



Village of Arlington Heights  
Plat and Subdivision Committee  
Community Room, 3rd Floor  
Arlington Heights Village Hall  
33 S. Arlington Heights Road  
Arlington Heights, IL 60005  
May 27, 2015  
6:30 PM

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. APPROVAL OF MINUTES**

**IV. REPORTS**

**V. OLD BUSINESS**

**VI. NEW BUSINESS**

- A. Tuscan Market - 141 W. Wing St. - T1500  
Special Use Amendment for Seating Expansion
- B. 2-Lot Subdivision on Highland Ave. - 921/927/931 N. Highland  
Ave. - T1501  
Preliminary Plat of Subdivision

**VII. OTHER BUSINESS**

**VIII. ADJOURNMENT**

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



**Item:** Tuscan Market - 141 W. Wing St. - T1500

**Department:** Planning & Community Development

### **REQUESTED ACTION**

Special Use Amendment to allow a seating area expansion within an existing restaurant.

### **VARIATIONS REQUIRED**

None have been identified.

### **RECOMMENDATION**

On May 5, 2015, The Staff Development Committee has reviewed the Petitioner's request and generally concurs with the request subject to the following items being addressed as part of the formal review process:

1. The Petitioner must demonstrate that the proposed Special Use meets the standards established in the Zoning Ordinance, more specifically:

A. That said special use is deemed necessary for the public convenience at this location.

B. 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.

C. 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.

2. Provide information that describes operations and addresses the following issues:

A. The hours of operation and total number of employees;

B. Delivery operations including times, sizes of vehicles, and number of times deliveries are anticipated;

C. A market assessment that supports the position that the proposed use is necessary for the public convenience and that it will not be detrimental to the health, safety, and general welfare to the public.

3. Full compliance with current Federal, State, and Village Codes, Regulations, and Policies is required.

4. These are preliminary comments only and should not be relied upon as identification of the only major concerns. The Staff Development Committee reserves the right to change its position on issues upon submittal if a formal application and detailed review. Additional comments will be provided when more detail and specific plans are submitted as part of the Plan Commission application.

**ATTACHMENTS:**

| <b>Description</b> | <b>Type</b> |
|--------------------|-------------|
| Staff Report       | Report      |
| Floor Plan         | Exhibits    |
| Location Map       | Exhibits    |

## **STAFF DEVELOPMENT COMMITTEE REPORT**

**To:** Plat & Subdivision Committee  
**Prepared By:** Latika Bhide, Development Planner  
**Meeting Date:** May 27, 2015  
**Date Prepared:** May 21, 2015

**Project Title:** Tuscan Market and Wine Shop  
**Address:** Wing Street Building (141 W. Wing St.)

### **BACKGROUND INFORMATION**

**Petitioner:** Colin Gilbert, Owner  
**Address:** Tuscan Market and Wine Shop  
 141 W. Wing Street  
 Arlington Heights, IL 60005

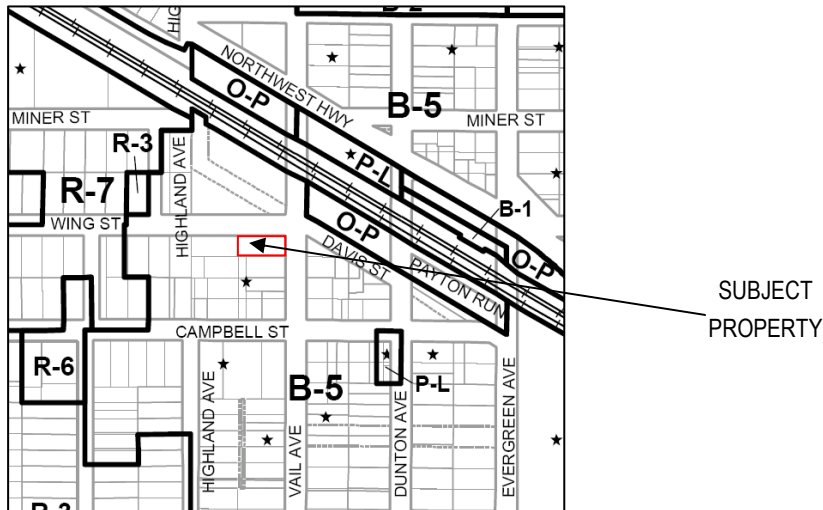
**Existing Zoning:** B-5, Downtown District

### **Requested Action:**

- Special Use Amendment to allow a seating area expansion within an existing restaurant.

