Counselor. It's a division of the Attorney General's Office. You were supposed to take an online training within 90 days after you took the oath of office. If this does not sound familiar to you, please reach out to Sam and Staff and we'll get you set up for that. I hope all of you have done this by now.

Finally, not to terrify you, but you could go to jail if you mess this up so don't mess it up, technically Open Meetings Act violations could be punishable by up to 30 days in prison. This is another one where I don't want to be the example. I've never heard of someone going to Open Meetings Act jail. I don't want any of you to be the first, but this is serious.

The Open Meetings Act, you know, our business is supposed to be out in public. It's for our residents and other interested parties to observe and to engage in. So, we take it seriously. I know you do also and it's key that we do that.

Mentioned there, the last bullet there is review by the PAC. The law was amended a decade or so ago. You don't have to go to court. Sometimes people will go to the Attorney General and say someone violated the OMA, you know, make them stop or make them do something, you know, as punishment. It's not very common. The PAC usually gets involved with FOIA, the Freedom of Information Act more commonly. But that's another outlet, we could find ourselves having to tell the Attorney General why you didn't break the law.

Speaking of FOIA, I do want to cover it briefly. It largely does not concern commissions, but there is one aspect of it that you need to be aware of. FOIA is the other main sunshine law we have in Illinois, the Freedom of Information Act. This is generally what provides that government records are open to the public for inspection. I've quoted the purpose statement and really the presumption in the Freedom of Information Act from Illinois. Illinois has its own, there's a federal, and also we're subject to the state law of course.

Records are presumed to be open. Every document that comes to the Village, that is held by the Village on our servers, is presumed to be a public record. It's our burden as a village, if we think something does not belong in public, to demonstrate that it falls under one of the exemptions in the statute.

So, are you subject to FOIA? You're not Village employees; you're Village officials but you don't have offices here. You really don't do much by way of paperwork. My answer is you are on a limited capacity, and this is why I mentioned this here tonight.

There was a case, a lot of this starts with a case, the City of Champaign v. Madigan case. I never know if that's actually a picture of their room or a different one. What happened in the Champaign-Madigan case, it was a city council, it wasn't a plan commission. But there was a meeting and there was a member of the press present, and the member of the press could tell that there were a couple of the members that were on their computers or their phones and they were kind of looking at each other, hey, see what I wrote you, and things like that. It was clear to the observer that there was something going on that wasn't being said at the microphone, and the media submitted a FOIA request. I want the records, the e-mails or text messages, whatever it was, that the council members were sending to each other at the meeting. The City of Champaign said we don't have, they were on their personal devices or their own computers. We don't own their e-mails, we don't own their devices, we have no control over them. The court said, well, that's true but when they're up there on the dais, they're no longer individuals, they are now the public body, and what they do on the dais is a public record even if it's on their own device.

So, the lesson, and I quoted also the BGA v. Chicago case, that one, I believe that grew out of the Laquan McDonald case, I think that's a Laquan McDonald one, it broadened it even further to say if correspondence is sent to a majority of a quorum of a body, no matter where it's sent, it's a public record because, the court said, many of those communications are prepared for or eventually used by the public body. What's the lesson here? If you're on e-mails or text messages while you're on the dais, by law whatever you're sending there could be a public record. If we get a FOIA request for it, we're going to have to come to you and say I need your e-mails and text messages from 7:30 Wednesday until whenever that gavel hit. You're supposed to give it to us.

Now, are we going to have to give away your text messages to your significant others, it's a late meeting, you know, warm up the meatloaf? Probably not, but the better course is to just be mindful of that. If for any reason you're sending an e-mail or whatever, it is potentially FOIA-able while you are at a meeting. That's the lesson there.

I want to move into procedure and Robert's Rules of Order. I did an entire session for the Village Board on parliamentary procedure a few months ago. That's not my intent tonight, but I do want to cover a couple of key topics under Robert's Rules.

Starting with the motions very generally, again I think you know a lot of this. The Chair is not supposed to make a motion, in fact you can't make a motion. It has to come from one of the other eight members here. A motion has to be seconded, it's not enough for one person to make it. There must be someone else who seconds the motion.

If you make a motion, you should refrain from speaking against it. You can vote against it, but you shouldn't speak against it. That's just what Robert's recommends. Why is that? It gets to the purpose of the motion in the first place. The purpose of a motion is to put a question before the public body. Usually the person that makes the motion wants the motion to pass, but not always. There's been a strategic or a policy reason why someone might move something that they don't want to pass. They want to send the message I want a zero-nine vote on this, but I want it reflected that way. I'm not suggesting you should do that or not, but there's a reason for that, but you shouldn't speak against your own motion, that's just not good form.

If you second the motion, you can speak against it. The reason for that is very similar. The seconder is not theoretically the person who is advocating for the motion. They're really saying, yes, that should be something we vote on, I'm not saying I agree with that at all, but I like that we're going to have a vote on that question, let's do it. So, the seconder can speak against it, the movant should not.

I put vote in here, I didn't know an artful way to put this. I want to talk for a minute about voting with comment because I've seen this Commission and others do it from time to time. My recommendation is not to vote with comment. The reason for that is voting comes at the end of debate. If you have something to say about something, what you think, how you're going to vote, why you're going to vote a certain way, absolutely air that out. If you want that on the record or you want your fellow Commissioners to hear it, you should say it during the debate portion. That's where it belongs.

Voting with comment, your job when you're voting is to say yes, no, or abstain, that's it. If you think about it, if you're trying to convince anybody that your position is right, your other members may have voted already by the time you make a comment. So, if you hope to convince someone to go your way you missed your shot.

So, does this invalidate your vote? Is this an absolute do not vote

with comment? No, I'm not saying that. But my recommendation is air it out, talk about it, whatever you've got to say, say it before the vote. If you need to say it, if the Chairperson is ready to call the vote, raise a point of order and say, you know, Madam Chair, before we vote I want to say the following, I want to explain my position. You guys work well together, I don't think that's going to be a problem. So, that's my recommendation for procedure.

COMMISSIONER JENSEN: Aren't most of those comments really directed at the Board, not the other Commission members?

MR. PASSMAN: The Village Board?

COMMISSIONER JENSEN: Yes.

MR. PASSMAN: Maybe. So, say it, the same thing. The Board gets the transcript of every meeting, almost every meeting.

COMMISSIONER JENSEN: Right, but I have the sense that when we've done that, it isn't to convince anybody else on the Commission. It's basically to give context to --

MR. PASSMAN: Okay, I mean, that's, again, it's not going to invalidate your vote, but it could be just as effective. If it's contentious, you know, I'm going to vote no because I think the traffic is too heavy because of the trucking business down the street, what if the trucking business closed?

COMMISSIONER JENSEN: I think it goes to the issue of when you take a position, but you're highly conflicted and you want to give some context to your conflict, I guess.

MR. PASSMAN: All of that is perfectly normal.

COMMISSONER DROST: If you raise it at the time after the second and then, for discussion and then you can add your comment.

MR. PASSMAN: Yes, I think that's better form. I think it's better form.

COMMISSONER LORENZINI: I just think most people feel it's going to stand out more if you do it with the vote.

MR. PASSMAN: And it might, again, it's not invalidating your vote, no. The one thing I will talk a little bit about where you've got to be a little careful, if what you're saying is something that wasn't in the record. We'll talk about that a little bit for hearings, but again, it's a best practice to get it all out before you vote. If you get a vote with comment, I'm going to sleep fine, it's not going to be a problem, but I had to say it.

So, let's talk about motions. As I mentioned, the main motion brings some form of substantive business before the Commission. Now, there is a, I won't say difference of opinions but there's different ways that you could have, we talked about this a little bit at one of our prior hearings that I attended several months ago, when to make a main motion.

Robert's Rules contemplates that a motion is made early, that a motion sets the parameters of debate. There are some public bodies in the area that do that. So, the matter is, let's say it was a hearing on a special use, the Applicant gives their testimony, Staff gives their report, maybe you have the public give their testimony, and now everyone is done talking and it's up to you. So, one body of thought that says someone should make a motion and then we'll talk about that motion which ought to bring in whatever else was just talked about in a hearing. There's another school of thought that says, you know what, let's talk about it first and then we'll have the motion reflect whatever our discussion seems to be.

I'm okay with either one. I understand both of them, there's a logic behind either of them. I leave it to you how you want to govern yourselves. The benefit of having the motion early is it does, it can really set the parameters for what you're talking about and how you talk about it and that can be a very good thing. The challenge with it has to do with when it's

time to amend a motion, and that's what I want to talk about next.

This is another area where there are a couple of schools of thought, and we talked about this one as well in the past. Under Robert's Rules, once a motion is made, it belongs to the assembly. It's no longer the property, I'll use that term inappropriately, of the movant and the seconder, it's on the floor. If you want to amend that motion, it's not up to any one person. You have to have a motion to amend, or if there's some kind of unanimous consent with the movant's request.

So, an example is I move that we approve, or recommend approval of the special use permit with Staff's conditions one and two. You start discussing it more and someone says we need a third condition. We need something about, you know, right-turn only. How do you get that in the motion? So, I move we amend the motion to add a third condition, and then you vote on the amendment. If the amendment passes, now the main motion has that third condition; if it doesn't, it has only the first two.

Perfectly fine process, sometimes a very sensible way to operate. If you want to operate that way as a group, that's terrific. There are alternative procedures.

COMMISSONER LORENZINI: What happens if somebody seconds the motion before the discussion takes place?

MR. PASSMAN: Seconds which motion?

COMMISSONER LORENZINI: The main motion.

MR. PASSMAN: It would have to have been seconded first. A motion that doesn't get a second is not on the floor.

COMMISSONER LORENZINI: Okay.

MR. PASSMAN: So, in my example, there's a motion to approve a special use with two conditions. That motion is seconded. Then there is some debate. In the course of debate, one of you decides we need a third condition. If you have the motion on the floor, Robert's Rules says strictly speaking you need to move to amend the main motion, the two-condition approval, to add the third condition. Then you would vote do we add the third condition, aye or nay. If it passes, now you have the main motion in front of you, you haven't approved the main motion yet, the main motion now has the third condition appended to it. You can go through all sorts of amendments, you can do this until you're ready.

Many communities, many bodies do these a little differently. What I call friendly amendments is one option. I'm going to pick on you two because you're sitting close to me. Commissioner Cherwin makes the motion to approve the two conditions, Commissioner Sigalos seconds it. Commissioner Jensen says, hey, can you add a third condition? I really want this right-turn only thing. Now, Commissioner Cherwin says yes, I'm fine with that, I'll add it to my motion. The seconder, I'll add that, too. Many Commissioners say okay, fine, we'll add that in the motion. The reason for it is because ultimately you're trying to get to the will of the board, the will of the Commission in this case, and in my opinion it's perfectly fine, it's harmless.

If you don't like it, if a bunch of you says wait a minute, I don't like that third condition, I like the first motion better, I don't agree with Commissioner Jensen, you can vote down the motion with the third conditions. Right? It gets you to the same place, they both get to the same place. Robert's Rules is structured in a way or is intended to get to an efficient decision-making process. On balance, it works.

I like Robert's Rules, I'm not a slavish adherent to it. Ultimately, I want you to make this meeting what works for you. I want you to walk out of every meeting here saying you know what, we got to what the majority of this Commission wanted; however you get

there is okay with me. The public has the right to speak, that's sacrosanct. We've got to have an agenda, we've got to follow the Open Meetings Act. That's sacrosanct. How you reach your recommendation, there's a lot of ways to do it.

The other alternative procedure is withdrawal of a main motion. Maybe a motion came out too early, not because it was improper, but the motion is made with the approval for the two conditions, and in the course of debate you realize there is just not support for this or we really need to rework this and doing a bunch of amendments is going to be clunky and ugly. I withdraw my motion, okay, let's start over again. I'm fine with that, too. Robert's Rules doesn't contemplate that. If you want to do it, I'm okay with it, so take that for what it's worth.

Talk for a minute about motions to continue and motions to table, commonly misunderstood phrases that have a loaded meaning, so I want you to be careful about these. Under Robert's Rules and parliamentary procedure, a motion to table is used when there is an item that you're discussing and it needs to be temporarily set aside because something urgent has arisen. I don't know what that would be in a Plan Commission, but this is what it means. When something gets tabled, then it cannot be discussed until it's taken off the table. It is sometimes used or abused, and sometimes deliberately, to kill an item. It's not really what you should be doing in most cases, especially when you're responding to an application where someone has a right under Illinois law to get a recommendation from this body and a vote from the Village Board.

Most times when someone says I move to table something, what they really mean is they move to continue it, and that's perfect, you've got an item before you, you're not ready to vote, you need more evidence, there's something that came up, you want to talk about it in two or four weeks, but what you really mean is to move to continue it. Most times you want to continue it to a specific date, I generally recommend you do that especially here because we have public notice requirements. If you move to continue a hearing item to a given date, we don't need to re-notice it, we don't have to put something on the newspaper or send out letters. If you don't have a date on it, we'd have to do it all over again. So, more times than not, you should be continuing it, not tabling it, and pick the date when you'll talk about it again.

We talked a little bit about public hearings, and Commissioner Cherwin mentioned the Klaeren v. Lisle case. Technically speaking, as I mentioned, there's all sorts of due process that interested parties can avail themselves of. Fortunately, most of the times it doesn't happen, but there's a couple of key ones, and they are important, right? The public does have a right to know these discussions you're having, they do get to come and provide testimony, they can under certain conditions cross examine. These exist. If we ever have a really controversial one, you may find someone come forward and say I want to cross examine, okay, we'll work on that. But it's important to know that Klaeren is out there and we have to protect that due process right.

Because a hearing has due process right, there's a couple of key 'do nots' that I want to point out to you. Don't engage in ex parte communications. What that means is you should not be talking to anybody about the substance of the hearing outside the hearing. Again, I talked before of you're calling balls and strikes. You're here to take the evidence that's brought to you in this room and issue a recommendation based on the evidence according to the standards. What you hear or learn outside this room should not be part of your deliberation, and you really shouldn't seek out those communications. You shouldn't consider evidence not presented at the hearing.

I want to come back to the voting with comment on this issue. I said before if you vote with comment, I'm not going to lose sleep over it even though it's not my preferred practice. What I don't want you to do is say I'm going to vote no, you know, nobody mentioned the fact that blah-blah-blah, but I happen to know that to be true and, therefore, I'm voting no. Well, if no one mentioned it, then it wasn't evidence at the hearing. What were you doing considering? You're not supposed to do that.

If before you vote you say, hey, can you address this issue? There's a trucking establishment down the street, what about that? The minute you put it into the debate and you ask the Applicant to meet the standards by addressing your concern, now you're fine. This is important because all of you know things, you know your community, you've lived here a while. There may be an application for a property right in your neighborhood. You know all sorts of stuff about it. We can't avoid that, that's fine.

If you think there is something relevant about a case and it hasn't been said or documented in the materials to you, say it during the debate. Ask the question of your fellow Commissioners, of the Applicant, of the Objectors, whomever. Once it's on the record, we're good, because then we can evaluate it. It's when, and the voting with comment is where I worry about it, because if you know something and you air it out at that last moment, then what if you're wrong? It doesn't happen often, but what if you're wrong? If I'm the Applicant, I'll say wait a minute, they voted against me because of something that wasn't true and they didn't give me a chance to rebut them? That's a bad spot for us to be in. So, the lesson on this slide is if there's evidence you think needs to be in the hearing record, say it before you vote.

So, again, another quiz time. I think this one is a little easier. You are at a barbecue, your neighbor comes up to you and says, hey, I hear you've got a hearing coming up on Oak Street, I want to talk to you about it. What do you do? Don't talk about it? Commissioner Drost is zipping his lip. What can you tell your neighbor?

COMMISSONER DROST: Come to the meeting.

COMMISSONER GREEN: Come to the meeting, there you go.

MR. PASSMAN: I would love to talk to you about this neighbor, come to the meeting, it's next Wednesday night.

COMMISSIONER JENSEN: What if they insist telling you?

MR. PASSMAN: You walk away, say I cannot discuss this with you now, there's a hearing notice, I cannot legally discuss it with you now, I'd be delighted to talk to you at our hearing, how is your kid.

COMMISSONER DROST: But the Herald said this, you know, and that's in the public record, you know.

MR. PASSMAN: Come to the meeting, legally I can't, it will be improper for me to communicate with you. Again, I can defend your substantive decisions almost every time. If you're out there to barbecue talking to the people beforehand, I can't defend that. What if my neighbor was insistent that he talk to me? Okay, I can't defend that, sorry. So, come to the meeting, that's the lesson. I'd love to hear your opinion, come to the meeting.

COMMISSONER DROST: That looks like Bruce Green at this picnic or on the side of the photo.

ACTING CHAIRPERSON WARSKOW: What if it's not on an application that's scheduled before the Commission yet?

MR. PASSMAN: So, you're probably okay. Be thoughtful about it. For example, there may or may not be at some time in the next several months an application for a

property a little bit west of here, I don't know, maybe. It's on people's minds in the paper now and again. That's not, right now if you talk about the redevelopment of the race course, that's not a problem yet. I would be cautious only because I don't want anyone to accuse you of prejudging anything.

You know, you occupy a very important role in the Village, I maybe should have led off with that. Plan commissions have a very special role in Illinois law. I think you already know that. But people, this Commission, there are some commissions that are important because it's just what the Village values, there are some commissions that really do a lot of meet and you're one of those. So, people are watching.

All the big developments in town come to this Commission, so be careful what you say. But right now, hey, you know, what do you think about the article in the Herald about the contract purchaser? You can talk about it, that's not a violation. Be careful, but you can talk about it. But when an application is filed, don't do it, all right? It's just not worth it.

This one, by now you'll know a controversial restaurant is applying for a special use, can you ask fellow residents their opinions? It should be pretty easy to answer.

COMMISSONER DROST: You've got to bring them to the meeting.

MR. PASSMAN: No, you can't. You cannot ask that on a street corner and solicit opinions, you cannot ask your neighbors, hey, I've got a hearing on Wednesday night, what do you think about the restaurant? Uh-uh. Now, could you tell your neighbors, hey, I want to hear from everybody, I can't talk to you about it, send in a letter to Staff, send an e-mail, don't send it to me, I want to collect it, I really want your thoughts but I can't talk to you about it here and you can't give it to me, send it in, good or bad, a 100 percent it's fine.

Lesson here, do your homework, not your own investigation. You're calling balls or strikes, right? Read the packet, educate yourselves, all good. You get a packet before a hearing, you want to know something, hey, Sam, I didn't see something about the history of the property, or whatever happened to the property next door, it's not in there? They do this all the time. Can you bring that to the hearing, make sure we have that information? Sure, of course, we'll get you what we can, right? It's the Applicant's, Sam, I need the Applicant to bring me information on this, I'm going to need that information on Wednesday night. We'll convey it. That's your job, and then you come here and you can have it out.

A couple of more slides real quick. I know it's almost 9:00 o'clock. What do you do if someone alleges that notice was not properly provided? Well, if the person is at the hearing, you keep going because the purpose of the notice is to tell them there's a hearing. If they come to the hearing, there's no harm no foul, right? Sometimes this happens. Every now and again, ah, I didn't get notice, I didn't hear about this until yesterday. Okay, well, you're here.

You can leave the decision to the Applicant. Sometimes, and I've had this issue working with Sam and his colleagues, where there is a problem or a possible problem. Sometimes we'll tell the Applicant, look, we don't know what happened here. There might have been a violation. Did you want to take the risk and continue it? Go ahead or do you want to continue it, and the Applicant will make the decision.

Every once in a while we get word of a problem and we'll say no, you should continue this one. It's a case-by-case basis, but I'm pointing this out really for that first item. Someone who comes to your meeting to tell you they didn't get notice but they here at the hearing --

COMMISSONER DROST: And if they're an attorney, too.

MR. PASSMAN: That happens as well, right. I didn't know about this, but I

heard from my attorney and he's here tonight as well. Okay, well, that's good.

General procedure, I think you know this. Now, we haven't had big crowds since I've been Village attorney because we've barely been in-person. Enforce consistent time limits, I think you're pretty good about that. It's another element of due process. If someone gets three minutes, then everyone gets three minutes. You can't give someone six. The exception is the Applicant. The Applicant is not held to that, because they have the burden of proof, they get the time they need to make their case.

We should try to prohibit or at least restrict people from speaking more than once, because everyone gets three minutes or whatever your time is, right? It's not really fair if someone keeps coming back up for three more and three more and three more.

Discourage cheering and booing. This is again a tough one sometimes. Even, you know, the good people of Arlington Heights, like any other town, they get emotional. These are big issues. If we get one where we have a packed room and people are heated, good or bad, it's important to tamp it down early. Please, everyone gets, because not only is it more civil, we don't want to be accused of running out the folks who are on the wrong side, whatever that may be. You've probably all seen it.

We've got a group of people that's saying say no, say no, this is bad, and one person gets up I think this application is great and they get jeered. Were their due process rights protected? It depends how bad they were jeered. Everyone has the right to speak their minds here, so we want to protect that similarly. It's part of guiding big crowds, it's all part of the same concept.

This is my last slide, ethics. So, some communities have very robust ethics guidelines, some have none. We have a little bit, and I'm not suggesting that's a problem. It's just we don't have a big set of separate ethics guidelines. There is a little bit in our Village Code about ethics expectations of all Village officials, not only the Village Board but Commission members as well.

In a nutshell, I think all can relate to one quote that I pulled out of Chapter 1 of the code. You're supposed to avoid accepting or retaining any economic benefits or opportunities which could impair or present an actual threat to the exercise of independent judgment. So, we get to the causes of the appearance of impropriety, all right. I like to say in guiding my clients through ethical issues, the appearance of impropriety sometimes is worse than actual impropriety. So, just be mindful of that.

Now, sometimes it might be unavoidable. Maybe you have a business relationship with an applicant. Remember, there is a proper way to recuse yourself, right. We don't have a, again some towns have very elaborate procedures for recusals. We don't have that, and that's fine. If you've got a connection to an applicant and you're not sure, generally speaking, of course I'd tell you to reach out to me, kind of like an unofficial ethics officer for the Village. I'm happy to guide you through it.

COMMISSONER DROST: That's really a tough one. We used to have a racetrack here. People on the Board owned tickets and boxes and, you know, is there a sort of a litmus test there when you help support, you know, I help support, you know, Otila's Herbal Medications, you know, and they're moving and, you know, you're a customer of theirs.

MR. PASSMAN: I'm glad you asked that. If you're a customer of a business, to me other things being equal, that does not give rise to the appearance of impropriety. If it's your neighbor, that's not an appearance of impropriety. If it's your father, it is. If you own season tickets to a racetrack or other sporting facility or a theater, with that in and of

itself you're a customer. I don't think that gives rise to it. If you're an owner, if you're a shareholder of a certain level, now it's a little bit different.

COMMISSONER DROST: A donor?

MR. PASSMAN: It's going to be very fact specific.

COMMISSONER CHERWIN: George, you said donor?

COMMISSONER DROST: A donor, yes.

MR. PASSMAN: I would say donor, I think it depends. I think other things being equal, probably not. Now, if you're the one that has your name, you know, embossed in gold leaf above the doorway, it might be different. Your accounting or law partner or business partner, you probably shouldn't be here. If you're in a professional service, your clients, whatever they are, you're the Applicant, you might not be representing them before the Commission, that would be really inappropriate. But maybe, you know, I'm going to pick on lawyers because I know we have a few on the board here, you know, maybe you're a litigator and you're representing someone in a case that has nothing to do with Arlington Heights, but they happen to be filing an application for a land use relief here, you should probably recuse yourself.

Is that always going to be true? No, but it gets to the appearance of impropriety, right? You never want to be accused of that, it's not worth it. It's a stain on the Village, it's a stain on you personally. So, again we can't cover all the permutations, I think that's a good question, Commissioner Drost, but let me know if you've got a case and a situation like that.

I want to say one other thing. The fact that you know the Applicant because they live in town, they go to your --

COMMISSONER DROST: Yes. Like Sue Dawson, you know, has every relationship with, you know, many of these petitioners, so when I drop my kids off from school or when I go to the grocery store --

COMMISSONER GREEN: I, too --

MR. PASSMAN: That's not, to me --

COMMISSONER DROST: No, no, and I'm not trying to make light of it or mock, but I mean, and that's the closeness. To her defense, you know, we're a community that kind of supports everybody else.

MR. PASSMAN: Listen, Arlington Heights is a relatively large municipality, but you all know a lot of people here. Part of the reason you're on this Commission is you know a lot of people here. The Village Board, hey, this is someone that understands. How do you understand the community? It's not by sitting in your living room all day. You're out and about, you know folks.

So, it's okay if you know the Applicant. Again, if they're a family member, if you've got a business relationship with them, okay, that's a different story.

COMMISSONER LORENZINI: That brings up an interesting point. If you've got a relationship with one of your neighbors and they tell you something and you're talking about something, but it's not on the agenda yet, then two weeks later it comes up on the agenda, can you share that information with the rest of the board, whatever their --

MR. PASSMAN: Very good question. So, let's assume, okay, if there hadn't been an application filed yet, okay, and you have a conversation, I hear something is going on at 123 Main Street, I hear there's going to be a new grocery store, there's going to be some brand new development. You haven't broken any rules yet, it's not an ex parte communication because there's no hearing yet. Again, still be cautious, but if you talk, oh, yes, that'll be interesting, gosh,

we really could use a new grocery store in that location, okay, thanks for telling me. Then lo and behold you get a note next day, you know, we're meeting next Wednesday to talk about the new grocery store, okay, what do I do? Should you reveal that?

I think you could in that case. Now, you didn't do anything wrong because the communication was before there was a hearing before you. There was no application to trigger this Commission's involvement. Would it be good to hey, neighbor, remember that thing we talked about, well, we can't talk about it anymore, but I want you to come to the hearing or send a letter in for whatever your thoughts are. Could you then say, hey, you know, before this was filed I heard about this and I heard X, Y and Z. Again, get it out on the record before you vote.

COMMISSONER LORENZINI: No, I mean, the example would be your neighbor tells you, oh, this place is polluted, you know, and then when you come to the hearing, nobody brings up that issue.

MR. PASSMAN: Raise it before you vote. Hey, I heard that there was a pollution problem here. I heard that there was, you know, it was a superfund site. How is this okay? If you start digging on the ground, you're going to, you know, pollute the school next door. There's going to be one of two answers. One is, oh, yes, here is the information, it's all cleaned up. It might be what are you talking about?

Now, that's okay because ultimately someone is going to have to bring evidence to that. If your neighbor says that was a superfund site, don't vote for it, it's a superfund site, you've got to bring me the evidence and you can't give it to me offline. You've got to come to the hearing or e-mail it to Sam or something. It's got to be before us in the hearing, because maybe it was and the Applicant isn't going to tell you about it because the Applicant doesn't want you to vote no. But if it's evidence, it's the job of the public as a whole to bring the evidence forward, it's not your job to bring it forward. If you know something, air it out, get it out here. Does that make sense?

COMMISSONER LORENZINI: Yes, thank you.

MR. PASSMAN: Last thing real quick -- oh, I'm sorry, Commissioner Green?

COMMISSONER GREEN: It's kind of an unrelated thing, and it only relates to me as an architect. There was an ethical issue before in the past about if I have an architectural client here in town and we have to come before the Design Commission and there was as problem about me being a Plan Commissioner going before another board and presenting for my client. So, it was encouraged not to do that if possible but it's a tough thing if, how do you do that? I guess I'm asking you, Hart.

MR. PASSMAN: So, I don't think, and Sam, tell me if I'm wrong, I don't think we have a formal rule on that.

MR. HUBBARD: I'm not familiar with any.

MR. PASSMAN: I don't think there's anything. So, another community --

COMMISSONER GREEN: Your predecessor would like to think there was.

MR. PASSMAN: Who would say that?

COMMISSONER GREEN: Your predecessor.

MR. PASSMAN: My predecessor.

COMMISSONER GREEN: He thought there was --

MR. PASSMAN: There are some communities that actually forbid it in certain circumstances. I can look into this, I'm not aware of that. Ultimately, if the Village Board

thinks it's okay, then it's okay. If they want to stop the practice, they can adopt a rule that would stop the practice.

COMMISSONER GREEN: Because we've had that in reverse. We've had members of the Design Commission come before us, the Plan Commission.

COMMISSIONER JENSEN: The Housing Commission.

COMMISSONER GREEN: Or whatever, yes.

ACTING CHAIRPERSON WARSKOW: Yes, but they're only supposed to do that as a resident, not as a representative of the commission.

MR. PASSMAN: That's true. That's very true. Again, I don't know, some communities say if you're a member of certain commissions, you can't go before other commissions no matter how you present yourself. But I don't think, I will check to see if we have that here, I have not heard that, but Chair Warskow is absolutely right. What you can't do, not because it's a written rule, it's just not appropriate. If you go and say Design Commission, I'm Plan Commissioner Bruce Green and I'm here to tell you --

COMMISSONER GREEN: I get that. It's just that as a sole proprietor, I'm the architect and so I would be representing myself and my client as the architect. So, if I don't have me there, then, you know, how do I do that? So, it's an unusual thing that just because, as you say, we know people in town, we have clients in town and if it comes to that, what do I do?

MR. PASSMAN: I'll double check that.

COMMISSONER GREEN: Okay, I'm just curious.

MR. PASSMAN: I'm not aware of a provision --

COMMISSONER GREEN: I don't have anything going on at the moment. I wish I did, but --

COMMISSONER DROST: One last question on the form, the ethics form for the county, that was kind of a strange form.

MR. PASSMAN: It's a bad one.

COMMISSONER DROST: I mean, that one baffled me.

MR. PASSMAN: So, the legislature, a solution in search of a problem. Like the- statements of economic interest there, we actually have code provisions on it here in Arlington Heights, but most noteworthy it's a state law requirement. Plan Commissions are specifically required to complete the annual statement of economic interest. The legislature, in their wisdom, amended the statute last year to change the questions. The new questions, as you alluded to, Commissioner Drost, are a little harder to answer.

COMMISSONER DROST: Yes.

MR. PASSMAN: And a little bit opaque. I wish I had better advice on that, except that this is what Springfield has foisted upon us. The Illinois Municipal League put out, whether it was a helpful fact sheet or guide sheet, I don't know if you got it, I'll make sure you get it for next year, you'll have to do it again next year. There's been some talk about trying to convince the legislature to dial it back a little in the fall veto session, I wouldn't count on it. Ethics regulations tend not to go more lenient, they tend to get more strict.

WWW: Well, especially with the ComEd.

COMMISSONER DROST: Well, yes.

MR. PASSMAN: Yes, the oddity about all of it is that the new, well, no, I'm thinking about a different law. I understand having heightened ethical standards. This is after all Illinois, but I don't know that the new form really gets us there and it was just not written well. I'll make sure, and I'll work with Staff to make sure that before next year we get you to the IML fact

sheet, assuming the law doesn't change. It was helpful. It didn't get everyone all the way there because there's no way to get all the way there, but it kind of gave some guidelines to everyone how to follow it.

COMMISSIONER JENSEN: Which one of the, one of the forms is really strange. It didn't give you a place to say I have none of these issues. You know, you answer it one time, I think it was the Village, you had one option that you said, you know, I don't do such and such, and then there's a bunch of things listed and there is no place on there to say this does not apply to me. So, I think I called the Village Clerk, I may have called Sam and said I don't know how to fill this thing out. It only asked me one time about this and then there's eight other provisions and they don't give you an opportunity to say this does not apply to me.

MR. PASSMAN: Wish I had a good answer for you, sorry. I have good answers for most things, not this one.

COMMISSIONER JENSEN: Sam, was that the Village form or was that --

MR. PASSMAN: It's based on the old Cook County one.

MR. HUBBARD: Yes, I think you called me about the Village one because I referred you to the Village Clerk for that question.

COMMISSIONER JENSEN: Yes, I think so. They need to do something with the Village form, it's got a problem, too.

COMMISSONER CHERWIN: The problem is it originated with the same minds that drafted the old one. It's not the Village, it's just the state or the county.

COMMISSIONER JENSEN: Yes.

COMMISSONER CHERWIN: Something you would expect from both.

MR. PASSMAN: I think that covers it. Yes, we got through everything. So, that's all I've got. Didn't I tell you, I told you it was going to be an hour and a half?

COMMISSONER DROST: Yes.

COMMISSONER SIGALOS: Yes, you're right on schedule.

MR. PASSMAN: But I don't want to kick anyone out, we have until 10:30, right? But no, any questions for me or for Sam? I don't know if you have any closing remarks beyond that.

MR. HUBBARD: I have a few items that come up every now and then during Plan Commission deliberations. So, sometimes we hear from petitioners, especially when it relates to a special use permit and a market study, and we hear from people in the audience that, you know, allege that the proposed special use is going to saturate the market and be detrimental to the other businesses in the area. So, how does the Plan Commission evaluate a statement like that and what's their role as far as regulating the market and the open market competition?

MR. PASSMAN: Good question, we get a lot of those.

COMMISSONER CHERWIN: This is the Lynn Jensen, Jay Cherwin issue that is at every meeting essentially.

COMMISSIONER JENSEN: But we make the point that we're not supposed to pick winners and losers in the marketplace, and yet we ask them to prove that there is going to be enough room in the market for what they want to do, which is a very strange position to be in.

COMMISSONER CHERWIN: I totally agree. What am I going to do, say no, don't apply?

COMMISSONER DROST: And not everybody has a doctorate in economics.

COMMISSIONER JENSEN: We think the market is saturated?

COMMISSONER CHERWIN: We want to, yes, I mean, it kills me.

MR. PASSMAN: I think you can look at that, Sam. It's your, these are vague, deliberately vague, it's a good thing. What does this mean to you? What does it mean to the Village Board, right? I think it's a fair analysis if you want to say no, you know, adding another business of this type, remember what we said about special uses? It's generally okay in the district but we need to analyze whether this particular version of it is okay in this specific location. Maybe it's not, for that reason, maybe no, this is not helpful to public welfare. You're going to cannibalize the successful business across the street. We want, I mean, I don't, I mean, this happens with groceries and I don't want to pick on any business, we want another grocery, but gosh, don't go there, that would be an inappropriate place. I don't even know if it's a special use. Again, don't take that as the proper example under our code.

But I think you could, I think, you know, the facts matter. But if you've got a situation where, gosh, that's just not good for the neighborhood and we don't need another business of that type, it will not be, it's not necessary for the public convenience, it's not going to protect the public welfare, you can say no on that basis. You could also say I don't want to consider that.

To me, you can say, and I'm not a Commissioner, I don't view those conditions as factoring in that kind of, you know, market regulation, I won't consider that. You have that right. Then if you don't think it's relevant, you should maybe vote in favor of it. If you think it is, you vote against it.

COMMISSIONER JENSEN: Well, we have the weird condition that, what used to be the Meridian Banquet Hall wanted to put up a hotel. They were going to be a boutique, charge higher prices than everybody else, and we had a representative from the other hotels who then says this does not belong in our marketplace. Well, if somebody is charging higher prices and appealing to a totally different audience, you know, from my point of view, there is not a problem. But the question is should the Commission be making those decisions on winners and losers? That's what the issue comes down to.

MR. PASSMAN: I would take it back to from a zoning perspective. I'm going to make something up in response to that. If there's a challenge who says we can't have a $1,000 a night hotel in Arlington Heights, it's not the market here. You build that building, it's going to go vacant, and then what do we do? I think that's not protective of the public health, safety and welfare. A successful hotel would be wonderful, but you've got the wrong business model here. I think that might be a relevant consideration.

Now, I gave you a very extreme example and I know nothing about how that would work in a given location but that's, again we get back to whose job is it to bring that evidence? It's a fair consideration. You say, hey, I want to know more about why this type of hotel is good for this location, I'm concerned that you're in the wrong part of the market. But if you go talk to hotel developers, by the way, it's very stratified. They're real, why do the major brands have 30 different models? We can talk about it offline but they're very, like no, we want a hotel of this type in this category, it goes here and, you know, this one is Marriott and this one is a Sheraton and this one is a Hilton. It's all very carefully done, but it's a valid question, why do I get that one?

COMMISSONER CHERWIN: Yes, and it's come up a couple of times. Where I mostly have a problem with that, when this is like an existing building and you don't have the issue that Hart just brought up, right, where you say, okay, wait a second, you have a vacant

building and if the business goes bad, then you still have a vacant building, it's not like you're building. So, that's when I see more, and I get what Hart is saying, you know, I don't disagree at all. When you're building something new and it, you know, can be some white elephant if things go south. My biggest issue comes up usually when it's like an adaptive reuse or something like that, something that's already existing. That's where I struggle with that.

But, you know, and I hate to keep you guys long, just one real quick question, Hart. One of the things that I really struggle with sometimes is on a special use where it's necessary. I was taking notes before, I don't think you touched on it specifically, but sometimes it's really hard to say is it deemed necessary for the public convenience at this location. That “necessary”, to me it would be like, if I were drafting this from, you know, 1950's when we probably drafted this thing, I would say, you know, deemed prudent or, you know, something a little bit more flexible because, you know, is Portillo's second drive-through necessary? I mean, well, it's very convenient for people because you don't want to wait twice as long for your beef but, you know, sometimes the “necessary” really is a hard one, you know.

MR. PASSMAN: It is, it is. Most communities that have language like that get a little more liberal with it, and I don't have a problem with that either.

COMMISSONER CHERWIN: Yes. Anyway.

COMMISSONER GREEN: The beef can be necessary though.

COMMISSONER CHERWIN: Oh, necessary for me but it may not be necessary for everybody.

MR. PASSMAN: But I could, you know, I mean, we joke about it, but if a restaurant is allowed but a restaurant with a drive-through isn't allowed, so okay, well, restaurants go in here. A restaurant can go there whether we want it or not. They say, hey, we're getting a lot of customers, we want two drive-through lanes to serve the customers. It might be necessary, because if we have only one lane or no lanes, then the parking lot fills up or the traffic backs up, so they make the case. I can find a way to fit into that language, but I also think you're on to something.

COMMISSONER CHERWIN: Yes. Yes, it's a tough one.

MR. HUBBARD: Yes, the last one, this one is pretty straight-forward, but sometimes we hear a lot from people in the audience who are opposing a certain zoning action that's, you know, saying by doing this you're setting a precedent to allow future, you know, uses like this that could be detrimental to our neighborhood. Could you talk a little bit about setting a precedence and how that would factor into a decision?

MR. PASSMAN: Good question, it's a tough one. Technically, we are never setting a precedent because each case rises and falls on its own merits. I mean, and the facts are different. Every property is a little different. Even if it's in a special use construct or a variation, every property is a little bit different. There are some that are very similar but no two are the same.

Does it become harder if you approve six of a certain kind of relief and then say no to the seventh? Yes. If I get in front of a judge and we have a de novo hearing and the plaintiff, the Applicant denied says they gave it to six of my neighbors, what's different about me? That was an unreasonable decision because, you better have a reason why that is, but should you be thinking about that on application number one, that you're setting a precedent? Probably not because that's not one of your standards either.

If the application meets the standards, you should recommend approval. If there's a like property that will also meet the standards, so be it. If there's a problem

with all of that, then the code should be changed. I recognize that can sound a little harsh and unfeeling, but legally that's the correct answer. That's fine, we can always change our code. It has to go through a hearing before this body, but we can always change our code.

MR. HUBBARD: Last one, sorry. This one should be real quick. So, relative to the Open Meetings Act, you know, we can talk about anything, anything that's on the agenda as long as the meeting has been public noticed. What about taking comments from the audience relative to items that aren't on the agenda? Are we free to do that and take comments?

MR. PASSMAN: Not only can you, you have to. Matter of fact, before we leave tonight, at every regular meeting we should ask for public comment.

MR. HUBBARD: I mean, you always have to accept the public comment, but you don't have to necessarily answer it if it's not on the agenda.

MR. PASSMAN: Correct. I'm glad you asked that, Sam. So, I didn't cover it in the meeting. There is a provision in the Open Meetings Act, it's very poorly written, but the general interpretation is you offer the public the opportunity to speak at every regular meeting at some point, independent of the agenda items. I think we have it on our agenda tonight, right? Every single one.

COMMISSIONER JENSEN: But Sam is going through a different issue.

MR. PASSMAN: I know, I understand that.

COMMISSIONER JENSEN: The audience wants you to comment on something that happened three months ago.

MR. PASSMAN: The Open Meetings Act and the First Amendment grant the right to citizens to petition government to speak their mind. There is no right to a response, none. I have litigated that and won it in a different context. That's not to brag or anything, I've had that confirmed. The public gets to speak their mind. At public comment, they can come and say whatever the heck they want. It should be about something related to the Plan Commission, but it could be hey, I didn't like when you voted for that thing three months ago.

More times than not, my recommendation, whether it's at Plan Commission or Village Board or anyone else is nod your head and say thank you for your comment. You are in no obligation to respond to it. Can you? I'll leave that to your discretion.

ACTING CHAIRPERSON WARSKOW: So, now that we've raised the issue, and we do have two people in our audience, would either one of you care to make a comment about anything on the agenda or not on the agenda? Can I ask you to state your name and spell it?

PUBLIC COMMENT FROM THE AUDIENCE

MS. CAYER: Melissa Cayer, C-a-y-e-r.

ACTING CHAIRPERSON WARSKOW: Thank you.

MS. CAYER: There is not a comment agenda item on the agenda. Not a public comment.

ACTING CHAIRPERSON WARSKOW: I think item four, public hearings. Is that meant to be public comment? No?

MS. CAYER: Actually, in most of the agenda templates from the Novus agenda system don't have an agenda item for public comment. So, yes, it would be nice if they were on all the agendas.

ACTING CHAIRPERSON WARSKOW: So noted.

MR. PASSMAN: Yes, I actually appreciate that. I pulled up the agenda, you're right, Ms. Cayer. We should, on regular meetings we should have that. I'll work with Staff on that.

ACTING CHAIRPERSON WARSKOW: Okay, sounds good.

MS. CAYER: Why do you think there's so much vacant commercial space in Arlington Heights?

ACTING CHAIRPERSON WARSKOW: That's beyond my expertise. I think Staff has more interactions with potential businesses, so I would leave it up to Staff to address that question. If able, but we don't, you know --

MR. HUBBARD: Yes, that's a loaded question there. I think there can be multiple reasons for vacancies. I don't know if I could provide a concise answer for that this evening.

MS. CAYER: Okay, thank you. Yes, I do ask a lot of questions at meetings, and I do get a lot of blank looks, too.

ACTING CHAIRPERSON WARSKOW: Keep asking, if we can answer we will.

MR. MOENS: Thank you, Vice-Chair Warskow.

ACTING CHAIRPERSON WARSKOW: You're welcome, okay.

MR. MOENS: Yes, I'm sorry. My name is Keith Moens. I am a resident in Arlington Heights, and also a member of the National Association of Parliamentarians. So, I would like to thank you for doing this tonight. This is good; I learn something every time we do these kinds of things.

But for the sake of decision transparency and democracy, as a Chair, please follow Robert's Rules of Order as our Parliamentarian said tonight, especially with all this Bears stuff that's coming up. I mean, it is the only way to go in that it informs in public and let's everybody in on what the decision is. Get the motion on the floor as soon as possible so that debate is germane and this end hours of discussion before you try to make the main motion. Get the motion on the floor and learn how to amend it. Once that motion is on the floor, it belongs to everybody. It's not the motion maker's anymore and it's not the seconder's, anybody can amend it once it's on the floor. So, once you learn that amending process, it works very smoothly.

A friendly amendment does not work, only if it is made before the second shows up. Once that second shows up and it gets on the floor, a friendly amendment is out of order. So, you've got to learn that amending process. That is a very transparent way to manage and let everybody know what's going on.

Withdrawing a motion is very difficult. It requires unanimous consent, and if there isn't, it goes into a whole voting procedure that takes a lot of time. So, you're better off just voting it down and starting over, something like that, but the main thing is get the motion on the floor, learn how to amend it, and that will make for transparency on how the thing is being made. A friendly amendment, again, can only be made before the second shows up. So, again, it's a process that everyone can follow very clearly, you'll get in no trouble from the Petitioner for not following process.

The other thing I would ask is any committee that's formed out of the Plan Commission, please ask for a report from that committee on how they ruled, what was their vote and any recommendations, rather than waiting for the minutes to show up on that committee, so we know right away where that committee's recommendations fall. That's it, but I really appreciate this. I always learn something, but still, please follow the procedure, Robert's

Rules, because that definitely helps to convey what you're doing very clearly. Thank you.

ACTING CHAIRPERSON WARSKOW: Okay, thank you for your comment. All right, so we'll close the public comment section. Do we have any other business to discuss?

MR. HUBBARD: No, we don't. We will --

COMMISSONER DROST: Thank you for the presentation, echoing our --

ACTING CHAIRPERSON WARSKOW: Oh, yes, do we have to vote to have it put in the public record?

MR. PASSMAN: No, and I'm glad you mentioned that. You don't have to do that. You don't have to do that during hearings, to accept the Staff report. You can, but no. This is not a hearing tonight, this is just a meeting. In a hearing, the evidence presented is part of the record. I mean, I suppose you could strike something from the record if you needed to, but if you want to keep doing what you, I noticed it when we had our meeting two weeks ago on the text amendments, it's fine, but no, what was said here was said here, we can't change it.

ACTING CHAIRPERSON WARSKOW: One last thing for somebody, the Chair to remember, is that a voice vote? Is that a roll call?

MR. HUBBARD: I believe sometimes it's done because, you know, oftentimes in the Staff presentation, especially with larger projects, for example the Arlington 425 project that has a 30-page written Staff report, and you can't possibly get all of that material into a verbal presentation unless you want to go on for eternity or read the written report verbatim. So, I always thought the theory is that anything that you maybe missed in your verbal presentation there, accepting the Staff report document into the --

ACTING CHAIRPERSON WARSKOW: So, we're accepting the written document, not the --

MR. PASSMAN: It's not harmful, but what happens if that motion fails? I mean, that Staff wasn't in the agenda? Of course it was. So, I get it, but you don't have to.

MR. HUBBARD: Fair point.

ACTING CHAIRPERSON WARSKOW: Okay, all right.

MR. HUBBARD: Other than that, yes, we'll have a meeting on the 22nd, and that's about it for this evening.

ACTING CHAIRPERSON WARSKOW: All right, do I have a motion to adjourn?

COMMISSIONER JENSEN: So moved.

COMMISSONER DROST: Second.

ACTING CHAIRPERSON WARSKOW: All right, voice vote, everybody in favor say aye?

(Chorus of ayes.)

ACTING CHAIRPERSON WARSKOW: Plan Commission hearing is adjourned.

MR. PASSMAN: Thanks, everybody.

(Whereupon, at 9:17 p.m., the meeting was adjourned.)

STATE OF ILLINOIS)
) SS.
COUNTY OF KANE)

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

_____
RON LeGRAND, SR.

SUBSCRIBED AND SWORN TO
BEFORE ME THIS _____ DAY OF
_____, A.D. 2022.

