



June 3 2013
8:00 PM

MINUTES
President and Board of Trustees
Village of Arlington Heights

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL OF MEMBERS

The Village Clerk called the roll with President Pro Tem Glasgow and the following Trustees responding: Tinaglia, Rosenberg, Blackwood, Scaletta, Farwell and Sidor.

Village President Hayes and Trustee LaBedz were absent.

Also present were Village Manager Bill Dixon, Assistant to the Village Manager Diana Mikula, Village Attorney Jack Siegel, Finance Director Tom Kuehne, Director of Planning and Economic Development Charles Perkins, Deputy Director of Planning and Economic Development Bill Enright, Public Works Director Scott Shirley and Village Clerk Becky Hume.

IV. APPROVAL OF MINUTES



A. Committee of the Whole 5/13/2013

Approved

Trustee Carol Blackwood moved to approve. Trustee Bert Rosenberg Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Glasgow , Rosenberg , Scaletta , Tinaglia .

Abstain: Farwell , Sidor .

Absent: Hayes , LaBedz .



B. Village Board Minutes of 5/20/2013

Approved

Trustee Mike Sidor moved to approve. Trustee Bert Rosenberg Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Rosenberg , Sidor , Tinaglia .

Abstain: Scaletta .

Absent: Hayes , LaBedz .

V. APPROVAL OF ACCOUNTS PAYABLE



A. Warrant Register 5/30/2013

Approved

Trustee Joe Farwell moved to approve the Warrant Register dated 5/30/13 in the amount of \$1,602,919.74. Trustee Bert Rosenberg Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Rosenberg , Scaletta , Sidor , Tinaglia .

Absent: Hayes , LaBedz .

VI. RECOGNITIONS AND PRESENTATIONS

VII. PUBLIC HEARINGS

VIII. CITIZENS TO BE HEARD

Richard Danvier of 1317 N. Harvard, thanked Mr. Dixon for interceding on his behalf with Groot .

Nabil Quafisheh of 510 E Olive St. presented the Board with survey results of parking availability in other neighborhood churches in anticipation of the Orchard Church's application for an expanded parking lot. He said Orchard Church has the largest off street parking in the Village and in addition has 210 spaces for on-street parking. The proposed plan creates a lot with almost 700 spaces. He said this is more than 250% of the average off street parking of any church in the Village. He said it will be 35% larger than Target's lot and larger than the Super Wal-Mart, Menards, and Harvest Bible Church's lots. He expressed hope that the Board will not vacate the street to create such a large parking lot. He said it will change the character of the neighborhood, reduce property values, create traffic noise, increase flooding, and decrease safety.

Art Ellingsen of P.O. Box 2, Arlington Heights, said that the Illinois General Assembly authorized a concealed carry firearms law in the State. He said that the Village has local ordinances against the shooting of firearms. He said there will be a Tea Party meeting on Thursday night, June 6 in Village Hall which will be an informational meeting regarding this proposed new law.

IX. OLD BUSINESS

X. APPROVAL OF BIDS

XI. CONSENT AGENDA

This Agenda consists of proposals and recommendations that, in the opinion of the Village Manager, will be acceptable to all members of the Board of Trustees. The purpose of this Agenda is to save time by taking only one roll call vote instead of separate votes on each item. Consideration of this Consent Agenda will be governed by the following rules and procedures prior to roll call vote:

1. Any Trustee who wishes to vote "no" or "pass" on any Consent Agenda items should so indicate.
2. Upon the request of any one Trustee, any item will be removed from the Consent Agenda and considered separately after adoption of the Consent Agenda.
3. Citizens in the audience may ask to remove any item on this Consent Agenda.
4. One roll call vote will be taken and will cover all remaining Consent Agenda items.

CONSENT APPROVAL OF BIDS

A. Elevator Maintenance Services - Contract Extension Approved

Trustee John Scaletta moved to approve. Trustee Joe Farwell Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Rosenberg , Scaletta , Sidor , Tinaglia .

Absent: Hayes , LaBedz .