### **Variations Required:**

- None have been identified



### **Surrounding Land Uses:**

| Direction | Existing Zoning                | Existing Use     | Comprehensive Plan |
|-----------|--------------------------------|------------------|--------------------|
| North     | B-5, Central Business District | Jewel Food Store | Mixed Use          |
| South     | B-5, Central Business District | Mixed Uses       | Mixed Use          |
| East      | B-5, Central Business District | Mixed Uses       | Mixed Use          |
| West      | B-5, Central Business District | Mixed Uses       | Mixed Use          |

### Summary

The Tuscan Market has been in operation in this location since 2003, as a deli, which is a permitted use in the B-5 Zoning District. The facility is approximately 2,458 square feet in size. In 2004, the Petitioner received a Special Use to provide a place for their customers to eat the sandwiches that are prepared on site. The seating area was 144 square feet in area, with a total of 4 tables, with 16 seats. In 2006, the petitioner received a Special Use amendment to allow an additional seating area. The SUP amendment allowed a new seating area of 360 square feet with a total of 26 seats and 6 tables. Sometime after 2006, the then current owner added additional seating without amending the Special Use. There are currently 56 seats at 7 tables and a bar counter. When the current owner was apprised of the restriction on the seating, he requested a Special Use Permit amendment to allow the additional seating. The petitioner is proposing a total of 66 seats at 9 tables and a bar counter. The proposed additional seating area is proposed in a location where there is currently storage. With the additional seating, the total seating area is proposed to be approximately 700 square feet. The hours of operation are: Monday – closed, Tuesday -Thursday, 11:30 AM – 10:00 PM, Friday – Saturday 11:30 AM – 11:00 PM, and Sunday, 12:00 PM – 8:00 PM. The petitioner has indicated that they employ 16 employees, 4 full-time employees and 12 part-time employees, with no more than 9 employees on shift at the same time, which is an increase from the 3 employees at any one time that was indicated with the previous Special Use submittal. The petitioner should provide information on whether the operation of the restaurant has changed from the original approval.

### Zoning and Comprehensive Plan

The site is zoned B-5, Downtown District, and the proposal is consistent with this zoning designation. The proposal is also consistent with the Village's Comprehensive Plan that designates this area as Mixed Use. However, as part of the Plan Commission review process for the special use amendment, the Petitioner must demonstrate that the proposed expansion from 26 to 66 seats meets the criteria identified in the Zoning Ordinance for a Special Use, more specifically:

- ***That said special use is deemed necessary for the public convenience at this location.***
- ***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.***
- ***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.***

### Site and Building Issues

The Petitioner will be required to describe in writing the existing delivery operations including times, sizes of vehicles, and the number of deliveries per day and whether or not this schedule will change as a result of the additional seating. Regarding the floor plan, the facility will need to comply with all Federal, State and local handicapped accessibility requirements.

### Traffic & Parking Issues

As with any project in the Downtown District, a primary concern is parking. The proposed expansion will result in the addition of three tables and forty seats from the previous approval. According to the parking ratios established in the Village's Zoning Ordinance, in the downtown, one parking space is required for every 200 square feet of public seating area for restaurants, and one parking stall is required for each 500 square feet in excess of 1,500 square feet of floor space for retail. Based on the information provided by the applicant, there is a total of 700 square feet of seating area, with the remaining floor area being 1,758 square feet. This results in a total requirement of 4 parking spaces, 3 parking spaces for the restaurant use and 1 parking space for the retail use. Within the Downtown District, and the Village Green development, customer parking is provided in the private lot serving the Village Green, on the street, in the nearby Vail Avenue garage, and in commuter parking lots (after 6 p.m.), which are located along Northwest Highway just north of the proposed location.

A formal traffic study is not required since the proposed use is less than 5,000 square feet and is not located along a major or secondary arterial as defined by the Village's Thoroughfare Plan. As part of the formal submittal, the petitioner should submit information on where the employees park their vehicles as well as provide parking counts for the private parking area serving the Village Green development. Counts must be provided for 3 days, two weekdays and one weekend.

### Market Study

Since this is an existing restaurant, a complete market study that demonstrates that this type of restaurant will serve a public convenience and that current demographics could support this use is not required. However, the petitioner should provide a narrative that provides information about the business, (any change in) menu, and need for expansion.