_____
NOTARY PUBLIC

DRAFT

Plan Commission
6/22/2022

Item: Mueller Lot Consolidation - 318 W. Mueller St. - PC#22-003

Department: Planning & Community Development

Requested Action

1. Preliminary and Final Plat of Subdivision to consolidate two lots into one lot.

Variations Required

1. A Variation from Chapter 29, Section 29-501f, to waive the onsite stormwater detention requirement.

Recommendation

The Staff Development Committee recommends APPROVAL of the Preliminary and Final Plat of Subdivision to consolidate two lots into one lot, but DENIAL of the Variation from Chapter 29, Section 29-501f, to waive the onsite stormwater detention requirement. Approval of the subdivision shall be subject to the following conditions:

1. A fee-in-lieu of on-site detention, in the amount of $2,862, shall be required.

2. As per applicable building code requirements, the petitioner shall either amend their original building permit or submit a new building permit to authorize the final components of their home improvement project that are now allowed per the lot consolidation.

3. The petitioner shall comply with all Federal, State, and Village Codes, Regulations, and Policies.

ATTACHMENTS:

Description	Type
Staff Report	Board or Commission Report
Public Notice	Exhibits
Aerial	Exhibits
CPRC Minutes - 3/9/22	Minutes
Project Narrative	Correspondence

Plat of Survey - 25' Lot	Exhibits
Plat of Survey - 50' Lot	Exhibits
Engineering Dept - Fee in Lieu of Analysis	Correspondence
Final Plat of Subdivision	Exhibits
Plans	Exhibits
Department Comments - Round 1	Exhibits
Department Comments - Round 1 - Petitioner Response	Exhibits
Department Comments - Round 2	Exhibits
Department Comments - Round 2 - Petitioner Response	Exhibits

VILLAGE OF ARLINGTON HEIGHTS

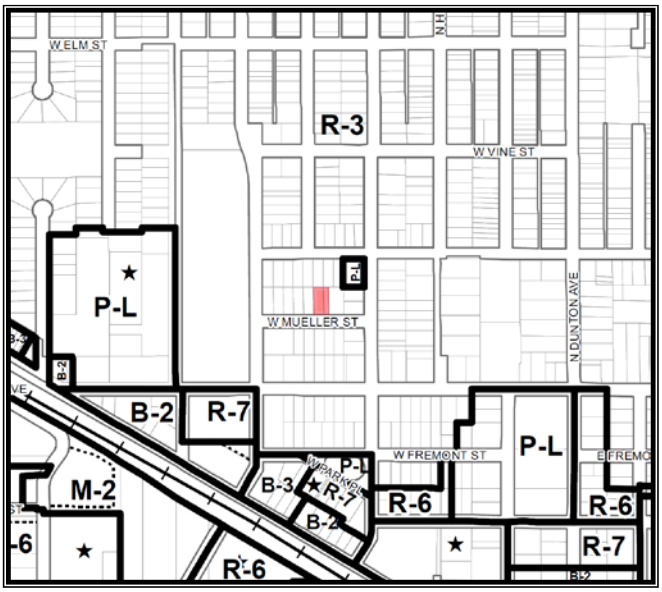
STAFF DEVELOPMENT COMMITTEE REPORT

***Project Number**: PC #22-003*
***Project Title**: Mueller Lot Consolidation*
***Location**: 318 W. Mueller Street*
***PIN**: 03-30-230-015, 03-30-203-016*

***To**: Plan Commission*
***Prepared By**: Sam Hubbard, Development Planner*
***Meeting Date**: June 22, 2022*
***Date Prepared**: June 17, 2022*

***Petitioner**: Chris and Tama Filpi*
***Address**: 318 W. Mueller Street*
Arlington Heights, IL 60004

***Existing Zoning**: R-3: One-Family Dwelling District*
***Comprehensive Plan**: Single-Family Detached*



SURROUNDING LAND USES

Direction	Existing Zoning	Existing Use	Comprehensive Plan
North	R-3: One-Family Dwelling District	Single-Family Homes	Single-Family Detached
South	R-3: One-Family Dwelling District	Single-Family Homes	Single-Family Detached
East	R-3: One-Family Dwelling District	Single-Family Homes	Single-Family Detached
West	R-3: One-Family Dwelling District	Single-Family Homes	Single-Family Detached

Requested Action:

1. Preliminary and Final Plat of Subdivision to consolidate two lots into one lot.

Variations Required:

1. A Variation from Chapter 29, Section 29-501f, to waive the onsite stormwater detention requirement.

Project Background:

The subject property consists of two platted lots of record. The first lot is 50' wide by 139.75' deep and contains the single-family home located at 318 W. Mueller Avenue. The second lot is a vacant 25' x 139.75' parcel of land that serves as an additional yard/landscape area for the home at 318 W. Mueller. Both lots are owned by the petitioners, although they first acquired the larger lot that includes the house in 2011 and purchased the smaller vacant lot from the abutting property owner about one year later (sometime in 2012).

The property owners are now proposing to remodel a portion of the interior of their home, which involves a new enclosed rear entryway of 117 square feet and a small kitchen bump-out of 40 square feet at the rear of the residence, along with the replacement of a rear deck with an at-grade patio. In the future, the petitioners are contemplating demolition of their existing detached garage and construction of an attached garage on the opposite side of the house. For the current project, the property must be consolidated into one lot in order to conform with impervious surface coverage requirements. For the future project, the lot must be consolidated to conform with setback requirements. If approved, the combined lots would yield a single 10,481 square foot lot that would be 75' feet wide.

Zoning and Comprehensive Plan

The subject property is currently zoned R-3, One-Family Dwelling District. The existing single-family use of the site is consistent with the Comprehensive Plan "Single-Family Detached" land use designation. In 2003, the Village established a requirement for formal plat of subdivision approval when consolidation was proposed on any residentially zoned property that came under common ownership after 2003. Because the petitioners acquired the 25' wide lot in 2012, they must receive formal Plat of Subdivision approval to consolidate it as part of the overall property.

The proposed consolidation meets the R-3 standards for lot size and lot area (shown below in **Table I**), and is compatible with the existing lots on the north side of Mueller Avenue. Per Chapter 28, Section 5.1-3.3, a minimum side yard of ten percent of the lot width is required. Therefore, a 75-foot wide lot requires a 7.5-foot side yard on both sides. The existing home is setback 8.5 feet from the side lot line to the west and would be setback over 35 feet from the consolidated property line to the east.

Table I:

Zoning Requirements	Lot Area		Lot Width		Front Yard Setback	Side Yard Setback	Rear Yard Setback	Corner Side Yard Setback
Typical R-3 Lot	Corner	Standard	Corner	Standard	Block Avg. (TBD)	10% of Lot width (min. 7')	30 FT	Avg. or 10% of lot width
	9,900 SF	8,750 SF	90 FT	70 FT				
Proposed Lot (318 W. Mueller)	-	10,481 SF	-	75 FT	No change to existing	8.5 FT, 35 FT	55.5 FT	-
414 W. Mueller	6,988 SF	-	50 FT	N/A	N/A	N/A	N/A	N/A
410 W. Mueller	-	6,988 SF	-	50 FT	N/A	N/A	N/A	-
408 W. Mueller	-	6,988 SF	-	50 FT	N/A	N/A	N/A	-
406 W. Mueller	-	6,988 SF	-	50 FT	N/A	N/A	N/A	-
402 W. Mueller	-	6,988 SF	-	50 FT	N/A	N/A	N/A	-
314 W. Mueller	-	10,481 SF	-	75 FT	N/A	N/A	N/A	-

In consideration of the appropriateness of a lot consolidation, staff's primary analysis focuses on the lots that are located on the same side of the street as the subject property (and which also front on that street). In this instance, there are seven zoning lots that are located on the north side of Mueller Avenue that front on the street and are east of Walnut Avenue and west of Chestnut Avenue. Of those lots, one is 75' feet wide and the remaining lots are 50' wide. If the consolidation is approved, the subject lot would be 75' feet in width and 10,481 square feet in size, representing a 50% increase to the size of the existing lot. Excluding the subject property, the average lot size on the frontage is 7,570 square feet and the proposed lot would be 38% larger than the average lot size of the remaining lots on the frontage. The Staff Development Committee considers this to be within an acceptable range of the existing established character of the vicinity.

Conceptual Plan Review Committee

On March 9, 2022, the petitioners appeared before the Conceptual Plan Review Committee. Feedback from the commissioners was positive and the petitioners were encouraged to proceed forward with their application. The meeting minutes from the March 9th meeting are included in the packet provided to the Plan Commission.

Building, Site, and Landscaping:

The proposed lot and site improvements will comply with all R-3 regulations upon consolidation of the lots. However, without consolidation, the improvements to the site would not be allowed (unless a variation was granted to exceed the maximum allowable impervious surface regulations). Since this issue was not identified until the petitioners had already applied for a building permit, they have redesigned the project to proceed in two phases. Phase One entails only code-compliant work on the existing 50' wide lot. A building permit has been issued for this work, which is allowed without the requested lot consolidation. Once the lot consolidation is approved, the permit will be amended (or a second permit will be submitted) to allow project completion, which would entail only patio/servicewalk work that would have exceeded the maximum impervious surface limitation as based on the 50' wide lot but would now conform to code requirements based on the larger consolidated lot size. No Design Commission review is required due to the small scope of the exterior changes to the home.

Stormwater:

Chapter 29 of the Municipal code requires that any property going through a subdivision process (including lot consolidations) must provide onsite stormwater control facilities. However, on lot consolidations and subdivisions of land that are less than four lots, the subdivider is traditionally given the option of providing a payment in lieu of onsite stormwater control improvements. This alternative is available since the provision of onsite stormwater facilities is impractical for such small projects, the expected stormwater impact of such projects is typically minor, and onsite stormwater facilities could be a financial burden. Rather than construction of an onsite stormwater system, the Village allows this stormwater to be directed into the Village system, which in this case is a combined sanitary/stormsewer that runs under Mueller Avenue. In the case of the subject property, the fee-in-lieu of onsite stormwater detention is $2,862. The petitioner has requested a variation from Chapter 29, Section 29-501f, to waive this fee and has provided their justification within the project narrative submitted in conjunction with their application.

The Staff Development Committee is not supportive of this variation for the following reasons:

1. The proposed lot consolidation will allow additional impervious surface coverage on the existing 50' wide lot with the home on it, which would not otherwise be allowed absent of a lot consolidation.

2. Older subdivisions, such as the original subdivision that created the lots encompassed by the subject property (platted in 1895), were done at a time when stormwater detention was not required, which has created historical flooding issues within the Village. The subdivision/consolidation process triggers improvements that are meant to address stormwater flooding and the subject property should not be exempt from these requirements.
3. The subject property is tributary to a combined sewer system that has experienced basement backups in the immediate area. The proposed improvements to the home and the lot consolidation will not have a *substantial* detrimental impact on the downstream flooding conditions, however, it will increase stormwater flowing into the system and the money-in-lieu of detention is offered by code as an alternative to providing onsite detention. Any fees collection as money-in-lieu will apply to future system improvements.
4. The requested variation is the only such request having been received by the Village. Other recent lot consolidations have paid the required fee in lieu of onsite stormwater and the Staff Development Committee does not find that the subject property has any unique condition that would warrant a variation to waive the code requirement:
    a. 2019: 710 N. Dunton – Consolidation of three lots to create a single lot of 9,392 square feet to allow construction of single-family home. $2,352 fee paid.
    b. 2018: 608 & 614 N. Haddow – Consolidation of two lots into a single lot of 17,265 square feet to allow an addition to the existing home. $3,805 fee paid.
    c. 2009: 1008, 1002, and 1016 N. Highland – Consolidation of three lots, each with a single-family home, into two lots to allow construction of two single-family homes. $5,248 fee paid.

Parking & Traffic:

According to the Village's Subdivision Control Regulations and Zoning Ordinance, a traffic study is only required for residential subdivisions that involve at least 100 dwelling units or more. Since the petitioner is proposing a single-lot consolidation, no traffic study is required.

RECOMMENDATION

The Staff Development Committee recommends **APPROVAL** of the Preliminary and Final Plat of Subdivision to consolidate two lots into one lot, but **DENIAL** of the Variation from Chapter 29, Section 29-501f, to waive the onsite stormwater detention requirement. Approval of the subdivision shall be subject to the following conditions:

1. A fee-in-lieu of on-site detention, in the amount of $2,862, shall be required.
2. As per applicable building code requirements, the petitioner shall either amend their original building permit or submit a new building permit to authorize the final components of their home improvement project that are now allowed per the lot consolidation.
3. The petitioner shall comply with all Federal, State, and Village Codes, Regulations, and Policies.

_____ June 17, 2022

Bill Enright, Assistant Director of Planning and Community Development

Cc: Randy Recklaus, Village Manager
All Department Heads

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT THE PLAN COMMISSION OF THE VILLAGE OF ARLINGTON HEIGHTS WILL CONDUCT A PUBLIC HEARING ON JUNE 22, 2022, AT 7:30 P.M. in the Municipal Building, 33 South Arlington Heights Road, Arlington Heights, Illinois to consider Petition No. 22-003, an application for Preliminary & Final Plat of Subdivision approval to consolidate two lots into one lot, said property located at 318 West Mueller Street in Arlington Heights, IL, and legally described as follows:

LOT 16 AND LOT 17 (EXCEPT THE EAST 25 FEET) IN BLOCK 8 IN E.P. MUELLER'S ALTENHEIM SUBDIVISION BEING A SUBDIVISION OF THE EAST 28 ACRES MORE OR LESS OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINICIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

As part of said petition the applicant is requesting the following variation from the Municipal Code:

- Variation from Chapter 29, Section 29-501f, to waive the onsite stormwater detention requirement.

At the public hearing, the Plan Commission will accept and consider all testimony and evidence pertaining to the application, and will consider any zoning actions or relief that may be necessary or convenient to allow development of the type described in this notice, or development that is less dense than the type described in this notice, including, without limitation, special use permits, variations, map or text amendments, or other special approvals.

All persons desiring to be heard shall be given the opportunity to be heard. Should any individual need auxiliary aid or service, such as a sign language interpreter or materials in alternative formats, please contact the Health Department at 33 South Arlington Heights Road, Arlington Heights, Illinois 60005, (847) 368-5760, TDD# (847) 368-5794.

Susan Dawson, Chair
ARLINGTON HEIGHTS PLAN COMMISSION
Published in Daily Herald June 7, 2022 (4583701)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Northwest Suburbs
Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **Northwest Suburbs DAILY HERALD**. That said **Northwest Suburbs DAILY HERALD** is a secular newspaper, published in Arlington Heights and has been circulated daily in the Village(s) of: Arlington Heights, Barrington, Barrington Hills, Bartlett, Buffalo Grove, Deer Park, Des Plaines, Elk Grove, Franklin Park, Glenview, Hanover Park, Hoffman Estates,Inverness, Melrose Park,Morton Grove, Mt Prospect, Niles, Northbrook, Northfield, Northlake, Palatine, Park Ridge, Prospect Heights, River Grove, Rolling Meadows, Rosemont, Schaumburg,Schiller Park, South Barrington, Streamwood, Wheeling, Wilmette

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

I further certify that the Northwest Suburbs DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 06/07/2022
in said Northwest Suburbs DAILY HERALD.

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

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY _____
Designee of the Publisher and Officer of the Daily Herald

Control # 4583701

NOTIFICATION AFFIDAVIT

I, Tama Filpi hereby certify as follows:

1. That on the 6th day of June, 2022, affiant caused to be mailed in the Post Office of Arlington Heights, copies of the attached Notice of Public Hearing to all listed tax payers of real estate within 250 feet, excluding all Public Right-of-Ways of the subject property and to the owners, or representatives, of property listed as exempt, and to all Condominium Associations whose property is within 250 feet of the subject site for which the hearing is being held..

2. That the parties to whom said notice was mailed are set forth on the attached list.

3. That the petitioner stated that the required sign(s) were erected as required by the Village of Arlington Heights.

Tama Filpi
Signature

Subscribed and Sworn to before me
this 8 day of June, 2022.

"OFFICIAL SEAL"
REBECCA A. HUME
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires 06/08/2024

Rebecca A Hume
Notary Public

RECEIVED
JUN - 8 2022
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

May 31, 2022

NOTICE OF PUBLIC HEARING

Please be advised that a petition has been filed with the Village of Arlington Heights for:

1. A Preliminary and Final Plat of Subdivision to consolidate two lots into one lot.
2. A Variation from Chapter 29, Section 29-501f, to waive the onsite stormwater detention requirement.

The location of the property is 318 W. Mueller St., Arlington Heights, Illinois. Christopher and Tama Filpi are the beneficial owners of the property.

The hearing is open to the public and comments from the public on the proposal are invited. Hearing on said petition will be held by the Arlington Heights Plan Commission at the Municipal Building, 33 South Arlington Heights Road, Arlington Heights, Illinois, 3rd Floor, at 7:30PM, on Wednesday, June 22, 2022.

Christopher Filpi

Tama Filpi

Any individual who would like to attend this meeting but because of a disability needs some accommodation to participate should contact Rosangela Maldonado at 33 S. Arlington Heights Rd., Arlington Heights, IL 60005, rmaldonado@vah.com or (847) 368-5791.

PIN #'s That Must Receive a Mailing	Notes	Name	Mailing Address	City
03-30-224-008-0000		Mark Pasieka	414 W. Hawthorne St.	Arlington Heights, IL 60004
03-30-224-009-0000		Jason R. Buch	410 W. Hawthorne St.	Arlington Heights, IL 60004
03-30-224-010-0000		James & Janet Reich	404 W. Hawthorne St.	Arlington Heights, IL 60004
03-30-224-011-0000		C. Kearney	706 N. Mitchell Ave.	Arlington Heights, IL 60004
03-30-225-014-0000		William & Sandra Forde	705 N. Mitchell Ave.	Arlington Heights, IL 60004
03-30-225-015-0000		Jonathan Pape & Hilary Kargl	316 W. Hawthorne St.	Arlington Heights, IL 60004
03-30-225-016-0000		Mark S. Ditthardt	312 W. Hawthorne St.	Arlington Heights, IL 60004
03-30-225-017-0000		Timothy Whalen	304 W. Hawthorne St.	Arlington Heights, IL 60004
03-30-225-018-0000		Richard P. Pucci, Jr.	702 N. Chestnut Ave.	Arlington Heights, IL 60004
03-30-226-028-0000		John Tanquary	701 N. Chestnut Ave.	Arlington Heights, IL 60004
03-30-230-001-0000		Habib F. Bilfaqi & Siddhi Shah	421 W. Hawthorne St.	Arlington Heights, IL 60004
03-30-230-002-0000		Erin E. Wiggs	417 W. Hawthorne St.	Arlington Heights, IL 60004
03-30-230-003-0000		Robert & Shelly Battis	405 W. Hawthorne St.	Arlington Heights, IL 60004
03-30-230-004-0000		David G. Sullivan	403 W. Hawthorne St.	Arlington Heights, IL 60004
03-30-230-005-0000		Britt & Catherine Nolan	321 W. Hawthorne St.	Arlington Heights, IL 60004
03-30-230-006-0000		John Riley	319 W. Hawthorne St.	Arlington Heights, IL 60004
03-30-230-007-0000		WM J. Engelhardt	315 W. Hawthorne St.	Arlington Heights, IL 60004
03-30-230-008-0000		Richard Svienty	311 W. Hawthorne St.	Arlington Heights, IL 60004
03-30-230-009-0000	Owned by VAH. No Mailing Required			
03-30-230-010-0000		Thomas Kim	414 W. Mueller St.	Arlington Heights, IL 60004
03-30-230-011-0000		Mrs. Joseph L. Piszczek	410 W. Mueller St.	Arlington Heights, IL 60004
03-30-230-012-0000		Bryan & Steph Ryter	408 W. Mueller St.	Arlington Heights, IL 60004
03-30-230-013-0000		David Srednick	406 W. Mueller St.	Arlington Heights, IL 60004
03-30-230-014-0000		Timothy & Ann Shover	402 W. Mueller St.	Arlington Heights, IL 60004
03-30-230-015-0000		Petitioner: no mailing made		
03-30-230-019-0000		Mark Tack	628 N. Chestnut Ave.	Arlington Heights, IL 60004
03-30-230-020-0000		Adam & Melissa Turner	626 N. Chestnut Ave.	Arlington Heights, IL 60004
03-30-230-021-0000		Petitioner: no mailing made		
03-30-230-022-0000		Robert & Leesa Akins	314 W. Mueller St.	Arlington Heights, IL 60004
03-30-231-004-0000	Mail to: Chi	Church of Christian Liberty	502 W. Euclid Ave.	Arlington Heights, IL 60004
03-30-231-005-0000		Cody & Brittany Stubbeman	405 W. Mueller St.	Arlington Heights, IL 60004
03-30-231-006-0000		Thomas M. Scanlan	319 W. Mueller St.	Arlington Heights, IL 60004
03-30-231-007-0000		Robert Tyler Hansen	315 W. Mueller St.	Arlington Heights, IL 60004

PIN #'s That Must Receive a Mailing	Notes	Name	Mailing Address	City
03-30-224-008-0000		Mark Pasieka	414 W. Hawthorne St.	Arlington Heights, IL 60004
03-30-224-009-0000		Jason R. Buch	410 W. Hawthorne St.	Arlington Heights, IL 60004
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03-30-231-007-0000		Robert Tyler Hansen	315 W. Mueller St.	Arlington Heights, IL 60004

NOTICE OF PUBLIC HEARING
HEARING FOR: PRELIMINARY AND FINAL PLAT OF SUBDIVISION TO CONSOLIDATE TWO LOTS INTO ONE LOT, VARIATION FROM CHAPTER 29, SECTION 29-501F, TO WAIVE ONSITE STORMWATER DETENTION REQUIREMENTS.
HEARING LOCATION: Arlington Heights Municipal Building 33 S. Arlington Heights Road
DATE: JUNE 22, 2022
TIME: 7:30 pm
PUBLIC ATTENDANCE & COMMENTS INVITED
FOR DETAILS CALL: CHRISTOPHER FILPI (847) 577-0913
OR: VILLAGE OF ARLINGTON HEIGHTS DEPARTMENTS OF PLANNING AND COMMUNITY DEVELOPMENT PHONE: (847) 368-5200
PIT STOP

421
417
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403
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N Chestnut Ave
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W Mueller St
N Walnut Ave
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302

REPORT OF THE PROCEEDINGS OF

THE CONCEPTUAL PLAN REVIEW COMMITTEE

OF THE VILLAGE OF ARLINGTON HEIGHTS PLAN COMMISSION

A MEETING WAS HELD ON: March 9, 2022

Project Title: Mueller Lot Consolidation

Address: 318 W. Mueller Street

Petitioner: Chris & Tama Filpi
Address: 318 W. Mueller Street
Arlington Heights, IL 60004

Requested Action:

1. Plat of Subdivision to Consolidate two lots into one.

Variations Required:

- None identified at this time

Attendees: Chris Filpi, Petitioner
Bruce Green, Plan Commissioner
Lynn Jensen, Plan Commissioner
Terry Ennes, Plan Commissioner
Sam Hubbard, Development Planner

Project Summary:

The subject property consists of two platted lots of record. The first lot is 50' wide by 139.75' deep and contains the single-family home located at 318 W. Mueller Avenue. The second lot is a vacant 25' x 139.75' parcel of land that serves as an additional yard/landscape area for the home at 318 W. Mueller. Both lots are owned by the petitioners, although they first acquired the larger lot that includes the house in 2011 and purchased the smaller vacant lot from the abutting property owner about one year later (sometime in 2012).

The property owners are now proposing to remodel a portion of the interior of their home, which involves a new rear entryway of 117 square feet and a small kitchen bump-out of 40 square feet at the rear of the residence, along with replacement of a rear deck with an at-grade patio. In the future, the petitioners are contemplating demolition of their existing detached garage and constructing an attached garage on the opposite side of the house. For both the current project and potential future project, the property must be consolidated into one lot in order to conform with impervious surface coverage requirements. If approved, the combined lots would yield a 10,481 square foot lot that would be 75' feet wide.

Meeting Discussion:

Mr. Filpi stated they are working on a home renovation project and have run into some impervious surface coverage issues. The property is composed of a 50' lot and a 25' lot. They purchased the 25' lot about one year after they moved into the house; the house is located on the 50' lot. They would like to consolidate the 25' lot with the 50' lot, which would put them in compliance with the impervious surface requirements and allow them to proceed with a small addition to their house that is part of their home renovation project.

S. Hubbard said the property is zoned R-3. In 2003, the Village established a requirement that that any two adjacent residentially zoned property that comes under common ownership (subsequent to November of 2003) must go through a Plat of Subdivision process to be considered one lot. A consolidation is being requested because the home renovation project would put the 50' lot over the maximum allowable impervious surface coverage. As a combined 75' wide lot they would comply with impervious surface regulations. Additionally, the petitioner is considering a future project, which entails

demolition of the existing detached garage and construction of a new attached garage that would extend onto the 25' lot. The subdivision code triggers the requirements for onsite stormwater detention, however, it allows payment of a fee-in-lieu of onsite detention. All Plats of Subdivision must include the code required setbacks, which in the case of the front yard, would be based on the existing setbacks of all of the homes on the frontage. Additional information would be required in this regard. An overhead sewer would not be required but is strongly recommended. A Traffic and Parking study is not required for this project. Staff is generally supportive subject to the items mentioned in the Staff report.

Commissioner Ennes asked about the current lot and why the additional lot was purchased.

Mr. Filpi said that they bought the 25' portion in 2011 to prevent someone from building a home on it. At that time it was a 50' wide vacant lot; they purchased half of it and the neighboring property owner on the other side purchased the other half. They use it as a nice open space for a side yard.

Commissioner Ennes asked about the existing driveway leading to the detached garage, which was a shared driveway. When the garage is removed would it create issues for the neighbor? Can driveways be built right up to a property line?

S. Hubbard responded that driveways do not require a setback, provided that the lot was less than 70' wide.

Commissioner Jensen stated that the consolidation seemed to make sense.

Commissioner Green said he was in favor of lot consolidation. He supported making smaller lots larger, regardless of whether the other lots on the block were of a larger size too. Making lots larger to conform with current code requirements for lot size was a good idea. He encouraged the petitioner to move forward.

Mr. Filpi stated that given the size of the project and consolidation, he was trying to understand why they needed to pay a fee-in-lieu of stormwater detention.

S. Hubbard explained that they could request relief from the code requirement, however, it was unlikely that this request would be supported by the Engineering Division.

RECOMMENDATION

The Conceptual Plan Review Committee was generally supportive of the concept and advised the petitioner to proceed with a Plan Commission application.

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

Narrative Statement from Chris and Tama Filpi Regarding the Lot Consolidation of Real Estate PIN 03-30-230-015-0000 & 03-30-230-021-0000

We would like to combine the lot at 318 W. Mueller St. (PIN 03-30-230-015-0000), on which our home sits, with the adjacent 25 ft. wide lot that we also own (PIN 03-30-230-021-0000). We purchased our home in March of 2010. The adjacent property was purchased in the summer of 2011 from the estate of the owner of a double lot to our east.

We are attempting to complete a renovation of our home, which will include the addition of a new rear staircase (which will lead from the first floor to the back door and then down to our basement). A Mud Room will replace the area where the current back staircase sits. It has come to our attention through the permit process that the renovation will create a situation where the Impervious Surface Coverage of our house, when combined with the garage, driveway, walkway and patio, will exceed the 50% limit established by the Village for the lot on which our house sits. It has further come to our attention, that if the Village will allow us to combine our two adjacent lots, the additional square footage afforded by the smaller, unbuilt lot, will ameliorate this situation. This would allow us to complete the renovation of our home without losing our brick walkway and patio. The impervious coverage would be 38% on the 75 ft. lot, well below the allowable 50%.

We *may* (or may not) in the future consider relocating our garage to the east side of our property onto what is now our adjacent 25 ft. lot. This would serve two purposes. First, it would allow us an attached garage, whereas our garage is currently detached and located at the northwest corner of our property. Second, it would mean our driveway would no longer adjoin the driveway of our neighbors to the west as it does now.

Request for variation from the requirements in Section 29-501(f) of Chapter 29 of the Municipal Code:

We would like to request an exemption from the requirement that we pay the Village a fee-in-lieu of onsite water detention in our 10,481 sq. ft. yard. The fee we have been quoted from the Village Engineering Department is $2,862. The fee is based on the total percentage of the combined lot that will be covered by impermeable surfaces. Our understanding is that the fee may only be waived by the Village Board of Trustees.

The Village officially deems our request to combine our two lots to be a “Plat of Subdivision to Consolidate two lots into one”, and therefore we are subject to the requirements of the creation of a subdivision, of which water detention is a part. We believe this is unfair: in no meaningful sense are we creating a subdivision. We are not a housing developer. We are not a property owner seeking to subdivide our lot to sell to a home builder. We are not even seeking to combine lots to build a new house or make a large addition to our current home. Village staff have been unable to provide us with an example of a situation in which a homeowner in similar circumstances to ours has been charged this fee.

We assume the Village’s fee-in-lieu scheme is based on the notion that the fee will help offset the cost of stress to Village storm sewers by one or two lot new developments where the building of a water detention system is impractical. We urge you to consider the following when deciding whether we should be subject to the fee-in-lieu of water detention:

1) Our home is not a new development. It has stood in the Village since 1915. As an older home, the first floor sits ½ flight of stairs above ground and the basement is less than 4 ft. below grade, so volume-wise our home displaces less ground water than a new construction home.
2) It is not a large home: while the long driveway to our detached garage may run us afoul of the Village's Impervious Coverage allowance, the Building Lot Coverage including our planned 117 sq. ft. addition is well below the Village's allowed maximum even when only the original 50 ft. wide lot is considered (1,940 sq. ft. out of an allowed 2,445 sq. ft.). Again, a smaller footprint means less displaced rainwater. There is more volume of soil for water to saturate beneath a driveway or patio than beneath a large-footprint house with a full basement.
3) Our 117 sq. ft. addition will sit on land which is currently occupied by part of our deck and part of our brick patio -- in other words, we are not adding to the impermeable surface on our lot, merely replacing one surface with another.
4) If, in the future, we were to move our garage to the east side of our property, on a combined 75 ft. wide lot we would be well below Village allowances for Principal Structure Floor Area, Building Lot Coverage, and Impervious Coverage. Our plans will not maximize these allowances as would be likely for a new build, with its consequences for storm water run-off.
5) To charge us for existing impermeable surfaces on our property, as does the Village's formula for calculating the fee-in-lieu, seems unfair and not in line with the spirit of the requirement. We therefore request the Village Board to waive the requirement of the fee-in-lieu of onsite detention.

We would further like to encourage the Village Board to review the requirements for homeowners who, like us, are seeking to combine their adjoining residential lots. The twenty-seven page Plan Commission Application, with its eight step Typical Plan Commission Process and fifteen step Petitioner's Checklist, is required for both the Village's largest developers and homeowners in our position. While Village staff has attempted to help guide us through this process, it is still very complex and time consuming, with many requirements and rounds of commission and board approval. As twelve year residents of Arlington Heights, we would like to think our Village practices good government and does not over-burden its residents with processes more complex than needed. Surely, the Village's Trustees want to encourage homeowners to maintain and improve their properties. The current lengthy and expensive process seems more likely to produce the opposite. A revised system that is simpler and fairer, allowing more nuance in the application of the fee in-lieu of water detention, would benefit those attempting simple consolidations in the future. We urge the Board to consider changing the current process.

We thank you for your consideration.

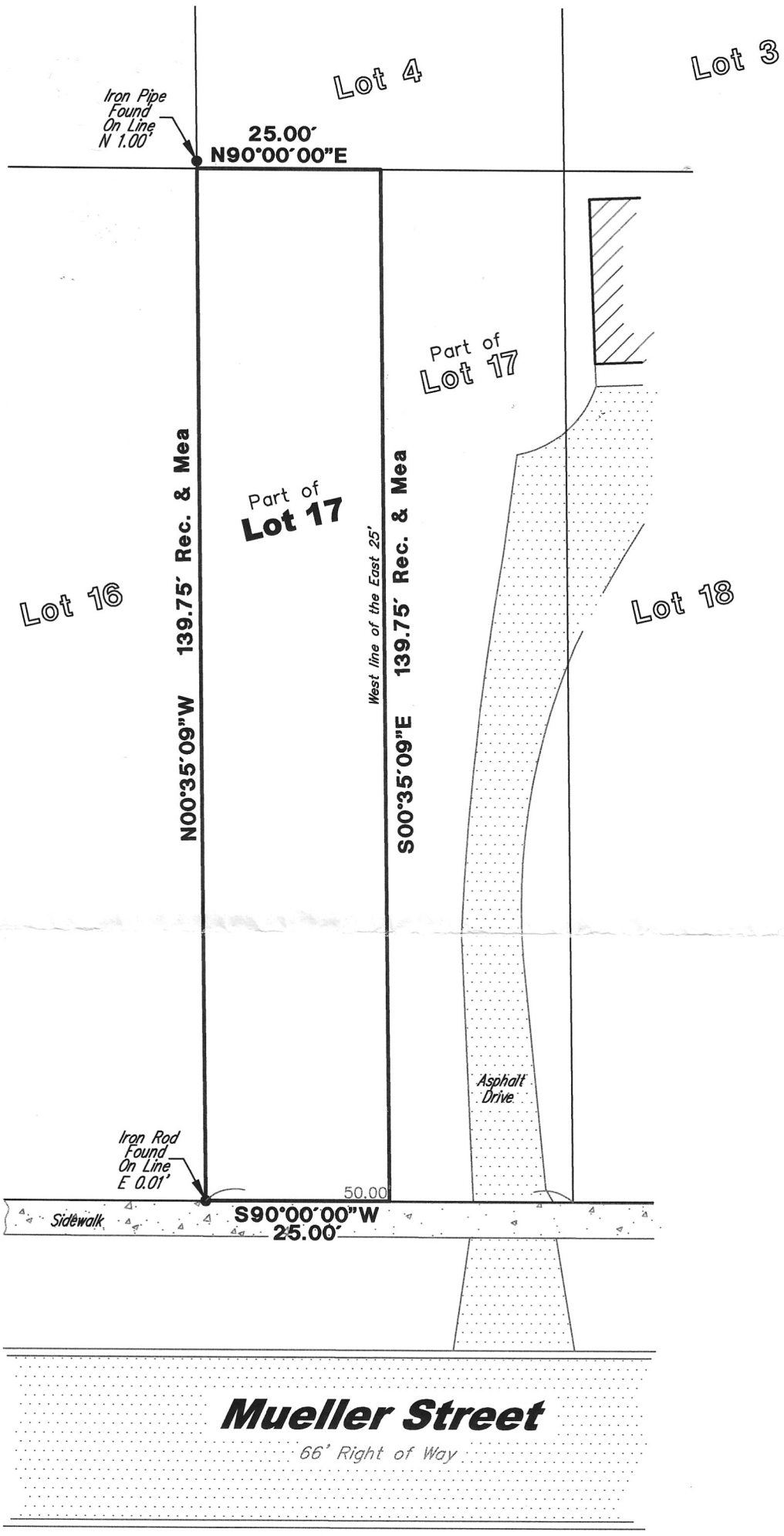
Tama and Christopher Filpi

PLAT OF SURVEY

LOTS 17 (EXCEPT THE EAST 25 FEET) IN BLOCK 8 IN E.P. MUELLERS ALTENHEIM SUBDIVISION, BEING A SUBDIVISION IN SECTION 30, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

N

Scale: 1" = 20'



Legend:

O-Set 1/2" Iron Pipe
●-Found Iron Pipe
X-Found Cross

Surveyor Notes:

1. Field Work Completed on 8-9-2011

2. Prepared for Survey Services, Inc., for real estate transaction.

3. Site Address: 314 N. Mueller St., Arlington Heights, Illinois

4. Pin No.: 03-30-230-016

5. The easements shown hereon are provided from the current title and the use of the recorded subdivision plat. No search of the records for easements or encumbrances was made as part of this survey.

6. Compare deed description and site conditions with the data given on this plat and report any discrepancies to the surveyor at once.

7. No boundary corners were set at time of field survey of the subject property by client agreement.

State of Illinois)
SS)
County of Cook)

We, Land Surveying Services, Inc. do hereby state that we have surveyed the above described property and that this is the Plat that represents the conditions found at the time of said survey.

Given under my hand and seal this 9th day of August, A.D. 2011 in Palatine, Illinois.

Gloria Jean Koter, an agent for Land Surveying Services, Inc.

Illinois Professional Land Surveyor Number 3323
License Expiration Date 11-30-12

STATE OF ILLINOIS
GLORIA JEAN KOTER
035-003323
REGISTERED LAND SURVEYOR

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

Job Number
LS110430
Sheet Name
PLAT OF SURVEY
Sheet Number
SURVEY

Land Surveying Services, Inc.
574 W. Colfax Street Palatine, Illinois 60067
Ph. (847)991-7700 Fax. (847)991-7707
Professional Design Firm License No. 184-003632

Field Work Completed:	8-9-2011
Scale: 1" = 20'	Date: 8-9-2011

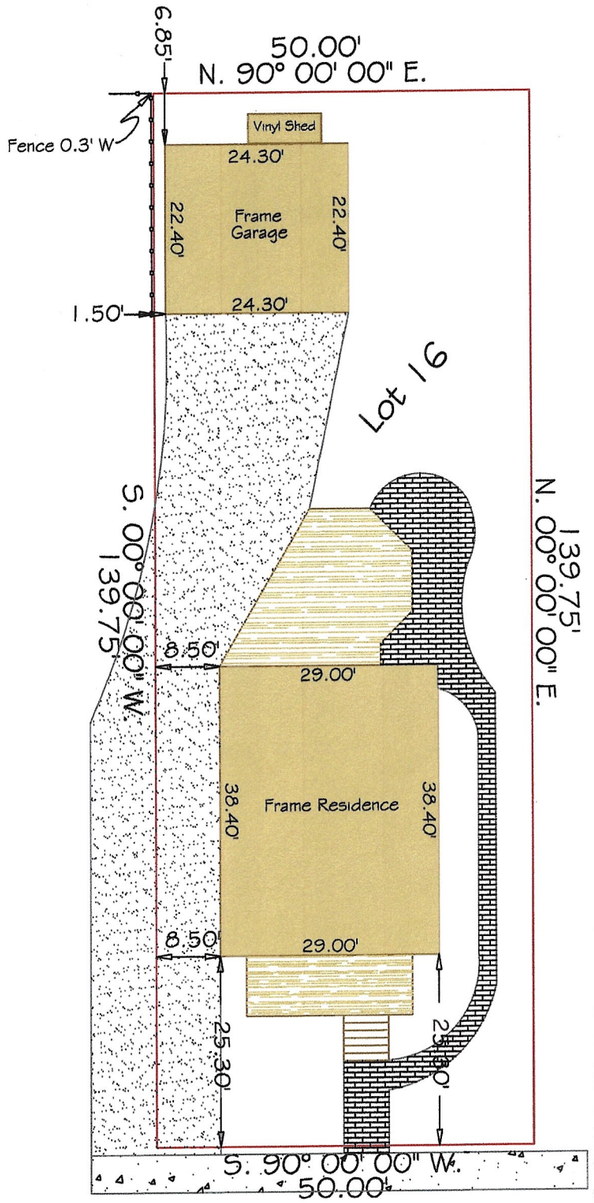
Site Address:
314 Mueller Street
Arlington Heights, Illinois

Drawn By: JJp	Checked By: GJK

Drawing Revisions

REVISION	Date	Drawn	Checked

BEARINGS ARE ASSUMED



Mueller Street

PLAT OF SURVEY

LEGAL DESCRIPTION

LOT 16 IN BLOCK 8 IN E. P. MUELLER'S ALTENHEIM SUBDIVISION BEING A SUBDIVISION OF THE EAST 28 ACRES MORE OR LESS OF THE SOUTH EAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY COUNTY, ILLINOIS.

Commonly Known as: 318 W. MUELLER STREET
ARLINGTON HTS, ILLINOIS.

STATE OF ILLINOIS)
S.S.)
COUNTY OF DU PAGE)

I GREGORY L. POWELL, DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON IS A CORRECT REPRESENTATION OF A SURVEY OF THE LAND PURSUANT TO THE "MINIMUM STANDARDS OF PRACTICE," 68 IL.ADMIN.CODE, SECTION 1270.56(b)(6)(P) PERFORMED AT AND UNDER MY DIRECTION. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

ALL DIMENSIONS SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.

GIVEN UNDER MY HAND AND SEAL THIS 15TH DAY OF MARCH, A.D. 2010. MY LICENSE EXPIRES 11/30/2010

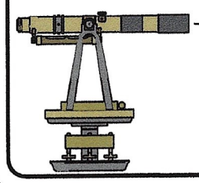
GREGORY L. POWELL 3187 PROFESSIONAL STATE OF ILLINOIS

GREGORY L. POWELL
ILLINOIS PROFESSIONAL LAND SURVEYOR NO.3187

ORDER NO.	10-1023
Drawn by	glp
Checked	GLP
Approved	GLP
Scale	1" - 20'

Prepared for:

Jennifer M. Baratta
310 W. Fremont Street
Arlington Hts, Illinois. 60004



G. Powell & Associates Inc.
Professional Land Surveyors
5892 Chatsworth Court
Hanover Park, Illinois 60133
Phone (630) 540-2557
Fax (630) 540-2558

SURVEYOR'S NOTE:

IRON PIPE'S AT ALL PROPERTY CORNERS UNLESS NOTED OTHERWISE

Village of Arlington Heights

Public Works Department

Memorandum

To: Sam Hubbard, Development Planner
From: Nanci Julius, P.E., Senior Civil Engineer
Date: June 2, 2022
Subject: 318 W Mueller St lot consolidation money-in-lieu of detention

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This memo is provided in response to the petitioner's request to waive the money-in-lieu of detention.

The following sections of the Municipal Code and Manual of Practice pertaining to detention are provided for reference:

Chapter 29 Subdivision Control Regulations, Section 29-501 Required Improvements

- A storm sewer system, separate and independent of the sanitary system, meeting all specifications of Chapter 22 and 23 of this Code.

Chapter 22 Sewers, Section 22-106, Storm Sewers and Surface Water

a. New connections.
   1. Combined Sewer Areas.
      (b) Detention shall be provided and/or permanent constrictions shall be built on the storm sewer system to control the flow into the existing combined system in accordance with the requirements of the Director of Engineering.

Chapter 22 further mentions that the design regulations shall follow the **Manual of Practice**, which is also considered the "requirements of the Director of Engineering."

With regard to the **Manual of Practice, Chapter 3**, **Storm Water Facilities,** this chapter elaborates on the requirements for storm water facilities. The particular circumstances for this project would be considered small development, and section 3.05E of the Manual of Practice states:

> **3.05E - SMALL DEVELOPMENTS**
> The Director of Engineering may exempt the Developer from the storm water holding reservoir requirements in circumstances when, in the Director's opinion, the immediate downstream flooding conditions will not be significantly worsened. A cash payment to the Village in the amount set out in Article 1.12 of this Manual will be required.

That amount is $1.00/cu ft of required storage.

In July 2011, the Village experienced a record-breaking rain event that caused flooding issues for many residents. Storm water studies were analyzed in 2016 to provide the Village with potential improvements that could be done to improve uniform storm water service levels across the community. The Combined Sewer Tributary Area Flood Study final report was completed in March, 2017. The full report can be found in the attached link:

https://www.vah.com/common/pages/DisplayFile.aspx?itemId=12455330

Per the following sections of the report, 318 W Mueller St is immediately tributary to Area 2 for subbasins with potential basement backups. The study further proposes future relief combined sewers at the following locations in the vicinity of Area 2:

- 24" relief combined sewer on Euclid Ave (Ridge Ave to Fremont St)
- 15" combined sewer on Mitchell Ave (Hawthorne St to Elm St)
- 21" overflow connection between 21" combined sewer and 66" combined relief sewer at Salem Ave and Northwest Highway

Excerpts from the study are provided as attachments to this memo.

Per the Engineering Division's prior comments, staff is not in favor of waiving the money-in-lieu of detention for the 318 W Mueller St lot consolidation as this property is tributary to a combined sewer system that has experienced basement backups in the immediate area. Detention is also a code requirement. It also sets a bad precedence for future small subdivisions.