B. Computer Replacement Program Approved

Trustee John Scaletta moved to approve. Trustee Joe Farwell Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Rosenberg , Scaletta , Sidor , Tinaglia .

Absent: Hayes , LaBedz .

C. Vehicle License Application Printing and Mailing Approved

Trustee John Scaletta moved to approve. Trustee Joe Farwell Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Rosenberg , Scaletta , Sidor , Tinaglia .

Absent: Hayes , LaBedz .

D. 2013 Resurfacing Program & Sidewalk Program Approved

Trustee John Scaletta moved to approve. Trustee Joe Farwell Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Rosenberg , Scaletta , Sidor , Tinaglia .

Absent: Hayes , LaBedz .

E. 2013 Street Reconstruction Tabled

Mr. Dixon asked for item XI E to be removed from consideration. The lowest bidder for the 2013 MFT Street Reconstruction Program came in over the Village's Budget. Staff proposed to delete a few streets to get the job within budget. There is a disagreement with the low bidder as to the cost impact. Because the work uses MFT tax dollars, IDOT is giving direction for the proper interpretation. This item will come back to Board when an answer is received.

F. 2013 Material Testing Services Approved

Trustee John Scaletta moved to approve. Trustee Joe Farwell Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Rosenberg , Scaletta , Sidor , Tinaglia .

Absent: Hayes , LaBedz .

G. Asphalt Utility Restoration Approved

Trustee John Scaletta moved to approve. Trustee Joe Farwell Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Rosenberg , Scaletta , Sidor , Tinaglia .

Absent: Hayes , LaBedz .

H. AC Compressor Replacement - Metropolis Theatre Approved

Trustee John Scaletta moved to approve. Trustee Joe Farwell Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Rosenberg , Scaletta , Sidor , Tinaglia .

Absent: Hayes , LaBedz .

CONSENT NEW BUSINESS

- A. Cash Contributions in Lieu of Land Dedication

Approved

Trustee John Scaletta moved to approve. Trustee Joe Farwell Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Rosenberg , Scaletta , Sidor , Tinaglia .

Absent: Hayes , LaBedz .

CONSENT LEGAL

- A. An Ordinance Amending Chapters 1, 2, 12 and 14 of the Arlington Heights
Municipal Code

Approved

(Amendments to: Chapter 1, Article II, Form and Distribution and Article III,
Recordation and Amendments; Section 2-204, Order of Business; Section 12-1002,
Permit Required; Section 12-1003, Application; Section 12-1004, Administrative
Procedures for Application for Permit; Section 12-1005, Solicitation Upon the
Public Streets; Section 14-102 Licensed Businesses and Fees; Add new section 2-
205, Citizens to be Heard)

Trustee John Scaletta moved to approve ordinance 13-028. Trustee Joe Farwell Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Rosenberg , Scaletta , Sidor , Tinaglia .

Absent: Hayes , LaBedz .

- B. An Ordinance Granting a Land Use Variation
(Xilin Adult Day Care, 145 E. Algonquin Road)

Approved

Trustee John Scaletta moved to approve Ordinance 13-027. Trustee Joe Farwell Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Rosenberg , Scaletta , Sidor , Tinaglia .

Absent: Hayes , LaBedz .

CONSENT REPORT OF THE VILLAGE MANAGER

END OF CONSENT AGENDA

XII. NEW BUSINESS



- A. Circa '57
10 S. Vail Ave.
PC#13-009

Approved

Trustee Tinaglia recused himself from the discussion and vote as his firm is the architect for the project. He left the room.

Kelle Bruckbauer, architect of the project, and **Anthony Priola**, owner of Circa '57, appeared before the Board. They are proposing to renovate the former Peoples' Bank space. This is the second phase of the Circa '57 project. Currently they are renovating the former Grand Station space for phase one of the project. The People's Bank space (phase two) will have a drive in concept and its own kitchen separate from the Grand Station side. The signage will be uniform for both spaces. They plan to refurbish the blade sign, replace awnings and have a '57 Chevy Belaire over the entrance.

President Pro Tem Glasgow confirmed that they are projecting a mid-summer opening in the Grand Station space.