### RECOMMENDATION

On May 5, 2015, The Staff Development Committee has reviewed the Petitioner's request and generally concurs with the request subject to the following items being addressed as part of the formal review process:

1. The Petitioner must demonstrate that the proposed Special Use meets the standards established in the Zoning Ordinance, more specifically:
  - A. That said special use is deemed necessary for the public convenience at this location.**
  - B. 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.**
  - C. 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.**
2. Provide information that describes operations and addresses the following issues:
  - A. The hours of operation and total number of employees;
  - B. Delivery operations including times, sizes of vehicles, and number of times deliveries are anticipated;
  - C. A market assessment that supports the position that the proposed use is necessary for the public convenience and that it will not be detrimental to the health, safety, and general welfare to the public.
3. Full compliance with current Federal, State, and Village Codes, Regulations, and Policies is required.
4. These are preliminary comments only and should not be relied upon as identification of the only major concerns. The Staff Development Committee reserves the right to change its position on issues upon submittal if a formal application and detailed review. Additional comments will be provided when more detail and specific plans are submitted as part of the Plan Commission application.

\_\_\_\_\_, May 21, 2015

Bill Enright, Deputy Director of Planning and Community Development

C: Randy Recklaus, Village Manager  
All Department Heads

( = Seating

KEY

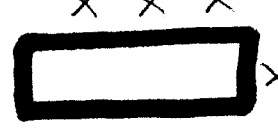
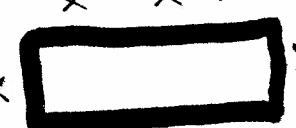
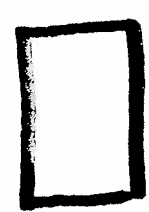
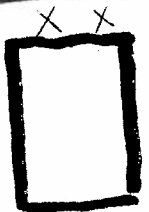
WINE RETAIL

RAMP



STAND-UP BELLY TABLES

x x x x x x x



DELI / FOOD

STAFF

STAFF

BAR

BATHROOM

33C





Highland Ave

Wing St

Chestnut Ave

Campbell St



**Item:** 2-Lot Subdivision on Highland Ave. - 921/927/931 N. Highland Ave. - T1501

**Department:** Planning & Community Development Department

## **BACKGROUND**

Preliminary Plat of Subdivision to resubdivide three single family lots into two single family lots.

## **VARIATION REQUIRED**

A variation from Chapter 28, Section 5.1-3.6, Required Minimum Yards, to allow a reduction to the minimum side yard (south) setback from 7.5 feet to 5.21 feet for existing home at 921 N. Highland Avenue.

## **RECOMMENDATION**

On May 5, 2015, the Staff Development Committee reviewed the proposed request and is generally supportive, subject to the following conditions:

1. Provide a written justification for each variation based on the following hardship criteria:
  - The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone; and
  - The plight of the owner is due to unique circumstances; and
  - The variation, if granted, will not alter the essential character of the locality.
  -
2. Submittal of a Final Plat of Subdivision.
3. The variations to the Village's Zoning Ordinance shall only apply to the existing structure at 921 Highland Avenue, while all new structures shall comply with current code standards.
4. A fee-in-lieu of detention shall be required.
5. A Design Commission application must be submitted for the new home and any addition to the existing home.
6. The petitioner will be required to demolish the existing home and garage at 927 N. Highland Avenue prior to recording the Final Plat.

7. These are preliminary comments only and should not be relied upon as identification of the only major issues. The Staff Development Committee reserves the right to change its position on issues upon submittal of a formal application and detailed review.

**ATTACHMENTS:**

**Description**

Staff Report  
Supporting Documents  
Location Map

**Type**

Report  
Exhibits  
Exhibits

# **STAFF DEVELOPMENT COMMITTEE REPORT**

**To:** Plat & Subdivision Committee  
**Prepared By:** Latika Bhide, Development Planner  
**Meeting Date:** May 27, 2015  
**Date Prepared:** May 21, 2015  
**Project Title:** 2-lot subdivision on Highland Avenue  
**Address:** 921-927-931 Highland Avenue