Taking into consideration that the proposed improvements to the home and the lot consolidation will not worsen the downstream flooding conditions, the money-in-lieu of detention is offered by code as an alternative to providing detention. Any fees collection for money-in-lieu for this project would apply to future system improvements.

c: Cris Papierniak, PE, Director of Public Works & Engineering

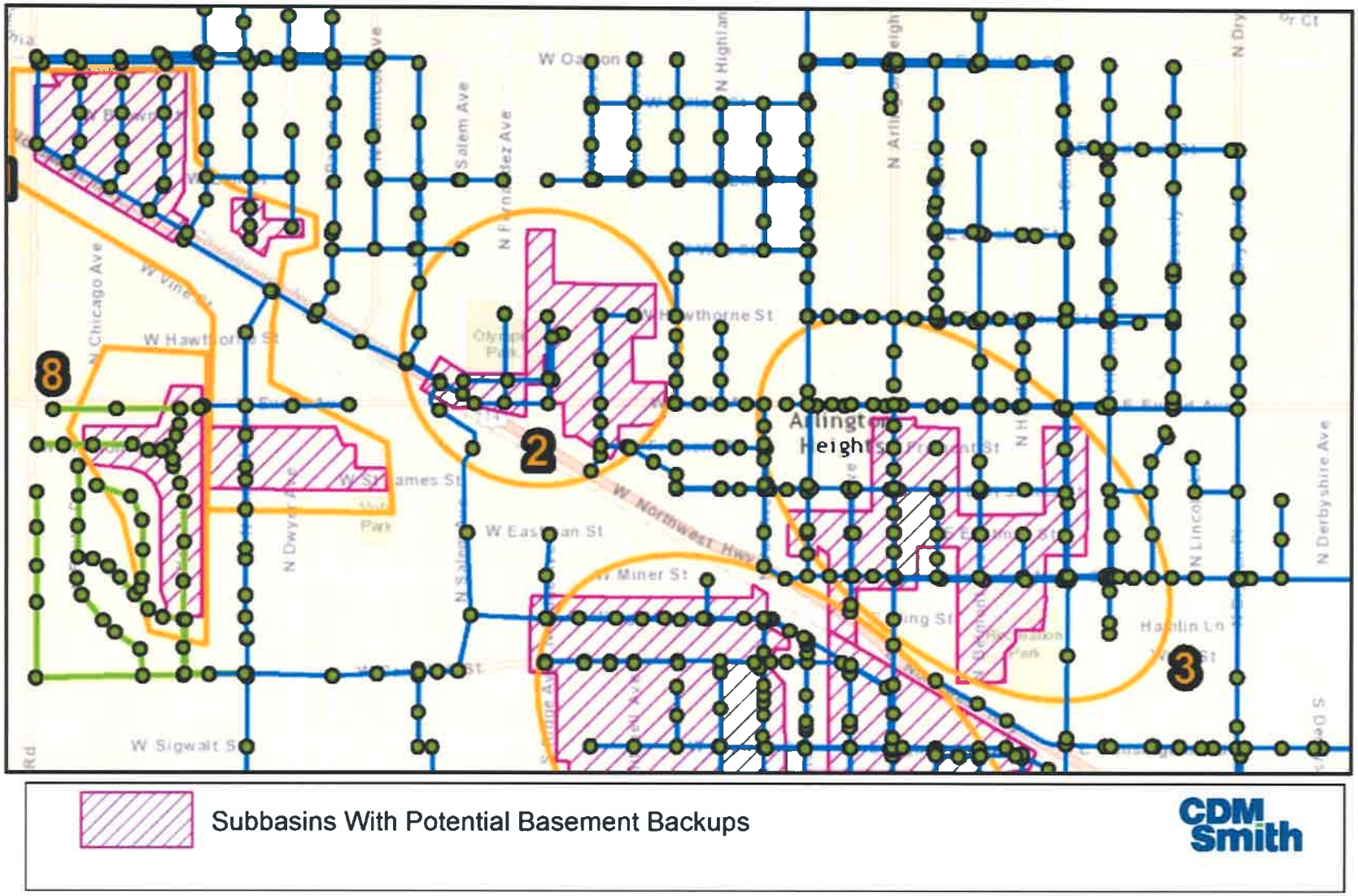


Figure ES-3. CSTA Catchments with Potential Basement Backups for 2.1 inches in 1-hour Storm Event

Location	Potential Improvements
Area 1 – NW HWY and Chicago Avenue	▪ 1,350 feet of 24–inch relief combined sewer on NW HWY from Wilke Road to Yale Avenue ▪ 2,000 feet of 36-inch relief combined sewer on NW HWY from Yale Avenue to Kasper Avenue, connecting to existing 66-inch relief combined sewer
Area 2 – Ridge Avenue and Euclid Avenue / Walnut Avenue and Hawthorne Street	▪ 1,350 feet of 24–inch relief combined sewer on Euclid Avenue from Ridge Avenue to Freemont Street ▪ 1,110 feet of 15-inch combined sewer on Mitchell Avenue from Hawthorne Street to Elm Street ▪ 21–inch overflow connection between 21–inch combined sewer and 66–inch combined relief sewer at Salem Avenue and NW HWY ▪ Catch basin disconnection to the 12-inch combined sewer flowing South from Vine Street and Ridge Avenue and connecting back to the 15–inch combined sewer at the same intersection but flowing north to Elm Street
Area 3 – Arlington Heights Road and Miner Street	▪ 350 feet of 15-inch relief sewer on Eastman Street from Dunton Avenue to Evergreen Avenue ▪ 350 feet of 30-inch relief sewer on Evergreen Avenue from Eastman Street to Miner Street ▪ 350 feet of 30-inch relief sewer on Evergreen Avenue from Eastman Street to St. James Street, connecting to existing 36-inch ▪ 700 feet of 24-inch relief sewer on Eastman Street from Arlington Heights Road to Belmont Avenue, making connections at Arlington Heights Road and Pine Avenue ▪ 350 feet of 30-inch relief sewer going North on Belmont Avenue from Eastman Street to St. James Street and connecting to existing 36-inch sewer ▪ 650 feet of 18-inch relief sewer going East on Freemont Street from Arlington Heights Road to Pine Avenue and then going South on Pine Avenue to St. James Street connecting to the 36-inch sewer ▪ Replace 42-inch shallow combined sewer from Arlington Heights Road to Douglas Avenue with deeper 48-inch sewer from Arlington Heights Road to Haddow Avenue (1,000 feet) and 54-inch sewer from Haddow Avenue to Douglas Avenue (350 feet) and 25 feet of 60-inch sewer connecting to the existing 96-inch relief sewer

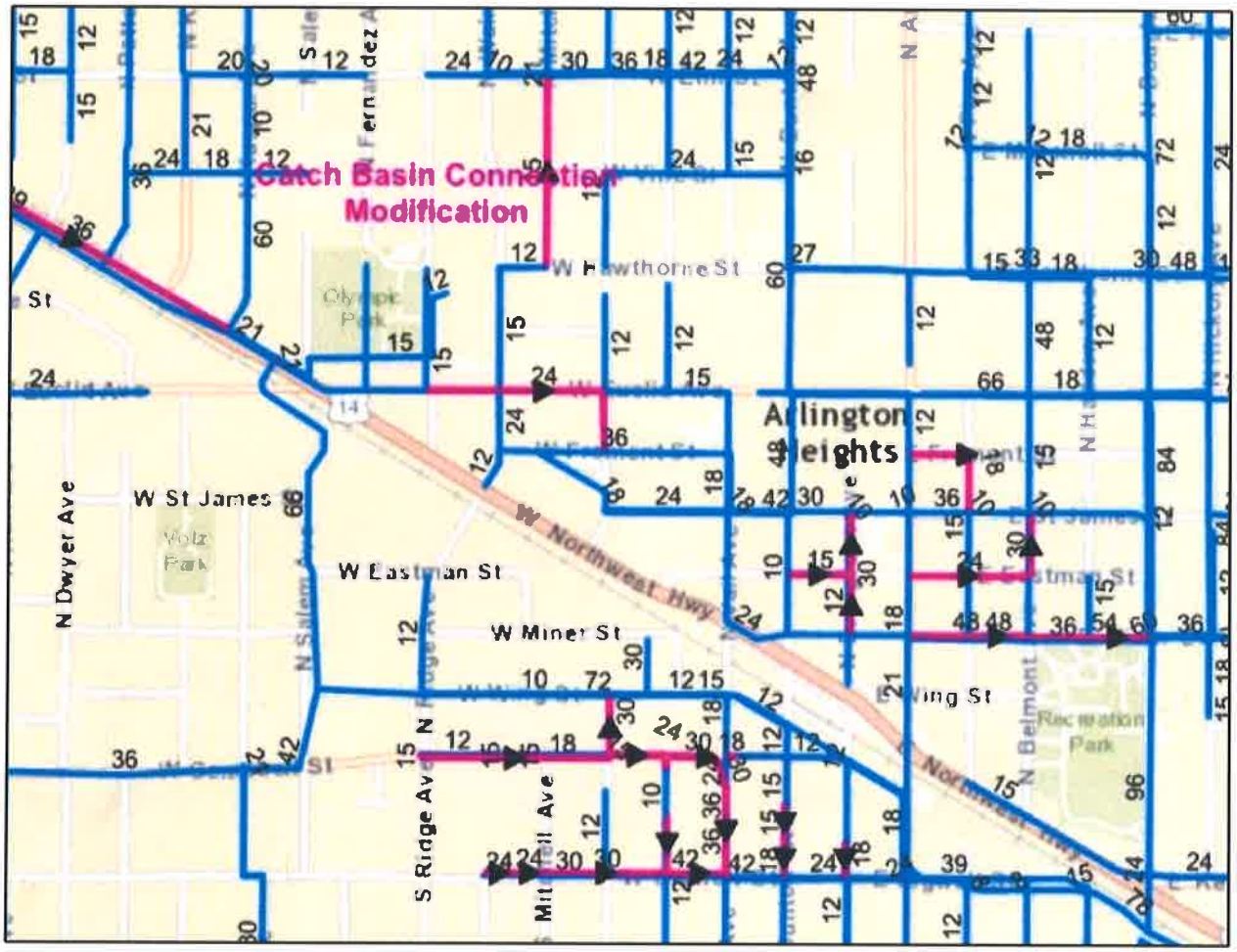
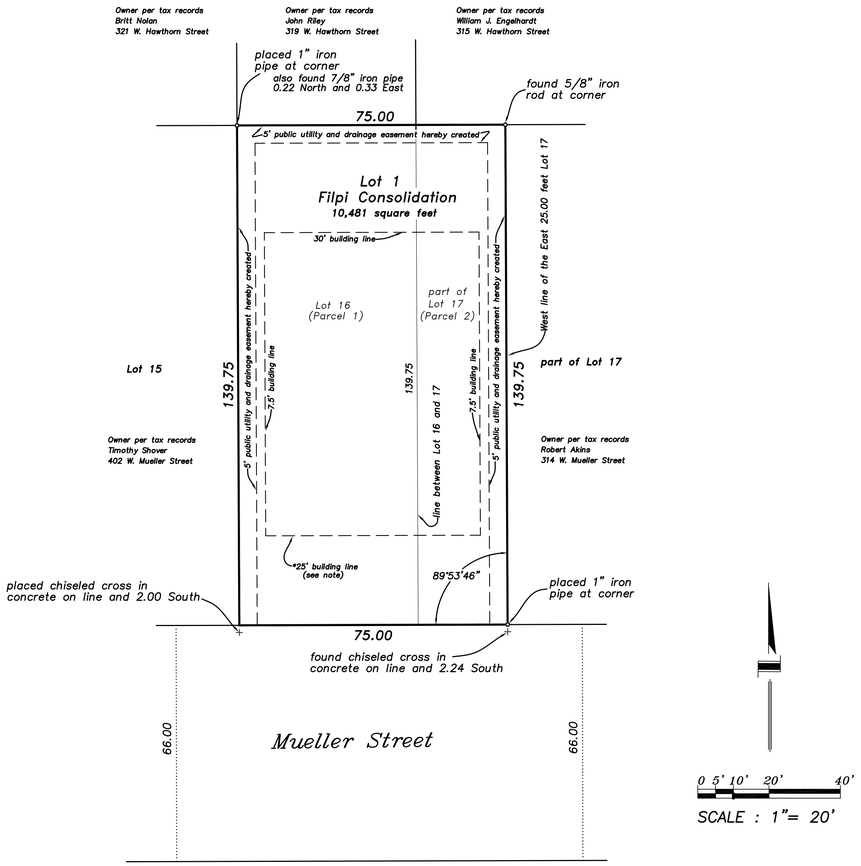


Figure ES-4. CSTA Relief Sewer Alternative Improvements for Village's Design Storm



FILPI CONSOLIDATION

A FINAL PLAT OF SUBDIVISION OF

PARCEL 1:

LOT 16 IN BLOCK 8 IN E.P. MUELLERS ALTENHEIM SUBDIVISION, BEING A SUBDIVISION IN SECTION 30, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 318 WEST MUELLER STREET, ARLINGTON HEIGHTS, ILLINOIS

P.I.N. 03-30-230-015-0000

PARCEL 2:

LOT 17 (EXCEPT THE EAST 25.00 FEET) IN BLOCK 8 IN E.P. MUELLERS ALTENHEIM SUBDIVISION, BEING A SUBDIVISION IN SECTION 30, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 318 WEST MUELLER STREET, ARLINGTON HEIGHTS, ILLINOIS

P.I.N. 03-30-230-021-0000

DEED OF DEDICATION

State of Illinois } SS.
County of Cook }

We, the undersigned, Christopher A. Filpi and Tama S. Filpi, owners of the real estate shown and described herein, do hereby lay off, plat and subdivide said real estate in accordance with the within plat. This subdivision shall be known and designated as Filpi Consolidation, an addition to the Village of Arlington Heights, Cook County. All streets and alleys and public open spaces shown and not heretofore dedicated are hereby dedicated to the public. Front and side yard building setback lines are established as shown on this plat, between which lines and the property lines of the streets, there shall be erected or maintained no building or structure. There are strips of ground, 5 feet in width, as shown on this plat and marked "Easement" reserved for the use of public utilities for the installation of water and sewer mains, poles, ducts, lines and wires, subject at all times to the proper authorities and to the easement herein reserved. No permanent or other structures are to be erected or maintained upon these strips of land, but owners of lots in this subdivision shall take their titles subject to the rights of the public utilities, and to the rights of the owners of other lots in this subdivision.

The right to enforce these provisions by injunction, together with the right to cause the removal, by due process of law, of any structure or part thereof erected or maintained in violation, is hereby dedicated to the public, and reserved to the several owners of the several lots in this subdivision and to their heirs and assigns.

Further, we hereby certify that this subject property does fall within Elementary & Junior High School District-#25, High School District-#214 and Harper Community College District-#512.

Dated this _____ day of _____ , A.D., 2022

_____
Christopher A. Filpi, Owner

_____
Tama S. Filpi, Owner

NOTARY CERTIFICATE

State of Illinois } SS.
County of Cook }

I,_____ a notary public in and for said County in the State aforesaid, does hereby certify that Christopher A Filpi and Tama S. Filpi personally known to me to be the same persons whose names are subscribed to the foregoing instrument as the sole owners, who appeared before me this day in person & acknowledged that they signed and delivered said instrument of their own free and voluntary act for the uses and purposes therein set forth.

Given under my hand and notarial seal this_____ day of_____, A.D., 2022

_____
Notary Public

My commission expires on _____

VILLAGE OF ARLINGTON HEIGHTS CERTIFICATE

UNDER THE AUTHORITY PROVIDED BY 65 ILCS 5/11 – 12, AS AMENDED BY THE STATE LEGISLATURE OF THE STATE OF ILLINOIS AND ORDINANCE ADOPTED BY THE VILLAGE BOARD OF THE VILLAGE OF ARLINGTON HEIGHTS, ILLINOIS, THIS PLAT WAS GIVEN APPROVAL BY THE VILLAGE OF ARLINGTON HEIGHTS AND MUST BE RECORDED WITHIN SIX (6) MONTHS OF THE DATE OF APPROVAL BY THE VILLAGE BOARD, OTHERWISE IT IS NULL AND VOID.

PLAN COMMISSION CERTIFICATE

APPROVED BY AT PLAN COMMISION MEETING HELD ON: _____ , ___ , 20__

_____ PLAN COMMISSION CHAIRMAN

_____ SECRETARY

VILLAGE BOARD CERTIFICATE

APPROVED BY THE VILLAGE BOARD OF TRUSTEES AT A MEETING HELD ON: _____ , ___ , 20__

_____ VILLAGE PRESIDENT

_____ VILLAGE CLERK

VILLAGE COLLECTOR'S CERTIFICATE

STATE OF ILLINOIS } SS.
COUNTY OF COOK }

I FIND NO DEFERRED INSTALLMENTS OF OUTSTANDING UNPAID SPECIAL ASSESSMENTS DUE AGAINST THE LAND INCLUDED IN THE ABOVE PLAT.

THIS _____ DAY OF _____ , 20___

_____ VILLAGE COLLECTOR

VILLAGE ENGINEER CERTIFICATE

STATE OF ILLINOIS } SS.
COUNTY OF COOK }

APPROVED BY THE VILLAGE ENGINEER OF ARLINGTON HEIGHTS, ILLINOIS

THIS _____ DAY OF _____ , 20___

_____ Village Engineer

SURVEYOR'S CERTIFICATE

State of Illinois } SS.
County of Cook }

I, David R. Bycroft, an Illinois Professional Land Surveyor in compliance with the laws of the State of Illinois and do hereby certify that this Plat correctly represents a survey completed by me on March 30, 2022 and that all monuments and markers shown hereon actually exist, and that I have accurately shown the materials they are made of.

I do further certify that iron pipes have been placed at all corners and curve control points in accordance with the Arlington Heights Subdivision and Development Code; that the property is within the corporate limits of the Village of Arlington Heights which has adopted an official comprehensive plan.

I do further certify that according to FEMA Map 17031C0203J, Map revised August 19, 2008, the subject property is situated within Zone X, which are areas determined to be outside the 0.2% annual chance floodplain.

dated at Arlington Heights, Illinois, this_____ day of_____ , 2022

by _____
as Illinois Professional Land Surveyor No. 2846

PROFESSIONAL LAND SURVEYOR
35-2846
DAVID R. BYCROFT
ARLINGTON HEIGHTS
STATE OF ILLINOIS
EXPIRES 11-30-2022

Design Firm #184-005910
Expires April 30, 2023

Prepared by:

Norman J. Toberman and Associates
115 South Wilke Road
Suite 301
Arlington Heights, Illinois 60005
(847) 439-8225

Revised May 3, 2022

SEND TAX BILL TO:

Name: Christopher A. Filpi
318 West Mueller Street
Arlington Heights, Illinois 60004

**Note: The actual required front yard building setback line may be less than or greater than 25 feet as prescribed in the Arlington Heights Municpal Code. Specifically, Section 5.1-3.3(a) of Chapter 28 allows the front yard setback to be calculated based on the average of the existing front yard setbacks of the frontage when 40% or more of the frontage is developed with front yards of more than 15 feet in depth. If this code section is no longer applicable, the required setback shall be based on current code requirements.*

FILPI CONSOLIDATION

A FINAL PLAT OF SUBDIVISION OF

SURFACE WATER STATEMENT

STATE OF ILLINOIS }
COUNTY OF COOK } SS.

TO THE BEST OF OUR KNOWLEDGE & BELIEF THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF SUCH RESUBDIVISION OR ANY PART THEREOF, OR, THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, REASONABLE PROVISIONS WILL BE MADE BY THE SUBDIVISION LAND OWNERS FOR COLLECTION & DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS, OR DRAINS WHICH THE SUBDIVIDER HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH THE GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION IN THE RESUBDIVISION.

DATED THIS _____ DAY OF _____ A.D., 20___

_____
ILLINOIS REGISTERED PROFESSIONAL ENGINEER

_____
OWNER OR ATTORNEY

COUNTY CLERK CERTIFICATE

State of Illinois }
County of Cook } SS.

I, _____ County Clerk of Cook County, do hereby certify that there are no delinquent general taxes, no unpaid current general taxes, no unpaid forfeited taxes. and no redeemable tax sales against any of the land included in the annexed plat.
I further certify that I have received all statutory fees in connection with the annexed plat.

Given under my hand and seal at_____, Illinois this ____day of_____, 2022

By: _____
County Clerk

This plat submitted for recording by: (name) _____
(address) _____

PUBLIC UTILITY & DRAINAGE EASEMENT PROVISIONS

EASEMENTS ARE RESERVED FOR & GRANTED TO THE VILLAGE OF ARLINGTON HEIGHTS AND TO THOSE PUBLIC UTILITY COMPANIES OPERATING UNDER FRANCHISE FROM THE VILLAGE OF ARLINGTON HEIGHTS, INCLUDING, BUT NOT LIMITED TO: WIDE OPEN WEST CABLE, COMCAST CABLE, ATT/SBC COMMIUNICATIONS, COMMONWEALTH EDISON/EXCELON AND NORTHERN ILLINOIS GAS CO. AND THEIR SUCCESSORS AND ASSIGNS OVER ALL THE AREAS DEFINED AS PUBLIC UTILITY EASEMENTS ON THE PLAT FOR THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO CONSTRUCT, RE-CONSTRUCT, REPAIR, INSPECT, MAINTAIN AND OPERATE VARIOUS UTILITY TRANSMISSION AND DISTRIBUTION SYSTEMS AND INCLUDING STORM AND/OR SANITARY SEWERS TOGETHER WITH ANY AND ALL NECESSARY MANHOLES, CATCH BASINS, CONNECTIONS, APPLIANCES AND OTHER STRUCTURES AND APPURTENANCES AS MAY BE DEEMED NECESSARY BY SAID VILLAGE OVER, UPON, ALONG UNDER AND THROUGH SAID VINDICATED EASEMENTS, TOGETHER WITH THE RIGHT OF ACCESS ACROSS THE PROPERTY FOR THE NECESSARY MEN AND EQUIPMENT TO DO ANY OF THE ABOVE WORK AND THE RIGHT IS ALSO GRANTED TO CUT DOWN, TRIM AND REMOVE ANY TREES, SHRUBS OR OTHER PLANTS ON THE EASEMENT THAT INTERFERE WITH THE OPERATION OF THE SEWERS OR OTHER UTILITIES. NO PERMANENT BUILDINGS SHALL BE PLACED ON SAID EASEMENT, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN, OR LATER, INTERFERE WITH THE AFORESAID USES OR RIGHTS AND SAID GRANTEE SHALL REPLACE AND RESTORE THE SURFACE TO ITS EXISTING CONDITION AT ANY TIME IN THE FUTURE THAT SAID SURFACE IS DISTURBED BY GRANTEE IN THE COURSE OF REPAIRING, MAINTAINING AND OPERATING SAID UTILITIES. WHERE A PUBLIC UTILITY EASEMENT IS USED BOTH FOR SEWER AND OTHER UTILITIES, THE OTHER UTILITY INSTALLATION SHALL BE SUBJECT TO THE APPROVAL OF THE VILLAGE AS TO DESIGN AND LOCATION AND ALL INSTALLATIONS ARE SUBJECT TO THE ORDINANCES OF THE VILLAGE OF ARLINGTON HEIGHTS.

WIDE OPEN WEST,LLC CABLE CERTIFICATE

Easement Approved & Accepted

STATE OF ILLINOIS)
COUNTY OF COOK) S.S.

SIGNED: _____ DATED: ___ – ____ – ____

TITLE: _____

ATT/SBC COMMUNICATIONS CERTIFICATE

Easement Approved & Accepted

STATE OF ILLINOIS)
COUNTY OF COOK) S.S.

SIGNED: _____ DATED: ___ – ____ – ____

TITLE: _____

COMMONWEALTH EDISON/EXCELON CERTIFICATE

Easement Approved & Accepted

STATE OF ILLINOIS)
COUNTY OF COOK) S.S.

SIGNED: _____ DATED: ___ – ____ – ____

TITLE: _____

COMCAST CABLE CERTIFICATE

Easement Approved & Accepted

STATE OF ILLINOIS)
COUNTY OF COOK) S.S.

SIGNED: _____ DATED: ___ – ____ – ____

TITLE: _____

NORTHERN ILLINOIS GAS COMPANY CERTIFICATE

Easement Approved & Accepted

STATE OF ILLINOIS)
COUNTY OF COOK) S.S.

SIGNED: _____ DATED: ___ – ____ – ____

TITLE: _____

Plat of Topographic Survey

of

PARCEL 1:

LOT 16 IN BLOCK 8 IN E.P. MUELLERS ALTENHEIM SUBDIVISION, BEING A SUBDIVISION IN SECTION 30, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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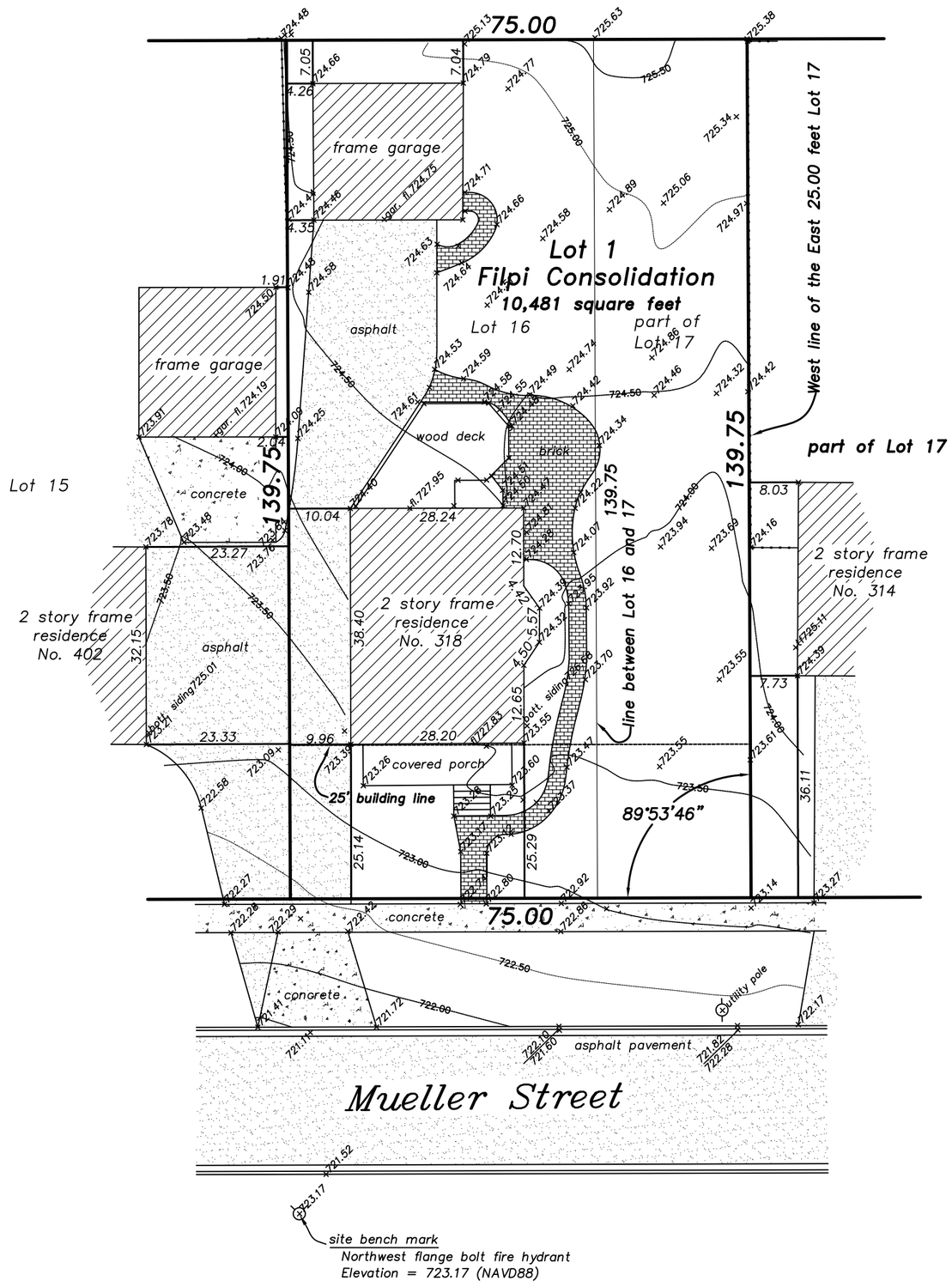
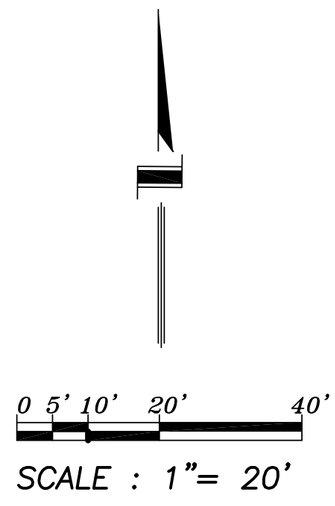




State of Illinois } SS.
County of Cook }

I, David Bycroft, an Illinois Professional Land Surveyor, do hereby certify that I have surveyed the property described in the caption of this plat and that this plat is a correct representation of said survey.

dated at Arlington Heights, Illinois, this 31st day of March, 2022

by _____
as Illinois Professional Land Surveyor No. 2846

PROFESSIONAL LAND SURVEYOR
35-2846
DAVID R. BYCROFT
ARLINGTON HEIGHTS
STATE OF ILLINOIS
EXPIRES 11-30-2022

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

For easements, building lines and other restrictions not shown hereon, refer to your abstract of title, deed, title policy and local zoning ordinance.

Field work was completed March 30, 2022.

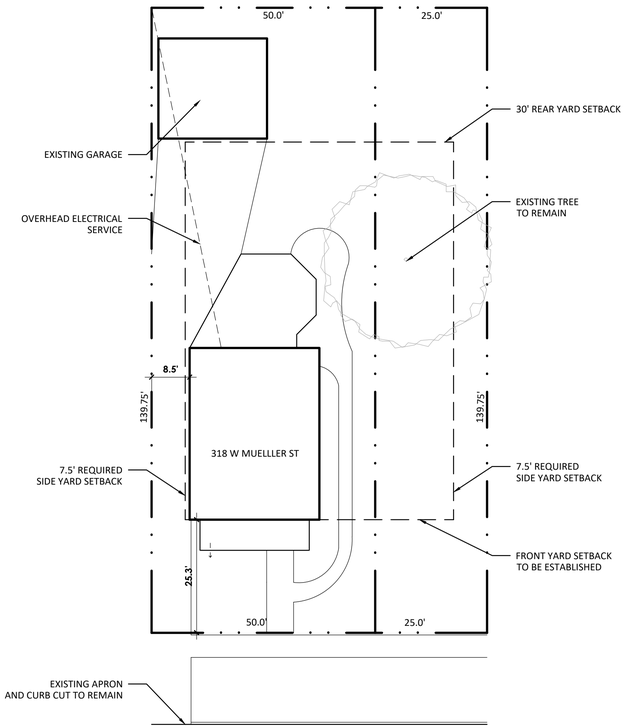
Design Firm #184-005910
Expires April 30, 2023

FILE NO. 22-7360

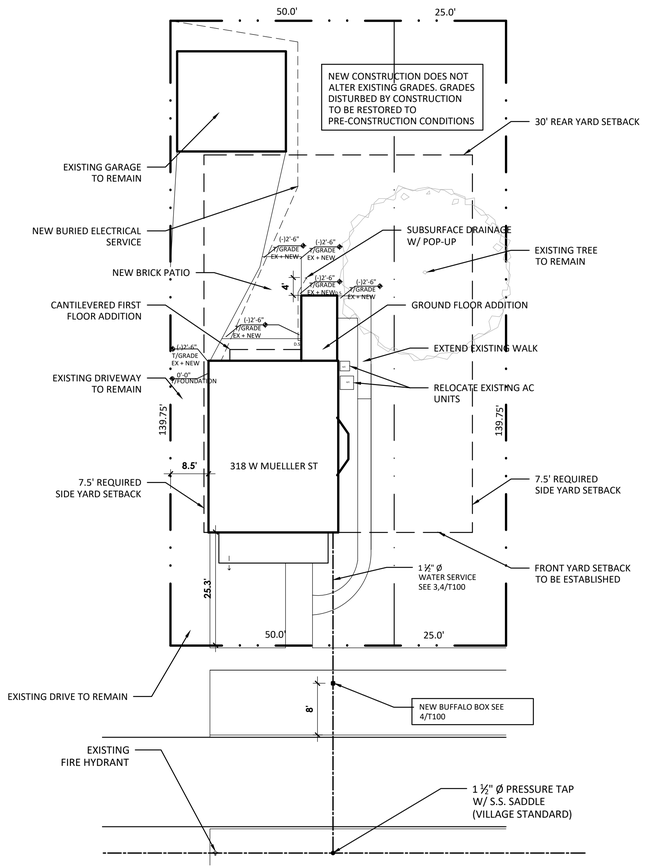
for:
Christopher Filpi
318 Mueller Street
Arlington Heights, Illinois

from the office of:

Norman J. Toberman and Associates
115 South Wilke Road
Suite 301
Arlington Heights, Illinois
847-439-8225



1 EXISTING SITE PLAN
1/16" = 1'-0"



2 SITE PLAN
1/16" = 1'-0"

WATER MAIN SPECIFICATIONS FROM SUPERINTENDENT OF UTILTIIES:

ZINC-COATED DUCTILE IRON PIPE (DIP) WATER MAIN WITH POLYETHYLENE ENCASEMENT, IN TRENCH, SPECIAL

This work shall consist of constructing new water main of the required materials and inside diameter at the locations shown on the Plans.

The minimum depth of bury for the water main shall be 5.5' from ground surface to top of the pipe barrel.

This work shall follow applicable requirements of Section 41 of the Standard Specifications.

Pipe Material – In Trench or Casing Pipe
Shall follow Section 40-2.01B of the Standard Specifications.

Pipe shall be:

Zinc-coated Ductile Iron Pipe, Class 52, conforming to ANSI/AWWA C151/A21.51 with "Fastite Joints" and "Gaskets", manufactured by American Ductile Iron Pipe, or ENGINEER approved equal.

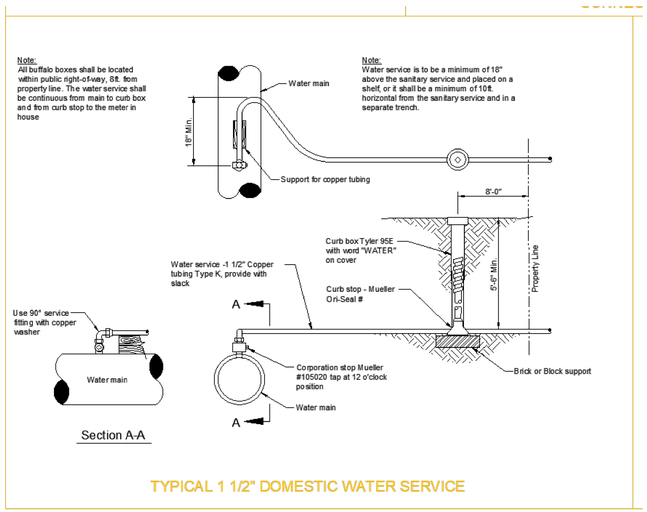
Polyethylene Encasement
Shall be V-Bio Enhanced and follow the requirements of ANSI/AWWA C105/A21.5

Coating
The exterior of ductile iron pipe shall be coated with a layer of arc-sprayed zinc per ISO 8179 as done by American Ductile Iron Pipe or Engineer approved equal. The mass of the zinc applied shall be 200 g/m of pipe surface area. A finishing layer topcoat shall be applied to the zinc. The coating system shall conform in every respect to ISO 8179-1 "Ductile iron pipes - External zinc-based coating - Part 1: Metallic zinc with finishing layer, Second edition 2004-06-01."

Pipe Fittings
All fittings shall be zinc-coated as the above and conform to ANSI/AWWA C153/A21.53 and ANSI/AWWA C110/A21.10 (current revisions) and follow applicable requirements of Section 40-2.05A of the Standard Specifications. Pipe fittings will not be paid for as separate items but shall be considered incidental to the cost of the respective size water main. Any fittings required to adjust pipe alignment due to field conditions shall also be considered incidental to the cost of the water main.

Any fittings shall bear the N.S.F. seal of approval.

3 VAH WATER MAIN SPECIFICATIONS
NO SCALE



4 VAH DOMESTIC WATER SERVICE
NO SCALE

NOTES:

PLUMBING

- PROVIDE NEW 1 ¼"Ø TYPE K COPPER TUBING WATER SERVICE
- RE-USE EXISTING WATER DISTRIBUTION AND WASTE PIPING. MODIFY AS NECESSARY.
- PROVIDE NEW COPPER WATER DISTRIBUTION AND PVC WASTE PIPING. SALVAGE EXISTING HOME CAST IRON SEWER AS PRACTICABLE. MODIFY AS NECESSARY.
- MINIMUM PIPE SIZE FOR SANITARY WASTE LINES ABOVE GROUND IS 2"
- TUBS/SHOWERS REQUIRE 2" P-TRAPS
- HAND HELD SHOWERS REQUIRE VACUUM BREAKERS
- TUB/SHOWER VALVES REQUIRE INTEGRAL STOPS
- 2" CLEAN OUT REQUIRED UNDER KITCHEN SINK
- PULL OUT FAUCETS REQUIRE DUAL CHECK VALVES
- REUSE EXISTING SANITARY SEWER
- PROVIDE A HOT WATER RE-CIRCULATING SYSTEM PER LOCAL REQUIREMENTS
- NEW PLUMBING WALLS THAT WILL HAVE HORIZONTAL DRAIN, WASTE, AND/OR VENT PIPING SHALL BE FRAMED WITH 2X6 STUD

HVAC

- PROVIDE DUCTED HI/LO OPERABLE RETURN-AIR GRILLES
- THE DRYER EXHAUST DUCT, WHERE CONCEALED IN THE BUILDING CONSTRUCTION, SHALL HAVE A PERMANENT LABEL OR TAG INDICATING THE CONCEALED LENGTH OF THE EXHAUST DUCT THE LABEL OR TAG SHALL BE LOCATED WITHIN 6 FEET OF THE EXHAUST DUCT CONNECTION
- ALL SUPPLY AND RETURN DUCTS SHALL BE PROPERLY SEALED WITH UL 181 LISTED TAPE OR MASTIC
- ANY SUPPLY DUCTS LOCATED IN THE ATTIC SHALL HAVE A MINIMUM INSULATION OF R-8 AND ALL OTHER DUCTS SHALL HAVE R-6 UNLESS LOCATED COMPLETELY INSIDE THE BUILDING THERMAL ENVELOPE
- EXISTING (2) FURNACES & (2) AIR CONDITIONERS TO REMAIN
- EXTEND EXISTING HVAC TO NEW SPACES
- ADDITIONAL AREA WILL NOT OVERWHELM EXISTING EQUIPMENT
- WHEN EXHAUST HOOD AT KITCHEN IS 400 CFM OR GREATER, THEN PROVIDE MAKEUP AIR AT A RATE APPROXIMATELY EQUAL TO THE EXHAUST AIR RATE. SUCH SYSTEM SHALL BE EQUIPPED WITH A MEANS OF CLOSURE AND SHALL BE AUTOMATICALLY CONTROLLED TO START AND OPERATE SIMULTANEOUSLY WITH EXHAUST SYSTEM
- BATH FANS AND KITCHEN EXHAUST DUCTS SHALL BE INSTALLED WITH BACK-DRAFT DAMPERS AT THE TERMINATION POINT
- MINIMUM OF 10 FEET OF SEPARATION BETWEEN THE WATER HEATER FLUE DISCHARGE AND ANY AIR INTAKE INCLUDING THE COMBUSTION AIR INTAKE FOR THE FURNACE.
- MINIMUM OF 12 FEET SEPARATION BETWEEN THE COMBUSTION AIR INTAKE AND THE PLUMBING VENT STACK.
- RETURN AIR SHALL NOT BE TAKEN FROM THE KITCHEN, LAUNDRY OR BATHROOMS.

ELECTRICAL

- BURY EXISTING 200 AMP ELECTRICAL SERVICE. EXISTING PANEL TO REMAIN.
- ELECTRICAL CIRCUIT LAYOUT TO ACCOMMODATE FUTURE WHOLE HOUSE GENERATOR
- THERE SHALL NOT BE MORE THAN 10 OPENINGS (DEVICES) ON ANY ONE CIRCUIT WITH A MAXIMUM AMPERAGE OF 15 AMPS.
- DEDICATED CIRCUITS SHALL BE PROVIDED FOR: FURNACE, AIR CONDITIONER, WATER HEATER, DISPOSAL, MICROWAVE, AND DISHWASHER.
- FURNACE, AIR CONDITIONER, WATER HEATER, AND DISHWASHER SHALL EACH HAVE SEPARATE DISCONNECT SWITCH AND HAVE PROPER WORKING CLEARANCE.
- AFCI DEVICES IN ALL HABITABLE ROOMS.
- THE LOCATION OF THE ELECTRICAL METER SHALL BE WITHIN 5 FEET OF THE ELECTRICAL PANEL.

WINDOWS/DOORS/GLAZING

- ALL NEW WINDOWS AND PATIO DOORS SHALL HAVE A MAXIMUM U-FACTOR OF 0.30
- ENTRY DOORS WITH GLAZING AND GLAZED SHOWER DOORS SHALL BE SAFETY GLAZING, PERMANENTLY ETCHED, AND THE ETCHING SHALL BE VISIBLE AFTER INSTALLATION TO VERIFY COMPLIANCE

OTHER

- WINDOW HEAD HEIGHT SHALL BE 94" ON THE FIRST FLOOR TO MATCH EXISTING WINDOWS. HEAD HEIGHT FOR THE SECOND FLOOR WINDOWS SHALL BE 85" TO MATCH EXISTING SECOND FLOOR WINDOWS. (V.I.F.)
- SOIL BEARING CAPACITY SHALL BE VERIFIED BY AN ILLINOIS LICENSED SOILS ENGINEER AND A COPY OF THE REPORT SHALL BE PROVIDED TO THE INSPECTOR AT THE FOOTING INSPECTION
- PROVIDE HURRICANE TIE AT EACH RAFTER/WALL INTERSECTION (SIMPSON H SERIES HURRICANE TIE OR EQUAL) @ NEW CONSTRUCTION
- LISTED CONNECTORS SHALL BE INSTALLED AT ALL POST TO PIER CONNECTIONS AND POST TO BEAM CONNECTIONS AS APPLICABLE
- HANDRAILS SHALL BE INSTALLED ON ALL STAIRS, RUN THE FULL LENGTH OF THE STAIRS, BE GRASPABLE AND RETURN TO THE WALL AT THE TOP AND BOTTOM OF THE RUN.
- AN ENERGY CERTIFICATE SHALL BE POSTED IN OR ON THE ELECTRICAL PANEL INDICATING THE R-VALUES, U-FACTORS, ETC. OF THE BUILDING COMPONENTS
- THE ATTIC ACCESS PANEL(S) SHALL BE GASKETED, INSULATED AND HAVE METAL BRACKETS FOR SUPPORT
- EXISTING SUMP PUMP TO REMAIN.
- DISCHARGE ALL NEW OR ALTERED DOWNSPOUTS TO FRONT OR REAR YARD
- NEW WORK DOES NOT ALTER EXISTING GRADE
- NEW ROOFING SHALL BE A MINIMUM CLASS "C"
- ADDRESS NUMBERS SHALL BE AT LEAST 6 INCHES IN HEIGHT, BE A CONTRASTING COLOR FROM THE BACKGROUND, AND BE INSTALLED ON OR OVER THE PRIMARY ENTRANCE TO THE DWELLING.
- ALL DOWNSPOUTS AND SUMP DISCHARGE PIPES MUST HAVE AN AIR GAP PRIOR TO CONNECTION WITH SUBSURFACE DRAINAGE SYSTEM.
- ROOF SLOPES BETWEEN 2:12 AND 4:12 SHALL HAVE 2 LAYERS OF FELT UNDERLAYMENT
- STEP CONSTRUCTION, MAXIMUM 7 ¾" RISER HEIGHT, MINIMUM 10" TREAD DEPTH, AND MAXIMUM HEIGHT DIFFERENCE BETWEEN THE GREATEST AND THE SMALLEST RISER WITHIN ANY FLIGHT OF STAIRS SHALL NOT EXCEED ⅜"

KINGSLEY + GINNODO ARCHITECTS
33 N Hickory Ave, Arlington Heights, IL 60004
Professional Design Firm - Architect
Exp: 4.30.23 # 184.005449

DRAWING LIST

T100	TITLE SHEET AND SITE PLAN
A000	SPECIFICATIONS
EX100	EXISTING PLANS AND ELEVATIONS
A100	FOUNDATION AND FIRST FLOOR PLANS
A101	SECOND FLOOR AND ROOF PLANS
A200	EXTERIOR ELEVATIONS
A300	SECTIONS AND DETAILS
A301	WINDOW INSTALLATION
A302	STANDARD DETAILS
A400	INTERIOR ELEVATIONS
A401	INTERIOR ELEVATIONS
A500	SCHEDULES
S100	STRUCTURAL PLANS
S101	STRUCTURAL PLAN
E100	ELECTRICAL PLANS

APPLICABLE BUILDING CODES

International Residential Code (IRC)
2018 Edition (with amendments)

Illinois Energy Conservation Code (IECC)

National Electric Code
2017 Edition (with amendments)

State of Illinois Plumbing Code
2014 Edition (with amendments)

	LOAD VALUE	QUANTITY	TOTAL
FLUSH TANK TOILET	3	4	12
LAVATORY	1	5	5
BATHTUB	2	2	4
SHOWER STALL	2	1	2
KITCHEN SINK	2	1	2
DISHWASHER	1	1	1
LAUNDRY TRAY	3	1	3
LAUNDRY MACHINE	2	1	2
			31

WSFU 31 = 1 ¼" SUPPLY MIN

PROVIDE NEW 1 ½" Ø WATER SERVICE W/ 1 ½" DISTRIBUTED TO FIRST FIXTURE

DO NOT SCALE DRAWINGS. SOME ASPECTS OF THE DRAWINGS ARE NOT TO SCALE.

KINGSLEY + GINNODO ARCHITECTS
KINGSLEY + GINNODO ARCHITECTS
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STATE OF ILLINOIS
KEITH W. GINNODO
001-015109
REGISTERED ARCHITECT
exp 11.30.2022

TAMA & CHRIS FILPI

318 W MUELLER STREET
ARLINGTON HTS, IL 60004

FILPI RESIDENCE

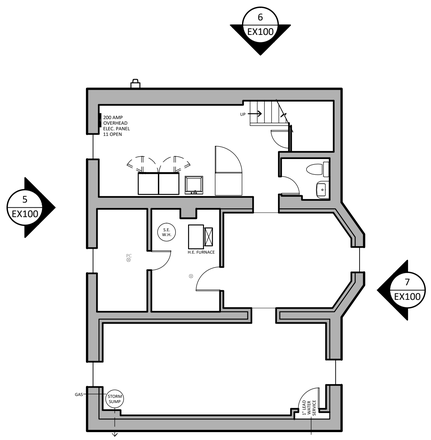
no.	revision	init.	date
	PERMIT SET		1/26/22

TITLE SHEET AND SITE PLAN

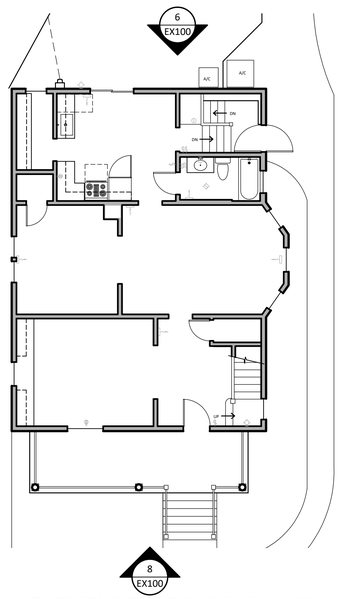
date	drawn by	checked by

Job No. **FILPI**

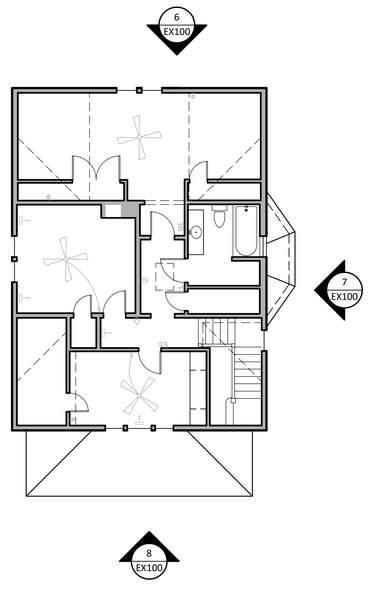
Sheet No. **T100**



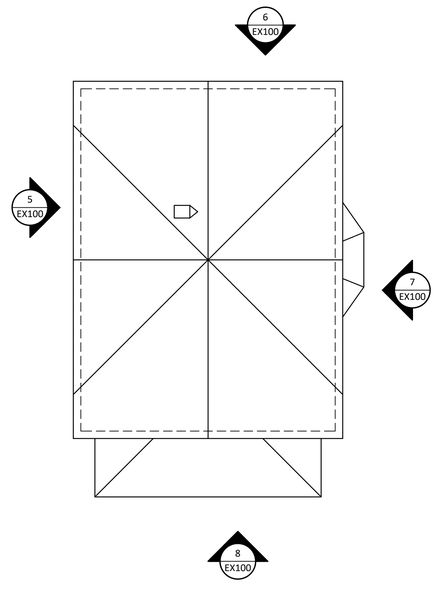
4 EXISTING BASEMENT PLAN
1/8" = 1'-0"



3 EXISTING FIRST FLOOR PLAN
1/8" = 1'-0"



2 EXISTING SECOND FLOOR PLAN
1/8" = 1'-0"



1 EXISTING ROOF PLAN
1/8" = 1'-0"

8 EXISTING SOUTH ELEVATION
1/8" = 1'-0"

7 EXISTING EAST ELEVATION
1/8" = 1'-0"

6 EXISTING NORTH ELEVATION
1/8" = 1'-0"

5 EXISTING WEST ELEVATION
1/8" = 1'-0"

DO NOT SCALE DRAWINGS. SOME ASPECTS OF THE DRAWINGS ARE NOT TO SCALE.