Trustee Scaletta expressed concerns with the plan to share the grease trap with the Metropolis Ballroom. **Mr. Priola** explained that the grease trap is a common use element of the building and will be jointly maintained by Circa '57 and the banquet hall via a shared expense agreement between them. **Trustee Scaletta** worried that the agreement may lead to fighting between the two operators. He predicted that the restaurant will be so successful that there may not be enough washrooms. **Mr. Priola** and **Ms. Bruckbauer** confirmed that the number of washrooms met Village Code.

Trustee Farwell asked if Mr. Priola, through market analysis, thought that the downtown business district had reached saturation in regards to restaurants. **Mr. Priola** said that their restaurant would take advantage of the direct synergy with entertainment and dining that had already been created. He said the Village was not anywhere near saturation. He said their theme was unique to the area and as such would draw more people downtown. He said Circa '57 actually presented two unique concepts under the same theme.

Trustee Sidor said the concept is one that people will come to see and will be a destination because of its unique concept. He said there is already talk about it in the Northwest Suburbs.

President Pro Tem Glasgow outlined that the project had separate kitchens and different hours. The phase one restaurant will offer full service breakfast, lunch, dinner. It will also offer take-out items for commuters and box lunches. The phase two space will focus on lunch, dinner and late night offerings. **Mr. Priola** explained that the phase two space will have fully functioning garage doors. He said he would work closely with the Health Department to ensure that the space met code and would handle pests appropriately.

Trustee Rosenberg asked if there were any parking spaces deeded with property. **Mr. Perkins** said there were no dedicated parking spaces for this site and that its customers and employees will use the Vail Street Parking Garage. There is a condition that full time employees need parking permits. Discounted parking rates for employees are available. There is also free afternoon parking for employees. **Mr. Priola** said that his employees would follow the guidelines and that the Village conditions were in agreement with his employee manual.

Trustee Blackwood confirmed that there will be a soda fountain where the bar used to be. Alcohol will also be served from that bar. **Mr. Priola** said that the focal point is ice cream, milkshakes and soda fountain, alcohol is stored under the bar and in a more remote location.

Trustee Mike Sidor moved to approve an amendment to PUD ordinances 98-061 and 99-028 to allow certain changes to the approved floor plan for the Metropolis Mixed Use Development and approve a Special Use to allow a 4,189 square foot restaurant that has a total seating area of 2,953 square feet and a total capacity of 144 seats and compliance with the Plan Commission's recommendations of May 17, 2013. Trustee Bert Rosenberg Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Rosenberg , Scaletta , Sidor .

Abstain: Tinaglia .

Absent: Hayes , LaBedz .



B. Hickory / Kensington Overlay Zone
PC#13-002

Approved

Trustee Tinaglia returned to the room.

Mr. Dixon said that on April 24 the Plan Commission unanimously recommended approval of the Hickory/Kensington Overlay Zone and Text Amendments to Chapter 28 as well as the rezoning of the area.

Mr. Enright explained that the goal was to redevelop the core area to take advantage of proximity to the train. The overlay would set up specific guidelines for this area. An informational meeting occurred prior to the Public Hearing at which there were 20 people in attendance. The purpose was to help business owners understand what was before them. Mr. Enright explained the various zoning codes and their application to the area. After the informational meetings, some changes were made to allow existing buildings to re-tenant. An overlay gives these businesses some flexibility. They could re-tenant as if it had not been rezoned, for less intense M-2 (manufacturing) uses. There is not any intense manufacturing in this area anymore, it's all lighter manufacturing. An R-7 (residential district) rings the downtown by Village Code, as this area is further out; it needs to be rezoned to allow for this zoning, to be consistent with this redevelopment plan.

President Pro Tem Glasgow confirmed that businesses could rebuild in the case of fire or other natural disaster. **Mr.**

Enright said that this stipulation was added to grandfather existing business to allow a business to rebuild, but would have to conform to present day Code which would require variations from the Zoning Board of Appeals.