## **Background Information**

**Petitioner:** Bruce Miller  
**Address:** Trademark Builders  
 32 W. Sherman Street  
 Palatine, Illinois 60067

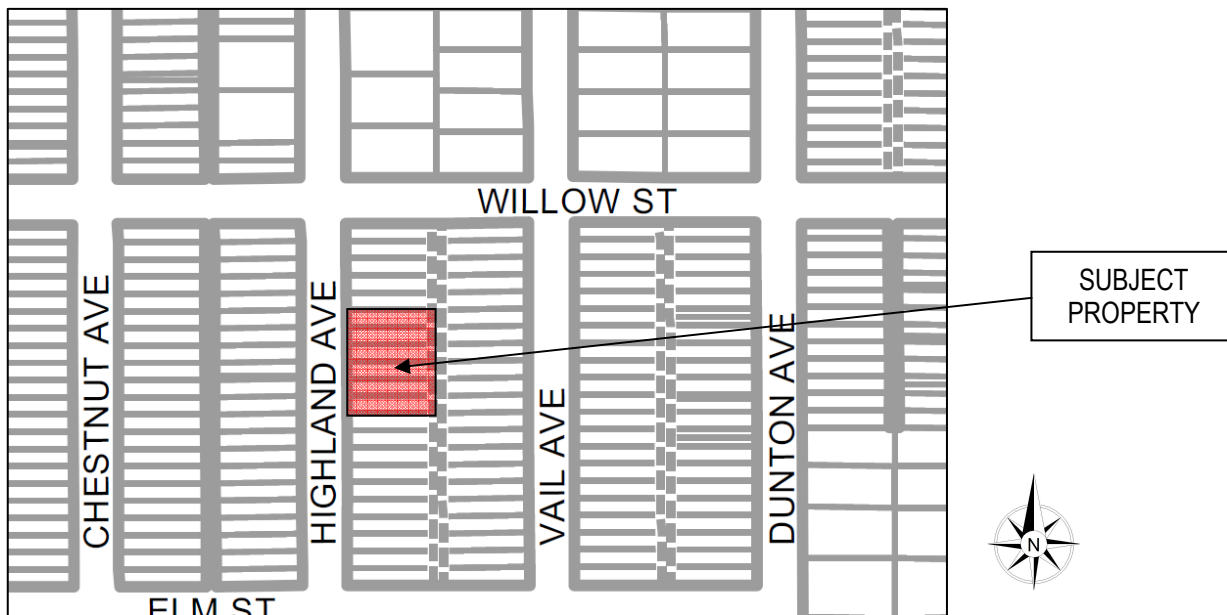
**Existing Zoning:** R-3, One Family Dwelling District

## **Requested Action:**

- Preliminary Plat of Subdivision to resubdivide three single family lots into two single family lots.

## **Variations Required:**

1. A variation from Chapter 28, Section 5.1-3.6, Required Minimum Yards to allow a reduction to the minimum side yard (south) setback from 7.5 feet to 5.21 feet for existing home at 921 N. Highland Avenue.



## **Surrounding Properties:**

|              | <b>Zoning</b>                     | <b>Use</b>              | <b>Comprehensive Plan</b> |
|--------------|-----------------------------------|-------------------------|---------------------------|
| <b>North</b> | R-3, One Family Dwelling District | Single Family Residence | Single Family Detached    |
| <b>South</b> | R-3, One Family Dwelling District | Single Family Residence | Single Family Detached    |
| <b>East</b>  | R-3, One Family Dwelling District | Single Family Residence | Single Family Detached    |
| <b>West</b>  | R-3, One Family Dwelling District | Single Family Residence | Single Family Detached    |

## **Project Summary**

The subject site consists of three zoning lots, each 50 feet wide and 132 feet deep (this includes the 7 feet of the alley that has been vacated to these parcels), located on the east side of Highland Avenue, south of Willow Street. The total area of the

properties in question is 19,800 square feet. There are three existing homes that are located on the three zoning lots. It is the petitioner's intent to consolidate and resubdivide the three 50-foot wide zoning lots into two parcels, each 75-foot wide. The two lots at 927 and 931 N. Highland Avenue are proposed to be consolidated into a 75-foot wide lot with the southern 25 feet sold to and consolidated with the property at 921 N. Highland., creating a 75-foot wide lot. The petitioner's intent is to demolish the two existing homes at 927 and 931 N. Highland and build a new home on the 75-foot wide lot. If approved, the property owner at 921 N. Highland will demolish the existing detached garage on the property and build an attached garage.

The proposed action, if approved, would allow the Petitioner to resubdivide the three zoning lots into two single family lots. Both proposed Lots 1 and 2 are 132 feet wide and 9,900 square feet in area. A Plat of Subdivision must be reviewed by the Plan Commission and approved by the Village Board. As part of the preliminary review process, Staff evaluated the relationship of the new lots to the Zoning and Subdivision regulations (see Table 1).