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TAMA & CHRIS FILPI

318 W MUELLER STREET
ARLINGTON HTS, IL 60004

FILPI
RESIDENCE

no.	revision	init.	date
	PERMIT SET		1/26/22

EXISTING PLANS AND ELEVATIONS

date	drawn by	checked by

Job No. FILPI

Sheet No. EX100

HANDRAIL CONSTRUCTION:

HANDRAIL CONSTRUCTION SHALL COMPLY WITH 2018 IRC, SECTION 311.7.8 - HANDRAILS SHALL BE PROVIDED ON NOT LESS THAN ONE SIDE OF EACH FLIGHT OF STAIRS WITH 4 OR MORE RISERS, HANDRAIL ENDS SHALL BE RETURNED PER SECTION R311.7.8.4 AND HANDRAIL GRIP SIZE SHALL COMPLY WITH SECTION R311.7.8.5.

STEP CONSTRUCTION:

- MAXIMUM 7 3/4" RISER HEIGHT
- MINIMUM 10" TREAD DEPTH
- MAXIMUM HEIGHT DIFFERENCE BETWEEN THE GREATEST AND THE SMALLEST RISER WITHIN ANY FLIGHT OF STAIRS SHALL NOT EXCEED 3/8"

FIREBLOCKING SHALL BE LOCATED IN THE FOLLOWING LOCATIONS:

- IN CONCEALED SPACES OF STUD WALLS AND PARTITIONS
  - VERTICALLY AT THE CEILING AND THE FLOOR LEVELS
  - HORIZONTALLY AT INTERVALS NOT EXCEEDING 10 FEET
- AT ALL INTERSECTIONS BETWEEN CONCEALED VERTICAL AND HORIZONTAL SPACES FOR SOFFITS, DROP CEILINGS AND COVE CEILINGS.
- IN CONCEALED SPACES BETWEEN STAIR STINGERS AT THE TOP AND BOTTOM OF THE RUN
- AT OPENINGS AROUND VENTS, PIPES, DUCTS, CABLES AND WIRES AT THE CEILING AND THE FLOOR LEVELS.

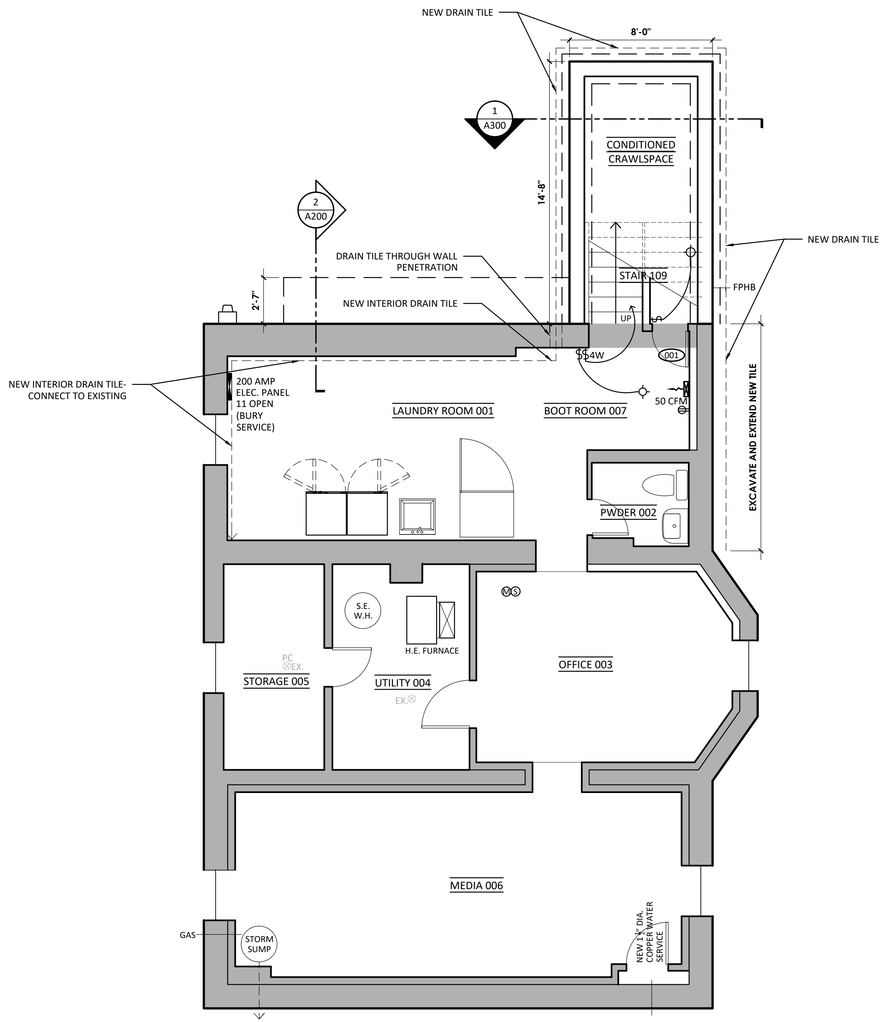
WALL LEGEND

EXISTING WALL

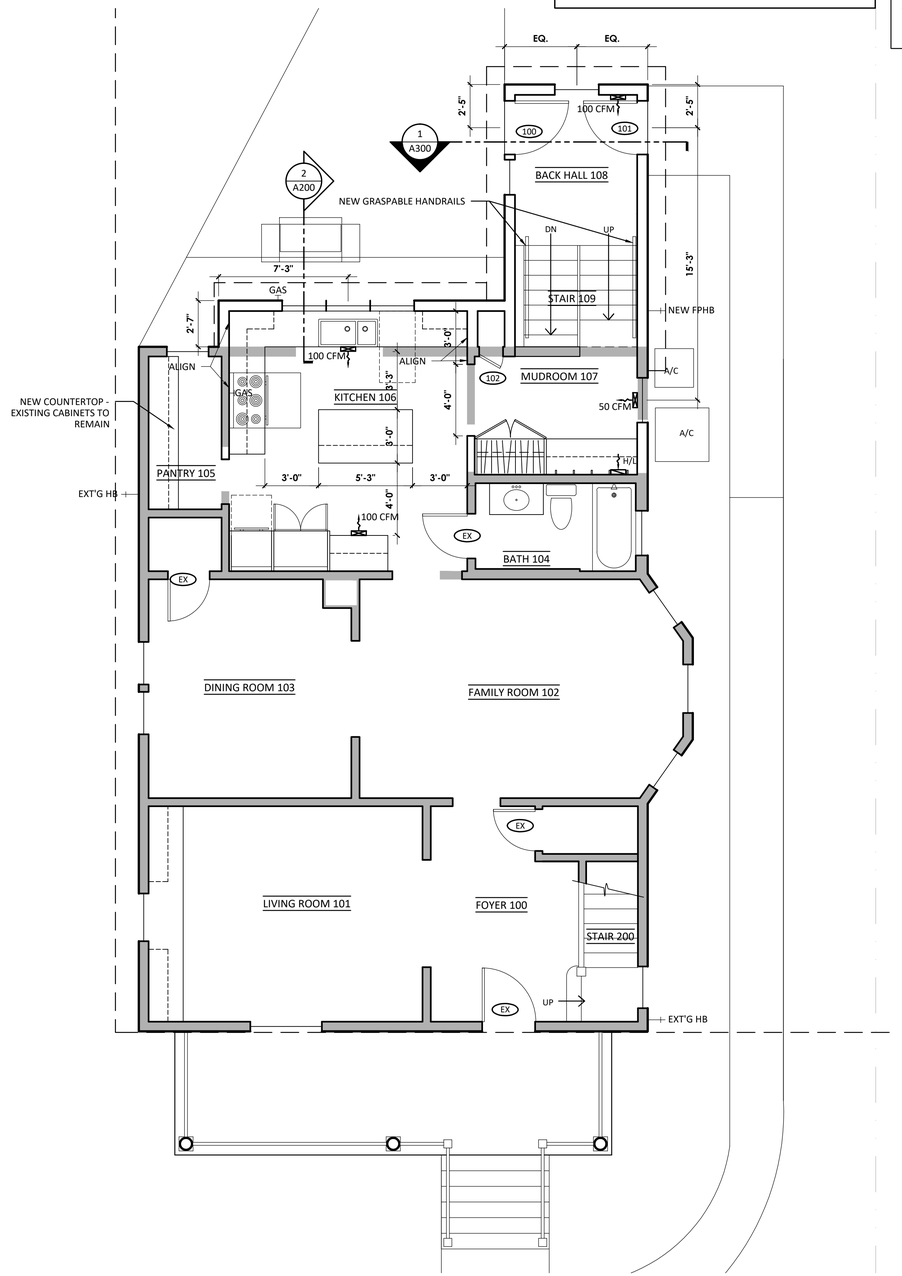
NEW WALL

EXISTING WALL TO BE REMOVED

STAIRS:
+ TREAD DEPTH 10" + 1" NOSING
+ RISER HEIGHT NOT TO EXCEED 7 3/4"
+ MINIMUM 80" CLEAR HEAD HEIGHT



2 BASEMENT PLAN
1/4" = 1'-0"



1 FIRST FLOOR PLAN
1/4" = 1'-0"

DO NOT SCALE DRAWINGS. SOME ASPECTS OF THE DRAWINGS ARE NOT TO SCALE.

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TAMA & CHRIS FILPI

318 W MUELLER STREET
ARLINGTON HTS, IL 60004

FILPI RESIDENCE

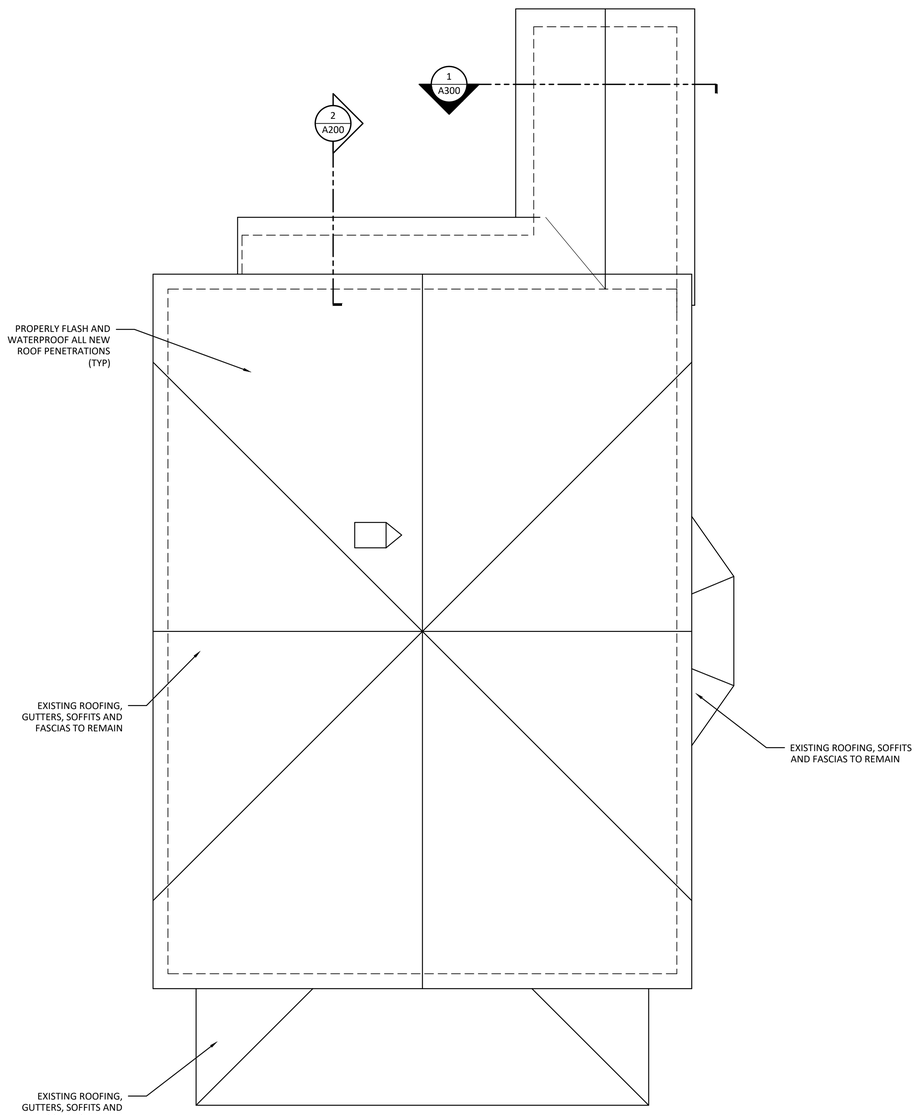
no.	revision	init.	date
	PERMIT SET		1/26/22

BASEMENT AND FIRST FLOOR PLANS

date	drawn by	checked by

Job No. FILPI

Sheet No. A100



2 ROOF PLAN
1/4" = 1'-0"

NEW FIRST FLOOR ROOF VENTILATION REQUIREMENTS:

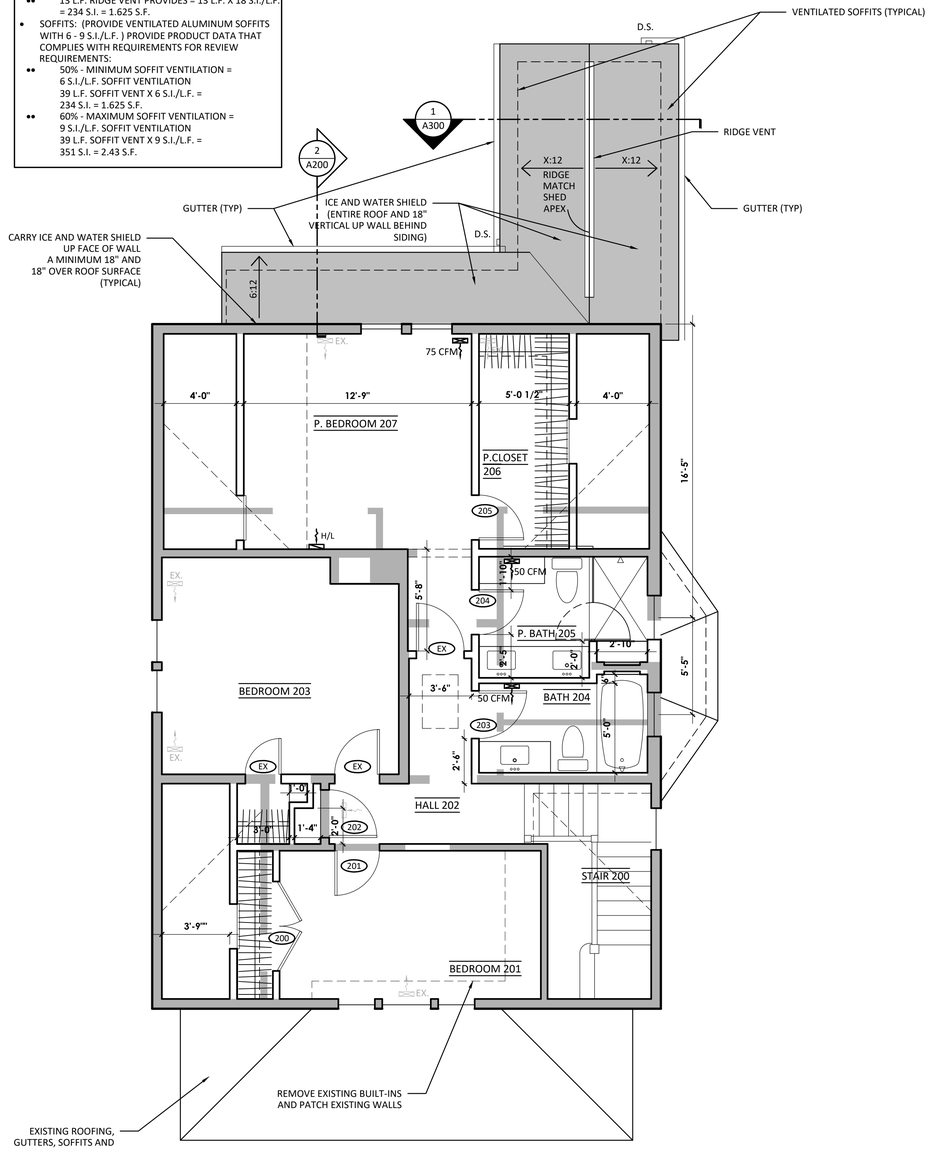
- ROOF AREA = 166 S.F.
- 166/300 = .56 S.F. (80 S.I.) TOTAL VENTILATION REQ'D
- RIDGE VENT: AIR VENT SHINGLE VENT II (PROVIDES 18 S.I./L.F.)
  - 13 L.F. RIDGE VENT PROVIDES = 13 L.F. X 18 S.I./L.F. = 234 S.I. = 1.625 S.F.
- SOFFITS: (PROVIDE VENTILATED ALUMINUM SOFFITS WITH 6 - 9 S.I./L.F.) PROVIDE PRODUCT DATA THAT COMPLIES WITH REQUIREMENTS FOR REVIEW REQUIREMENTS:
  - 50% - MINIMUM SOFFIT VENTILATION = 6 S.I./L.F. SOFFIT VENTILATION 39 L.F. SOFFIT VENT X 6 S.I./L.F. = 234 S.I. = 1.625 S.F.
  - 60% - MAXIMUM SOFFIT VENTILATION = 9 S.I./L.F. SOFFIT VENTILATION 39 L.F. SOFFIT VENT X 9 S.I./L.F. = 351 S.I. = 2.43 S.F.

FIREBLOCKING SHALL BE LOCATED IN THE FOLLOWING LOCATIONS:

- IN CONCEALED SPACES OF STUD WALLS AND PARTITIONS
  - VERTICALLY AT THE CEILING AND THE FLOOR LEVELS
  - HORIZONTALLY AT INTERVALS NOT EXCEEDING 10 FEET
- AT ALL INTERSECTIONS BETWEEN CONCEALED VERTICAL AND HORIZONTAL SPACES FOR SOFFITS, DROP CEILINGS AND COVE CEILINGS.
- IN CONCEALED SPACES BETWEEN STAIR STINGERS AT THE TOP AND BOTTOM OF THE RUN
- AT OPENINGS AROUND VENTS, PIPES, DUCTS, CABLES AND WIRES AT THE CEILING AND THE FLOOR LEVELS.

WALL LEGEND

- EXISTING WALL
- NEW WALL
- EXISTING WALL TO BE REMOVED



1 SECOND FLOOR PLAN
1/4" = 1'-0"

DO NOT SCALE DRAWINGS. SOME ASPECTS OF THE DRAWINGS ARE NOT TO SCALE.

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TAMA & CHRIS FILPI

318 W MUELLER STREET
ARLINGTON HTS, IL 60004

FILPI RESIDENCE

no.	revision	init.	date
	PERMIT SET		1/26/22

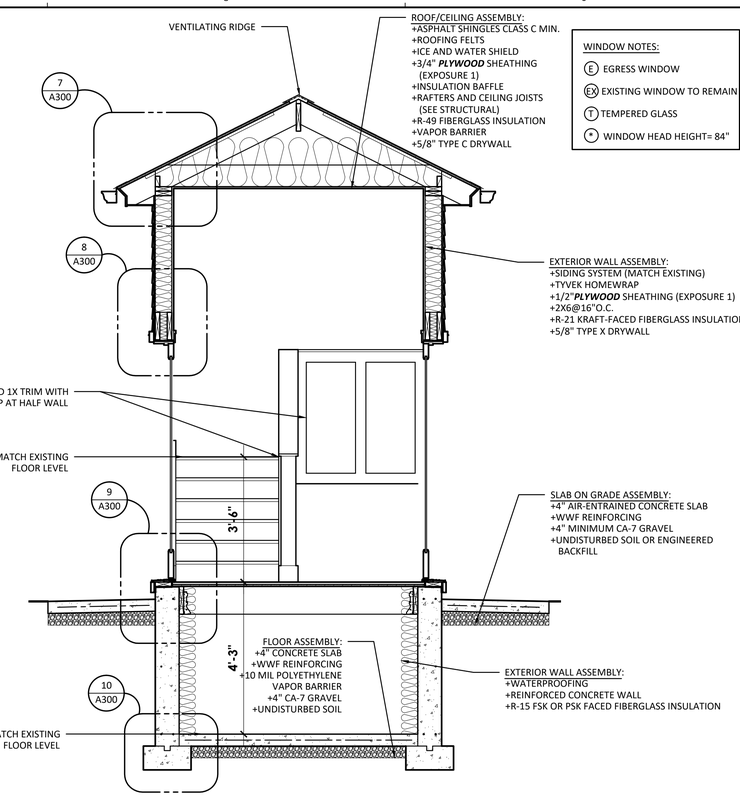
SECOND FLOOR AND ROOF PLANS

date	drawn by	checked by

Job No. FILPI

Sheet No. A101

4 **EAST ELEVATION**
1/4" = 1'-0"



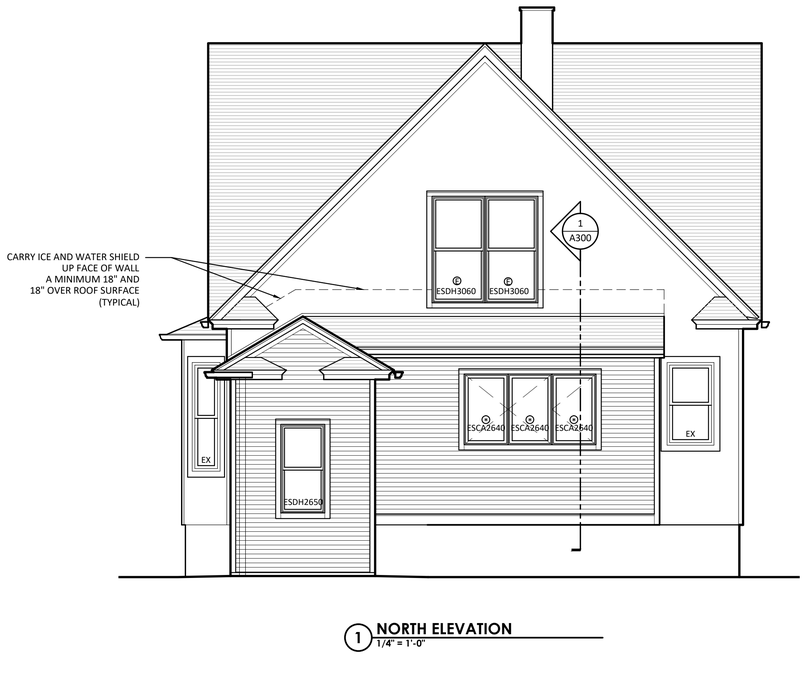
2 **BUILDING SECTION**
1/2" = 1'-0"

WINDOW NOTES:
- (E) EGRESS WINDOW
- (EX) EXISTING WINDOW TO REMAIN
- (T) TEMPERED GLASS
- (*) WINDOW HEAD HEIGHT= 84"

MATERIAL LIST

SIDING:	EXISTING SIDING TO REMAIN - NEW SIDING TO MATCH EXISTING SIDING
TRIM:	NEW TRIM TO MATCH EXISTING - WRAPPED ALUMINUM
WINDOWS:	"STONE WHITE", ESSENTIAL WINDOWS BY MARVIN
GUTTERS/LEADERS:	PREFINISHED ALUMINUM, WHITE TO MATCH EXISTING
ROOF SHINGLES:	MATCH EXISTING - TEXTURED ASPHALT SHINGLES BY GAF
FOUNDATION:	EXISTING TO REMAIN

3 **WEST ELEVATION**
1/4" = 1'-0"



1 **NORTH ELEVATION**
1/4" = 1'-0"

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TAMA & CHRIS FILPI

318 W MUELLER STREET
ARLINGTON HTS, IL 60004

FILPI RESIDENCE

no.	revision	init.	date
	PERMIT SET		1/26/22

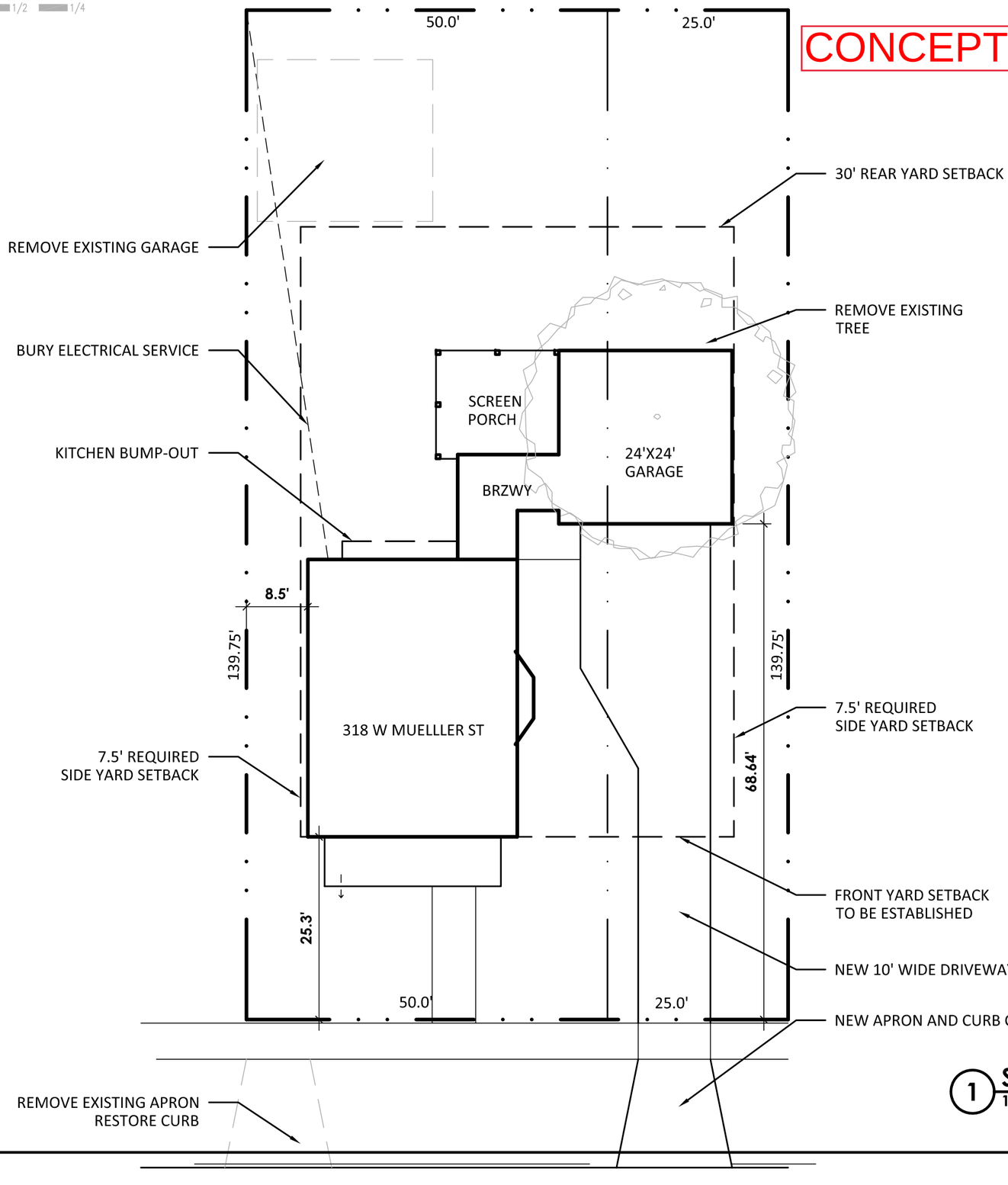
EXTERIOR ELEVATIONS

date	drawn by	checked by

Job No. **FILPI**

Sheet No. **A200**

CONCEPT FOR FUTURE GARAGE



1 **SITE PLAN**
1/16" = 1'-0"

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A0

6.18.21

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TAMA AND CHRIS FILPI
318 W MUELLER ST, ARLINGTON HEIGHTS, IL 60004

Village of Arlington Heights
Building & Life Safety Department

Interoffice Memorandum

To: Sam Hubbard, Development Planner, Planning and Community Development

From: Deb Pierce, Plan Reviewer, Building & Life Safety Department

Subject: 318 W Mueller St – Subdivision to Consolidate, Variation to Waive Fee-in-lieu of On-site Detention

PC#: 22-003– Round 1

Date: April 7, 2022

General Comments:

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

Sam...

I have no comments or objections to the request to consolidate the lots.

RECEIVED
APR 08 2022
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

Village of Arlington Heights
Public Works Department

Memorandum

To: Sam Hubbard, Planning and Community Development
From: Cris Papierniak, Director of Public Works
Date: April 20, 2022
Subject: 318 W Mueller #22-003 Round 1

Public Works has no comments at this time

C. file

PLAN COMMISSION PC #22-003
318 W Mueller Street Lot Consolidation
318 W Mueller Street
Round 1 - revised

11. The petitioner is notified that these comments are being provided to ensure that the project meets the requirements for submittal to the Plan Commission. Approval by the Plan Commission is not an endorsement or approval of these documents to obtain the required building permits, engineering approval, or permits required by other government or permitting agencies for construction. Detailed plan review with associated comments will be provided upon submittal of plans for a building permit. The petitioner shall acknowledge that they accept this understanding.

12. Since a subdivision is being proposed the plans must meet all subdivision requirements. Final engineering plans for all public improvements must be approved prior to the final plat of subdivision approval. Per Section 29-501 of the Subdivision Control Regulations, the public improvements required is a storm sewer system for detention meeting specifications of Chapter 22 and 23 of the Municipal Code and the design regulations of the Manual of Practice. Taking into consideration the nature of the lot consolidation, this would qualify under section 3.05E Small Developments of the Manual of Practice which allows the Village Engineer to exempt the petitioner from requiring the detention for a fee-in-lieu of detention at $1 per cubic foot of required storage. The fee-in-lieu for the lot consideration is $2,862. This fee will be reflected in the fee letter.

13. The petitioner has requested a variation from the fee-in-lieu of detention. Detention and fee-in-lieu of detention is a code requirement, Village staff does not have the authority to grant a variance to code. Administrative exception to a code requirement can only be granted by the Village Board.

14. The Final Plat of Subdivision must be reviewed and approved by Engineering prior to final Plan Commission approval. The original signed mylar Final Plat of Subdivision, containing all non-Village signatures, shall be submitted one week before the scheduled date of the final Plan Commission meeting. Village Code Section 29-209 also requires a digital copy of the plat to be provided on disk to the Village. The petitioner shall acknowledge that they accept this understanding.

Preliminary Plat of Subdivision:

15. The plat was reviewed against the attached Preliminary Plat of Subdivision Checklist. Items #1, 2, 4-6, and 8-10 are complete. Use the checklist to complete the rest of the items.
    a) Item 7, dimension Mueller St on the plat.
    b) Item 11, provide a 5 ft public utility and drainage easement along the east, west, and rear property line.
    c) Item 12, provide the side yard and rear yard building setback lines.
    d) Item 13, provide the names and last known addresses of the owners of the land immediately adjoining the land proposed to be subdivided (consolidated).

16. For the Final Plat of Subdivision, use the attached Final Plat of Subdivision Checklist. The elementary school district is Consolidated Community School District #25, Township High School District #214, Harper Community College District #512. Add the utility signature blocks

4/21/22

Michael L. Pagones, P.E. Date
Village Engineer

Attachments:
Preliminary Plat of Subdivision Checklist (1 page)
Final Plat of Subdivision Checklist (3 pages)
Contacts for Plat Signatures (1 page)
Sample Utility Signature Blocks (1 page)
Fee in Lieu calculation

Preliminary Plat of Subdivision Checklist

Municipal Code Section 29-201(b)(1 – 13)

- ○ 1. The name of the proposed subdivision.
- ○ 2. A north-point indication, scale, date of preparation of the Preliminary plat, and by whom prepared.
- ○ 3. A legal description of land proposed to be subdivided, by section, township and range, and other terms as used in describing land on the records of the Recorder of Deeds or Registrar of Titles, Cook County, Illinois.
- ○ 4. Sufficient information to locate accurately the proposed subdivision in relation to its general neighborhood, by means of references to streets, railroad lines, recorded plats, etc. If the foregoing references cannot be made, then a vicinity plat showing the location of the proposed subdivision, drawn to a smaller scale, shall accompany the Preliminary plat.
- ○ 5. The description and location of all survey monuments, existing and to be erected, in the area of the proposed subdivision.
- ○ 6. The boundary lines of the proposed subdivision, drawn to accurate scale and bearing, and a statement of the total area encompassed by the boundary lines.
- ○ 7. The location and dimensions of streets, easements, improvements and utilities within and immediately contiguous to the proposed subdivision, as well as the location and dimensions of major features such as railroad lines, airports, water courses, lakes and exceptional topography.
- ○ 8. The location, dimensions and layout of proposed streets, alleys, and sidewalks of the proposed subdivision.
- ○ 9. The layout, number, dimensions and area of each lot of the proposed subdivision.
- ○ 10. The location, dimensions and layout of all parcels of land intended to be dedicated for public use, such as parks and other open spaces, or reserved for the use of all subdivision property owners, together with an indication of the nature of each such use within the proposed subdivision.
- ○ 11. The location, dimensions and layout of all public utility easements in the proposed subdivision.
- ○ 12. The location and dimensions of all building setback lines in the proposed subdivision.
- ○ 13. The names and last known addresses of the owners of the land proposed to be subdivided, the subdivider and all owners of land immediately adjoining the land proposed to be subdivided.

The Village of Arlington Heights Municipal Code can be accessed over the internet at www.vah.com .

Final Plat of Subdivision Checklist
Municipal Code Section 29-209(a – t)

- ○ a. The date of preparation of the final plat and by whom prepared.
- ○ b. The boundary of the plat, based on accurate traverse, with angles and lineal dimensions.
- ○ c. All permanent survey monuments, markers and bench marks.
- ○ d. Exact location, width and name of all streets within and adjoining the plat, and the exact location and widths of all cross walkways.
- ○ e. True angles and distances to the nearest established street lines or official monuments, not less than three.
- ○ f. Municipal, township, county and section lines accurately tied to the lines of the subdivision by distances and angles.
- ○ g. Radii, internal angles, points and curvatures, tangent bearings and lengths of all arcs.
- ○ h. All easements for rights of way established for public use and utilities.
- ○ i. All lot numbers and lines, with accurate dimensions given in hundredths of feet.
- ○ j. Accurate outlines and legal descriptions of all areas dedicated or reserved for public use, with the proposed uses indicated thereon; and all areas to be reserved by deed covenant for the common use of all property owners; together with the proposed uses indicated thereon.
- ○ k. The text of protective covenants, approved by the Plan Commission, relating to the proposed subdivision.
- ○ l. An endorsement by the County Clerk in the form acceptable to Cook County, that there are no delinquent, forfeited, foreclosed or purchased general taxes, or unpaid current general taxes, against the land proposed to be subdivided.
- ○ m. A summary of all restrictions applicable to any part of such subdivision concerning building restrictions, use restrictions, building setback lines and similar matters.
- ○ n. A deed of dedication in the form set forth in Section 29-217(a):
  The Final plat shall contain a deed of dedication substantially as follows:

  "We, the undersigned, (Names), owners of the real estate shown and described herein, do hereby lay off, plat and subdivide said real estate in accordance with the within plat. This subdivision shall be known and designated as (Name), an addition to the Village of Arlington Heights, Cook County. All streets and alleys and public open spaces shown and not heretofore dedicated are hereby dedicated to the public. Front and side yard building setback lines are established as shown on this plat, between which lines and the property lines of the streets, there shall be erected or maintained no building or structure. There are strips of ground, (Number) feet in width, as shown on this plat and marked 'Easement' reserved for the use of public utilities for the installation of water and sewer mains, poles, ducts, lines and wires, subject at all times to the proper authorities and to the easement herein reserved. No permanent or other structures are to be erected or maintained upon

these strips of land, but owners of lots in this subdivision shall take their titles subject to the rights of the public utilities, and to the rights of the owners of other lots in this subdivision.

(Additional dedications and protective covenants, or private restrictions, would be inserted here upon the subdivider's initiative or the recommendation of the Plan Commission or Village Board; important provisions are those specifying the use to be made of the property and, in the case of residential use, the minimum habitable floor area.)

The foregoing covenants (or restrictions), are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 20____ [25 year period is suggested], at which time said covenants (or restrictions) shall be automatically extended for successive periods of ten years unless indicated otherwise by negative vote of a majority of the then owners of the building sites covered by these covenants (or restrictions), in whole or in part, which said vote will be evidenced by a petition in writing signed by the owners and duly recorded. Invalidation of any one of the foregoing covenants (or restrictions) by judgment or court order shall in no way affect any of the other various covenants (or restrictions), which shall remain in full force and effect.

The right to enforce these provisions by injunction, together with the right to cause the removal, by due process of law, of any structure or part thereof erected or maintained in violation, is hereby dedicated to the public, and reserved to the several owners of the several lots in this subdivision and to their heirs and assigns.

WITNESS our hands and seals this ____ day of _____, 20____.

STATE OF ILLINOIS)
COUNTY OF COOK) SS.

Before me the undersigned Notary Public, in and for the County and State aforesaid, personally appeared (Names), and each separately and severally acknowledged the execution of the foregoing instrument as his or her voluntary act and deed, for the purposes therein expressed.

WITNESS my hand and notarial seal this _____ day of 20 _____.

_____
Notary Public"

○ o. A blank certificate of approval in the form set forth in Section 29-217(b). The Final plat shall contain a certificate of approval as follows:

"Under the authority provided by 65 ILCS 5/11-12 as amended by the State Legislature of the State of Illinois and Ordinance adopted by the Village Board of the Village of Arlington Heights, Illinois, this plat was given approval by the Village of Arlington Heights AND MUST BE RECORDED WITHIN SIX MONTHS OF THE DATE OF APPROVAL BY THE VILLAGE BOARD, OTHERWISE IT IS NULL AND VOID.

APPROVED by the Plan Commission at a meeting held _____

_____
Chairman

_____

Secretary

APPROVED by the Village Board of Trustees at a meeting held _____

_____

President

_____

Village Clerk

APPROVED by the Village Collector

_____

APPROVED by the Village Engineer

_____"

○ p. A certification by a registered surveyor in the form set forth in Section 29-217(c). The Final plat shall contain a certificate signed by an Illinois Registered Land Surveyor in substantially the following form:

"I, (Name), hereby certify that I am an Illinois Registered Land Surveyor in compliance with the laws of the State of Illinois, and that this plat correctly represents a survey completed by me on (Date); that all monuments and markers shown thereon actually exist, and that I have accurately shown the materials that they are made of.

_____

Signature

(SURVEYOR'S SEAL)

Illinois Land Surveyor
No. _____"

○ q. A notarized statement from the owner indicating the school district in which each tract, parcel, lot or block lies.

○ r. A certificate in the form as required by the Illinois Department of Transportation or Cook County Highway Department, respectively, when any new street or new driveway will access one of these Department's streets.

○ s. The parcel index numbers of all lots contained within the plat shall be included on the plat of subdivision.

○ t. A block stating "Send Tax Bill To: (Name/Address)." The actual name and address shall be provided by the developer.

○ u. Provide a location to identify the address of each new lot.

The Village of Arlington Heights Municipal Code can be accessed over the internet at www.vah.com .

Contacts for Plat Signatures

Mr. Frank Gautier **Comcast Cable** 688 Industrial Drive Elmhurst, IL 60126	224-229-5850 Ted_Wyman@comcast.com Alternates: Bob Schulter (Department Supervisor), Martha Agieras (Assistant) Bob_Schulter@comcast.ncom Martha_Gieras@comcast.com *Per Frank: Request that completed plat data be shared with Comcast in advance of signature, and that the plat be physically provided at their 688 Industrial Drive office at a mutually agreed date and time.*
Mr. Mark Cozzi **ComEd** Three Lincoln Center, 4th Floor Oakbrook Terrace, IL 60181	630-576-6530 Mark.Cozzi@ComEd.com
Ms. Gwen Borjon **NICOR Gas** 1844 W Ferry Rd Naperville, IL 60563	630-388-2976 gborjon@southernco.com
Ms. Sue E. Manshum ROW Engineer **Ameritech** 1391 Abbot Ct Buffalo Grove, IL 60089	847-465-6086 sm9231@att.com
Mr. Dominick Silvio **WOW Internet Cable** 4350 Weaver Parkway Warrenville, IL 60555	630-536-3121 dominick.silvio@wowinc.com
Ms. Abigail Robinson **IDOT Permits** 201 W Center Court Schaumburg, IL 60196	847-705-4541 Abigail.L.Robinson@illinois.gov
Mr. Michael Sterr, P.E. Permit Division Head, Construction Bureau **Cook County Department of Transportation and Highways** 69 W Washington St 24th Floor Chicago, IL 60602	312-603-1670 michael.sterr@cookcountyil.gov hwy.permits@cookcountyil.gov

Sample Signature Blocks

COMMONWEALTH EDISON COMPANY
EASEMENT APPROVED AND ACCEPTED

BY: _____ DATE: _____, 20__

TITLE: _____

AMERITECH/SBC
EASEMENT APPROVED AND ACCEPTED

BY: _____ DATE: _____, 20__

TITLE: _____

NICOR GAS
EASEMENT APPROVED AND ACCEPTED

BY: _____ DATE: _____, 20__

TITLE: _____

COMCAST CABLE
EASEMENT APPROVED AND ACCEPTED

BY: _____ DATE: _____, 20__

TITLE: _____

WIDE OPEN WEST, LLC
EASEMENT APPROVED AND ACCEPTED

BY: _____ DATE: _____, 20__

TITLE: _____

Cook County Signature Block:

This plat has been approved by the Cook County Highway Department with respect to roadway access pursuant to 765 ILCS 205/2. However, a Highway Permit, conforming to the standards of the Cook County Highway Department is required by the owner of the property for this access.

_____

Superintendent of Highways
Cook County, Illinois

4/20/2022

318 W Mueller Street Lot Consolidation
Detention Calculation Verification: PC # 22-003____
Site Requirements

Site Area =	0.24 Acres	Pervious=	0.15 Acres
Allowed Release Rate (Area x 0.18cfs/Ac) =	0.044 cfs	Impervious=	0.092 Acres
Weighted "C" Factor =	0.671	Water=	0.000 Acres
		Synth Turf=	0.000 Acres

A	B	C	D	E	F	G	H	J	K
Runoff Factor "C"	Storm Duration		**Updated** Rainfall Intensity "I"	Site Area "A"	Inflow Rate (CxIxA)	Release Rate	Storage Rate	Storage Required	
	(min)	(hrs)	(in/hr)	(acres)	(cfs)	(cfs)	(cfs)	(cu-ft)	(Ac-ft)
0.671	5	0.083	12.34	0.24	2.00	0.044	1.96	586	0.013
0.671	10	0.167	10.80	0.24	1.75	0.044	1.71	1028	0.024
0.671	15	0.25	9.26	0.24	1.50	0.044	1.46	1314	0.030
0.671	20	0.33	7.97	0.24	1.29	0.044	1.25	1485	0.034
0.671	30	0.50	6.34	0.24	1.03	0.044	0.99	1774	0.041
0.671	40	0.67	5.27	0.24	0.86	0.044	0.81	1958	0.045
0.671	50	0.83	4.52	0.24	0.73	0.044	0.69	2062	0.047
0.671	60	1.00	4.03	0.24	0.65	0.044	0.61	2197	0.050
0.671	90	1.50	3.03	0.24	0.49	0.044	0.45	2419	0.056
0.671	120	2.00	2.49	0.24	0.40	0.044	0.36	2594	0.060
0.671	180	3.00	1.83	0.24	0.30	0.044	0.25	2734	0.063
0.671	240	4.00	1.48	0.24	0.24	0.044	0.20	2827	0.065
0.671	300	5.00	1.25	0.24	0.20	0.044	0.16	2862	0.066
0.671	360	6.00	1.07	0.24	0.17	0.044	0.13	2803	0.064
0.671	420	7.00	0.97	0.24	0.16	0.044	0.11	2860	0.066
0.671	480	8.00	0.87	0.24	0.14	0.044	0.10	2801	0.064
0.671	540	9.00	0.79	0.24	0.13	0.044	0.08	2731	0.063
0.671	600	10.00	0.72	0.24	0.12	0.044	0.07	2625	0.060
0.671	660	11.00	0.67	0.24	0.11	0.044	0.06	2566	0.059
0.671	720	12.00	0.62	0.24	0.10	0.044	0.06	2448	0.056
0.671	1080	18.00	0.45	0.24	0.07	0.044	0.03	1884	0.043
0.671	1440	24.00	0.36	0.24	0.06	0.044	0.01	1249	0.029
					A*D*E		F-G	C*H*3600	J/43560

Max Volume = 0.066 Acre-Ft
= 2,862 cu-ft

Orifice Computation

			Free Flow	Submerged Flow
1) Allowed Release Rate, Q(cfs)	0.044			
2) High Water Elevation				0.00
3) Outfall Water Elevation	-		-	0.00
4) Invert Elevation				0.00
5) Diameter of Restrictor (inch)				0
6) Cross Section Area (sq ft)	-		0.000	0.000
7) Head (ft)	h =	0.00	0.00	0.00
8) Discharge Coefficient				0.00

Square Edge 0.79 - 0.82
Round Edge 0.93 - 0.98
Sharp Edge 0.58 - 0.64 <-- Most common=0.61
Projecting 0.50

Q = C*a*(sqrt 2*g*h)

Orifice area: $a = \frac{Q}{C*(\sqrt{2*g*h})}$

Q (cfs) = 0.00 0.000

a(sq ft) = ###### dia(in) = #DIV/0!