Trustee Farwell asked if the concerns from attendees were met. **Mr. Enright** said that the issues raised by business owners were addressed by the Plan Commission and the options to re-tenant and rebuild in the case of a catastrophic event were added to the plan at that time. Some property owners do not want this to happen, and they have no plans to move or sell. The vision was set by Board with adoption of redevelopment plan in January to move this area away from its industrial heritage.

Trustee Farwell said that this proposal is administrative and that businesses are not being forced out. There is no TIF financing and the height restriction of any future development has been addressed. **Trustee Farwell** asked how a less heavy manufacturing use will be determined if a building is re-tenanted. **Mr. Dixon** said a staff determination would be made by the Director of Building and Health Services. This Director would confer with Planning Department. **Mr. Siegel** said that if an appeal was requested, the appeal would go before the Zoning Board of Appeals. If the petitioner disagreed with the ZBA, the issue could go to Circuit Court for due process. **Trustee Farwell** said he would like a formal policy for this issue to help prevent conflicts.

Trustee Rosenberg asked if property can be sold "as is" today. **Mr. Enright** said that any building sold today could still be used as it is today as there are not any heavy manufacturing uses occurring. The Permitted Use Table outlined in the Code lists all of the allowable uses. A property owner cannot re-tenant for heavy M-2, processing and manufacturing. **Trustee Rosenberg** asked if potential buyers are balking at properties for sale because of these zoning issues. **Mr. Enright** said until there is a determination by the Board, questions exist for potential buyers. If action is taken tonight, those questions are resolved. The determination was that heavy industrial uses are not appropriate for this site anymore because of its location and the zoning of this property as Heavy Industrial dates back over sixty years, prior to the growth of the Village.

Trustee Tinaglia confirmed that a business can re-tenant, as long as its use complies with the lower level manufacturing zoning. There is no time frame for this stipulation to expire, so if the building is sold as part of the overlay zoning, this use can continue.

Trustee Scaletta clarified that once building is redeveloped to the new standards, the old overlay goes away and the old zoning expires.

Trustee Tinaglia clarified that buildings can be maintained and improved, but not expanded under these provisions.

Mr. Dixon said a format for appeals will be developed.

Trustee Joe Farwell moved to approve an Amendment to Chapter 28 establishing the Hickory Kensington Overlay Zone, and Text Amendments to Sections 5.1-7 and 5.1-7.1, location of the R-7 Zoning District. **Trustee Jim Tinaglia** Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Rosenberg , Scaletta , Sidor , Tinaglia .

Absent: Hayes , LaBedz .



C. Hickory / Kensington Rezoning
PC#13-003

Approved

Mr. Enright said the recommendation of the Plan Commission was to rezone properties from M-2 to R-6, R-7 and B-2. He said this plan would adopt an Overlay Zone specific to the unique characteristic of the area creating development guidelines.

Trustee Jim Tinaglia moved to approve the rezoning from M-2 Limited Heavy Manufacturing District to R-6 Multi-Family Dwelling District, from M-2 Limited Heavy Manufacturing District to R-7 Multi-Family Dwelling District, from M-2 Limited Heavy Manufacturing District to B-2 General Business District, pursuant to the proposed zoning map attached to the Staff Development Committee report with a recommendation to allow property within the rezoning districts to be grandfathered to allow reconstruction of a property destroyed by an act of nature contingent upon the following condition: Any such reconstruction would have to comply with all building and zoning requirements that existed prior to the adoption of the overlay and rezoning. **Trustee Carol Blackwood** Seconded the Motion.

The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Rosenberg , Scaletta , Sidor , Tinaglia .

Absent: Hayes , LaBedz .

XIII. LEGAL

XIV. APPOINTMENTS

XV. PETITIONS AND COMMUNICATIONS

XVI. REPORT OF THE VILLAGE MANAGER

XVII. ADJOURNMENT

Trustee John Scaletta moved to adjourn the meeting at 9:12 p.m. Trustee Jim Tinaglia Seconded the Motion.
The Motion: Passed

Ayes: Blackwood , Farwell , Glasgow , Rosenberg , Scaletta , Sidor , Tinaglia .

Absent: Hayes , LaBedz .

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