Arlington Heights Fire Department
Plan Review Sheet

P. C. Number _____

Project Name _____

Project Location _____

Planning Department Contact _____

General Comments

_____

_____

_____

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_____

NOTE: PLAN IS CONCEPTUAL ONLY
SUBJECT TO DETAILED PLAN REVIEW

Date _____ Reviewed By: _____

ARLINGTON HEIGHTS POLICE DEPARTMENT

Community Services Bureau

DEPARTMENT PLAN REVIEW SUMMARY

Mueller Street Lot Consolidation
318 W Mueller St

Round 1 Review Comments **04/12/2022**

1. **Character of use:**
   The character of use is consistent with the area and is not a concern.

2. **Are lighting requirements adequate?**
   Lighting should be up to Village of Arlington Heights code. The exterior of the building should be illuminated especially during nighttime hours for safety, to deter criminal activity and increase surveillance/visibility- potentially reducing theft, trespassing, vandalism, underage drinking, and other criminal activity.

3. **Present traffic problems?**
   There are no traffic problems at this location.

4. **Traffic accidents at particular location?**
   This is not a problem area in relation to traffic accidents.

5. **Traffic problems that may be created by the development.**
   This development should not create any additional traffic problems.

6. **General comments:**

   - Please ensure that there is an emergency information/contact card on file with the Arlington Heights Police Department and that it is up-to-date. Agent contact information must be provided to the Arlington Heights Police Department during all construction phases. The form is attached. Please complete and return. This allows police department personnel to contact an agent during emergency situations or for suspicious/criminal activity on the property during all hours.

   - Landscaping should provide open sightlines to increase natural surveillance and avoid creating ambush locations and havens for illegal activities- theft, trespassing, vandalism, underage drinking, drug use, etc.

A. O. #330
Alexandra Ovington, Crime Prevention Officer
Community Services Bureau

Approved by:
583
Supervisor's Signature

Arlington Heights Police Department

Emergency Information Card

Arlington Heights Police Department
200 E. Sigwalt Street
Arlington Heights, IL 60005-1499
Phone: 847/368-5300

1. Fill in all information by tabbing to each field.
2. When completed, save the form and send as an attachment to: policemail@vah.com.

Completed forms may also be printed and submitted in the following manner:

Print Form (To Mail)

By Mail: Arlington Heights Police Department
200 E. Sigwalt Street, Arlington Heights, IL. 60005
Attention: Police Administration

By Fax: (847) 368-5970 - Attention: Police Administration

In Person: Dropped off at the Arlington Heights Police Department's front desk for forwarding to Police Administration.

Name (Firm or Residence)

Address/City

Telephone Number

Date Information Obtained

IN CASE OF EMERGENCY PLEASE CALL:

Contact #1

Name

Address/City

Telephone Number

Cell Number

Contact #2

Name

Address/City

Telephone Number

Cell Number

Alarm System

☐ No

☐ Yes Phone number:

Alarm Company Name

HEALTH SERVICES DEPARTMENT

PETITIONER'S APPLICATION - ARLINGTON HEIGHTS PLAN COMMISSION

Petition #: P.C.
Petitioner: Christopher A Filpi

Owner: Christopher A Filpi

Contact Person: Christopher A Filpi
Address: 318 W. Mueller St.
Arlington Heights, IL 60004
Phone #: 847/577-0913
Fax #: n/a
E-Mail: cfilpi@yahoo.com

P.I.N.# 03-30-230-015-0000 & 03-30-230-021-0000
Location: 318 W. Mueller St., A. Heights, IL 60004
Rezoning: _____ Current: _____ Proposed: _____
Subdivision: ✔
# of Lots: 2 Current: 2 Proposed: 1
PUD: _____ For: _____
Special Use: _____ For: _____
Land Use Variation: _____ For: _____

Land Use: _____ Current: _____
Proposed: _____
Site Gross Area: 10,481
# of Units Total: _____
1BR: 2BR: 3BR: 4BR:

(Petitioner: Please do not write below this line.)

1. GENERAL COMMENTS:

No comments from this Department

Jeff Bohner 4/8/22
Environmental Health Officer Date

James McCalister 4/8/22 Director
Date

PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

PETITIONER'S APPLICATION - ARLINGTON HEIGHTS PLAN COMMISSION

Petition #: P.C. 22-003
Petitioner: Christopher A Filpi

Owner: Christopher A Filpi

Contact Person: Christopher A Filpi
Address: 318 W. Mueller St.
Arlington Heights, IL 60004
Phone #: 847/577-0913
Fax #: n/a
E-Mail: cfilpi@yahoo.com

P.I.N.# 03-30-230-015-0000 & 03-30-230-021-0000
Location: 318 W. Mueller St., A. Heights, IL 60004
Rezoning: _____ Current: _____ Proposed: _____
Subdivision: ✔
# of Lots: 2 Current: 2 Proposed: 1
PUD: _____ For: _____
Special Use: _____ For: _____
Land Use Variation: _____ For: _____

Land Use: _____ Current: _____
Proposed: _____
Site Gross Area: 10,481
# of Units Total: _____
1BR: 2BR: 3BR: 4BR:

(Petitioner: Please do not write below this line.)

	YES	NO	
1.	X		COMPLIES WITH COMPREHENSIVE PLAN?
2.	X		COMPLIES WITH THOROUGHFARE PLAN?
3.		X	VARIATIONS NEEDED FROM ZONING REGULATIONS? (See below.)
4.	X		VARIATIONS NEEDED FROM SUBDIVISION REGULATIONS? (See below.)
5.	X		SUBDIVISION REQUIRED?
6.		X	SCHOOL/PARK DISTRICT CONTRIBUTIONS REQUIRED? (See below.)

Comments:

PLEASE SEE ATTACHED COMMENTS, #7 - #22

Sam Hubbard

Date

Planning & Community Development Dept. Review

April 19, 2022

REVIEW ROUND 1

Project: 318 W. Mueller St.
Proposed Subdivision to Consolidate

Case Number: PC 21-007

General:

7. The following approvals are required:
   a. **Preliminary & Final Plat of Subdivision to subdivide two lots into one lot.**
   b. **Variation from Chapter 29, Section 29-501f, to waive the requirement for a fee-in-lieu of onsite detention.**

8. Please note that the Final Plat, as approved by the Engineering Dept., must be printed on mylar and submitted to the Village, with signatures obtained from all parties except those to be coordinated by the Village, ***no less than one week*** prior to the tentative June 8th Plan Commission hearing date.

9. Please note that payment of all applicable engineering fees and the provision of all applicable surety bonds, public improvement deposits, and maintenance guarantees must be provided ***one week prior*** to appearing before the Village Board for Final Plat approval.

10. The Wheeling Township Assessor's office is in the process of compiling a list of all PIN #'s of property within 250' of the subject property. This list will be provided to you under separate cover and you must use the method as described by the township office to look up the property owner information for each of the PIN's on the list. Please note that the public notification letter must go to the **taxpayer of record of each PIN**, and not to the actual property address of the PIN. Please provide a draft of the notification letter to me at your convenience (see zoning application for a template to follow for said letter).

11. Please ensure that the revised Plat of Subdivision includes a revision date.

12. All revised and resubmitted documents must be provided in paper format and electronic format.

Final Plat of Subdivision:

13. Please revise the title of the Plat to read:

FILPI CONSOLIDATION
A Final Plat of Subdivision of

14. It is assumed that you are proceeding with both Preliminary and Final Plat of Subdivision as one process. Please confirm this to be accurate. Under this assumption, the language "Preliminary not for recording" shall be removed from the Plat. Please note that a $100 filing fee is required if the project is proceeding with Preliminary and Final Plat of Subdivision as two separate processes.

15. Per Section 29-201b and 29-209d of Chapter 29, the width of the Mueller Street ROW shall be added to the Plat.

16. Section 29-201b.12 requires the side (7.5') and rear yard (30') setbacks be shown on the Plat.

17. Section 29-201b.13 requires the names and addresses of certain owners of land be added to the plat.

18. Section 29-309 requires a 5' public utility easement along the rear of the property and along the sides of the property. Please incorporate on the plat document and add the signature certificates for all utility companies.

19. Per Section 29-209l., the County Clerk Certificate must be added to the Plat.

20. The Land Owner Certificate shall be retitled "Deed of Dedication", and shall mirror the language found in Section 29-209n. The 2nd and 3rd paragraphs can be omitted since there are no covenants proposed. The Deed of Dedication can include the statement on school districts, as required by Section 29-209q.

21. The Village Collector and Village Engineer certificates shall appear below, and as a part of, the Village of Arlington Heights certificate.

22. Per Section 29-209t., a block directing where the tax bill is to be sent shall be added to the Plat of Subdivision.

Prepared by:

PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

7A

PETITIONER'S APPLICATION - ARLINGTON HEIGHTS PLAN COMMISSION

Petition #: P.C.
Petitioner: Christopher A FIlpi

Owner: Christopher A Filpi

Contact Person: Christopher A Filpi
Address: 318 W. Mueller St.
Arlington Heights, IL 60004
Phone #: 847/577-0913
Fax #: n/a
E-Mail: cfilpi@yahoo.com

P.I.N.# 03-30-230-015-0000 & 03-30-230-021-0000
Location: 318 W. Mueller St., A. Heights, IL 60004
Rezoning: _____ Current: _____ Proposed: _____
Subdivision: ✔
# of Lots: 2 Current: 2 Proposed: 1
PUD: _____ For: _____
Special Use: _____ For: _____
Land Use Variation: _____ For: _____

Land Use: _____ Current: _____
Proposed: _____
Site Gross Area: 10,481
# of Units Total: _____
1BR: 2BR: 3BR: 4BR:

(Petitioner: Please do not write below this line.)

LANDSCAPE & TREE PRESERVATION:

	YES	NO
1. Complies with Tree Preservation Ordinance	N/A	
2. Complies with Landscape Plan Ordinance	N/A	
3. Parkway Tree Fee Required (See below.)		

Comments:

No comments

Coordinator 4/21/22 Date

PLAN COMMISSION PC #22-003
318 W Mueller Street Lot Consolidation
318 W Mueller Street
Round 1 – Petitioner Responses

Engineering Department Comments:

11. The petitioner is notified that these comments are being provided to ensure that the project meets the requirements for submittal to the Plan Commission. Approval by the Plan Commission is not an endorsement or approval of these documents to obtain the required building permits, engineering approval, or permits required by other government or permitting agencies for construction. Detailed plan review with associated comments will be provided upon submittal of plans for a building permit. The petitioner shall acknowledge that they accept this understanding.

Petitioner Response: The petitioner acknowledges this understanding.

12. Since a subdivision is being proposed the plans must meet all subdivision requirements. Final engineering plans for all public improvements must be approved prior to the final plat of subdivision approval. Per Section 29-501 of the Subdivision Control Regulations, the public improvements required is a storm sewer system for detention meeting specifications of Chapter 22 and 23 of the Municipal Code and the design regulations of the Manual of Practice. Taking into consideration the nature of the lot consolidation, this would qualify under section 3.05E Small Developments of the Manual of Practice which allows the Village Engineer to exempt the petitioner from requiring the detention for a fee-in-lieu of detention at $1 per cubic foot of required storage. The fee-in-lieu for the lot consideration is $2,862. This fee will be reflected in the fee letter.

Petitioner Response: The petitioner acknowledges the fee reflected in this letter and is requesting a variation from the fee-in-lieu of detention from the Village Board.

13. The petitioner has requested a variation from the fee-in-lieu of detention. Detention and fee-in-lieu of detention is a code requirement, Village staff does not have the authority to grant a variance to code. Administrative exception to a code requirement can only be granted by the Village Board.

Petitioner Response: The petitioner acknowledges the fee reflected in this letter and is requesting a variation from the fee-in-lieu of detention from the Village Board.

14. The Final Plat of Subdivision must be reviewed and approved by Engineering prior to final Plan Commission approval. The original signed mylar Final Plat of Subdivision, containing all non-Village signatures, shall be submitted one week before the scheduled date of the final Plan Commission meeting. Village Code Section 29-209 also requires a digital copy of the plat to be provided on disk to the Village. The petitioner shall acknowledge that they accept this understanding.

Petitioner Response: The petitioner acknowledges and accepts this understanding.

Preliminary Plat of Subdivision:

15. The plat was reviewed against the attached Preliminary Plat of Subdivision Checklist. Items #1, 2, 4-6, and 8-10 are complete. Use the checklist to complete the rest of the items.

a) Item 7, dimension Mueller St on the plat.
b) Item 11, provide a 5 ft public utility and drainage easement along the east, west, and rear property line.
c) Item 12, provide the side yard and rear yard building setback lines.
d) Item 13, provide the names and last known addresses of the owners of the land immediately adjoining the land proposed to be subdivided (consolidated).

Petitioner Response: The petitioner provided both the Preliminary and Final Plat of subdivision checklists items to our surveyor who revised the plat. Please see the plat revisions.

16. For the Final Plat of Subdivision, use the attached Final Plat of Subdivision Checklist. The elementary school district is Consolidated Community School District #25, Township High School District #214, Harper Community College District #512. Add the utility signature blocks

Petitioner Response: The petitioner communicated the requirements with the surveyor who created the plat. Please see the plat revisions.

Police Department Comments:

1. **Character of use:**
   The character of use is consistent with the area and is not a concern.

   Petitioner Response: The petitioner acknowledges the comment.

2. **Are lighting requirements adequate?**
   Lighting should be up to Village of Arlington Heights code. The exterior of the building should be illuminated especially during nighttime hours for safety, to deter criminal activity and increase surveillance/visibility- potentially reducing theft, trespassing, vandalism, underage drinking, and other criminal activity.

   Petitioner Response: The petitioner acknowledges the comments related to adequate lighting.

3. **Present traffic problems?**
   There are no traffic problems at this location.

   Petitioner Response: The petitioner acknowledges the lack of traffic problems at this location.

4. **Traffic accidents at particular location?**
   This is not a problem area in relation to traffic accidents.

   Petitioner Response: The petitioner acknowledges that the property is not a problem area in relation to traffic accidents.

5. **Traffic problems that may be created by the development.**
   This development should not create any additional traffic problems.

   Petitioner Response: The petitioner acknowledges the development should not create any additional traffic problems.

6. **General comments:**

   –Please ensure that there is an emergency information/contact card on file with the Arlington Heights Police Department and that it is up-to-date. Agent contact information must be provided to the Arlington Heights Police Department during all construction phases. The form is attached. Please complete and return. This allows police department personnel to contact an agent during emergency situations or for suspicious/criminal activity on the property during all hours.

   Petitioner Response: The petitioner will submit an emergency information/contact card to be on file with the Arlington Heights Police Department.

   --Landscaping should provide open sightlines to increase natural surveillance and avoid creating ambush locations and havens for illegal activities- theft, trespassing, vandalism, underage drinking, drug use, etc.

   Petitioner Response: The petitioner acknowledges the comments with respect to the landscaping.

Planning & Community Development Department Review Comments:

7. The following approvals are required:

    a. **Preliminary & Final Plat of Subdivision to subdivide two lots into one lot.**
    b. **Variation from Chapter 29, Section 29-501f, to waive the requirement for a fee-in-lieu of onsite detention.**

Petitioner Response: The petitioner acknowledges the need for the above listed approvals.

8. Please note that the Final Plat, as approved by the Engineering Dept., must be printed on mylar and submitted to the Village, with signatures obtained from all parties except those to be coordinated by the Village, ***no less than one week*** prior to the tentative June 8th Plan Commission hearing date.

Petitioner Response: The petitioner acknowledges the deadlines with respect to the final plat.

9. Please note that payment of all applicable engineering fees and the provision of all applicable surety bonds, public improvement deposits, and maintenance guarantees must be provided ***one week prior*** to appearing before the Village Board for Final Plat approval.

Petitioner Response: The petitioner acknowledges the requirement to pay all necessary fees one week prior to appearing before the Village Board for Final Plat approval.

10. The Wheeling Township Assessor's office is in the process of compiling a list of all PIN #'s of property within 250' of the subject property. This list will be provided to you under separate cover and you must use the method as described by the township office to look up the property owner information for each of the PIN's on the list. Please note that the public notification letter must go to the **taxpayer of record of each PIN**, and not to the actual property address of the PIN. Please provide a draft of the notification letter to me at your convenience (see zoning application for a template to follow for said letter).

Petitioner Response: The petitioner acknowledges the notification requirements as stated above.

11. Please ensure that the revised Plat of Subdivision includes a revision date.

Petitioner Response: The petitioner provided this requirement to our surveyor for inclusion. Please see the plat revisions.

12. All revised and resubmitted documents must be provided in paper format and electronic format.

Petitioner Response: The petitioner is working with Sam Hubbard to ensure all the documents are in the required format.

Final Plat of Subdivision:

13. Please revise the title of the Plat to read:

FILPI CONSOLIDATION

A Final Plat of Subdivision of

Petitioner Response: The petitioner provided this requirement to our surveyor for inclusion. Please see the plat revisions.

14. It is assumed that you are proceeding with both Preliminary and Final Plat of Subdivision as one process. Please confirm this to be accurate. Under this assumption, the language "Preliminary not for recording" shall be removed from the Plat. Please note that a $100 filing fee is required if the project is proceeding with Preliminary and Final Plat of Subdivision as two separate processes.

Petitioner Response: The petitioner wishes to proceed with both the Preliminary and Final Plat of subdivision as one process.

15. Per Section 29-201b and 29-209d of Chapter 29, the width of the Mueller Street ROW shall be added to the Plat.

Petitioners Response: The petitioner provided this requirement to our surveyor for inclusion. Please see the plat revisions.

16. Section 29-201b.12 requires the side (7.5') and rear yard (30') setbacks be shown on the Plat.

Petitioner Response: The petitioner provided this requirement to our surveyor for inclusion. Please see the plat revisions.

17. Section 29-201b.13 requires the names and addresses of certain owners of land be added to the plat.

Petitioner Response: The petitioner provided this requirement to our surveyor for inclusion. Please see the plat revisions.

18. Section 29-309 requires a 5' public utility easement along the rear of the property and along the sides of the property. Please incorporate on the plat document and add the signature certificates for all utility companies.

Petitioner Response: The petitioner provided this requirement to our surveyor for inclusion. Please see the plat revisions.

19. Per Section 29-209l., the County Clerk Certificate must be added to the Plat.

Petitioner Response: The petitioner provided this requirement to our surveyor for inclusion. Please see the plat revisions.

20. The Land Owner Certificate shall be retitled "Deed of Dedication", and shall mirror the language found in Section 29-209n. The 2nd and 3rd paragraphs can be omitted since there are no covenants proposed. The Deed of Dedication can include the statement on school districts, as required by Section 29-209q.

Petitioner Response: The petitioner provided this requirement to our surveyor for inclusion. Please see the plat revisions.

21. The Village Collector and Village Engineer certificates shall appear below, and as a part of, the Village of Arlington Heights certificate.

Petitioner Response: The petitioner provided this requirement to our surveyor for inclusion. Please see the plat revisions.

Per Section 29-209t., a block directing where the tax bill is to be sent shall be added to the Plat of Subdivision.

Petitioner Response: The petitioner provided this requirement to our surveyor for inclusion. Please see the plat revisions.

PLAN COMMISSION PC #22-003
318 W Mueller Street Lot Consolidation
318 W Mueller Street
Round 2 – Final Plat

17. The petitioner's response to Comment Nos. 11, 14, and 15 are acceptable.

18. The petitioner's response to Comment No. 12 and 13 is noted. A ruling has not yet been made on the requested variance to waive the fee-in-lieu of detention. The Engineering Division is not in favor of granting the requested variance. The area is tributary to a combined sewer system, and the fee-in-lieu would apply to future system improvements.

19. The Final Plat of Subdivision must be reviewed and approved by Engineering prior to final Plan Commission approval. The original signed mylar Final Plat of Subdivision, containing all non-Village signatures, shall be submitted one week before the scheduled date of the final Plan Commission meeting. Village Code Section 29-209 also requires a digital copy of the plat to be provided on disk to the Village. The petitioner shall acknowledge that they accept this understanding.

5/20/22

Michael L. Pagones, P.E. Date
Village Engineer

Planning & Community Development Dept. Review

May 24, 2022

REVIEW ROUND 2

Project: 318 W. Mueller St.
Proposed Subdivision to Consolidate

Case Number: PC 21-007

General:

23. The responses to the following comments are acceptable: #7 and #11 - #22.

24. The response to comment #8 is noted. The Planning Department and the Engineering Division have no further comments on the Final Plat and it is now ready to be printed on mylar and signatures obtained. Please refer to the Contacts for Plat Signatures document provided as part of the Round 1 review comments for contacts at the various utility companies. The Village will obtain all signatures within the Village of Arlington Heights Certificate and the County Clerk Certificate after all other signatures have been obtained and the signed mylar is submitted to the Village. All other signatures are your responsibility to obtain. Please be aware that the signed mylar must be submitted no later than June 15th to be eligible for the June 22nd Plan Commission meeting. Finally, please note that some of the utility company contacts may have changed since the Round 1 comments were provided and you can try these alternative contacts if the individuals on the Contacts for Plat Signatures document are no longer with their respective utility companies:

    Nicor
    Matthew Erickson
    Supervisor Land Management
    Office: 630-388-2969
    Cell: 224-242-2340
    Email: mericks@southernco.com

    Or: Rebecca Luginbill at x2rlugin@southerncom.com

    WOW
    Alonzo Escatel
    Email: alonzo.escatel@astound.com

25. The response to comment #9 is noted. The Engineering Division will prepare a letter outlining the required fees that must be received no later than one week prior to Village Board consideration of the Final Plat. This letter will be provided to you by June 1st.

26. The response to comment #10 is noted. Please be aware that the signage must be installed and the letters to neighboring property owners must be sent no later than June 7th. Per previous correspondence, please provide a draft of the signage and letter to me no later than May 30th.

Prepared by: _____

PLAN COMMISSION PC #22-003
318 W Mueller Street Lot Consolidation
318 W Mueller Street
Round 2 – Petitioner Responses

Engineering Department Comments:

18. The petitioner's response to Comment No. 12 and 13 is noted. A ruling has not yet been made on the requested variance to waive the fee-in-lieu of detention. The Engineering Division is not in favor of granting the requested variance. The area is tributary to a combined sewer system, and the fee-in-lieu would apply to future system improvements.

Petitioner Response: The petitioner acknowledges that the Engineering division is not in favor of the requested variance, which can only be granted by the Village Board. However, the petitioner maintains that consolidation of the two lots will not place additional strain on the sewer system, so whether the lots are located near a combined sewer tributary is immaterial. The petitioner wishes to continue to pursue the variance from the fee-in-lieu of detention from the Village Board.

19. The Final Plat of Subdivision must be reviewed and approved by Engineering prior to final Plan Commission approval. The original signed mylar Final Plat of Subdivision, containing all non-Village signatures, shall be submitted one week before the scheduled date of the final Plan Commission meeting. Village Code Section 29-209 also requires a digital copy of the plat to be provided on disk to the Village. The petitioner shall acknowledge that they accept this understanding.

Petitioner Response: The petitioner acknowledges and accepts this understanding.

PLAN COMMISSION PC #22-003
318 W Mueller Street Lot Consolidation
318 W Mueller Street
Round 2 – Petitioner Responses

Planning & Community Development Department Review Comments:

23. The response to comment #8 is noted. The Planning Department and the Engineering Division have no further comments on the Final Plat and it is now ready to be printed on mylar and signatures obtained. Please refer to the Contacts for Plat Signatures document provided as part of the Round 1 review comments for contacts at the various utility companies. The Village will obtain all signatures within the Village of Arlington Heights Certificate and the County Clerk Certificate after all other signatures have been obtained and the signed mylar is submitted to the Village. All other signatures are your responsibility to obtain. Please be aware that the signed mylar must be submitted no later than June 15th to be eligible for the June 22nd Plan Commission meeting. Finally, please note that some of the utility company contacts may have changed since the Round 1 comments were provided and you can try these alternative contacts if the individuals on the Contacts for Plat Signatures document are no longer with their respective utility companies:

    Nicor

    Matthew Erickson

    Supervisor Land Management

    Office: 630-388-2969

    Cell: 224-242-2340

    Email: mericks@southernco.com

    Or: Rebecca Luginbill at x2rlugin@southerncom.com

    WOW

    Alonzo Escatel

    Email: alonzo.escatel@astound.com

Petitioner Response: The petitioner acknowledges the approval to print the plat onto the mylar and for the need for the signatures of the utility contacts.

23. The response to comment #9 is noted. The Engineering Division will prepare a letter outlining the required fees that must be received no later than one week prior to Village Board consideration of the Final Plat. This letter will be provided to you by June 1st.

Petitioner Response: The petitioner acknowledges that there are required fees and received the letter outlining the fees on May 31st. The fees will be submitted as instructed in the letter.

24. The response to comment #10 is noted. Please be aware that the signage must be installed and the letters to neighboring property owners must be sent no later than June 7th. Per previous correspondence, please provide a draft of the signage and letter to me no later than May 30th.

Petitioner Response: The petitioner acknowledges the need for the signage and letters, and provided drafts on May 26th.

Plan Commission
6/22/2022

Item: St. Anne Home Shelter for Girls - 800 N. Fernandez Ave. - PC#22-004

Department: Planning & Community Development

Requested Action

Special Use Permit to allow a "Sheltered Care Home" on the subject property.

Variations Required

1. Variation from Chapter 28 of the Municipal Code, Section 6.12-1.3, to waive the requirement for a traffic and parking study.

Recommendation

The Staff Development Committee reviewed the Special Use Permit to allow a "Sheltered Care" home on the subject property, as well as the Variation from Chapter 28, Section 6.12-1.3, to waive the requirement for a traffic and parking study, and recommends APPROVAL of the application subject to the following:

1. All Maryville staff shall complete the two-week training prior to working at the facility as outlined by the petitioner in their response to the Round 1 Departmental comments. Additionally, staff shall complete frequent refresher training throughout the year to ensure that they remain knowledgeable on all topics taught during the initial two-week training.

2. An appropriate number of staff must be present on the subject property at all times, 24 hours a day, 365 days a year, so adequate supervision of the residents can be provided.

3. The petitioner must establish and follow internal screening procedures for identification and acceptance of the most appropriate candidates for residency on the subject property.

4. The petitioner shall comply with all Federal, State, and Village Codes, Regulations, and Policies.

ATTACHMENTS:

Description	**Type**

Staff Report	Board or Commission Report
Public Notice	Exhibits
Aerial	Exhibits
CPRC Minutes - 3/9/22	Minutes
Project Narrative	Correspondence
Plat of Survey	Exhibits
Neighborhood Meeting Summary	Exhibits
Justification for Special Use and Variation	Exhibits
Impact to Property Values - Appraiser Analysis	Exhibits
Site Plan	Exhibits
Floor Plans	Exhibits
Department Comments - Round 1	Exhibits
Department Comments - Round 1 - Petitioner Response	Exhibits
Department Comments - Round 2	Exhibits
Department Comments - Round 2 - Petitioner Response	Exhibits
Resident email 6-10-22	Correspondence
Resident email 6-13-22	Correspondence

VILLAGE OF ARLINGTON HEIGHTS

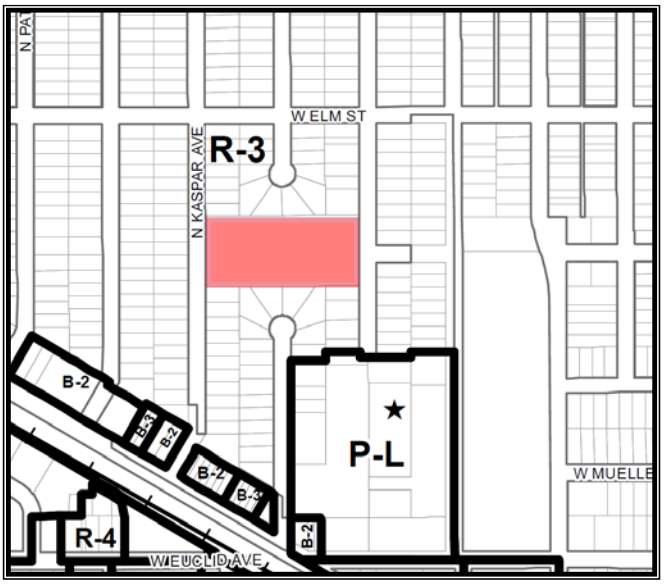
STAFF DEVELOPMENT COMMITTEE REPORT

***Project Number**: PC 22-004*
***Project Title**: St. Anne Home (Maryville)*
***Location**: 800 N. Fernandez Avenue*
***PIN**: 03-17-301-009*

***To**: Plan Commission*
***Prepared By**: Sam Hubbard, Development Planner*
***Meeting Date**: June 22, 2022*
***Date Prepared**: June 17, 2022*

***Petitioner**: Maryville Academy*
***Address**: 1150 N. River Road*
Des Plaines, IL 60016

***Existing Zoning**: R-3: One-Family Dwelling District*
***Comprehensive Plan**: Institutional*



SURROUNDING LAND USES

Direction	Existing Zoning	Existing Use	Comprehensive Plan
North	R-3: One-Family Dwelling District	Single-Family Homes	Single-Family Detached
South	R-3: One-Family Dwelling District	Single-Family Homes	Single-Family Detached
East	R-3: One-Family Dwelling District	Single-Family Homes	Single-Family Detached
West	R-3: One-Family Dwelling District	Single-Family Homes	Single-Family Detached

Requested Action:

1. Special Use Permit to allow a "Sheltered Care Home" on the subject property.

Variations Required:

1. Variation from Chapter 28 of the Municipal Code, Section 6.12-1.3, to waive the requirement for a traffic and parking study.

Project Background:

The subject property is approximately 3.76 acres in size and bounded by Fernandez Avenue to the east and Kaspar Avenue to the west. The site is owned and occupied by Sisters of the Living Word, a religious institution whose mission is to spread the word of God through ministry. The eastern half of the subject property includes an approximately 28,725 square foot two-story building with a partial basement, as well as 52 surface parking stalls dispersed primarily around the sides and rear of the building. The western half of the site consists of an open field and a small fenced/mulched area formerly used as a children's playground. The Village is aware that Sisters of the Living Word is no longer running at full capacity and staffing has been reduced. Additionally, a portion of the building was previously leased to the Northwest Suburban Montessori School, but they have since vacated and are no longer tenants.

Maryville, a social service agency that provides a range of programs including residential care, mental health services, healthcare services, family support services, educational offerings and youth development programs through-out the Chicagoland area, has the subject property under contract. They are proposing reuse of the entire building as the St. Anne Program, a sheltered home for girls aged 12-17 who are in the United States as unaccompanied children under the care of the Administration of Children and Families and Office of Refugee Resettlement until they are 18 years old.

The St. Anne Program would have space for up to ten teenage girls and up to six teenage girls who are either pregnant or parenting, all of whom would live at the facility and attend local schools. Maryville would provide shelter and care for these individuals, as well as assistance in identifying family members in the United States who may be able to provide a permanent home and care for the girls. The facility would be staffed 24-hours a day, seven days a week. During daytime business hours the site would have no less than 3-6 staff members assisting with services and providing care for the residents. During the evening shift there would be no less than 2-3 employees awake and onsite throughout the entire night. In addition, case managers, clinicians, and a nurse would be onsite during the day to meet with the children for scheduled appointments. At peak times there could be as many as 15 individuals at the home providing care for the residents.

Program Attributes

As stated above, the St. Anne home will provide a residence and services to 16 girls between 12-17 years of age that are in the United States as unaccompanied minors without parents or guardians. This unique program will provide care for these individuals until they turn 18 years old, at which point they would be transferred to a suitable group home for young adult women. A summary of the primary attributes of this program is included below:

- Prior to arrival at the home, each girl is screened by the Office of Refugee Resettlement (ORR). If deemed suitable for the program, the ORR will refer the child to Maryville, who will review case files, medical reports, clinical reports, education reports, and history of any significant incidents. If the child is determined to be a good candidate, Maryville will conduct an interview with the girl prior to formal acceptance into the St. Anne Program. Maryville has the right to decline placement if a child does not appear to be a good fit.

- All girls will receive supportive services while staying at the home, which may include vocational support, language support, counselling/therapy, leadership and life skills classes, educational supports, etc. Transportation and meals will be provided by Maryville staff. Two vans will be stored on the property.

- All residents will be required to follow the house rules, which include attending local schools, completing homework, participating in meal preparation, keeping a clean room, attending in-house meetings and learning groups, washing their clothes, etc.

- While providing services to each girl, Maryville staff also work to identify family members to serve as sponsors for the girls and to assume their care.

- Each girl will have their own room while living at St. Anne home. Childcare will be provided onsite for any of the six girls who may have infants while those girls attend school and participate in required activities.

- Recreational opportunities will be provided to the residents, including cultural outings (museum trips, theater trips, park outings, etc.). In addition, girls can participate on local sports teams and partake in religious services of the denomination of their choice. Summer recreational opportunities will be available through the Arlington Heights Park District and other local sources. The home will also include a music and art room, a computer/homework room, and a lounge area.

- Residents will not own cars and will not be allowed to leave the property on their own. Any visitors must be pre-approved and supervision is provided when visitors are present.

- Girls that are unable to follow house rules will be required to meet with staff and a contract with clear goals will be drafted, by which the individual must abide. Extra oversite is provided in these instances, and if a girl cannot follow the contract, an alternative placement may be sought.

- All staff must complete a full two-week training program prior to working with the children. Additionally, staff is required to complete frequent refresher courses through-out the year. Staff will be skilled in a variety of areas, such as trauma-informed care, adolescent development, CPR and first aid, cultural competency, non-violent conflict intervention, etc.

- The building will include controlled entry and exit doors, video monitoring in the common areas, kitchen, and exterior areas of the building, and daily logs on resident presence and locations outside of the facility. Staff must be awake at all times and are responsible for conducting line-of-site observations and bedroom checks.

Zoning and Comprehensive Plan

The subject property is zoned R-3, One-Family Dwelling District, which allows single-family homes and religious institutions as permitted uses. The proposed St. Anne Program falls under a "Sheltered Care" use classification, which requires a special use permit in the R-3 District. The petitioner has provided a written response to the three criteria necessary for Special Use Permit approval and this response has been attached to the packet provided to the Plan Commission. For reference, the standards for special use permit are included below:

1. ***That said special use is deemed necessary for the public convenience at this location.***
2. ***That such case will not, under the circumstances of the particular case, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity.***
3. ***That the proposed use will comply with the regulations and conditions specified in this ordinance for such use, and with the stipulations and conditions made a part of the authorization granted by the Village Board of Trustees.***

The Comprehensive Plan designates the subject property as "Institutional", which corresponds to the current religious institution usage, as well as the prior use of the property. The proposed facility is institutional in nature and appropriate for the Institutional classification as designated in the Comprehensive Plan (Sheltered Care homes are only allowed in residential districts and the institutional district via special use permit issuance).

Relative to the Special Use Permit criteria, the Staff Development Committee concurs with the petitioner that the necessary criteria for approval have been met. In addition, staff notes the following:

- The proposed use, with 16 residents and a peak staff of 15 employees, is a low intensity use for a 28,725 square foot building on a 3.76 acre site. Over the last two years, staff has reviewed redevelopment concepts for this property, one of which included a 13-lot single-family residential subdivision. With average household sizes in Arlington Heights at around 2.42 persons per household, this would have translated to an expected population of at least 31 new residents. By way of comparison, 16 girls with a typical daytime staff of 3-6 employees (and a typical overnight staff of 2-3 employees) is a less intense use of the property.
- The proposed use is compatible with the character of the area. Previous uses on the property included a District 25 public school (Ridge School), and more recently a daycare coupled with the Sisters of the Living Word convent. The former uses of this property have been institutional or have involved providing supervision and care for children. The proposed use is in harmony with the historical usage of this property.
- Given the age of the individuals that would reside at the home, the household rule prohibiting car ownership by residents, and the low number of peak staff, the proposed sheltered care home will not generate a significant amount of traffic. A 13-lot residential subdivision on the subject property would have a more substantial traffic impact than the proposed facility.
- The Comprehensive Plan designates the site as appropriate for "Institutional" uses and the proposed use is therefore compatible with the Village's long-term vision for use of the subject property.
- Maryville staff undergo substantial training to be able to provide residents with the necessary services to be successful in the community. Additionally, prior to acceptance into the program, prospective residents undergo screening to determine if they are a good fit for the St. Anne home. The program is not designed to be a home for girls with extensive behavioral or mental health needs.
- The petitioner has provided an analysis from a certified appraiser that has evaluated home values in the proximity of a similar facility operated by Maryville located in Chicago, which was approved for a Special Use Permit in October of 2019. The analysis concluded that the Chicago facility did not have an adverse impact upon the value of other properties within the vicinity. A copy of the report is included in the packet provide to the Plan Commission.

Conceptual Plan Review Committee:

The petitioner appeared before the Conceptual Plan Review Committee on March 9, 2022, for a preliminary review of their proposed re-use of the site. Discussion at the meeting centered around the rules and procedures for the program, the previous use of the property (which was most recently used by Sisters of the Living Word as a convent and for their administrative offices), and the recommendation for a neighborhood meeting. The Conceptual Plan Review Committee was generally positive towards the proposed re-use of the building but asked for additional information as part of the more formal Plan Commission review process.

Neighborhood Meeting:

On April 5, 2022, Maryville held a community meeting for nearby residents who were interested in providing feedback on the proposal and learning more about what the St. Anne Program would entail. Invitations were sent out to all property owners within 500 feet of the subject property. Additionally, on December 6, 2021, Maryville held a similar meeting where a smaller number of immediate neighbors were invited via door to door canvasing by the petitioner. Notes on the discussion that occurred at the April 5th neighborhood meeting, as prepared by the petitioner, have been included in the packet to the Plan Commission.

Building, Site, and Landscaping:

Given that the building was most recently used as a convent for Sisters of the Living Word, the interior of the structure is well suited for residential occupancy. Many of the existing spaces within the building require no alterations and can be simply repurposed for the newly proposed use. No significant alterations to the interior layout are necessary to accommodate for the St. Anne Home, however, certain life safety upgrades will be necessary to upgrade the facility to be incompliance with current Building Code requirements (new emergency egress exits, fire alarm system, fire suppression system, smoke detectors, etc.). The petitioner is not proposing any exterior changes to the building or site at this time, although the existing wall sign on the east side of the building will be removed. New wall signage may be proposed, however, it should be noted that wall signage in residential districts is restricted to a maximum of 45 square feet or 25% of the signable area (whichever is less), so any future sign will be relatively modest in size. As part of the permits necessary for the life safety upgrades, the petitioner will need to provide a plan for enhancing some of the onsite landscaping, where the perimeter landscape screen (arborvitae) has thinned over the years and certain parking lot landscape island shade trees are missing.

Parking & Traffic:

Per code, a traffic and parking study is required for any special use permit proposed on land that does not abut a major or secondary arterial. Fernandez Avenue and Kaspar Avenue are both classified as local streets and therefore the petitioner is required to provide a detailed traffic and parking study from a Certified Traffic Engineer that assesses access (location, design, and Level of Service), on-site circulation, trip generation and distribution, and parking. In lieu of this requirement, the petitioner has requested the following variation:

- **Variation from Chapter 28 of the Municipal Code, Section 6.12-1.3, to waive the requirement for a traffic and parking study.**

The petitioner has provided a written response to the four hardship criteria necessary for variation approval, which criteria has been summarized below:

- **The proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property.**
- **The plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned.**
- **The proposed variation is in harmony with the spirit and intent of this Chapter.**
- **The variance requested is the minimum variance necessary to allow reasonable use of the property.**

The Staff Development Committee believes that the variation request conforms to the criteria necessary to waive the traffic and parking study requirement. The proposed facility will not generate a substantial amount of traffic and onsite parking conforms to code requirements and is sufficient to accommodate for expected demand.

Relative to parking, sheltered care homes do not have a line item within the table of parking requirements, and as such, staff must apply the requirements for the most similar use listed in the table. Accordingly, the most similar use is a "Dormitory", which requires two spaces per three residents and one space for each staff member. At a maximum capacity of 16 girls, 11 spaces would be required for the residents and 15 spaces for the peak onsite employee population, totaling 26 spaces required. As outlined above, the subject property contains 52 parking stalls, however, some of these stalls are located within the required fire lanes and must be eliminated. The site would have approximately 43 parking spaces as a result, which exceeds code requirements for St. Anne Home. The two vans, which will be used for resident transportation, will be stored onsite and parked towards the rear of the property. The vans will not contain any advertising.

The proposed change in use from a convent/administrative offices for Sisters of the Living Word to a sheltered care home does not result in an increase in the required amount of vehicular parking stalls. Therefore, no bike parking spaces are required at this time.

RECOMMENDATION

The Staff Development Committee reviewed the Special Use Permit to allow a "Sheltered Care" home on the subject property, as well as the Variation from Chapter 28, Section 6.12-1.3, to waive the requirement for a traffic and parking study, and recommends **APPROVAL** of the application subject to the following:

1. All Maryville staff shall complete the two-week training prior to working at the facility as outlined by the petitioner in their response to the Round 1 Departmental comments. Additionally, staff shall complete frequent refresher training throughout the year to ensure that they remain knowledgeable on all topics taught during the initial two-week training.
2. An appropriate number of staff must be present on the subject property at all times, 24 hours a day, 365 days a year, so adequate supervision of the residents can be provided.
3. The petitioner must establish and follow internal screening procedures for identification and acceptance of the most appropriate candidates for residency on the subject property.
4. The petitioner shall comply with all Federal, State, and Village Codes, Regulations, and Policies.

_____ June 17, 2022

Bill Enright, Assistant Director of Planning and Community Development

Cc: Randy Recklaus, Village Manager
All Department Heads

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT THE PLAN COMMISSION OF THE VILLAGE OF ARLINGTON HEIGHTS WILL CONDUCT A PUBLIC HEARING ON JUNE 22, 2022, AT 7:30 P.M. in the Municipal Building, 33 South Arlington Heights Road, Arlington Heights, Illinois to consider Petition No. 22-004, an application for a Special Use Permit to allow a Sheltered Care Home on the subject property, said property located at 800 North Fernandez Avenue in Arlington Heights, IL, and legally described as follows:

LOT 'A' IN RESUBDIVISION OF CERTAIN BLOCKS AND PARTS OF BLOCKS AND VACATED STREETS IN R.A. CEPEK'S ARLINGTON RIDGE, BEING A SUBDIVISION OF THAT PART OF THE WEST HALF (EXCEPT THE EAST 33 FEET THEREOF) OF THE NORTHEAST QUARTER AND SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE NORTHEASTERLY LINE OF NORTHWEST HIGHWAY, SAID NORTHEASTERLY LINE OF HIGHWAY BEING 66 FEET NORTHWESTERLY OF AND PARALLEL TO THE NORTHEASTERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY RIGHTS OF WAY, IN COOK COUNTY, ILLINOIS.

As part of said petition the applicant is requesting the following variation from the Municipal Code:

- Variation to Chapter 28 of the Municipal Code, Section 6.12-1(3), to waive the requirement for a traffic and parking study from a qualified professional engineer.

At the public hearing, the Plan Commission will accept and consider all testimony and evidence pertaining to the application, and will consider any zoning actions or relief that may be necessary or convenient to allow development of the type described in this notice, or development that is less dense than the type described in this notice, including, without limitation, special use permits, variations, map or text amendments, or other special approvals.

All persons desiring to be heard shall be given the opportunity to be heard. Should any individual need auxiliary aid or service, such as a sign language interpreter or materials in alternative formats, please contact the Health Department at 33 South Arlington Heights Road, Arlington Heights, Illinois 60005, (847) 368-5760, TDD# (847) 368-5794.

Susan Dawson, Chair
ARLINGTON HEIGHTS PLAN COMMISSION
Published in Daily Herald June 7, 2022 (4583700)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Northwest Suburbs
Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **Northwest Suburbs DAILY HERALD**. That said **Northwest Suburbs DAILY HERALD** is a secular newspaper, published in Arlington Heights and has been circulated daily in the Village(s) of: Arlington Heights, Barrington, Barrington Hills, Bartlett, Buffalo Grove, Deer Park, Des Plaines, Elk Grove, Franklin Park, Glenview, Hanover Park, Hoffman Estates,Inverness, Melrose Park,Morton Grove, Mt Prospect, Niles, Northbrook, Northfield, Northlake, Palatine, Park Ridge, Prospect Heights, River Grove, Rolling Meadows, Rosemont, Schaumburg,Schiller Park, South Barrington, Streamwood, Wheeling, Wilmette

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

I further certify that the Northwest Suburbs DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 06/07/2022
in said Northwest Suburbs DAILY HERALD.

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

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY _____
Designee of the Publisher and Officer of the Daily Herald

Control # 4583701

akerman

Kathleen A. Duncan

Akerman LLP
71 South Wacker Drive
47th Floor
Chicago, IL 60606

T: 312 634 5700
F: 312 424 1900

June 7, 2022

NOTIFICATION AFFIDAVIT

I, Kathleen A. Duncan hereby certify as follows:

1. That on the 6th day of June, 2022, affiant caused to be mailed in the Post Office of the City of Chicago, copies of the attached Notice of Public Hearing to all listed tax payers of real estate within 250 feet, excluding all Public Right-of-Ways of the subject property and to the owners, or representatives, of property listed as exempt, and to all Condominium Associations whose property is within 250 feet of the subject site for which the hearing is being held.

2. That the parties to whom said notice was mailed are set forth on the attached list.

3. That the petitioner stated that the required signs were erected on June 6, 2022 as required by the Village of Arlington Heights. Photos of the posted signs are attached hereto.

Kathleen A. Duncan

Subscribed and Sworn to before me
this 7th day of June, 2022

Notary Public

CYNTHIA CLOSE
OFFICIAL SEAL
Notary Public - State of Illinois
My Commission Expires Jun 15, 2023

akerman

Jack George

Akerman LLP
71 South Wacker Drive
47th Floor
Chicago, IL 60606

T: 312 634 5700
F: 312 424 1900

June 6, 2022

NOTICE OF PUBLIC HEARING

Please be advised that a petition has been filed with the Village of Arlington Heights for a Special Use Permit to allow a Sheltered Care Home on the subject property and a Variation from Chapter 28 of the Municipal Code, Section 6.12-1.3, to waive the requirement for a traffic and parking study.

The location of the subject property is 800 N. Fernandez, Arlington Heights, IL.

Sisters of the Living Word is the beneficial Owner of the subject property and the Applicant is Maryville Academy.

This hearing is open to the public and comments from the public on the proposal are invited. Hearing on said petition will be held by the Arlington Heights Plan Commission at the Municipal Building, 33 South Arlington Heights Road, Arlington Heights, IL 3rd Floor, at 7:30 p.m. on Wednesday June 22, 2022.

At the public hearing, the Plan Commission will accept and consider all testimony and evidence pertaining to the application, and will consider any zoning actions or relief that may be necessary or convenient to allow development of the type described in this notice, or development that is less dense than the type described in this notice, including, without limitation, special use permits, variations, map or text amendments, or other special approvals.

The Application is for a Special Use Permit to allow the existing building at 800 N. Fernandez to be used as a shelter care home to be called the St. Anne Program. The program will allow Maryville Academy to care for up to 10 teenage girls, ages 12-17, plus an additional 6 teenage girls who are pregnant or parenting. No changes to the exterior of the building are proposed.

I am the attorney for the Applicant. My address is 71 S. Wacker Dr., Suite 4700, Chicago, Illinois 60606.

Please note that the Applicant is not seeking to purchase or rezone your property. The Applicant is required by law to send you this notice.

Sincerely,

John J. George

Any individual who would like to attend this meeting but because of a disability needs some accommodation to participate should contact Rosangela Maldonado at 33 S. Arlington Heights Rd., Arlington Heights, IL 60005, rmaldonado@vah.com or (847) 368-5791.

03-30-213-020-0000
MICHAEL K FOX
831 N KASPAR AVE
ARLNGTON HTS, IL 60004

03-30-213-021-0000
M & C KOWALSKI
827 N KASPAR
ARLINGTN HTS, IL 60004

03-30-213-022-0000
DAVID I BARBER
823 N KASPAR AV
ARLINGTN HTS, IL 60004

03-30-213-023-0000
SUSAN M MCNALLY
819 N KASPAR AVE
ARLNGTON HTS, IL 60004

03-30-213-024-0000
DANIEL DRAG
343 N ELMWOOD LN
PALATINE, IL 60067

03-30-213-025-0000
J W BITTNER
815 N KASPER AVE
ARLINGTON HT, IL 60004

03-30-213-027-0000
MICHAEL T WADE
832 N SALEM AV
ARLINGTN HTS, IL 60004

03-30-213-028-0000
SCOTT & JOHANNA KEENAN
828 N SALEM AV
ARLINGTN HTS, IL 60004

03-30-213-029-0000
J & M HANRAHAN
824 N SALEM AVE
ARLINGTN HTS, IL 60004

03-30-213-030-0000
JAMES PAULETTE
822 N SALEM AV
ARLINGTON HT, IL 60004

03-30-213-031-0000
JOHN J SEROLA
820 N SALEM AVE
ARLNGTON HTS, IL 60004

03-30-214-020-0000
WILLIAM & NORA RENNER
831 N SALEM AV
ARLINGTN HTS, IL 60004

03-30-214-021-0000
DAMON SCHMIDT & MADELI
827 N SALEM AVE
ARLNGTON HTS, IL 60004

03-30-214-022-0000
JOHN SAPORITO & DONNA
823 N SALEM AVE
ARLNGTON HTS, IL 60004

03-30-214-023-0000
RONALD KAUKE
934 RIDGE DR
AUBURNDALE, FL 33823

03-30-214-024-0000
ROBERT M SLUSAR
819 N SALEM
ARLNGTON HTS, IL 60004

03-30-214-028-0000
LAUREN CAMPBELL DAHLGR
1008 N FERNANDEZ AVE
ARLNGTON HTS, IL 60004

03-30-214-029-0000
BERNARDINO A BINGAYEN
820 N FERNANDEZ AVE
ARLNGTON HTS, IL 60004

03-30-214-032-0000
TOMMIE LOU SCALZITTI
836 N FERNANDEZ AVE
ARLINGTN HTS, IL 60004

03-30-214-034-0000
MARILYN VICK
828 N FERNANDEZ AVE
ARLNGTON HTS, IL 60004

03-30-214-035-0000
JUSTIN & JENNY KAYSE
812 N FERNANDEZ AVE
ARLINGTN HTS, IL 60004

03-30-215-011-0000
MARY DARMOFAL
832 N RIDGE AVE
ARLNGTON HTS, IL 60004

03-30-215-012-0000
MARY A TREMONT
828 N RIDGE AVE
ARLNGTON HTS, IL 60004

03-30-215-013-0000
SETH KARLE & ANDREA KA
824 N RIDGE AVE
ARLNGTON HTS, IL 60004

03-30-215-014-0000
BONNIE P CIMO
820 N RIDGE AV
ARLNGTON HTS, IL 60004

03-30-215-015-0000
RONALD E CIMO
816 N RIDGE AVENUE
ARLINGTN HTS, IL 60004

03-30-215-016-0000
MICHAEL MACEDON
812 N RIDGE AVE
ARLNGTON HTS, IL 60004

03-30-215-017-0000
KIMBERLY SEAY
808 N RIDGE AVE
ARLNGTON HTS, IL 60004

03-30-215-018-0000
MICHAEL HOFFMANN
804 N RIDGE
ARLINGTON HT, IL 60004

03-30-215-020-0000
LOUIS R CENTANNI
831 N FERNANDEZ AVE
ARLNGTON HTS, IL 60004

03-30-215-021-0000
MATTHEW ANSTANDIG
827 N FERNANDEZ
ARLINGTN HTS, IL 60004

03-30-215-022-0000
CARLO D CIMA
3805 N LINCOLN AVE
CHICAGO, IL 60613

03-30-215-023-0000
BENJAMIN EDWARD CLEMON
819 N FERNANDEZ AVE
ARLNGTON HTS, IL 60004

03-30-215-024-0000
ROBERTO BARTOLOME
815 N FERNANDES
ARLINGTON HT, IL 60004

03-30-215-025-0000
MARY C RAEF
811 N FERNANDEZ AV
ARLNGTON HTS, IL 60004

03-30-215-026-0000
KIMBERLY J VOGT TRUST
807 N FERNANDEZ AVE
ARLNGTON HTS, IL 60004

03-30-215-027-0000
ADAM MAGNO
803 N FERNANDEZ AVE
ARLNGTON HTS, IL 60004

03-30-220-030-0000
DAVID M MASLOVITZ
831 N KENNICOTT AVE
ARLINGTON HT, IL 60004

03-30-220-031-0000
PHYLLIS J ADOMITIS
827 N KENNICOTT AV
ARLNGTON HTS, IL 60004

03-30-220-032-0000
KATHRYN A RISH
823 N KENNICOTT AVE
ARLINGTN HTS, IL 60004

03-30-220-033-0000
JAMES J BOLIN
819 N KENNICOTT
ARLNGTON HTS, IL 60004

03-30-220-034-0000
ANDREW WALTON
1345 N HIGHLAND AVE
ARLNGTON HTS, IL 60004

03-30-220-035-0000
RYAN & KARA STENGREN
811 N KENNICOTT
ARLINGTN HTS, IL 60004

03-30-220-036-0000
MARK JOHNSON
807 N KENNICOTT AV
ARLNGTON HTS, IL 60004

03-30-220-037-0000
WILLIAM F KIDD
803 N KENNICOTT AV
ARLNGTON HTS, IL 60004

03-30-220-038-0000
MICHAEL T BARSCH
737 N KENNICOTT AV
ARLINGTN HTS, IL 60004

03-30-220-039-0000
KEVIN S KRUG
P O BOX 1653
ELK GROVE, IL 60009

03-30-220-040-0000
CHARLES A BENEDICT
731 N KENNICOTT AVE
ARLINGTON HT, IL 60004

03-30-220-041-0000
J & J JOHNSON
727 N KENNICOTT AVE
ARLINGTN HTS, IL 60004

03-30-220-042-0000
MARSHA K TRAUB
723 N KENNICOTT
ARLINGTON HT, IL 60004

03-30-220-043-0000
ALEX MOTIN
719 N KENNICOTT AVE
ARLNGTON HTS, IL 60004

03-30-220-044-0000
WINKELMAN
715 N KENNICOTT AVE
ARLINGTON HT, IL 60004

03-30-220-045-0000
STEVEN SCHULHOF
711 N KENNICOTT AVE
ARLNGTON HTS, IL 60004

03-30-220-050-0000
JUSTIN S OLSON
832 N KASPAR AVE
ARLINGTN HTS, IL 60004

03-30-220-051-0000
D GARINIS & Z SHAMON
828 N KASPAR AVE
ARLINGTN HTS, IL 60004

03-30-220-052-0000
KEVIN J MCCARTY
824 N KASPAR AVE
ARLNGTON HTS, IL 60004

03-30-220-053-0000
CHRISTOPHER R CLEVEN
820 N KASPAR
ARLNGTON HTS, IL 60004

03-30-220-054-0000
ERIC WENNERBERG
816 N KASPAR
ARLINGTON HT, IL 60004

03-30-220-055-0000
ERIC HENDRICKSON
812 N KASPAR AVE
ARLINGTN HTS, IL 60004

03-30-220-056-0000
ANDREW OSTMAN
804 N KASPAR AVE
ARLINGTN HTS, IL 60004

03-30-220-057-0000
PAUL T CONNELLY
802 N KASPAR
ARLNGTON HTS, IL 60004

03-30-220-058-0000
WILLIAM QUADE
800 N KASPAR AVE
ARLNGTON HTS, IL 60004

03-30-220-059-0000
KAREN A DOTEN
736 N KASPAR AVE
ARLINGTN HTS, IL 60004

03-30-220-060-0000
PENELOPE R MORONEY
732 N KASPAR AV
ARLNGTON HTS, IL 60004

03-30-220-061-0000
FAIRFIELD HOMES INC
728 N KASPAR AVE
ARLNGTON HTS, IL 60004

03-30-220-062-0000
S E & C E GILMOUR
724 N KASPAR AVE
ARLINGTN HTS, IL 60004

03-30-220-063-0000
P BREZINSKI 3454 6
720 N KASPAR
ARLNGTON HTS, IL 60004

03-30-220-064-0000
MONIKA GUNTY
716 N KASPAR AV
ARLNGTON HTS, IL 60004

03-30-220-065-0000
BEN ERNST&JODY IRVIN
712 N KASPAR AV
ARLNGTON HTS, IL 60004

03-30-220-066-0000
STACY L CARVER
708 N KASPAR AVE
ARLINGTON HT, IL 60004

03-30-221-016-0000
PATRICK BYRNE
712 N SALEM AVE
ARLNGTON HTS, IL 60004

03-30-221-019-0000
MARK BRZOSKO
725 N KASPER
ARLINGTN HTS, IL 60004

03-30-221-020-0000
PATRICIA D CRONIN
721 N KASPAR AV
ARLNGTON HTS, IL 60004

03-30-221-021-0000
MICHAEL ANDREWS
719 N KASPAR AV
ARLNGTON HTS, IL 60004

03-30-221-022-0000
STEVE J SLAVICK
715 N KASPAR AVE
ARLNGTON HTS, IL 60004

03-30-221-023-0000
WILLARD H NEU JR
709 N KASPAR
ARLNGTN HTS, IL 60004

03-30-221-027-0000
JEFF & CHRISTINE GALAT
716 N SALEM AV
ARLNGTON HTS, IL 60004

03-30-221-028-0000
CTLTC 008002380918
10 S LASALLE ST #2750
CHICAGO, IL 60603

03-30-221-029-0000
CARLO CHRISTIRE LAGMAN
714 N SALEM AV
ARLNGTON HTS, IL 60004

03-30-221-030-0000
KRISTIN A KOPTA
708 N SALEM AVE
ARLINGTON HT, IL 60004

03-30-222-019-0000
SEAN DUCKO
1602 BRITTANY LANE
LONG GROVE, IL 60047

03-30-222-020-0000
CRAIG T LOCH
717 N SALEM AVE
ARLNGTON HTS, IL 60004

03-30-222-021-0000
RICHARD HAHN
713 N SALEM
ARLNGTN HTS, IL 60004

03-30-222-022-0000
A THOMAS LOCH II & CAR
709 N SALEM AVE
ARLNGTON HTS, IL 60004

03-30-222-025-0000
ARTHUR J SKRYPKOWSKI
728 N FERNANDEZ AV
ARLNGTON HTS, IL 60004

03-30-222-029-0000
DONALD R SCHULTZ & NAT
712 N FERNANDEZ AVE
ARLNGTON HTS, IL 60004

03-30-222-032-0000
JACK M LOCKHART II
724 N FERNANDEZ AV
ARLNGTON HTS, IL 60004

03-30-222-033-0000
JOSEPH P BARAN
716 N FERNANDEZ
ARLNGTON HTS, IL 60004

03-30-223-010-0000
WESLEY WIECZOREK
736 N RIDGE AVE
ARLNGTON HTS, IL 60004

03-30-223-011-0000
STEPHAN/SHARON HESTON
732 N RIDGE AV
ARLNGTN HTS, IL 60004

03-30-223-012-0000
FAUSTINO BRITO
728 N RIDGE AV
ARLNGTON HTS, IL 60004

03-30-223-013-0000
WALTER L WILLIS
722 N RIDGE AV
ARLNGTN HTS, IL 60004

03-30-223-014-0000
JOHN CHRISTINE MCGINN
720 N RIDGE AVE
ARLINGTN HTS, IL 60004

03-30-223-015-0000
ALLISON M SCHNEK
716 N RIDGE AVE
ARLNGTON HTS, IL 60004

03-30-223-016-0000
GAZMEN MUSTAFA & AUREL
710 N RIDGE AVE
ARLNGTON HTS, IL 60004

03-30-223-019-0000
SULLIVAN GM & SE
615 W VINE ST
ARLINGTON HT, IL 60004

03-30-223-020-0000
SELAMHAN EMIN KAZOKOGL
729 N FERNANDEZ AVE
ARLNGTON HTS, IL 60004

03-30-223-021-0000
TIMOTHY J KOCLANIS TRU
725 N FERNANDEZ AVE
ARLNGTON HTS, IL 60004

03-30-223-022-0000
ROBERT J GAWELL
721 N FERNANDEZ AV
ARLNGTON HTS, IL 60004

03-30-223-023-0000
ALLISON COLE
717 N FERNANDEZ AVE
ARLNGTON HTS, IL 60004

03-30-223-024-0000
BRIAN J WITKOWSKI & DA
713 N FERNANDEZ AVE
ARLNGTON HTS, IL 60004

03-30-223-025-0000
CARMELA DAPPER
709 N FERNANDEZ
ARLNGTON HTS, IL 60004

03-30-222-017-0000
EXEMPT

03-30-234-001-0000
EXEMPT

NOTICE OF PUBLIC HEARING

Sisters of the Living Word
800 N. FERNANDEZ AVE.
NOTICE OF PUBLIC HEARING
HEARING FOR:
HEARING LOCATION:
Arlington Heights Municipal Building
33 S. Arlington Heights Road Arlington Heights, IL
DATE: JUNE 22, 2022
TIME: 7:30 pm
PUBLIC ATTENDANCE & COMMENTS INVITED
FOR DETAILS CALL:
OR:

GIS consortium MapOffice™

Aerial

Map created on **March 1, 2021.**

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REPORT OF THE PROCEEDINGS OF

THE CONCEPTUAL PLAN REVIEW COMMITTEE

OF THE VILLAGE OF ARLINGTON HEIGHTS PLAN COMMISSION

A MEETING WAS HELD ON: March 9, 2022

Project Title: St. Anne Home (Maryville)

Address: 800 N Fernandez

Petitioner: Sister Catherine Ryan
Address: Maryville
1150 River Road
Des Plaines, IL 60016

Requested Action:

1. Special Use Permit to allow a "Sheltered Care Home" on the subject property.

Variations Required:

- None identified at this time

Attendees: Jack George, Ackerman LLP
Sister Catherine Ryan, Maryville
Mary Nikita-Sanchez, Maryville
Anita Alvarez, Maryville
Nina Aliprandi, Maryville
Kate Duncan, Ackerman LLP
Bruce Green, Plan Commissioner
Lynn Jensen, Plan Commissioner
Terry Ennes, Plan Commissioner
Sam Hubbard, Development Planner

Project Summary:

The subject property is approximately 3.76 acres in size and bounded by Fernandez Avenue to the east and Kaspar Avenue to the west. The site is currently owned and occupied by Sisters of the Living Word, a religious institution whose mission is to spread the word of God through ministry. The eastern half of the subject property includes an approximately 21,000 square foot two-story building with a partial basement, as well as 52 surface parking stalls dispersed primarily around the sides and rear of the building. The western half of the site consists of an open field and a small fenced/mulched area formerly used as a children's playground. The Village is aware that Sisters of the Living Word is no longer running at full capacity and staffing has been reduced. Additionally, a portion of the building was previously leased to the Northwest Suburban Montessori School, but they have since vacated and are no longer tenants.

Maryville, a social service agency that provides a range of programs including residential care, mental health services, healthcare services, family support services, educational offerings and youth development programs through-out the Chicagoland area, is interested in purchasing the subject property. They have proposed using a portion of the building as Saint Anne's Home, a long-term shelter home for girls aged 12-17 who are in the United States as unaccompanied children under the care of the Administration of Children and Families until they are 18 years old. The remainder of the building would be left vacant at the present time, although Maryville would seek to use or rent the space at some point in the future.

St. Anne's Home would have space for ten teenage girls and six teenage girls who are either pregnant or parenting, all of whom would live at the facility and attend local schools. Maryville would provide shelter and care for these individuals, as well as assistance in identifying family members in the United States who may be able to provide a permanent home and care for the girls. The facility would be staffed 24-hours a day, seven days a week. During daytime business hours the site

would have 3-6 staff members assisting with services and providing care for the residents. During the evening shift there would be 2-3 employees onsite through the entire night. A more detailed description of the program is included in the packet provided to the Conceptual Plan Review Committee.

Meeting Discussion:

J. George stated seeking to do a sheltered care of home. A Special Use Permit was required. The property they are talking about was previously occupied by the Sisters of the Living Word, which had 14 nuns living within the building. They had previously rented out a portion of the site to a Montessori School, and prior to that it was occupied as a public school with around 250 students. The sheltered care facility would be called the St. Anne home and it would be authorized under the Federal Office of Refuge Resettlement. The facility would provide a home for 10 girls between the ages of 12 to 17. They would also have six teenage girls who were either pregnant or new mothers. The facility would have at total of 16 girls. Meals would be provided for the residents, and the residents would attend local schools. The facility would be staffed 24/7. Site would be brought up to current code standards. Although the site has 52 parking spaces, none of the residents would be driving cars.

C. Ryan introduced herself as the Executive Director at Maryville. The ministry has been serving children since 1893. Stated they will be serving children and work with families. St. Anne home will be serving children that come from south of the border. Maryville began this type of ministry in 2017. While they currently operate similar facilities, those facilities are for individuals that have sponsors within the United States, so their stay is short-term until they can be reunited with their sponsor. St. Anne facility would be a home for individuals who have no family in the United States, so it would provide a long-term placement option for these girls. Only one teenager to a bedroom. Looking to have 16 bedrooms. An external (secondary) exit would be added. There would never be less than two staff members onsite, but usually there would be more, around three to four. There would be office spaces for the staff.

The facility would include two lounge/gathering rooms for the residents to use for recreation, meetings, and other activities. There would also be a dining room and kitchen. The site included several classroom; Maryville was not looking to lease those spaces out to a different user. The class rooms could be converted into a computer room, play room, or other rooms as may be necessary for the residents. They believe the building would need minimal changes to accommodate for the proposed use. They would need to be licensed by DCFS, so they would need to make some upgrades to comply with their requirements. The exterior of the site would not be changed as the green space is beautiful.

The residents would receive educational support from the staff; there would be two clinicians on staff. There would also be two case managers, which would continue to reach out to possible family members. Residents would also receive vocational skills so that they could be prepared for adulthood. When the residents turn 18 they would have to leave the facility.

M. Nikita-Sanchez stated that Ms. Ryan had summed up the program well. The staff would consist of around 28 care providers, including a nurse, therapists, case managers, recreation coordinator, a vocational education coordinator, and a management team. Looking forward to moving forward with this.

S. Hubbard summarized the request and said this property is in the R-3 District. The use is similar to the Shelter Inc. project that had recently come before the Plan Commission, and the St. Anne's home would be classified as the same type of use, a sheltered care facility. Requires a Special Use permit in the R-3 District and the petitioner would need to justify how the proposal complies with the Special Use approval criteria. Proposal complies with the "Institutional" designation of the property as outlined in the Comprehensive Plan. Staff is aware that Maryville Academy held a neighborhood meeting early on in the process. Asking petitioner for a list of properties that were invited to ensure notification was adequate. Another neighborhood meeting could be required. Stated a sprinkler system will be required, and looking for more details on the staff and programing/activities that would occur at the facility, the rules and procedures, and which spaces will be left vacant for a possible future tenant. Details on interior usage will be needed to calculate required parking. Per code, a traffic and parking study is required. Parking variation may be required. Staff is preliminarily supportive of the project subject to receiving some of the information as requested in the Staff Report.

Commissioner Jensen asked if the girls would be going to school or working in the community.

C. Ryan replied that they would only be going to school. English classes would also be provided to the residents.

Commissioner Jensen asked if the girls would be able to leave the facility.

C. Ryan responded that they could go to nearby parks or on walks, but not beyond that.

M. Nikita-Sanchez explained that if they were to go beyond the neighborhood they would be accompanied by a guardian.

Commissioner Jensen suggested the petitioner provide guidelines, curfews, etc. when it moves to the Plan Commission and for the neighborhood meetings.

Commissioner Ennes asked about the relationship between Sisters of the Living Word and Maryville.

C. Ryan explained that they were two completely separate entities. Maryville would be purchasing the site from the Sisters of the Living Word.

Commissioner Ennes asked if the petitioner is going to lease out any of the leftover space within the building.

C. Ryan responded that their plan at this time was to use almost the entire space within the building for the St. Anne home.

Commissioner Ennes asked if about the previous use within the building.

C. Ryan replied that nuns had previously lived there. The site was used as a covenant and for the administrative offices of Sisters of the Living Word.

Commissioner Ennes said he liked the proposal. Encouraged the petitioner to pay close attention to the standards for approval for a Special Use Permit.

Commissioner Green stated all his questions have been answered. He said that holding a neighborhood meeting would be important. The fact that the previous use was similar and that the Comprehensive Plan showed this site as suitable for institutional uses worked in the favor of the petitioner. Encouraged the petitioner to move forward.

Commissioner Green opened the floor for public comment.

S. Zurek asked if there would be delivery trucks? The neighborhood is residential in character. Would there be a burden on the Police Department or Fire Department? Was concerned about the impact to property values in the neighborhood.

M. Cayer asked what the Conceptual Plan Review Committee thought of the recently completed townhome development within Arlington Market.

S. Hubbard explained that public comment was restricted to items on the Agenda for the meeting.

J. Jandrisits commented that he supported the proposed change in use. He hoped a portion of the greenspace could be opened up to community usage. The existing owner discouraged neighbors from walking or using the greenspace on their property.

RECOMMENDATION

The Conceptual Plan Review Committee was generally supportive of the concept and advised the petitioner to proceed with a Plan Commission application.

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

NARRATIVE

Maryville Academy is seeking to operate the existing property at 800 N. Fernandez (the "Property") (formerly the home of the Sisters of the Living Word) as a shelter care home, to be named the St. Anne Program. In collaboration with the federal Office of Refugee Resettlement, Maryville will operate a program at the Property which will allow them to care for up to 10 teenage girls, ages 12-17, plus an additional 6 teenage girls who are pregnant or parenting. These girls arrive in the United States unaccompanied by adult family members and are now in the care/custody of the Administration of Children and Families and the federal Office of Refugee Resettlement, until they reach the age of 18. Maryville will provide care, housing, meals and family reunification services for the girls. The girls will attend school in the local community and learn to interact in the local community.

The property will be staffed 24 hours per day, 7 days per week. There will consistently be a supervisor on site, with 3 to 6 staff members on site during each day-time and evening shift as well as 2 to 3 care providers during overnight hours. Staff will escort the girls to school, worship services, and recreational and other activities. On a daily basis, 3-6 direct care staff work in close proximity to the girls. These staff are supervised by a daytime supervisor during daytime hours, an evening supervisor, and an overnight supervisor. Overnight staff are awake throughout their shift, attentive to the environment and responsive to emergencies. Case managers and clinicians meet with the children for scheduled appointments throughout the day. There are three case managers that will serve the 16 girls and each case manager will work 40 hours per week, spread over all seven days of the week. These case managers are employed by Maryville Academy. A nurse is present in the home on scheduled days. At peak times, there will be 15 employees/authorized individuals on site caring for the girls.

A daily Staffing Schedule is as follows:

Monday through Friday:

- 8 am to 5 pm: Program Director; one lead case manager; one lead clinician; one admin operations manager; one maintenance person

Sunday through Thursday:

- 2 case managers (one working 9 to 5; the other 1 to nine)
- 1 clinician (1 to 9)
- 3 care providers on 7 to 3 pm shift; 3 on 3 to 11 pm; 2 overnight
- 1 evening supervisor (3 to 11)
- 1 driver (hours may vary)
- 1 Recreational Coordinator

Tuesday through Saturday:

- 1 program manager (10 to 6 pm)
- 1 case managers (one working 9 to 5)
- 1 clinician (1 to 9)
- 3 care providers on 7 am to 3 pm shift; 3 care providers 3 to 11 pm; 2 overnight
- 1 overnight supervisor (11 pm to 7 am)
- 1 driver (hours may vary)
- 1 Nurse (9 am to 5 pm)

Weekends and some evenings:

- 1 vocational education coordinator

Other visitors to the home will include 1-2 attorneys from Heartland Alliance who are assisting with the girls' immigration cases. There are also 1-2 child advocates from the Young Center who visit on a bi-weekly or monthly basis.

The girls residing in the St Anne home will enjoy these services, provided by Maryville:

- Residential: home cooked meals, breakfast, lunch, dinner- prepared by our care provider staff; oversight and guidance

- Medical services: A nurse will be on-site at least 20 hours per week.

- Case management services: 3 case managers

- Counseling: 2 clinical staff provide individual and group sessions; parenting classes

- Vocational: 1 coordinator who leads activities on basic life skills and coordinates English classes

- Recreational services: Program provides opportunities for sports and other recreational activities

The girls will participate in the community in:

- Education at local schools

- Religious services at the denomination of their choice

- Summer recreational activities through the local park district and other sources

- Weekend cultural and recreational trips to museums, parks, theatre, etc.

Daily Schedule:

ST. ANNE GROUP HOME DAILY SCHEDULE (Monday – Friday)

Weekday programming schedule- Monday through Friday
6:00 am- Wake up/ Showers
7:00 am- Breakfast
8:00 am- Travel time to school
8:30 am – 2:45 pm: School
3:30 pm- Home arrival: Quiet time/ Homework, Meetings, Phone calls, etc.
5:00 pm- Recreation

6:00 pm- Dinner
7:00 pm- Quiet time/Chores/Laundry
9:00 pm- Lights out/ Bedtime

ST. ANNE GROUP HOME WEEKEND SCHEDULE (Saturday and Sunday)

Weekend programming schedule- Saturday and Sunday
9:00 am- Breakfast
10:00 am- Religious worship
11:00 am- Phone calls, Case management, Clinical
12:15 pm- Lunch
1:00 pm- Vocational Activity -TBD
3:00 pm- Recreation
4:00 pm- Chores
5:00 pm- Group Activity
6:00 pm- Dinner
7:00 pm- Showers/School Prep: Computer lab, reading, homework
9:00 pm- Lights out/ Bedtime

The Program Director or Program Manager will be the responsible party for making decisions related to whether a girl can leave the school campus. Permission to leave the campus during open lunch at the High School level will depend on the maturity and behavior of the girl.

The girls at this home do not have families in the area (possibly not in U.S.) available to visit. As explained above, there are Office of Refugee Resettlement staff and attorneys who visit at certain times. Visits by other persons require the approval of program leadership. Such visits, e.g. with classmates, would need approval with clear time frames for

the visits. Program Staff would be present during all visits to provide oversight. If a girl does not follow the rules, the Program Manager and Clinician meet with her and seek the reason for this behavior. Then they prepare a contract with clear goals and behaviors listed. The Program Manager monitors compliance with this contract.

The length of stay of each child is dependent on her unique situation. Maryville case workers work to identify family members to serve as sponsors to the girls and assume their care. Family reunification is explored for all girls. Maryville's case management team is physically present at the residential group home 7 days each week to communicate with potential family sponsors, vet those sponsors using federal standards, ensure a safe placement for the children, and arrange a safe transfer to a new home if possible. Placement is dependent on the circumstances of each case.

Girls who do not have family members will remain in care at St. Anne until they reach the age of 18 and can be transferred to a suitable group home for young adult women.

There are currently approximately 43 parking spaces on the Property (after required fire lane is installed) and this will accommodate parking for the employees who will be on site daily and any visitors to the Property. None of the girls will have a car. Only interior remodeling is anticipated at this time and the exterior of the Property will remain unchanged.

Please note that, for reasons of safety and the protection of minors, ORR directs agencies not to disclose the location of the site for children. In this instance, we must seek a special use so there must be disclosure of this program to the Village and the community surrounding the Property. However, Maryville will not generally advertise the location of the program.

Maryville successfully operates several other similar programs at various locations both in Chicago and the surrounding suburbs. Maryville has been a provider of social services since the 1880s and has an excellent reputation for serving the most vulnerable children.

ALTA/ACSM SURVEY

LOT 'A' IN RESUBDIVISION OF CERTAIN BLOCKS AND PARTS OF BLOCKS AND VACATED STREETS IN R.A. CEPEK'S ARLINGTON RIDGE, BEING A SUBDIVISION OF THAT PART OF THE WEST HALF (EXCEPT THE EAST 33 FEET THEREOF) OF THE NORTHEAST QUARTER AND SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE NORTHEASTERLY LINE OF NORTHWEST HIGHWAY, SAID NORTHEASTERLY LINE OF HIGHWAY BEING 66 FEET NORTHWESTERLY OF AND PARALLEL TO THE NORTHEASTERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY RIGHTS OF WAY, IN COOK COUNTY, ILLINOIS.

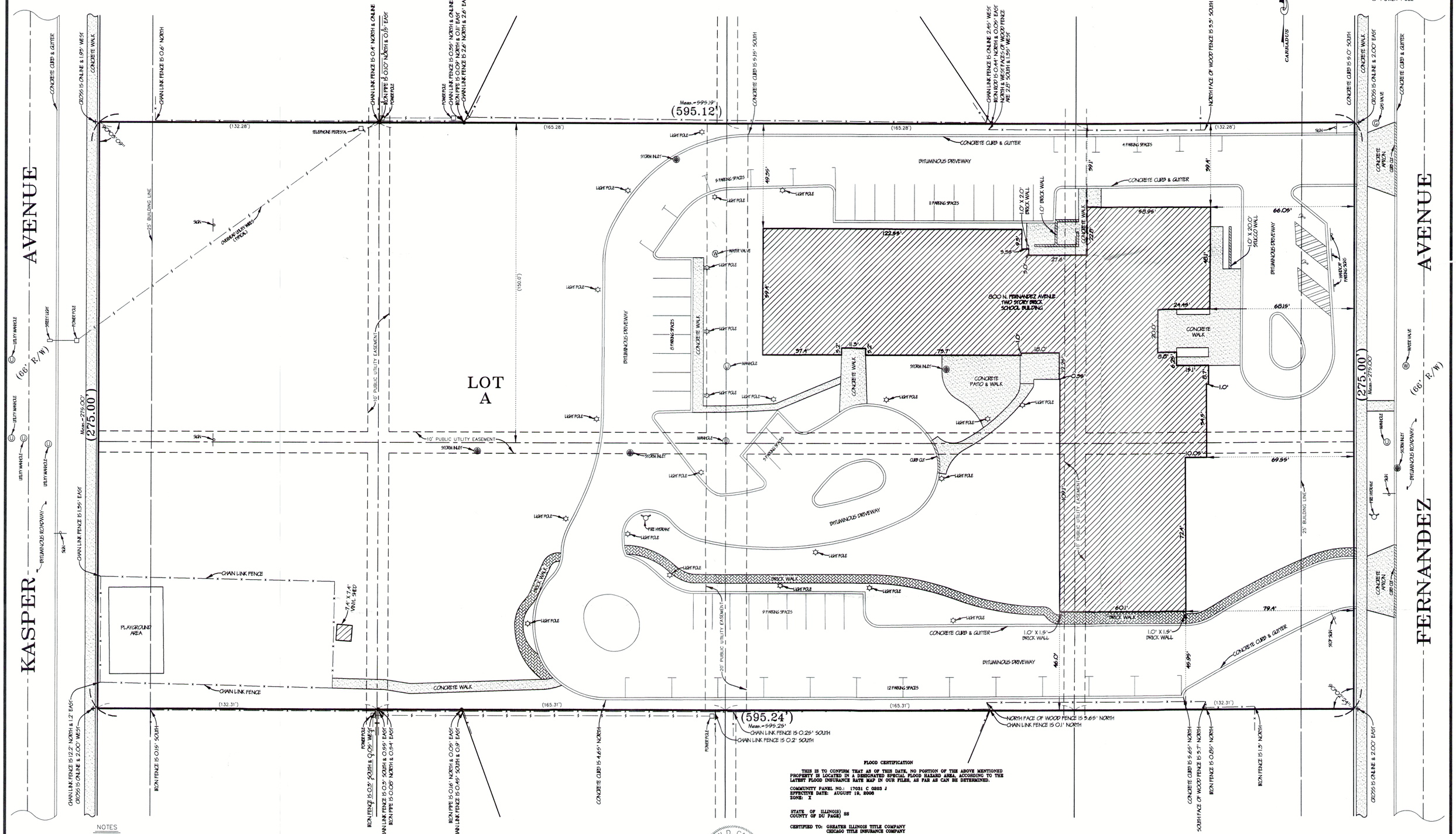
AREA OF SITE – 163,685 SQ. FT. (3.76 ACRES)
AREA OF BUILDING – 19,875 SQ. FT.

2 HANDI-CAP PARKING SPACES
52 REGULAR PARKING SPACES

SCALE: 1" = 20'

SURVEY LEGEND
- Monumentation Found
- Monumentation Set (RLS 35-2551)
- (80') Record Dimension
- Fence Line

UTILITY LEGEND
- MANHOLE / CATCHBASIN
- CURB INLET
- FLARED END SECTION
- WATER VALVE VAULT
- FIRE HYDRANT
- UTILITY MANHOLE
- UTILITY STRUCTURE
- TRAFFIC SIGNAL
- SIGN
- POWER POLE



NOTES

1. All distances shown hereon are in feet and decimal parts thereof corrected to 68° f. Distances shown along curved lines are Arc Measurements unless otherwise noted.
2. Compare the Legal Description, Building Lines, and Easements as shown hereon with your Deed, Title Insurance Policy or Title Commitment.
3. Consult local authorities for additional setbacks and restrictions not shown hereon.
4. Compare all survey points and report any discrepancies immediately.
5. Consult utility companies and municipalities prior to the start of any construction.
6. Dimensions to and along buildings are exterior foundation measurements.
7. Do Not Assume distances from scaled measurements made hereon.

CHICAGO TITLE INSURANCE COMPANY COMMITMENT NO. 40016233 DATED OCTOBER 23, 2014 WAS USED IN PREPARATION OF THIS PLAT.

Ordered By:
Klein, Daday, Aretos & O'Donoghu, LLC.
2550 W. Golf Road, Suite 200
Rolling Meadows, Illinois 60008
(847) 590-8700

ALLEN D. CARRADUS 35-2551 PROFESSIONAL LAND SURVEYOR STATE OF ILLINOIS WHEATON, ILLINOIS

FLOOD CERTIFICATION

THIS IS TO CONFIRM THAT AS OF THIS DATE, NO PORTION OF THE ABOVE MENTIONED PROPERTY IS LOCATED IN A DESIGNATED SPECIAL FLOOD HAZARD AREA, ACCORDING TO THE LATEST FLOOD INSURANCE RATE MAP IN OUR FILES, AS FAR AS CAN BE DETERMINED.

COMMUNITY PANEL NO.: 17031 C 0803 J
EFFECTIVE DATE: AUGUST 19, 2008
ZONE: X

STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS

CERTIFIED TO: GREATER ILLINOIS TITLE COMPANY
CHICAGO TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS AND INCLUDES ITEMS 1-4, 7(a), 7(b)(1), (2), 8, 9, 11(b) and 14 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 12/05/14. ALL DISTANCES SHOWN HEREON ARE IN FEET AND DECIMAL PARTS THEREOF.

SIGNED AND SEALED AT WHEATON, ILLINOIS THIS 9th DAY OF December, A.D. 2014.
BY Allen D. Carradus ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-2551.
MY LICENSE EXPIRES NOVEMBER 30, 2016.

Date Of Field Work:	12/05/14	Drawn By:	CMG
Scale:	1" = 20'	Checked By:	EAC
Fld Bk Pg:	333-13,331-63	Approved:	ADC

Date:	Revision:
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ALTA/ACSM SURVEY
800 N. FERNANDEZ AVENUE, ARLINGTON HEIGHTS
COOK COUNTY, ILLINOIS

Prepared For: KLEIN, DADAY, ARETOS & O'DONOGHUE LLC

Prepared By: ALLEN D. CARRADUS LAND SURVEYOR
100 Bridge Street Suite 1, Wheaton, Illinois 60187
(630) 588-0416 (FAX) 653-7682

Sheet 1 of 1
Project # 26620-AL

Saint Anne Home Community Meeting
Arlington Ridge Center (ARC) – 660 N. Ridge Ave., Arlington Heights, IL
Tuesday April 5, 2022 | 7 to 8 p.m.

Number in attendance – 50
Number signed in – 45 (sign-in sheets attached)
Maryville Team present:

- Sister Catherine M. Ryan, O.S.F.
- Kate Duncan, Akerman LLP
- Nina Aliprandi
- Anita Alvarez
- Mary McCann Sanchez
- Megan Biasco
- Nelia Bernabe

Kate Duncan gave an overview of the zoning for the property and the need for a special use. Sister Cathy gave an overview of the program including number of girls – 16 girls, 12 to 17 and possibly six of them are teen moms with children.

Questions from Attendees & Answers provided –

1. Thank you for bringing this to our neighborhood. We would like to help if you decide to have a garden. Is this like Viator House?
    - In some ways it is similar, but Viator House is for boys ages 18 and over and this facility is for girls who are 12-17.

2. Can you provide data on similar types of facilities with respect to:
    - Traffic
        - Our other facilities do not have much traffic because the children living in the facilities do not have cars. Only staff drive to our facilities and this will be the same. We will have two vans to transport the girls to school and to activities and for grocery shopping, etc.
    - Crime Rates
        - Our other facilities are not in areas where there is high crime and we have no experienced any crime in our facilities.
    - Property Values
        - We have done some initial research with respect to property values near our existing similar facilities, particularly near our St. Rose of Lima home in Chicago and our research indicates that property values have gone up in that neighborhood since our program has been established. We have reached out to an MAI appraiser to assist us with this but we do not yet have a report to share.
    - Will there be big delivery trucks

- No, we will not have large food delivery or supply delivery trucks to this location. We will have the girls go with the staff to shop for food and other supplies as this is part of the life skills that we will teach.

3. On your other campuses, do you have any violations of zoning or changes of uses that you have done without changing the zoning?
   - No, we do not have any violations of zoning. We have not changed any uses on any of our other campuses that violate the zoning.

4. Do you have any plans to expand what you are proposing for this site?
   - No, we do not have any plans to do anything other than what we have explained.
   - We are looking for a harmonious and peaceful setting for the girls and we think this property and neighborhood offer that and we want to preserve.

5. Have you talked to District 25 about where the girls will go to school? Will they need ELL teachers?
   - No, we have not yet discussed this proposed facility with District 25 but we will do so and will make sure that we follow all guidelines from the school district.

6. There is a study out of New York saying that facilities like this decrease property values.
   - Please share this study with us. We believe that any study stating that property values decrease is not reflecting the type of facility we are proposing. As stated, we do not believe that this facility will decrease property values.

7. When happens when the girls turn 18? Do they leave? Where do they go?
   - The girls can be with us from the time when they are 12 to 17 and they have to absolutely leave on their 18th birthday. The Office of Refugee Resettlement controls this and they come in and take over at that point.

8. Do you have statistics on success rates? Is what you are doing helping these girls assimilate into society? Do you know it is working?
   - Maryville has success rates for other programs it runs but for this program, the ORR does not allow Maryville to have continued contact with the girls and so we do not have statistics for this program. Maryville has an extremely high success rate with its other programs and prides itself on helping children who are in need assimilate into society.

9. Centers like these might start innocently enough, and like this one, but then they transition into something else. Will this center transition into something else? Have you ever transitioned any of your other facilities from one thing to another?
   - First, the special use approval from the Village will not allow us to do anything other than what we are telling you tonight. The special use approval will contain specific language as to what we can do on the site. If we ever want to do something different that is in the special use approval we will need to go back to the Village for additional approvals.

- We only have plans for this facility to be what we have explained. We do not have any plans to do anything different or change what we are proposing.
- We have transitioned other facilities from one use to another, but we have always obtained any necessary zoning approvals and we always talk with our neighbors about proposed programs.

10. Would you be open to letting neighbors use green space on the site and the play lot?
- As long as this is done in a safe way and we can have coverage by our insurance we are open to this.

11. My kids play on the green space on the property now. What interaction will they have with the girls if they come to this site?
- First, this is private property and so we will need to make sure that having neighborhood children playing on the site is safe. But, if they do continue to play on the site and the girls are also on the property, I would not expect them to have any interaction at all since these are teenage girls and they will likely not be playing with 5, 6, 7 year old boys and girls.
-

12. Will these be troubled girls who create neighborhood problems?
- In terms of behavior of the girls, girls will not be sent to us if they are exhibiting serious behaviors and this is determined by ORR. This type of facility is not intended to care. and will not care for, girls who require greater levels of care and supervision. Those types of girls will not be eligible for this facility.

13. Would you consider having a community garden?
- Yes, we can consider this.

14. Are there going to constantly be new girls coming in and will you ever have more than 16?
- Average time in other programs is 45 days; this program will be longer. They will eventually leave and only when one girl leaves will another one come in.

15. In the future can you please provide more information and lead time for meetings. Can you provide a zoom option and can you please disseminate data on traffic, crime rates, and property values.
- We sent notice for this meeting out 10 days in advance.
- We have given you information on traffic, crime rates, and property values to our best knowledge and ability as stated before.

16. Will the girls go out on their own?
- No, they will be accompanied by staff.

17. Can a boyfriend come to visit a girl at the home?

- Maybe. Any visitors will be pre-approved by staff and the girls will be accompanied by staff during visits.

18. Why do you have to bring this program to this building?
- We found this building and it was a very good building that was already built to suit our needs. It is in immaculate condition and has the bedrooms we need, except we are adding 2 bedrooms, as well as the program space that we need to operate this program. And, it is in a peaceful and nice neighborhood, which we were also looking for.

19. Was there consideration to build in Des Plaines?
- We have no more room left. We no longer have 116 acres; the other side is Our Lady of Guadalupe. We use the west side for our programs for boys. We have separate living quarters for boys and girls and we ran out of room.

20. Are there offices in the building for staff?
- Yes.

21. Do you have a floor plan available for review?
- We do have a floor plan but we do not have copies to distribute.

22. What is your timeline?
- We need to complete the zoning process and then close on the building. After that we will be able to get the building ready and then move it. Hopefully open by fall 2022.

23. What do you do if a girl gets into trouble?
- If a girl does not follow the rules, the Program Manager and Clinician meet with her and seek the reason for this behavior. Then they prepare a contract with clear goals and behaviors listed. The Program Manager monitors compliance with this contract.

24. Comment from resident: We have these girls who have these cultural differences, history with them, it will be a wonderful experience for them coming to Arlington Heights but it will also be a chance for local students to get to know other cultures. It offers diversity and different perspectives and the opportunity to learn more in-depth in what other peoples lives are like. These girls will have this great opportunity to go to great schools that I went to. I see the whole program as an amazing opportunity for this neighborhood and I hope all of you can agree to that. These girls deserve better. This is an amazing opportunity.

25. Are you going to own the property or is the Archdiocese involved?
- We are going to own all of the property – the entire site – and the Archdiocese is not involved. The Archdiocese does not own the property now.

Sister Cathy thanked everyone and expressed her gratitude for their participation.

Meeting adjourned at (about) 8:30 p.m.

JUSTIFICATION FOR REQUESTED SPECIAL USE & VARIATION

Maryville Academy ("Maryville")
800 N. Fernandez, Arlington Heights (the "Property")

1. Special Use – to allow a Shelter Care facility within the R-3 Zoning District

a. *That said special use is deemed necessary for the public convenience at this location*.

Maryville will attest that there is an on-going need for this type of social outreach community service in the northwest Chicagoland community and for providing residential housing and counseling for children through the Federal Office of Refugee Resettlement (ORR) program. Maryville is an established provider of these types of services for more than 125 years, with the experience necessary for providing needed leadership and community services. The proposed facility is necessary for the public convenience at this location in that it will provide a necessary social service to the girls who will live there and be taken care of by Maryville. Staff is well trained to take care of children in this type of program and will address any and all needs of the girls in their care. This program will be run with the same level of excellence that Maryville runs other similar programs in the Chicagoland area. Maryville sees a need in the community to have this type of facility to serve these girls. The Narrative included with the special use application details the level of commitment and care that Maryville will dedicate to the girls.

The reason this particular location was selected by Maryville is that the Property has been established as an institutional/residential use for many years, previously used as a convent for the Sisters of the Living Word who lived and worked in the community for many years. The building encompasses bedrooms, a living area, a kitchen, as well as offices and a day care/preschool facility. The proposed use of the Property by Maryville will remain consistent with the prior residential group living nature of the Property.

Further, the Property was selected because it has been used as a residential use for group living in the past and so it has a floor plan and layout that are well suited to the proposed program Maryville hopes to implement at the Property.

Also in the interest of public convenience, the proposed use of the building is far less intense than prior uses of the building. In the past the Sisters of the Living Word occupied a portion of the building for living and working, but they also leased a portion of the building to a preschool that served approximately 80-100 children on a daily basis. And, before the Sisters of the Living Word owned the Property, the building was a public elementary school that could hold up to 250 children. The use of the building by Maryville is only for up to 16 teenage girls and possibly babies for 6 of these girls, along with staff needed to take care of the girls, which is far less intense programmatic activity than any prior use.

b. *That such case will not, under any circumstances of the particular case, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity.*

The proposed use of the Property by Maryville will not be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity. The proposed use will be located in an existing building that once served as residential group living for the Sisters of the Living Word and the residential nature of the Property will be retained. Other prior uses, including a Montessori school with 80-100 children and a public school for up to 250 children, were far more intense than the proposed use of the Property by Maryville. Maryville has an excellent reputation for providing care for the most vulnerable children and expects to provide that same level of care for the girls in this facility. Girls will be well-supervised at all times and the facility will be staffed 24 hours per day, 7 days per week, with 3-6 staff members during day time and evening shifts and another 2-3 staff members overnight. The Narrative included with the special use application details the level of commitment and care that Maryville will dedicate to the girls, which also demonstrates Maryville's dedication to the local neighborhood. It is Maryville's hope that the girls become part of the local community, attending school, worship services, and other recreational activities, which Maryville hopes will contribute to the vibrancy of the community and will in no way detrimentally impact the health, safety, morals or welfare of people in the neighborhood.

c. *That the proposed special use will comply with the regulations and conditions specified in this ordinance for such use, and with the stipulations and conditions made a part of the authorization granted by the Village Board of Trustees*.

Maryville agrees that it will comply with all application regulations, stipulations, and conditions made a part of any authorization granted by the Village Board of Trustees.

3. Variation to Section 6.12-1(2)b, to waive the requirement for a traffic and parking study by a certified traffic engineer.

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

As set forth in the Narrative, expected traffic generation from the proposed use of the Property will be minimal and there is parking for at least 43 cars on site, which is far more parking spaces than there will ever be cars on site. The girls living on the Property will not have cars and will not be allowed to have cars. Further, the proposed use of the Property is far less intense, in terms of parking and traffic, than any prior use of the Property, which included a Montessori school for 80-100 children and also a public elementary school. As a result, Maryville does not believe the character of the locality will be altered in any way and the proposed use will be compatible with the existing uses and zoning of nearby properties.

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

The proposed use of the Property by Maryville is unique in that the girls who will be living on the Property will not have cares or be allowed to have cars, even if they are legally old enough to have a drivers license. There are 43 parking spaces on site that will only be used by staff coming to the Property and at peak times there will only be up to 15 staff/other authorized individuals such as therapists and case workers, on site at a time. Further, when considering prior uses of the Property, the proposed use of the Property is far less intense when it comes to traffic and parking. Therefore the request to waive the formal traffic study is one that is due to unique circumstances.

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

The proposed variation – to waive the formal traffic study – is in harmony with the spirit and intent of the Chapter when considering the proposed unique use by Maryville and the amount of traffic and parking proposed to be associated with it.

d. *The variation requested is the minimum variation necessary to allow reasonable use of the property*.

A variation to waive the formal traffic study is the minimum variation that is possible since the proposed unique use of the Property by Maryville and the traffic and parking proposed are minimal for the size of the site and especially when compared with prior uses of the Property.

TERRENCE O'BRIEN / CONSULTANT

REAL ESTATE APPRAISER - CONSULTANT

145 REVERE DRIVE • NORTHBROOK, ILLINOIS 60062

TERRENCE M. OBRIEN. MAI (847) 729-1310

CONSULTING REPORT

FOR

800 NORTH FERNANDEZ AVENUE

ARLINGTON HEIGHTS, ILLINOIS

SPECIAL USE

TO

ESTABLISH A SHELTER CARE FACILITY IN AN EXISTING

1 AND PART 2± STORY BRICK INSTITUTIONAL STRUCTURE

WITH AN ADJOINING PAVED PARKING LOT

FOR

MARYVILLE ACADEMY

ATTENTION: MS. KATHLEEN DUNCAN

ATTORNEY AT LAW

TERRENCE O'BRIEN / CONSULTANT

PURPOSE OF REPORT

The purpose of this consulting report is to determine the impact a Shelter Care Facility has on property values.

SUBJECT PROPERTY

As of the date of my inspection, March 16, 2022, the subject property's eastern half was improved with a 1 and part 2± story brick institutional structure. The subject structure has been utilized for residential group living purposes (convent) as well as educational purposes. The western half of the subject is primarily vacant landscaped and a portion was formerly used as a children's play ground.

The subject site contains 3.76± acres. It has substantial frontage on both the west side of Fernandez Avenue and the east side of Kaspar Avenue. Vehicle ingress and egress is provided by two curb cuts on Fernandez Avenue at the northeast and southeast corners of the subject site.

ABUTTING PROPERTIES

Immediately east of the subject property is Fernandez Avenue, which is considered a secondary street in the subject area. It is paved with concrete curbs, gutters and sidewalks abutting same and travels two ways in a north/south direction. Located on the east side of Fernandez Avenue are single family residences of brick or frame construction. Immediately west of the subject property is Kaspar Avenue, which is also considered a secondary street in the subject area. It is paved with concrete curbs, gutters and sidewalks abutting same and travels two ways in a north/south direction. Located on the west side of Kaspar Avenue are single story brick and/or frame residential structures. Immediately north of the subject site are the rear and/or side yards of 6± single family 1 and 2± story brick and frame residential structures. Immediately south of the subject site are the rear and side yards of 6± single family residential structures of brick and/or frame construction.

The properties located immediately east, west, north and south of the subject are all zoned R-3, which is a One Family Dwelling District.

TERRENCE O'BRIEN / CONSULTANT

PROPOSED USE/SPECIAL USE

The Applicant, Maryville Academy, is requesting a Special Use to establish a Shelter Care Facility at the subject property for 16± refugee girls. Ten of the girls are ages 12-17 plus an additional 6± teenage girls who are pregnant or parenting. These girls arrived in the United States unaccompanied by adult family members and are now in the care of the Administration of Children and Families until they reach the age of 18. Maryville will provide care, housing, meals and family reunification purposes for the girls. The girls will attend school in the local community and learn to interact in the local community.

The property will be staffed 24 hours per day, 7 days per week. There will always be a Program Director or Manager on site with 3 to 6± staff members on site during each day time and evening shift as well as 2 to 3± care providers during overnight hours. Staff will escort the girls to school, worship services and recreational and public activities.

The length of stay each child is dependent on her unique situation. Maryville case workers work to identify family members to serve as sponsors to the girls and assume their care. Girls who do not have family members will remain in care at the facility until they reach the age of 18 and can be transferred to a suitable group home for young adult women.

It should be noted that Maryville operates several other similar programs and/or facilities at various locations both in Chicago and surrounding suburbs. Maryville has been a provider of social services since 1880's and has an excellent reputation serving the most vulnerable children.

SIMILAR MARYVILLE FACILITY

Maryville currently operates a similar facility in Chicago at 1456 W. Oakdale Avenue. This facility consists of a 3± story brick structure that was the former convent for the St. Alphonsus Parish.

In March, 2019, the City of Chicago approved the application for a Special Use for a "Transitional Residence Facility", which in my opinion, is similar to a "Shelter Care Facility". The Oakdale Avenue Facility can accommodate 25± teenage refuge girls and will provide the same services as those

SIMILAR MARYVILLE FACILITY (cont'd.)

proposed for the Arlingtons Heights facility. It should be noted that the Chicago facility distinction is that the average stay is 30 to 40± days. This allows enough time to identify/locate family members to serve as sponsors and assume the care of these girls.

The Chicago and proposed Arlington Heights facilities are similar. Therefore, in this report, I will analyze the impact the Chicago facility had on property values.

ZONING

The subject property is currently zoned R-3, which is a One Family Dwelling District.

Some of the permitted uses allowed under this zoning classification include non-commercial antennas, small and large community residence, day care homes and one family detached dwellings.

Shelter Care Homes (facilities) are considered a Special Use under the current zoning classification for the subject property.

NEAR/FAR SALES ANALYSIS

Most zoning ordinances require an Applicant for a Special Use to notify neighbors located within a minimum 250± feet or a maximum of 400± feet when there is intervening public thoroughfare such as an alley or street. Thus, a Near Property is one located within 400± feet while a Far Property is one located in excess of 400± feet.

For purposes of determining the impact the proposed Shelter Care Facility has on property values, I have prepared a Near/Far Sales Analysis (N/FSA) of the existing Shelter Care Facility located at 1456 West Oakdale Avenue in Chicago.

NEAR/FAR SALES ANALYSIS cont'd.

NEAR SALES

1) Location: 1419 W. Oakdale Avenue
Chicago, Illinois
14-29-121-016

Sales Price: $1,960,000 Date of Sale: October, 2021
Sales Price: $1,700,000 Date of Sale: April, 2018
Appreciation:$260,000 Time Span: 3.5± years

Comments: This residential property is located 260± feet southeast of the Maryville facility located at 1456 W. Oakdale Avenue. Over the 3.5± year time span, the property appreciated 15.3± percent and/or 4.37± percent annually.

2) Location: 1444 W. George Street
Chicago, Illinois
14-29-121-028

Sales Price: $950,000 Date of Sale: August, 2021
Sales Price: $712,500 Date of Sale: July, 2011
Appreciation:$237,500 Time Span: 10.1± years

Comments: This residential property is located 210± feet south of the Maryville facility located at 1456 W. Oakdale Avenue. Over the 10.1± years time span, the property appreciated 33.3± percent and/or 3.30± percent annually.

3) Location: 1512 W. Oakdale Avenue
Chicago, Illinois
14-29-116-041

Sales Price: $1,220,000 Date of Sale: May, 2021
Sales Price: $950,000 Date of Sale: February, 2008
Appreciation:$270,000 Time Span: 13.3± years

Comments: This residential property is located 200± feet west of the Maryville facility located at 1456 W. Oakdale Avenue. Over the 13.3± years time span, the property appreciated 33.3± percent and/or 28.4± percent and/or 2.14± percent annually.

NEAR/FAR SALES ANALYSIS cont'd.

NEAR SALES

4) Location: 1502 W. Oakdale Avenue
Chicago, Illinois
14-29-116-046

Sales Price: $1,750,000 Date of Sale: December, 2021
Sales Price: $1,512,500 Date of Sale: October, 2012
Appreciation: $237,500 Time Span: 9.2± years

Comments: This residential property is located 90± feet west of the Maryville facility located at 1456 W. Oakdale Avenue. Over the 9.2± year time span, the property appreciated 15.7± percent and/or 1.71± percent annually.

5) Location: 1526 W. George Street
Chicago, Illinois
14-29-120-035

Sales Price: $1,750,000 Date of Sale: October, 2021
Sales Price: $1,585,000 Date of Sale: October, 2013
Appreciation: $165,000 Time Span: 8.0± years

Comments: This residential property is located 400± feet southwest of the Maryville facility located at 1456 W. Oakdale Avenue. Over the 8.0± years time span, the property appreciated 10.4± percent and/or 1.3± percent annually.

6) Location: 1414 W. Wellington Avenue
Chicago, Illinois
14-29-113-010

Sales Price: $1,390,000 Date of Sale: August, 2021
Sales Price: $1,214,000 Date of Sale: June, 2018
Appreciation: $176,000 Time Span: 3.2± years

Comments: This residential property is located 260± feet north of the Maryville facility located at 1456 W. Oakdale Avenue. Over the 3.2± years time span, the property appreciated 14.5± percent and/or 4.53± percent annually.

NEAR/FAR SALES ANALYSIS cont'd.

NEAR SALES

The six Near Sales sited in this report are located 90± to 400± feet from 1456 W. Oakdale and the average distance is 237± feet. The appreciation rate for the six Near Sales range from 1.3± percent to 4.53± percent and average 2.89± percent annually.

FAR SALES

1) Location: 1240 W. George Street
Chicago, Illinois
14-29-123-059

Sales Price: $1,800,000 Date of Sale: August, 2019
Sales Price: $1,450,000 Date of Sale: April, 2001
Appreciation:$350,000 Time Span: 18.3± years

Comments: This residential property is located 1,400± feet southeast of 1456 W. Oakdale Avenue. Over the 18.3± year time span, the property appreciated 24.1± percent and/or 1.32 ± percent annually.

2) Location: 1541 W. Wolfram Street
Chicago, Illinois
14-29-128-007

Sales Price: $1,160,000 Date of Sale: August, 2021
Sales Price: $999,000 Date of Sale: Sept., 2014
Appreciation:$161,000 Time Span: 6.9± years

Comments: This residential property is located 880± feet southwest 1456 W. Oakdale Avenue. Over the 6.9± years time span, the property appreciated 16.1± percent and/or 2.33± percent annually.

NEAR/FAR SALES ANALYSIS cont'd.

FAR SALES

3) Location: 1429 W. Wolfram Street
Chicago, Illinois
14-29-129-013

Sales Price: $1,749,500 Date of Sale: October, 2020
Sales Price: $1,637,500 Date of Sale: June, 2017
Appreciation:$112,000 Time Span: 3.3± years

Comments: This residential property is located 720± feet south of the 1456 W. Oakdale Avenue. Over the 3.3± year time span, the property appreciated 6.8± percent and/or 2.07± percent annually.

4) Location: 1241 W. Nelson Street
Chicago, Illinois
14-29-115-007

Sales Price: $1,180,000 Date of Sale: May, 2020
Sales Price: $990,000 Date of Sale: July, 2016
Appreciation:$190,000 Time Span: 3.8± years

Comments: This residential property is located 1,500± feet northeast of 1456 W. Oakdale Avenue. Over the 3.8± years time span, the property appreciated 19.2± percent and/or 5.05± percent annually.

5) Location: 1226 W. Wellington Avenue
Chicago, Illinois
14-29-115-034

Sales Price: $1,665,000 Date of Sale: March, 2021
Sales Price: $1,365,000 Date of Sale: July, 2013
Appreciation:$300,000 Time Span: 7.7± years

Comments: This residential property is located 1,550± feet northeast of 1456 W. Oakdale Avenue. Over the 7.7± years time span, the property appreciated 22± percent and/or 2.86± percent annually.

NEAR/FAR SALES ANALYSIS cont'd.

FAR SALES

6) Location: 1255 W. Oakdale Avenue
Chicago, Illinois
14-29-123-048

Sales Price: $1,225,000 Date of Sale: December, 2021
Sales Price: $674,000 Date of Sale: February, 1998
Appreciation: $551,000 Time Span: 23.8± years

Comments: This residential property is located 1,250± feet east of 1456 W. Oakdale Avenue. Over the 23.8± year time span, the property appreciated 81.8± percent and/or 3.44± percent annually.

The six Far Sales sited in this report are located 720± to 1,550± feet from 1456 W. Oakdale and the average distance is 2,217± feet. The appreciation rate for the six Far Sales range from 1.32± percent to 5.05± percent and average 2.85± percent annually.

TERRENCE O'BRIEN / CONSULTANT

CONCLUSIONS/BENEFITS

The proposed Special Use, if granted, will:

1) put to a productive and highest and best use a property that is currently vacant and not used;

2) provide employment opportunities during construction and upon completion;

3) fulfill a need for the proposed Special Use; and

4) be harmonious and compatible with surrounding land uses and will have no adverse impact upon the value of other properties in the subject area.

Sincerely,

Terrence M O'Brien

TERRENCE M. O'BRIEN, MAI
GENERAL CERTIFIED APPRAISER
CERTIFICATE NUMBER 553-000100
(ILLINOIS LICENSE EXPIRES 9/30/23)

TERRENCE O'BRIEN / CONSULTANT

ASSUMPTIONS AND LIMITING CONDITIONS

The following assumptions and limiting conditions apply to this analysis and/or report unless noted elsewhere within this appraisal and/or preliminary study.

The legal description(s), if cited herein, is assumed to be correct, and no guarantee is made as to the accuracy of same.

No responsibility is assumed for matters legal in character, nor is any opinion rendered as to the title, which is assumed by the appraiser(s) to be good and marketable.

The property, if appraised, is assumed to be free and clear of mortgage indebtedness, assessments, or liens of any sort other than current real estate taxes.

If a survey(s) of the property has been furnished the appraiser(s), it is assumed to be correct, and no guarantee is made as to the accuracy of same.

The possibility exists that the final conclusion(s) as to value could be different in those instances where one or more approaches (*Cost, Sales Comparison* and *Income Capitalization*) are not utilized.

Any drawing, diagram and/or sketch included in this analysis and/or report is to serve only as a visual aid, and no guarantee is made as to the accuracy of same.

To the best of the appraiser's(s') knowledge and belief, the statements and opinions contained in this analysis and/or report are supportable. The factual data has been compiled by the appraiser(s) from sources deemed reliable, and no guarantee is made as to the accuracy of same.

Disclosure of the contents of this analysis and/or report is governed by the By-Laws and Regulations of the Appraisal Institute.

Neither all nor any part of the contents of this analysis and/or report (especially any conclusions as to value(s), the identity of the ap-

ASSUMPTIONS AND LIMITING CONDITIONS (cont'd)

praiser(s) or the firm with which he is connected, or any reference to the Appraisal Institute or to the MAI designation) shall be disseminated to the public through advertising media, public relations media, news media, sales media or any other public means of communication without the prior written consent and approval of the undersigned.

The appraiser(s) is not required to give testimony and/or to appear in court by reason of this assignment without the prior written consent and approval of the undersigned.

The appraiser(s) has made a diligent effort to obtain the financing data on all comparable sales cited herein. Where such information was available, an explanation was included; where such information was unavailable, reliance on that particular sale was limited.

Any estimate(s) of value contained in this analysis and/or report is under the proposed or existing program of utilization described herein.

The appraiser(s) assumes that the property has no "wetlands", adverse soil conditions, and/or structural defects which would render it more or less valuable.

The appraiser(s) assumes that any/all mechanical equipment located on the property is operable and in good working condition.

The appraiser's(s') conclusion(s) in this analysis and/or report is based upon the assumption that no potentially hazardous and/or toxic materials are present, or were used, in the maintenance and/or construction of the property that would render it more or less valuable.

With regards to the Americans with Disabilities Act (ADA), we have not made nor have we been supplied a specific compliance survey and analysis of the property that is the subject of this appraisal to determine whether or not it is in conformity with the requirements of the ADA. Furthermore, we are not experts in this area; thus, we did not consider possible non-compliance with this requirement in rendering our opinion as to the *Market Value* of the subject property.

TERRENCE O'BRIEN / CONSULTANT

CERTIFICATE

1. Terrence M. O'Brien and the signatories have no present or contemplated future interest in the real estate that is the subject of this report.

2. Terrence M. O'Brien and the signatories have no personal interest or bias with respect to the subject matter of this report or to the parties involved.

3. To the best of Terrence M. O'Brien and the signatories' knowledge and belief, the statements of fact contained in this report, upon which the analyses, opinions and conclusions expressed herein are based, are true and correct.

4. This report sets forth all of the limiting conditions affecting the analyses, opinions and conclusions contained herein.

5. This report has been made in conformity with, and is subject to, the requirements of the Code of Professional Ethics and the Standards of Professional Practice of the Appraisal Institute, as well as the Uniform Standards of Professional Appraisal Practice.

6. No one other than those whose names appear have inspected the property, prepared the analyses, conclusions and opinions concerning real estate that are set forth in this report. *Terrence M. O'Brien* personally inspected the subject property.

7. Neither the employment to prepare this report, nor the compensation received, is contingent on the conclusions arrived at herein.

8. The use of this report is subject to the requirements of the Appraisal Institute and State of Illinois relating to review by their duly authorized representatives.

9. As of the date of this report, I, Terrence M. O'Brien, have completed the requirements under the continuing education program of the Appraisal Institute and the State of Illinois.

10. Within the preceding 3± years, Terrence M. O'Brien has not provided any appraisal or other services for the property which is the subject of this report.

Terrence M. O'Brien

Terrence M O'Brien

TERRENCE M. O'BRIEN, MAI
GENERAL CERTIFIED APPRAISER
CERTIFICATE NUMBER 553-000100
ILLINOIS LICENSE EXPIRES 9/30/23

TERRENCE O'BRIEN / CONSULTANT

QUALIFICATIONS OF

TERRENCE M. O'BRIEN, MAI

GENERAL EDUCATION

Mount Carmel High School, Chicago, Illinois
Marquette University, Milwaukee, Wisconsin
(Bachelor of Science in Business Administration)

PROFESSIONAL ORGANIZATIONS

MAI - Member of the Appraisal Institute
Certificate No. 5663
G.R.I. - Graduate Realtors Institute
C.P.M. - Certified Property Manager
General Certified Appraiser
by the State of Illinois - Certificate Number 553-000100
Illinois License Expires 9/30/23

Appointed by the Governor to the Illinois Real Estate Appraisal Committee; elected and served as Chairman of this committee for two years. Resigned in 1995 after 5 years service.

CONTINUING EDUCATION

The Appraisal Institute conducts a program of continuing professional education for its designated members. MAI members who meet the minimum standards of this program are awarded periodic educational credits.

As of the date of this report, I, Terrence M. O'Brien, have completed the requirements under the continuing education program of the Appraisal Institute and the State of Illinois.

EXPERIENCE

Appraised a large number of various types of real estate throughout Chicago and its metropolitan area with an aggregate value well in excess of one hundred billion dollars. Experience includes the appraisal of fee, leasehold and partial interest as well as equity investment analysis, feasibility, market and highest and best use studies. Qualified and extensively used as an expert witness in numerous courts of law as well as before several municipal zoning boards.

OFFICE LOCATION

NORTHBROOK - 145 Revere Drive
Northbrook, IL 60062
TELEPHONE - (847) 729-1310

TERRENCE O'BRIEN / CONSULTANT

QUALIFICATIONS OF TERRENCE M. O'BRIEN, MAI (cont'd)

REAL ESTATE TRAINING	COURSE	SPONSORING INSTITUTION
Basic Principles	I	Illinois Realtors Inst.
Principles	II	Illinois Realtors Inst.
Principles	III	Illinois Realtors Inst.
Practical Methods for Successful Property Management	I	Institute of Real Estate Management
Analysis and Management of Investment Property	II	Institute of Real Estate Management
Land Planning and Development	N/A	Chicago Real Estate Board

REAL ESTATE APPRAISING

Theories and Principles	I	Appraisal Institute
Appraisal Problems	II	Appraisal Institute
Condemnation	IV	Appraisal Institute
Investment Analysis	VI	Appraisal Institute
Industrial Properties	VII	Appraisal Institute
Standards of Professional Practice	A&B	Appraisal Institute

In addition to those cited above, I have taken numerous other courses offered and sponsored by the Appraisal Institute.

REPRESENTATIVE LIST OF TYPES OF PROPERTY APPRAISED

- Airports
- Apartments
- Automobile Showrooms
- Condominiums
- Co-operative Apartments
- Eleemosynary Property
- Funeral Homes
- Garages
- Hotels
- Hospitals
- Industrial Factories/ Light Manufacturing and Heavy Industrial
- Land
  - Farms
  - Commercial
  - Industrial
  - Residential
- Landfill Sites
- Loft Buildings
- Mobile Home Parks
- Motels
- Nursing Homes
- Office Buildings
- Office Complexes
- Outlet Malls
- Religious Institutions Churches, Housing and Educational Residences
- Restaurants
- Retail Stores
- Schools, Elementary, High School, University and Technical Colleges
- Service Stations
- Shopping/Discount Centers
- Special Purpose Property
- Storage Facilities
- Supermarts

TERRENCE O'BRIEN / CONSULTANT

QUALIFICATIONS OF TERRENCE M. O'BRIEN, MAI (cont'd)

REPRESENTATIVE LIST OF CLIENTS

GOVERNMENTAL BODIES

City of Highland Park
Chicago Board of Education
Chicago Dept. of Planning, City and Community Develop.
Chicago Park District
Chicago Public Building Com.
Cook County Forest Preserve District
Cook County Highway Department
DuPage Airport Authority
Glenview Park District
Illinois Department of Insurance
Illinois Department of Transportation
Illinois Medical Commission
Mount Prospect Park District
Northbrook Park District
Solid Waste Agency of Northern Cook County
Village of Glenview
Village of Hodgkins

FINANCIAL INSTITUTIONS

Amalgamated Trust & Savings
American National Bank & Trust Company of Chicago
Bell Federal Savings & Loan
Cole Taylor Bank
Continental Bank
Devon Bank
Exchange National Bank of Chicago
Forest Park National Bank
Glenview State Bank
Harris Bank
Home Savings Bank of Upstate New York, Albany, New York
Homewood Federal
Hyde Park Bank & Trust Company
Northern Trust Bank

REAL ESTATE ORGANIZATIONS

Balcor Company
Bradford Companies
Burnham Companies
Catellus Development Corp.
Continental Mortgage Investors
Fleetwood Realty Company
Golub & Company
Habitat Company
Hamilton Partners
Hines Interests Ltd. Partnership
Homart Development Company
Independence Mortgage Trust of California
Inland Real Estate Corporation
JMB Properties Urban Company
John Buck Company
LaSalle Partners
Lexington Development Companies
Lincoln Property Company
Miglin-Beitler Developments
Oxford Properties, Inc.
Pacific Realty Corporation
Piedmont Realty Advisers
Premisys Real Estate Services
Prudential Property Co. Inc.
Shuwa Management Corporation
Stein & Company
Tishman/Speyer Properties.
Tucker Development Co.
Walsh Higgins & Co.

QUALIFICATIONS OF TERRENCE M.O'BRIEN, MAI (cont'd)

REPRESENTATIVE LIST OF CLIENTS (cont'd)

BUSINESS, CORPORATE AND OTHERS

A.B. Dick Company
Allied Van Lines
Allis Chalmers, Inc.
Amoco Corporation
Amvets, Inc.
Anheuser-Busch, Inc.
Bally Manufacturing Corp./
Bally's Chicago Health Clubs
CPC International, Inc.
Catholic Archdiocese of Chicago
Chicago Motor Club
Chicago Title & Trust Co.
Ciba-Geigy Corporation
Colt Industries
Dominick's Food Stores
Eastman Kodak Corporation
Elek-Tek, Inc.
Embassy Suites
Federal Life Insurance Co.
Ford Motor Company
General Cinema Company
General Electric Corporation
General Motors Acceptance Corporation
General Telephone and Electric Company
Greyhound Corporation
Guest Quarters Hotels
Harcourt, Brace & Jovanovich, Inc.
Holiday Inns, Inc.
Home Depot
Hyatt Hotel Corporation
Inland/Ryerson Steel Co.
Jewel Food Stores
Keebler Company
Lutheran General Hospital
Maryland Cup Corporation
Matsushita Electric Corporation of America
Moody Bible Institute
Motel 6 Corporation
Northern Illinois Gas Company
Northwestern Mutual Life Insurance Company
Paddock Publications
Reliance Life Insurance Company
Rush-Presbyterian Hospital
Schering Plough
Sears Roebuck Corporation
Spiegel, Inc.
Standard Brands, Inc.
Target Stores
Teachers Insurance & Annuity
Tootsie Roll Industries
Union Carbide Corporation
United Insurance Company of America
University of Chicago
University of Illinois-Chicago
Vantage Companies
Walgreen's Inc.
Westin Hotels

MARYVILLE - ARLINGTON HEIGHTS

800 NORTH FERNANDEZ STREET, ARLINGTON HEIGHTS, ILLINOIS 60004

REVISED PRICING SET, FEBRUARY 22, 2022

CONTACT INFORMATION:

OWNER:
MARYVILLE ACADEMY
1150 NORTH RIVER ROAD
DES PLAINES, IL 60016
ATTN. MIKE WALLISH
PH. 847.294.1846

ARCHITECT:
MKB ARCHITECTS
1918 NORTH MENDELL STREET
SUITE 300
CHICAGO, IL 60642
ATTN. JIM LEAR
PH. 847.902.4865

MEFP ENGINEER:
BAILEY EDWARD
104 NORTHWEST HIGHWAY
FOX RIVER GROVE, IL 60021
ATTN. KENT LOCKE
PH. 847.660.6543

DRAWING INDEX:

ARCHITECTURAL

A000 TITLE SHEET / SITE PLAN

D101 FIRST FLOOR DEMOLITION PLAN
D102 SECOND FLOOR DEMOLITION PLAN
D201 FIRST FLOOR REFLECTED CEILNG DEMOLITION PLAN
D202 SECOND FLOOR REFLECTED CEILING DEMOLITION PLAN

A100 BASEMENT PLAN
A101 FIRST & SECOND FLOOR PLANS
A102 ENLARGED FIRST FLOOR PLAN
A103 ENLARGED SECOND FLOOR PLAN
A104 ROOF PLAN

A200 PARTIAL FIRST FLOOR REFLECTED CEILING PLAN
A201 SECOND FLOOR REFLECTED CEILING PLAN

A300 SCHEDULES, PARTITIONS, DOORS

A400 EXTERIOR ELEVATIONS

MECHANICAL

MD100 PARTIAL MECHANICAL DEMOLITION FIRST FLOOR PLAN
MD101 PARTIAL MECHANICAL DEMOLITION SECOND FLOOR PLAN
M100 PARTIAL MECHANICAL FIRST FLOOR PLAN
M101 PARTIAL MECHANICAL SECOND FLOOR PLAN

ELECTRICAL

ED100 PARTIAL ELECTRICAL DEMOLITION FIRST FLOOR PLAN
ED101 PARTIAL ELECTRICAL DEMOLITION SECOND FLOOR PLAN
E100 PARTIAL ELECTRICAL FIRST FLOOR PLAN
E101 PARTIAL ELECTRICAL SECOND FLOOR PLAN

FIRE PROTECTION

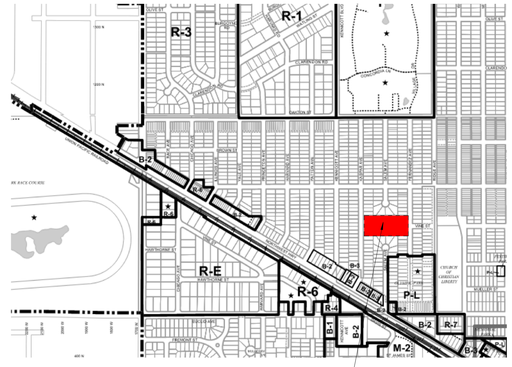
FP000 FIRE PROTECTION BASEMENT FLOOR PLAN
FP100 FIRE PROTECTION FIRST FLOOR PLAN
FP101 FIRE PROTECTION SECOND FLOOR PLAN

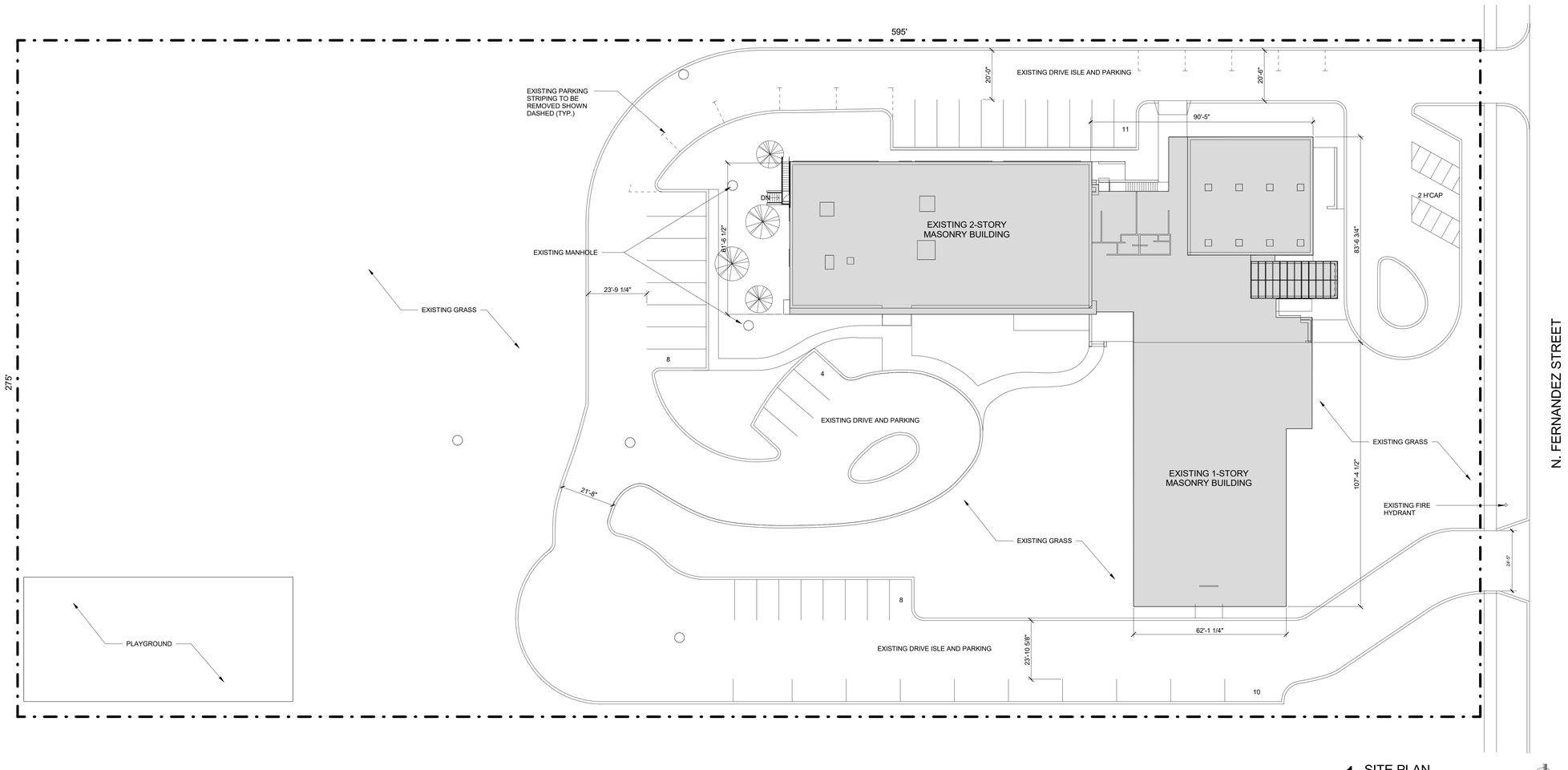
CODE REQUIREMENTS:

Codes:	*International Building Code, 2018* *International Residential Code, 2018* International Fire Code, 2018 International Existing Building Code, 2018 *International Mechanical Code*, 2018 *State of Illinois Plumbing Code*, 2014 *Illinois Accessibility Code* (IAC), 2018 *National Electrical Code*, 2017
Zoning:	R-3
Building Use:	Residential
Construction Type:	Type _____
Residential Requirements:	R304.1 Habitable rooms shall have a floor area of not less than 70 square feet. Exception: Kitchens
Height, Area and Volume Limitations:	R305.1 Minimum height. Habitable space, hallways, bathrooms, toilet rooms, laundry rooms and portions of basements containing these spaces shall have a ceiling height of not less than 7 feet. R304.3 Minimum dimensions. Habitable rooms shall not be less than 7 feet in any horizontal dimension.
Fire-Rated Construction:	Table R302.1 Exterior Walls
Natural Light & Ventilation	R303.1 Habitable Rooms: All habitable rooms shall have an aggregate glazing area of not less than 8 percent of the floor area of such rooms. Natural ventilation shall be through windows, doors, louvers or other approved openings to the outdoor air. Such openings shall be provided with ready access or shall otherwise be readily controllable by the building occupants. The minimum openable area to the outdoors shall be 4 percent of the floor area being ventilated.

ZONING MAP

SCALE: NTS





1 SITE PLAN
SCALE: 1" = 20'-0"

MKB Architects
1918 North Mendell Street
Suite 300
Chicago, Illinois 60642
mkbdesign.net
773.235.3800

REV	DATE	ISSUE
	4.2.22	ZONING REVIEW

800 N. FERNANDEZ STREET
ARLINGTON HEIGHTS, ILLINOIS
60004

Maryville
Caring for Children. Strengthening Families.

TITLE SHEET/ SITE PLAN

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ARCHITECT UNDER THE LAWS OF THE STATE OF ILLINOIS

EXP. DATE: _____ REGISTRATION NO. _____

NOT FOR CONSTRUCTION

DRAWN BY: JRL
CHECKED BY: GHK
APPROVED:
SCALE: As indicated

ⓒ 2021

JOB NO. 2123

000

MARYVILLE - ARLINGTON HEIGHTS

800 NORTH FERNANDEZ STREET, ARLINGTON HEIGHTS, ILLINOIS 60004

CONTACT INFORMATION:

OWNER:
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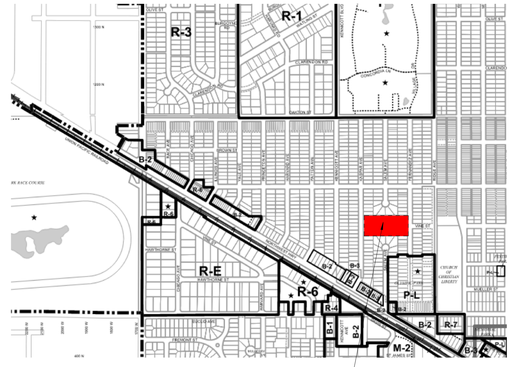

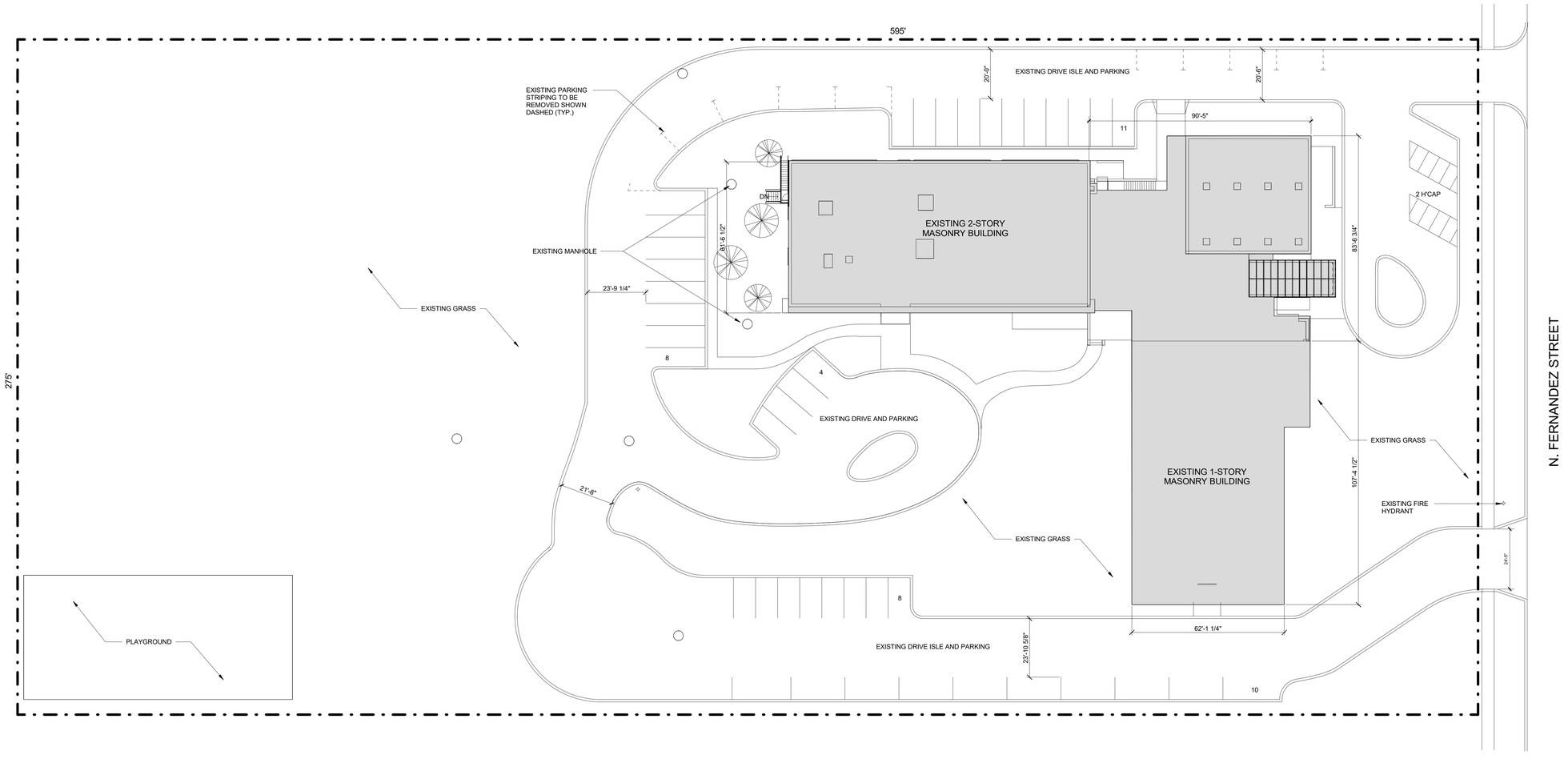

1 SITE PLAN
SCALE: 1" = 20'-0"

MKB
Architects
1918 North Mendell Street
Suite 300
Chicago, Illinois 60642
mkbdesign.net
773.235.3800

REV	DATE	ISSUE
	6.2.22	ROOM NAMES ADDED
	4.2.22	ZONING REVIEW

800 N. FERNANDEZ STREET
ARLINGTON HEIGHTS, ILLINOIS
60004

Maryville
Caring for Children. Strengthening Families.

TITLE SHEET/ SITE PLAN

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ARCHITECT UNDER THE LAWS OF THE STATE OF ILLINOIS

EXP. DATE: _____ REGISTRATION NO. _____

NOT FOR CONSTRUCTION

DRAWN BY: JRL
CHECKED BY: GHK
APPROVED:
SCALE: As indicated

ⓒ 2021

JOB NO. 2123

000

MKB
Architects
1918 North Mendell Street
Suite 300
Chicago, Illinois 60642
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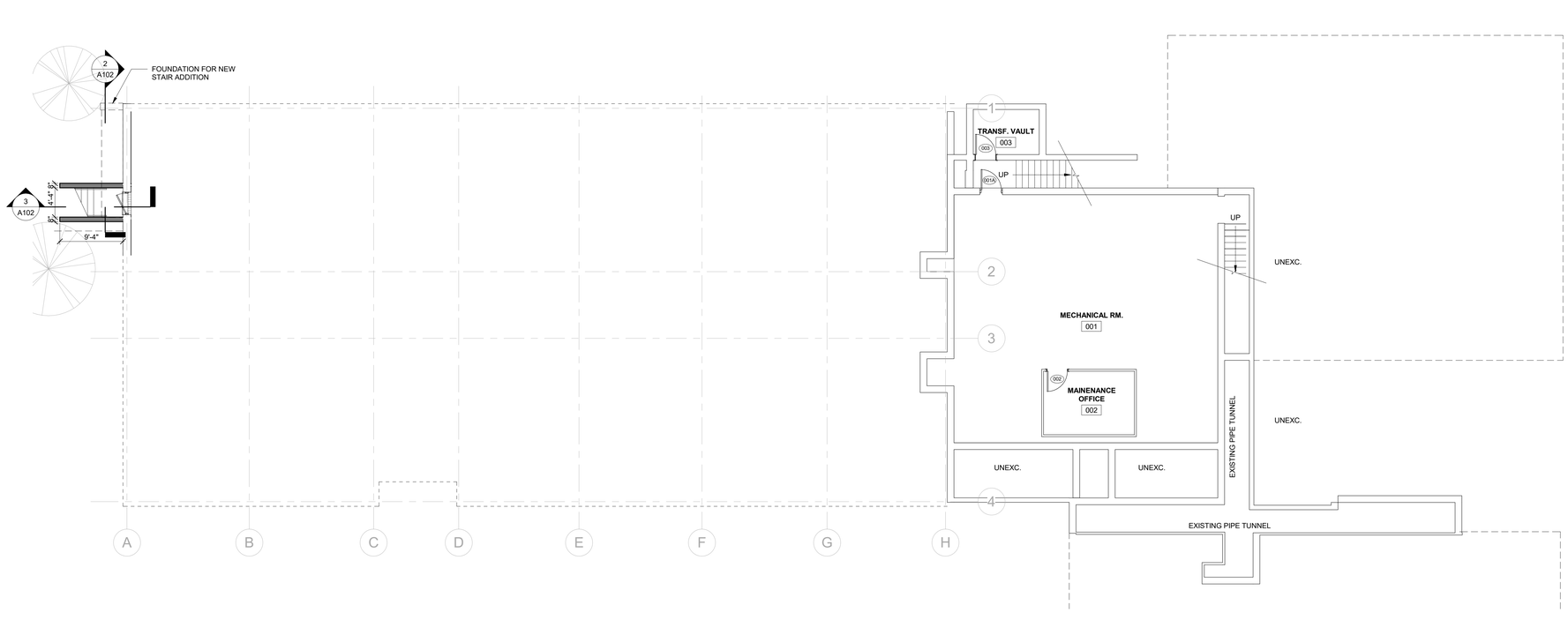


2 BASEMENT PLAN
SCALE: 1/8" = 1'-0"
0' 2' 4' 10'

FLOOR PLAN LEGEND

- AREA OF NO WORK - NOT IN CONTRACT
- EXISTING PARTITION TO REMAIN
- NEW PARTITION

REV	DATE	ISSUE
	6.2.22	ROOM NAMES ADDED
		DESIGN REVISION

800 N. FERNANDEZ STREET
ARLINGTON HEIGHTS, ILLINOIS
60004

Maryville
Caring for Children. Strengthening Families.

BASEMENT PLAN

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ARCHITECT UNDER THE LAWS OF THE STATE OF ILLINOIS

EXP. DATE: _____ REGISTRATION NO. _____

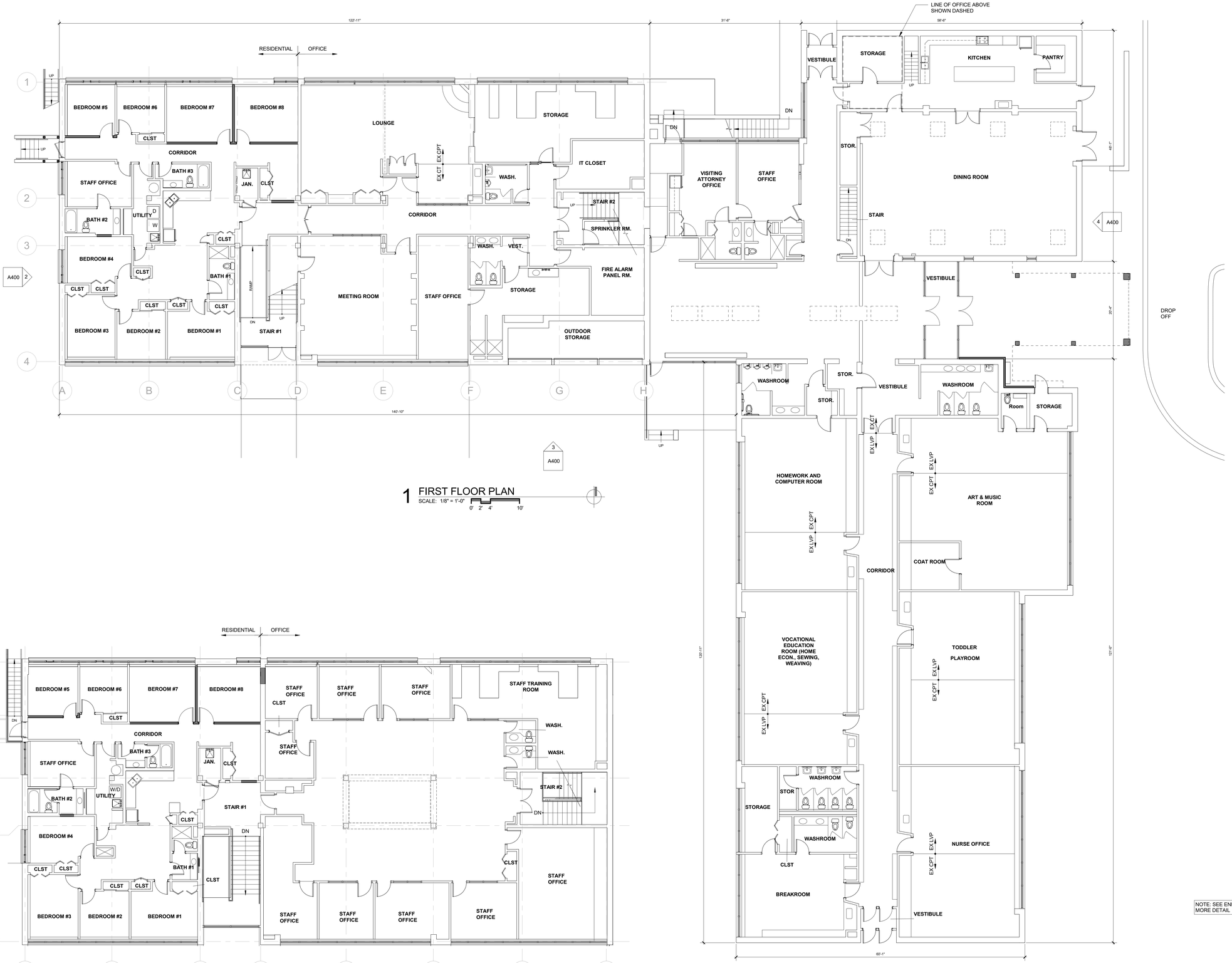
NOT FOR CONSTRUCTION

DRAWN BY: JRL
CHECKED BY: GHK
APPROVED:
SCALE: As indicated

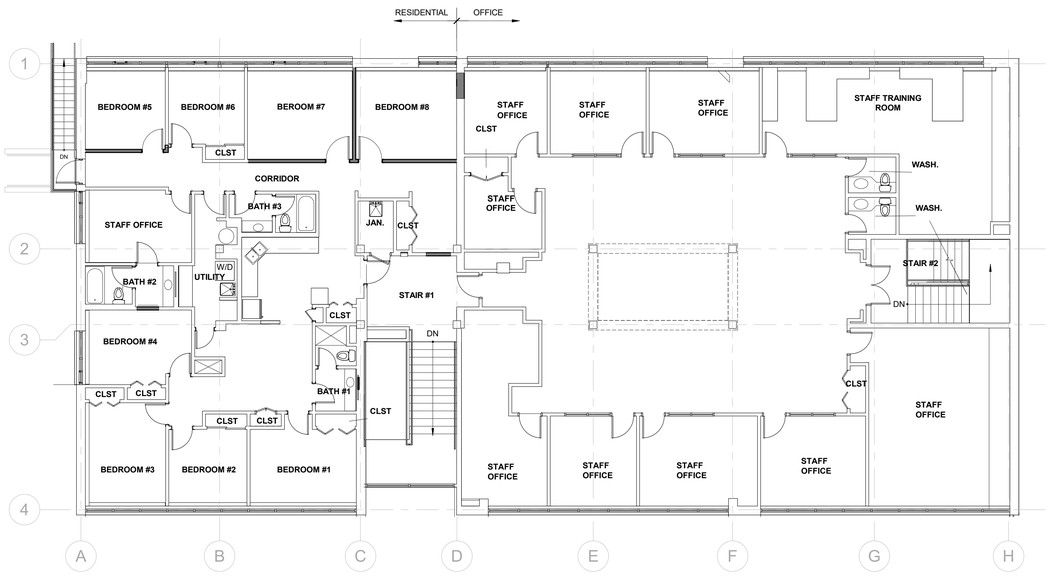
© 2021

JOB NO. 2123

100



1 FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"
0' 2' 4' 10'



2 SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"
0' 2' 4' 10'

NOTE: SEE ENLARGED PLANS FOR MORE DETAIL

FLOOR PLAN LEGEND

- AREA OF NO WORK - NOT IN CONTRACT
- EXISTING PARTITION TO REMAIN
- NEW PARTITION

MKB Architects
1918 North Mendell Street
Suite 300
Chicago, Illinois 60642
mkbdesign.net
773.235.3800

REV	DATE	ISSUE
	6.2.22	ROOM NAMES ADDED
	4.2.22	ZONING REVIEW

800 N. FERNANDEZ STREET
ARLINGTON HEIGHTS, ILLINOIS
60004

Maryville
Caring for Children. Strengthening Families.

FIRST & SECOND FLOOR PLANS

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED ARCHITECT UNDER THE LAWS OF THE STATE OF ILLINOIS

EXP. DATE: _____ REGISTRATION NO. _____

NOT FOR CONSTRUCTION

DRAWN BY:	JRL
CHECKED BY:	GHK
APPROVED:	
SCALE:	As indicated

ⓒ 2021

JOB NO. 2123

101

Village of Arlington Heights
Building & Life Safety Department

Interoffice Memorandum

To: Sam Hubbard, Development Planner, Planning and Community Development

From: Deb Pierce, Plan Reviewer, Building & Life Safety – Building & Fire Life Safety

Subject: 800 N Fernandez Ave – SUP for Sheltered Care Home, Variation to Waive Traffic and Parking Study

PC#: 22-004– Round 1

Date: May 10, 2022

RECEIVED
MAY 11 2022
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

General Comments:

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

1. This is considered a change of use from R to I-1, Condition 2, per the 2018 IBC Chapter 3, and will be reviewed under the currently adopted codes as follows:
    a. 2018 International Building Code with amendments
    b. 2018 International Existing Building Code with amendments
    c. 2018 International Fire Code with amendments
    d. 2018 International Fuel Gas Code with amendments
    e. 2018 International Mechanical Code with amendments
    f. 2018 Illinois Energy Conservation Code with state amendments
    g. 2017 National Electrical Code with amendments
    h. 2014 Illinois Plumbing Code with amendments
    i. 2018 Illinois Accessibility Code

2. A fire suppression system shall be provided if not existing. Separate permit is required for changes or a new system.

3. A fire alarm system shall be provided if not existing. Separate permit is required for changes or a new system.

4. Requirements of 2018 IBC 420 shall be reviewed for compliance for the I-1 use.

5. Smoke alarms are required in all sleeping rooms per 2018 IEBC 503.14 and shall be provided in accordance with 2018 IFC 1103.8.

6. Carbon monoxide alarms are required per 2018 IEBC 503.14 and shall be provided in accordance with 2018 IFC 1103.9.

7. Corridors shall have a minimum fire resistance rating of 1-hour with a sprinkler system per 2018 IBC Table 1020.1.

8. A Type I kitchen hood may be required for the kitchen if not existing.

Village of Arlington Heights
Public Works Department

Memorandum

To: Sam Hubbard, Planning and Community Development
From: Cris Papierniak, Director of Public Works
Date: May 9, 2022
Subject: 800 N Fernandez #22-004 Round 1

Public Works has no comments at this time

C. file

PLAN COMMISSION PC #22-004
St. Anne Home for Girls (Maryville)
800 N. Fernandez Ave
Round 1

11. The petitioner is notified that these comments are being provided to ensure that the project meets the requirements for submittal to the Plan Commission. Approval by the Plan Commission is not an endorsement or approval of these documents to obtain the required building permits, engineering approval, or permits required by other government or permitting agencies for construction. Detailed plan review with associated comments will be provided upon submittal of plans for a building permit. The petitioner shall acknowledge that they accept this understanding.

12. Stairs are shown in the rear of the building, in the vicinity of the existing public utility easement and the Village water main. Modifications to the footprint of the stairs may be necessary to avoid conflict with the water main. This can be addressed at permit.

13. Staff concurs with the request to waive a traffic and parking study.

14. The Engineering Division has no further comments.

5/6/22

Michael L. Pagones, P.E. Date
Village Engineer

Arlington Heights Fire Department
Plan Review Sheet

P. C. Number _____

Project Name _____

Project Location _____

Planning Department Contact _____

General Comments

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

NOTE: PLAN IS CONCEPTUAL ONLY
SUBJECT TO DETAILED PLAN REVIEW

Date _____ Reviewed By: _____

ARLINGTON HEIGHTS POLICE DEPARTMENT

Community Services Bureau

DEPARTMENT PLAN REVIEW SUMMARY

St Anne Girls Home
800 N Fernandez Ave

Round 1 Review Comments 05/20/2022

1. **Character of use:**
   The character of use for the project is a group home. St Anne Girls home previously existed on another property in Des Plaines and is relocating to Arlington Heights under Maryville Academy. Existing group homes in Arlington Heights, on average, generate more calls for service than the average residential property. In the last five years, the property at 800 N Fernandez has generated two calls for police service; a nuisance complaint and a minor criminal damage to property.

   For this project, minimum staffing requirements should be maintained at all times. Supervision may need to be tailored at a later date to meet demands as this is a new type of sheltered care facility in that location. Additionally, staff should be adequately trained and/or licensed to handle the potential for residents in crisis whether related to mental health or behavioral issues. A prompt response to residents in crisis by appropriately licensed and trained staff will not only benefit the program, but reduce the reliance upon outside resources to handle minor incidents.

   I spoke with the Crime Prevention Officer with the Des Plaines Police Department reference this group home located in their town. Des Plaines has not seen the calls for service at their location increase the need for police resources. The call volume for calls for service at their location is average and does not have a substantial impact on their police resources.

2. **Are lighting requirements adequate?**
   Lighting should be up to Village of Arlington Heights code. The exterior of the building should be illuminated especially during nighttime hours for safety, to deter criminal activity and increase surveillance/visibility- potentially reducing theft, trespassing, vandalism, underage drinking, and other criminal activity.

3. **Present traffic problems?**
   There are no traffic problems at this location.

4. **Traffic accidents at particular location?**
   This is not a problem area in relation to traffic accidents.

5. **Traffic problems that may be created by the development.**
   This development should not create any additional traffic problems.

6. **General comments:**

- Please ensure that there is an emergency information/contact card on file with the Arlington Heights Police Department and that it is up-to-date. Agent contact information should be provided to the Arlington Heights Police Department during all construction phases. The form is attached. Please complete and return. This allows police department personnel to contact an agent during emergency situations or for suspicious/criminal activity on the property during all hours.

- Landscaping should provide open sightlines to increase natural surveillance and avoid creating ambush locations and havens for illegal activities- theft, trespassing, vandalism, underage drinking, drug use, etc.

- Access control should be considered a priority with this project given the services provided. Separation between 'staff only' areas from the rest of the residential facility should be clearly defined. The separation of uses, signage and landscape will ensure clear boundary definition and the distinction between staff and resident domain.

- Building/site proposal should include plans to restrict the access points to the building. Designated, specific entrances for access allows for easier monitoring and allows for secure screening of those entering and leaving the property.

- Special attention should be given to alarms, after hours management security systems, storage areas and signage.

- Partnership between the Police Department and St Anne Home for girls should focus on promoting safety not only for the proposed project, but for the surrounding neighborhood.

Approved by:

Alexandra Ovington, Crime Prevention Officer
Community Services Bureau

Supervisor's Signature

Arlington Heights Police Department

Emergency Information Card

Arlington Heights Police Department
200 E. Sigwalt Street
Arlington Heights, IL 60005-1499
Phone: 847/368-5300

1. Fill in all information by tabbing to each field.
2. When completed, save the form and send as an attachment to: policemail@vah.com.

Completed forms may also be printed and submitted in the following manner:

Print Form (To Mail)

By Mail: Arlington Heights Police Department
200 E. Sigwalt Street, Arlington Heights, IL. 60005
Attention: Police Administration

By Fax: (847) 368-5970 - Attention: Police Administration

In Person: Dropped off at the Arlington Heights Police Department's front desk for forwarding to Police Administration.

Name (Firm or Residence)

Address/City

Telephone Number

Date Information Obtained

IN CASE OF EMERGENCY PLEASE CALL:

Contact #1

Name

Address/City

Telephone Number

Cell Number

Contact #2

Name

Address/City

Telephone Number

Cell Number

Alarm System

☐ No

☐ Yes Phone number:

Alarm Company Name

HEALTH SERVICES DEPARTMENT

6

PETITIONER'S APPLICATION - ARLINGTON HEIGHTS PLAN COMMISSION

Petition #: P.C. 22-004
Petitioner: Maryville Academy
1150 N. River Rd.
DesPlaines, IL 60016
Owner: Sisters of the Living Word
800 N. Fernandez Ave.
Arlington Heights, IL 60004
Contact Person: John J. George/Kate Duncan
Address: 71 S. Wacker Dr., Suite 4700
Chicago, IL 60606
Phone #: 312-870-8024
Fax #:
E-Mail: kathleen.duncan@akerman.com

P.I.N.# 03-30-234-001-0000
Location: 800 N. Fernandez
Rezoning: ____ Current: ____ Proposed: ____
Subdivision: ____
# of Lots: ____ Current: ____ Proposed: ____
PUD: ____ For: ____
Special Use: ✔ For: Shelter Care Home
Land Use Variation: ____ For: ____
Land Use: ____ Current: ____
Proposed: ____
Site Gross Area: 3.76 acres
# of Units Total: N/A
1BR: 2BR: 3BR: 4BR:

(Petitioner: Please do not write below this line.)

1. GENERAL COMMENTS:

No comments from this Department

Jeff Bohner 4/28/22
Environmental Health Officer Date

James McCalister 4/28/22
Director Date

Planning & Community Development Dept. Review

May 9, 2022

REVIEW ROUND 1

Project: St. Anne Program Shelter for Girls (Maryville)
800 N. Fernandez Ave.

Case Number: PC 22-004

General:

7. The following approvals are required:
   a. **Special Use Permit to allow a "Shelter Care Home" on the subject property.**
   b. **Variation to Chapter 28 of the Municipal Code, Section 6.12-1(3), to waive the requirement for a traffic and parking study from a qualified professional engineer.**

St. Anne Program Information:

8. Is there a document that outlines the house rules/regulations that each resident must abide by? If so, please provide.

9. Please provide additional details on the supervision of the residents. Will the building doors include security features that would alert staff if they were opened during the night? What is the training and certifications required for each care provider?

10. For girls with infants/children, where would childcare be provided for the infants during the day if the mother is attending school?

11. Please confirm that all spaces within the building will be utilized by this program and that no spaces will be left vacant for a future tenant or use. In addition, please clarify the need for such a large building in comparison to the services that will be delivered for the residents. Given the description of services that will be provided onsite, it appears that certain portions of the building will be mostly unused/underutilized.

12. Please confirm that all employees working out of this facility will be devoted to the St. Anne Program. It should be noted that the property is zoned R-3, One-Family Dwelling District, and office related occupancy of the site that is not primarily related to the St. Anne Program would not be allowed under the existing zoning of the site.

13. What type of screening of the girls occurs prior to their acceptance into the program? Does the program director have the right to refuse girls, or would they be required to accept any individual referred to the program by the ORR if there is space available? If a girl is accepted but is not following the rules, what can be done and could the girl be removed from the program?

14. Maryville runs a similar program in the City of Chicago. How does this facility compare to St. Anne's Program (number of residents, age, length of stay, circumstances for arrival, etc.)? Does Maryville have any data on calls for police/emergency service from that facility?

15. The neighborhood meeting notes referenced a study that included data on property values surrounding a similar facility in Chicago. Is that data available? How does that facility compare to the proposed St. Anne Program?

16. A resident at the neighborhood meeting referenced a study on property values in the vicinity of similar facilities. Was a copy of that study provided? If so, please provide.

Building/Site:

17. Where will the two vans be stored on the property? Would the vans have any identification/signage? Will any other vehicles be stored on the property?

18. What is the plan for the existing sign on the eastern façade of the building? Will any new signage be proposed?

19. Please be aware that the former play area at the western side of the site is in a non-conforming location. Depending on what play equipment may be proposed there, certain variations may be required. What are the plans for this area?

20. The staffing description/attendance data needs additional clarify. Please re-organize the information in the following format for each day of the week:

Tuesday
1 Program Director (8am-5pm)
1 Lead Case Manager (8am-5pm)
1 Lead Clinicial (8am-5pm)
1 Admin Operation Manager (8am-5pm)
1 Maintenance Employee (8am-5pm)
2 Case Managers (one 9am- 5pm, one 1pm-9pm)
1 Clinician (1pm-9pm)
3 Care providers (three 7am-3pm, three 3pm-11pm, two 11pm-7am)
1 Evening supervisor (3pm-11pm)
1 Driver (hours will vary)
1 Recreational Coordinator (hours?)
1 Program Manager (10am-6pm)
1 Nurse (9am-5pm)

Prepared by:

St. Anne Home for Girls
800 N. Fernandez Avenue
PC #22-004
May 10, 2022

Landscape Comments

1) Pursuant to Chapter 28, Section 6.15-1.2 a six foot high screen that provides year round opacity must be provided adjacent to all paved areas abutting the residential district. There are areas where the Arborvitae have thinned due to age. Please infill any areas where the Arborvitae are not providing an effective screen.

2) Per Chapter 28, Section 6.15-1.2, a 4" caliper shade tree is required at the end of each parking row. Please incorporate a shade tree in the existing islands where the tree is absent.

Kathleen A. Duncan

Akerman LLP
71 South Wacker Drive
47th Floor
Chicago, IL 60606

T: 312 634 5700
F: 312 424 1900

May 17, 2022

VIA EMAIL
Mr. Sam Hubbard
Village of Arlington Heights
Department of Planning and Community Development
33 S. Arlington Heights Rd.
Arlington Heights, IL 60005

Re: Maryville Academy ("Applicant")
800 N. Fernandez ("Property")
PC# 22-004

Dear Mr. Hubbard:

In response to your enclosed letter regarding "Round 1 Departmental Review Comments" please see as follows:

Building & Life Safety Department

1. *This is considered a change of use from R to I-1, Condition 2, per the 2018 IBC Chapter 3, and will be reviewed under the currently adopted codes*.

- Applicant does not believe that its proposed use should be considered a change of use in accordance with the 2018 IBC; rather it believes that its use of the building will continue to be a Residential use as set forth in the 2018 IBC.

I-1, Condition 2 states "This occupancy condition shall include buildings in which there are any persons receiving custodial care who require limited verbal or physical assistance while responding to an emergency situation to complete building evacuation."

Custodial Care is defined in the 2018 IBC as "Assistance with day-to-day living tasks; such as assistance with cooking, taking medication, bathing, using toilet facilities and other tasks of daily living. Custodial care includes persons receiving care who have the ability to respond to emergency situations and evacuate at a slower rate and/or who have mental and psychiatric complications." The girls living in the facility will not require "Custodial Care" as defined in the 2018 IBC and accordingly, I-1, Condition 2 is not the proper classification for the building.

Rather, Applicant believes that R-2 is the proper classification under the 2018 IBC. In accordance with the 2018 IBC, R-2 occupancies contain sleeping units where the occupants are primarily permanent in nature including congregate living facilities (nontransient) with more than 16 occupants. "Congregate living facilities" is defined as a building or part thereof that contains sleeping units where residents share a bathroom or kitchen facilities, or both. A "sleeping unit" is a single unit that provides rooms or spaces for one or more persons, including permanent provisions for sleeping and can include provisions for living eating and kitchen facilities. This definition perfectly fits Applicant's proposed use of the property and as a result, Applicant firmly believes that the proposed use is a Residential and not Institutional use in accordance with the 2018 IBC.

2. *A fire suppression system shall be provided if not existing. Separate permit is required for changes or a new system.*

- Applicant will be providing a fire suppression system.

3. *A fire alarm system shall be provided if not existing. Separate permit is required for changes or a new system.*

- Applicant will be providing a fire alarm system.

4. *Requirements of 2018 IBC 420 shall be reviewed for compliance for the I-1 use.*

- Applicant does not agree with this comment. As stated above, Applicant believes that this is not a change of use and that the proposed use is an R use. Accordingly, the requirements of 2018 IBC 420 and compliance for an I-1 use are not applicable.

5. *Smoke alarms are required in all sleeping rooms per 2018 IEBC 503.14 and shall be provided in accordance with 2018 IFC 1103.8*.

- Applicant will be providing smoke alarms in all sleeping rooms as required.

6. *Carbon monoxide alarms are required per 2018 IEBC 503.14 and shall be provided in accordance with 2018 IFC 1103.9.*

- Applicant will be providing carbon monoxide alarms as required.

7. *Corridors shall have a minimum fire resistance rating of 1-hour with a sprinkler system per 2018 IBC Table 1020.1*.

- Applicant does not agree with this comment. As stated above, Applicant believes that this is not a change of use and that the proposed use is an R use. Accordingly, the requirements of 2018 IBC 1020.1 and compliance for an I-1 use are not applicable.

8. *A Type I kitchen hood may be required for the kitchen if not existing*.

- Applicant does not agree with this comment. As stated above, Applicant believes that this is not a change of use and that the proposed use is an R use. Accordingly, the requirements of and compliance for an I-1 use are not applicable.

Engineering Department

11. *The petitioner is notified that these comments are being provided to ensure that the project meets the requirements for submittal to the Plan Commission. Approval by the Plan Commission is not an endorsement or approval of these documents to obtain the required building permits, engineering approval, or permits required by other government or permitting agencies for construction. Detailed plan review with associated comments will be provided upon submittal of plans for a building permit. The petitioner shall acknowledge that they accept this understanding.*

- Applicant acknowledges the aforementioned comment.

12. *Stairs are shown in the rear of the building, in the vicinity of the existing public utility easement and the Village water main. Modifications to the footprint of the stairs may be necessary to avoid conflict with the water main. This can be addressed at permit.*

- Applicant acknowledges the aforementioned comment.

13. *Staff concurs with the request to waive a traffic and parking study.*

- Applicant acknowledges the aforementioned comment.

14. *The Engineering Division has no further comments.*

- Applicant acknowledges the aforementioned comment.

Planning & Community Development Department

7. *The following approvals are required:*

a. Special Use Permit to allow a "Shelter Care Home" on the subject property.

b. Variation to Chapter 28 of the Municipal Code, Section 6.12-1(3), to waive the requirement for a traffic and parking study from a qualified professional engineer.

- Acknowledged.

8. *Is there a document that outlines the house rules/regulations that each resident must abide by? If so please provide.*

- Youth at St. Anne's will:

- adhere to all program/house rules regarding health, hygiene and safety
- adhere to house schedules
- clean and organize their room
- participate in meal preparation
- participate in outdoor grounds care and gardening
- do their laundry and care for their clothing
- do homework
- attend in-house community meetings with staff
- attend learning groups about financial literacy and leadership/life skills
- meet with clinician weekly
- attend school on all scheduled school days
- abide by all school requirements and rules while on school grounds
- request permission for visits in the community

9. *Please provide additional details on the supervision of residents. Will the building doors include security features that would alert staff if they were opened during the night? What is the training and certifications required for each care provider?*

- Maryville meets the safety requirements maintained by State and/or local licensing entities. Security features include:

  - 24/7 staff who are awake and alert, including during evening hours and conducting line-of-sight observation and bedroom checks
  - Controlled entry and exit from the premises to ensure children remain within the facility perimeter and to prevent access by the public without proper authorization
  - Video monitoring in common and living areas
  - A communications system and alarm system for all areas of the residential structure
  - Effective video monitoring of the exterior of the building and surrounding premises, including the ability to permanently download footage when necessary
  - A system for physically counting the residents
  - A daily log on resident population movement (for example, arrivals and departures, room assignments)
  - A facility inspection checklist that includes the safety related components of all residential operations and program functions

- Maryville provides a full two-week training program to all staff prior to initiating work with the children, and frequent refreshers throughout the year. Additionally, nurses, therapists and managers engage in specialized training for their roles.

Training includes but is not limited to:

- CPR training and certification
- first aid training
- administration of medication management training
- food safety training
- trauma-informed care training
- adolescent development training
- training for emergencies (including active shooters);
- driving training (to supplement passing routine drivers' tests for license)
- policy and procedure training
- zero tolerance policies for all forms of sexual abuse, sexual harassment, and inappropriate sexual behavior
- cultural competency
- non-violent conflict intervention
- mandated reporter training and child protection training

10. *For girls with infants/children, where would childcare be provided for the infants during the day if the mother is attending school?*

- Program care provider staff will care for the children on-site.

11. *Please confirm that all spaces within the building will be utilized by this program and that no spaces will be left vacant for a future tenant or use. In addition, please clarify the need for such a large building in comparison to the services that will be delivered for the residents. Given the description of the services that will be provided onsite, it appears that certain portions of the building will be mostly unused / underutilized.*

- All spaces in the building will be utilized by this program. The building's size will allow Maryville to abide by its commitment that every child has her own room, spaces to study, spaces for dance, music and meditative yoga, spaces for personal or group worship, and sufficient office space. Just as a family can adapt its activities according to the size of its apartment, condominium or home, Maryville will plan the usage of the space to create an environment that is supportive to the individual and social development of the children and is pleasant and welcoming to the children.

The following services will be provided, and require office space: case management services, program management, program direction, administration, copy room, medical services, legal services by visiting attorney, recreation coordination and game rooms, vocational education services, computer learning services, food prep, art therapy with office and art room, childcare services and age-appropriate play area, and offices for residential staff. There will be a designated area for dance within the building. Items will be carefully stored in storage closets or rooms.

12. *Please confirm that all employees working out of this facility will be devoted to the St. Anne Program. It should be noted that the property is zoned R-3, One-Family Dwelling District, and office related occupancy of the site that is not primarily related to the St. Anne Program would not be allowed under the existing zoning of the site.*

- All employees working in this facility will be dedicated to the St. Anne Program. The children's attorneys and medical doctors will be allowed access for appointments.

13. *What type of screening of the girls occurs prior to their acceptance into the program? Does the program director have the right to refuse girls, or would they be required to accept any individual referred to the program by the ORR if there is space available? If a girl is accepted but is not following the rules, what can be done and could the girl be removed from the program?*

- Program Director, Program Manager, Lead Clinician, Lead Case Manager and Nurse review cases proposed to us by the Office of Refugee Resettlement. Acceptance of the child is also dependent on state licensing regulations and these criteria:

    - The child's ability and commitment to live in a family and community-based setting

- The child's age
- Whether the St. Anne Home can meet the child's needs

- Our program will develop safety plans and behavioral plans for/with a child who has difficulty with adjustment or following routines and rules. These plans are carefully monitored by staff. If program deems that an alternative placement is required, we coordinate with ORR's case coordinator to ensure the transfer.

14. *Maryville runs a similar program in the City of Chicago. How does this facility compare to St. Anne's program (number of residents, age, length of stay, circumstances for arrival, etc.)? Does Maryville have any data on calls for police/emergency service from that facility?*

- Maryville's girls' program in Chicago has a capacity for 25 residents, but the overall census has never exceeded 15. The girls are the same ages as those anticipated for St Anne: 12 to 17. The average length of stay is 65 days. These girls have left their home county due to war, violence and/or natural disasters. In our Chicago program over the course of three years, we called 911 three times: once when an intruder attempted unsuccessfully to enter the building; two times for health issues, once resulting in the child going to the emergency room for care.

15. *The neighborhood meeting notes referenced a study that included data on property values surrounding a similar facility in Chicago. Is that data available? How does that facility compare to the proposed St. Anne Program?*

- Applicant did obtain a Consulting Report from an MAI appraiser to determine the impact a Shelter Care Facility has on property values. The Consulting Report does a "Near/Far Sales Analysis" to determine the impact that the proposed Shelter Care Facility has on property values. The analysis was prepared of the existing facility that Maryville operated at 1456 W. Oakdale Ave. in Chicago. A copy of the Consulting Report is enclosed herewith.

16. *A resident at the neighborhood meeting referenced a study on property values in the vicinity of similar facilities. Was a copy of that study provided? If so, please provide*.

- No studies have been provided to Applicant by any residents or neighbors.

17. *Where will the two vans be stored on the property? Would the vans have any identification/signage? Will any other vehicles be stored on the property?*

- Program vans will be parked in the parking lot. They do not have signage. Employees will drive their personal vehicles to and from work daily but no other vehicles will be stored on the property.

18. *What is the plan for the existing sign on the eastern façade of the building? Will any new signage be proposed?*

- Applicant intends to remove the existing signage on the building. Applicant would like to install a new sign but has not yet designed any signage for the building.

19. *Please be aware that the former play area at the western side of the site is in a non-conforming location. Depending on what play equipment may be proposed there, certain variations may be required. What are the plans for this area?*

- Applicant does not intend to install new play equipment, but rather would like to have a grassy area and some landscaping in this area.

20. *The staffing description/attendance data needs additional clarify. Please re-organize the information in the following format for each day of the week.*

- Please see chart below:

Saint Anne Home: Staffing Plan

STAFFING ROLES	SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Direct Care Days	3	3	3	3	3	3	3
Direct Care Evenings	3	3	3	3	3	3	3
Direct Care Overnights	2	2	2	2	2	2	2
Supervisors	Evening Supervisor	Program Director	Program Director	Program Director	Program Director	Program Director	Overnight Supervisor
		Program Manager	Program Manager	Program Manager	Program Manager	Program Manager	
		Evening Supervisor	Evening Supervisor	Evening Supervisor	Evening Supervisor	Evening Supervisor	
Case Managers	2	3	3	3	3	3	1
Clinicians	1	2	2	2	2	2	1
Driver	1	1	1	1	1	1	1
Administrative Operations Manager		1	1	1	1	1	
Maintenance and Environmental Services		1	1	1	1	1	
Vocational Education Coordinator (full time – weekends and various weekday evenings)	1	1 at times	1 at times	1 at times	1 at times	1 at times	1

Landscape Comments

1. *Pursuant to Chapter 28, Section 6.15-1.2 a six foot high screen that provides year round opacity must be provided adjacent to all paved areas abutting the residential district. There are areas where the Arborvitae have thinned due to age. Please infill any areas where the Arborvitae are not providing an effective screen.*

- Applicant will provide additional Arborvitae where the existing Arborvitae are not providing effective screening.

2. *Per Chapter 28, Section 6.15-1.2, a 4" caliper shade tree is required at the end of each parking row. Please incorporate a shade tree in the existing islands where the tree is absent.*

- Applicant agrees that it will provide a shade tree in the existing islands where a tree is absent, however, there are currently supply issues with 4" caliper shade trees and so Applicant will provide a 4" caliper shade tree only if it can obtain one.

Arlington Heights Fire Department

1. *Please provide an auto turn diagram showing our fire engine. The engineering department has the specs for our fire engine (pumper).*

- Per our Architect's telephone conversation with Lt. Mark Aleckson of the Arlington Heights Fire Department on May 16, 2022, an auto turn diagram is not needed. Lt. Aleckson is familiar with the property and he stated that Applicant will be required to maintain a 20 foot wide fire lane around the building at all times. Applicant will meet and maintain this requirement.

2. *The Fire Department will defer to the Building and Life Safety Department if the change of use will require the property to comply with current code.*

- Acknowledged.

3. *Please make sure the Knox Box keys are up to date.*

- Applicant will make sure the Knox Box keys are up to date.

4. *Please provide a full operational alarm panel or annunciator panel at the main front entrance.*

- There is an existing annunciator panel at the front entrance and Applicant will make sure this remains in operation.

We look forward to your review of this response. If we can answer any questions please do not hesitate to contact me.

Sincerely,

Kathleen Duncan

Kathleen A. Duncan

akerman

Kathleen A. Duncan

Akerman LLP
71 South Wacker Drive
47th Floor
Chicago, IL 60606

T: 312 634 5700
F: 312 424 1900

May 26, 2022

VIA EMAIL
Mr. Sam Hubbard
Village of Arlington Heights
Department of Planning and Community Development
33 S. Arlington Heights Rd.
Arlington Heights, IL 60005

Re: Maryville Academy ("Applicant")
800 N. Fernandez ("Property")
PC# 22-004

Dear Mr. Hubbard:

In response to your enclosed letter regarding Round 1 Police Department Comments please see as follows:

1. **Character of Use.**

RESPONSE: First, please note that Applicant has its main campus in Des Plaines but the St. Anne home is a new program for this location and not a relocated program from the Des Plaines campus. Applicant's Des Plaines campus has generated minimal calls to the Des Plaines police department through the years. Applicant does operate a similar program in Chicago and since the Chicago program opened approximately 3 years ago, they have called 911 three times: once when an intruder attempted unsuccessfully to enter the building; two times for health issues, once resulting in the child going to the emergency room for care.

Applicant's staffing program is as follows:

Saint Anne Home: Staffing Plan

STAFFING ROLES	SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Direct Care Days	3	3	3	3	3	3	3
Direct Care	3	3	3	3	3	3	3

akerman

STAFFING ROLES	SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Evenings							
Direct Care Overnights	2	2	2	2	2	2	2
Supervisors	Evening Supervisor	Program Director	Program Director	Program Director	Program Director	Program Director	Overnight Supervisor
		Program Manager	Program Manager	Program Manager	Program Manager	Program Manager	
		Evening Supervisor	Evening Supervisor	Evening Supervisor	Evening Supervisor	Evening Supervisor	
Case Managers	2	3	3	3	3	3	1
Clinicians	1	2	2	2	2	2	1
Driver	1	1	1	1	1	1	1
Administrative Operations Manager		1	1	1	1	1	
Maintenance and Environmental Services		1	1	1	1	1	
Vocational Education Coordinator (full time – weekends and various weekday evenings)	1	1 at times	1 at times	1 at times	1 at times	1 at times	1

Maryville provides a full two-week training program to all staff prior to initiating work with the children, and frequent refreshers throughout the year. Additionally, nurses, therapists and managers engage in specialized training for their roles.
Training includes but is not limited to:

- CPR training and certification
- first aid training
- administration of medication management training
- food safety training
- trauma-informed care training
- adolescent development training
- training for emergencies (including active shooters);
- driving training (to supplement passing routine drivers' tests for license)
- policy and procedure training

- zero tolerance policies for all forms of sexual abuse, sexual harassment, and inappropriate sexual behavior
- cultural competency
- non-violent conflict intervention
- mandated reporter training and child protection training

2. **Are lighting requirements adequate?**

RESPONSE: Applicant shall provide exterior lighting in accordance with the Village of Arlington Heights Code to ensure proper illumination during nighttime hours for safety, to deter criminal activity and increase surveillance/visibility, potentially reducing theft, trespassing vandalism, underage drinking, and other criminal activity.

3. **Present traffic problems?**

RESPONSE: Applicant acknowledges that there are no traffic problems at this location.

4. **Traffic accidents at particular location?**

RESPONSE: Applicant acknowledges that traffic accidents are not a problem in the area.

5. **Traffic problems that may be created by the development?**

RESPONSE: Applicant agrees that the proposal should not create traffic problems.

6. **General Comments:**

- *Please ensure that there is an emergency information/contact card on file with the Arlington Heights Police Department and that it is up-to-date. Agent contact information should be provided to the Arlington Heights Police Department during all construction phases. The form is attached. Please complete and return. This allows police department personnel to contact an agent during emergency situations or for suspicious/criminal activity on the property during all hours.*

RESPONSE: Please note that Applicant does not yet own the property and so until Applicant owns the property the Police Department should continue using their existing emergency contact for the property. Upon acquisition of the property Applicant will submit the emergency information/contact card to the Police Department.

- *Landscaping should provide open sightlines to increase natural surveillance and avoid creating ambush locations and havens for illegal activities – theft, trespassing, vandalism, underage drinking, drug use, etc.*

RESPONSE: With all proposed landscaping Applicant shall ensure that open sightlines are provided to increase natural surveillance and avoid creating ambush locations and havens for illegal activity.

- *Access control should be considered a priority with this project given the services provided. Separation between "staff only" areas from the rest of the residential facility should be clearly defined. The separation of uses, signage and landscape will ensure clear boundary definition and the distinction between staff and resident domain.*

RESPONSE: Applicant will ensure that all staff offices, conference room space and storage supply areas will be labelled with clear door signage. Office doors will remain shut and locked when not occupied. Rooms such as the former classrooms which will be used for multi-use purposes by the program will remain closed and locked when not in use.

- S*pecial attention should be given to alarms, after hours management security systems, storage areas and signage.*

RESPONSE: Staff are awake during all shifts of the day and so no security alarms or security systems are proposed to be installed, other than the required fire alarms/smoke detectors. Storage areas will be properly labelled as such and will remain locked other than when in use by staff. Further, Management and residential staff receive training regarding all security protocol for the building as well as in emergency response. Evacuation routes will be defined by signage located in strategic points throughout the building. Staff carry two-way radios (walkie-talkies) for communication. Emergency numbers are posted, as are supervisor and nurse contact information.

- *Partnership between the Police Department and St. Anne Home for girls should focus on promoting safety not only for the proposed project, but for the surrounding neighborhood.*

RESPONSE: In partnership with the Police Department Applicant shall promote safety not only for the proposed project but also for the surrounding neighborhood.

We look forward to your review of this response. If we can answer any questions please do not hesitate to contact me.

Sincerely,

Kathleen Duncan

Kathleen A. Duncan

Village of Arlington Heights
Building & Life Safety Department

Interoffice Memorandum

To: Sam Hubbard, Development Planner, Planning and Community Development

From: Deb Pierce, Plan Reviewer, Building & Life Safety – Building & Fire Life Safety

Subject: 800 N Fernandez Ave – SUP for Sheltered Care Home, Variation to Waive Traffic and Parking Study

PC#: 22-004– Round 2

Date: May 10, 2022

General Comments:

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

Sam…

I have no additional comments, and agree with their response that this will not be a change of use, and all other comments are in compliance.

RECEIVED
MAY 2 4 2022
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

PLAN COMMISSION PC #22-004
St. Anne Home for Girls (Maryville)
800 N. Fernandez Ave
Round 2

15. The petitioner's response to comments 11-14 are acceptable.

16. The Engineering Division has no further comments.

5/31/22

Michael L. Pagones, P.E. Date
Village Engineer

Arlington Heights Fire Department
Plan Review Sheet

P. C. Number _____

Project Name _____

Project Location _____

Planning Department Contact _____

General Comments

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NOTE: PLAN IS CONCEPTUAL ONLY
SUBJECT TO DETAILED PLAN REVIEW

Date _____ Reviewed By: _____

Planning & Community Development Dept. Review

May 26, 2022

REVIEW ROUND 2

Project: St. Anne Program Shelter for Girls (Maryville)
800 N. Fernandez Ave.

Case Number: PC 22-004

General:

7. The response to the following comments is acceptable: #7, #9, #10, #12, #14, #16, #19, and #20.

8. The response to comment #8 is noted. Is there a document that outlines the program/house rules?

9. The response to comment #10 is noted. The floorplan appears to label many of the rooms according to their previous use (e.g. classrooms from the previous daycare operating on the subject property). Please revise the floorplan to show the proposed room usage by the St. Anne Program. Additionally, please provide a floorplan for the basement, which was not provided as part of the Plan Commission application.

10. The response to comment #13 is noted. The response states that the Maryville team "reviews cases" prior to acceptance into the program. Please provide further depth into what is reviewed. Please confirm that Maryville has the ability to refuse acceptance into the program upon review of each case.

11. The response to comment #15 is noted.

12. The response to comment #17 is noted. Program vans should be stored behind the rear of the building and should not be parked in front of the facility unless for loading/unloading.

13. The response to comment #18 is noted. Please be aware that a sign permit would be required for all signage proposed on the property. Due to the location of the subject property within a residential zoning district, minimal signage is permitted.

Prepared by:

St. Anne Home for Girls
800 N. Fernandez Avenue
PC #22-004
May 25, 2022

Landscape Comments

1) At time of permit, please provide a plan that identifies the code required trees. In addition, please address the screening and infill any areas where the Arborvitae are not providing an effective screen adjacent to the residential district.

akerman

Kathleen A. Duncan

Akerman LLP
71 South Wacker Drive
47th Floor
Chicago, IL 60606

T: 312 634 5700
F: 312 424 1900

June 3, 2022

VIA EMAIL
Mr. Sam Hubbard
Village of Arlington Heights
Department of Planning and Community Development
33 S. Arlington Heights Rd.
Arlington Heights, IL 60005

Re: Maryville Academy ("Applicant")
800 N. Fernandez ("Property")
PC# 22-004

Dear Mr. Hubbard:

In response to your enclosed letter regarding Round 2 Comments please see as follows:

Fire Department

1. *My packet did not contain any plan drawings. A reminder that the Fire Department Connection shall be located at the main front entrance. It shall be fully visible, accessible, and within 100 feet of the nearest visible and accessible fire hydrant capable of delivering the required flow.*

- Applicant confirms that the Fire Department Connection is located at the main front entrance and is fully visible, accessible. The front door of the existing building is approximately 125 feet from the existing fire hydrant. Applicant had a discussion with Lieutenant Mark Akelson from the Arlington Heights Fire Department about the fact that this is an existing building and an existing fire hydrant. The attached survey shows that the existing fire hydrant is approximately 125 feet from the fire department connection at the main entrance.

Planning and Community Development Dept.

8. *The response to comment #8 is noted. Is there a document that outlines the program/house rules?*

- Applicant is in the process of preparing the Program Manual, which will include the following rules, regulations, and expectations:

Minors will be informed of the following rules and expectations upon intake into program.

Youth at St. Anne's will:

- adhere to all program/house rules regarding health, hygiene and safety
- adhere to house schedules
- attend school on all scheduled school days
- abide by all school requirements and rules while on school grounds
- do homework
- participate in meal preparation
- clean and organize their room
- participate in outdoor grounds care and gardening
- do their laundry and care for their clothing
- attend in-house community meetings with staff
- attend learning groups about financial literacy and leadership/life skills
- meet with clinician weekly
- request permission for visits in the community

Youth who are parents will:

- attend all parenting sessions
- meet with nurse regarding her health and the health of child
- provide care for the child
- coordinate childcare with program manager when parent is at school and while at approved activities

9. *The response to comment #10 is noted. the floorplan appears to label many of the rooms according to their previous use (e.g. classrooms from the previous daycare operating on the subject property). Please revise the floorplan to show the proposed room usage by the St. Anne program. Additionally, please provide a floorplan for the basement, which was not provided as part of the Plan Commission Application*.

- Please see enclosed floorplans labelling rooms and labelling the basement.

10. *The response to comment #13 is noted. The response states that the Maryville team "reviews cases" prior to acceptance into the program. Please provide further depth into what is reviewed. Please confirm that Maryville has the ability to refuse acceptance into the program upon review of each case.*

- The Office of Refugee Resettlement (ORR)* conducts an initial screening. Children who are deemed suitable for a program such as St. Anne are then referred to that program. (*Note: ORR is part of Health and Human Services Administration of Family and Children).

Maryville will receive documentation from ORR on the child's previous placement. This documentation consists of:

- Case file
- Medical reports
- Clinical reports
- Education reports
- Significant incident reports

Maryville's professional team reviews the above documentation and interviews the child. Maryville will also consult the case manager and members of the care team of the referring agency.

Maryville has the right to decline a placement.

12. *The response to comment #17 is noted. Program vans should be stored behind the rear of the building and should not be parked in front of the facility unless for loading/unloading.*

- Applicant understands and acknowledges this comment. Program vans will be stored in the rear of the building and will not be parked in front of the facility unless for temporary loading and unloading purposes.

13. *The response to comment #18 is noted. Please be aware that a sign permit would be required for all signage proposed on the property Due to the location of the subject property within a residential zoning district, minimal signage is permitted.*

- Applicant understands and acknowledges that a sign permit will be required for any proposed signage. Should Applicant seek signage it will provide documents for sign permit review to the Village.

Landscape Comments

1. *At time of permit, please provide a plan that identifies the code required trees. In addition, please address the screening and infill any areas where the Arborvitae are not providing an effective screen adjacent to the residential district.*

- Applicant understands and acknowledges that a plan identifying the required trees will be required at the time of permit. In addition, said plan will show any new Arborvitae needed to infill areas and provide an effective screen adjacent to the neighborhood.

We look forward to your review of this response. If we can answer any questions please do not hesitate to contact me.

Sincerely,

Kathleen Duncan

Kathleen A. Duncan

June 10, 2022

RECEIVED
JUN 13 2022
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

Charles Perkins

Director of Planning

Village of Arlington Heights

33 South Arlington Heights Road

Arlington Heights, Il 60005

Dear Sir,

Earlier this year, I attended a presentation concerning Maryville Academy's proposal to purchase 800 N. Fernandez, Arlington Heights, Il. I understand that the property will be used as a sheltered care home for girls.

I live just down the street from the said property at 709 N. Kaspar.

I am unable to attend the June 22, 2022, meeting of the Arlington Heights Plan Commission. Therefore, I want to offer this letter in support of granting a Special Use Permit for the existing building at 800 N. Fernandez to be used as a shelter care home for girls.

Sincerely yours,

Susan A. Neu

Susan A. Neu

From:	Perkins, Charles
To:	Recklaus, Randall
Cc:	Hubbard, Sam
Subject:	RE: Maryville
Date:	Monday, June 13, 2022 10:59:57 AM

From: morris girtz <[redacted]
Sent: Sunday, June 12, 2022 7:04 PM
To: Hayes, Thomas <thayes@vah.com>
Subject: Maryville

[You don't often get email from [redacted]. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

[NOTICE: This message originated outside of Village of Arlington Heights email system -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

We have been residents of Arlington Heights for 30+ years. My husband and myself have enjoyed the village over the years. We also value a great school system, police department, fire department and etc etc.

We currently are living in Ridge Park, after many years on Campbell Street. Our cul de sac is quiet and quite frankly idyllic. It was brought to our attention 4 to 5 months ago that Maryville was interested in taking over the property at 800 N. Fernandez to bring a 24 hour a day Shelter Care Home. The Home will serve 16 girls and 6 of them will have babies. I do not feel Ridge Park is an area for a Shelter Care Home for 16 females and babies. Already they are looking to waive the parking and traffic requirements for our neighborhood, because obviously many workers will be in and out of the facility everyday and parking will be required on Fernandez Street. This is a single family neighborhood, without apartment buildings and businesses. It is designed for single family residents. I feel that bringing this type of sheltered care to Ridge Park impacts our neighborhood negatively.

We are feeling like there is a hidden agenda that we are not being told about and we would like to know the truth. Where are these 16 females coming from? Maryville has some very tough kids living on their campus in DesPlaines. It is an area that is surrounded by a lot of land, cemeteries and businesses. Not a single family residential neighborhood is close. Will police and fire department be used more, because of physical health or mental health issues? Many questions needs to be answered for all of the honest, hard working, tax paying citizens that pay the bills for our Village. We think it is only fair to be told the complete and honest truth, without exception. We have all worked hard to buy and maintain our homes in AH and to have this pushed down our throats is WRONG.

Are we opening Pandora's box by not knowing the extent of what will happen in the future? What happens if this doesn't work out? Can Maryville be asked to leave?

Please let us know, because will be putting the FOR SALE SIGN UP and leaving Arlington Heights, as will many neighbors.

WE WOULD APPRECIATE A REPLY.

Jean and Maureen Hanrahan
[redacted]