**Table 1: Subdivision Analysis**

| Zoning Requirements           | Minimum Lot Area   |                      | Minimum Lot Width |                   | Front Yard Setback                    | Side Yard Setback                  | Rear Yard Setback | Corner Side Yard Setback    |
|-------------------------------|--------------------|----------------------|-------------------|-------------------|---------------------------------------|------------------------------------|-------------------|-----------------------------|
| Typical R-3 Lot               | Corner<br>9,900 SF | Standard<br>8,750 SF | Corner<br>90 FT   | Standard<br>70 FT | Block Average<br>(Must be calculated) | 10% of Lot width (at least 7 feet) | 30 FT             | Average or 10% of lot width |
| Proposed Lot 1                | NA                 | 9,900 SF             | NA                | 75 FT             | Vacant                                | Vacant                             | Vacant            | NA                          |
| Proposed Lot 2 (921 Highland) | NA                 | 9,900 SF             | NA                | 75 FT             | 26.2 FT                               | 5.21 FT                            | 60 FT (existing)  | NA                          |

### **Zoning and Comprehensive Plan**

Pursuant to the Village's Comprehensive Plan, the properties are designated Single Family Detached. The proposed resubdivision would be consistent with the Village's Comprehensive Plan.

There are currently ten zoning lots on the east of Highland Ave. between Willow and Elm Streets. Of those lots, one lot (10% of the lots) is 75 foot wide. If the resubdivision was approved, three lots (33% of the lots) would be 75 foot wide. There are nine zoning lots on the west side of Highland Ave. between Willow and Elm Streets. Of those lots, three lots (33% of the lots) are 75 feet wide. Lots in the neighborhood range from 50 foot to 100 foot in width (an exhibit is attached). The proposed 75-foot wide lots would be compatible with the neighborhood, although most lots are 50 foot wide.

The proposed lots meet the minimum R-3 standards relative to lot area and width (see Table 1 above). Per Chapter 28, Section 5.1-3.6, a minimum side yard of ten percent of the lot width is required. Therefore for 75 foot wide lots, a side yard of 7.5 feet will be required. The existing home at 921 N. Highland is setback 5.21 feet from the south property line and will require a variation. Also, per Chapter 28, Section 5.1-3.6, the front yard setback is the average of the front yards for the entire frontage (along Highland Avenue). A minimum front yard of 15 feet and a maximum front yard of 40 feet is required. As part of the formal Plan Commission submittal, the petitioner must provide information regarding the average front setback along the block to determine if a front yard variation will be required for the existing home. It is important to note that additional variations may be required once more detailed plans are provided.

- **A variation from Chapter 28, Section 5.1-3.6, Required Minimum Yards to allow a reduction to the minimum side yard (east) setback from 7.5 feet to 5.21 feet for existing home at 921 N. Highland Avenue.**

As part of the formal review process, the Petitioner must provide a written justification for each variation that is based on the following hardship criteria listed below. Moreover, if said request is approved by the Village Board, Staff would recommend that these variations only apply to the existing structures, while all new structures would need to comply with current code standards.

- **The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone; and**
- **The plight of the owner is due to unique circumstances; and**
- **The variation, if granted, will not alter the essential character of the locality.**

#### **Building, Site, and Landscape Related Issues**

Any new home or addition to the existing home shall require a Design Commission application to be submitted and approved prior to the issuance of a building permit. Secondly, a fee-in-lieu of detention; said fee to be determined; shall be required as on-site detention shall not be required.

#### **Traffic & Parking Issues**

According to the Village's Subdivision Control Regulations and Zoning Ordinance, a traffic study is required for residential developments that have at least 100 dwelling units or more. Since the Petitioner is only proposing a two-lot development a formal traffic study by a certified Traffic Engineer is not required.

#### **Recommendation**

On May 5, 2015, the Staff Development Committee reviewed the proposed request and is generally supportive, subject to the following conditions:

1. Provide a written justification for each variation based on the following hardship criteria:
  - **The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone; and**
  - **The plight of the owner is due to unique circumstances; and**
  - **The variation, if granted, will not alter the essential character of the locality.**
2. Submittal of a Final Plat of Subdivision.
3. The variations to the Village's Zoning Ordinance shall only apply to the existing structure at 921 Highland Avenue, while all new structures shall comply with current code standards.
4. A fee-in-lieu of detention shall be required.
5. A Design Commission application must be submitted for the new home and any addition to the existing home.
6. The petitioner will be required to demolish the existing home and garage at 927 N. Highland Avenue prior to recording the Final Plat.
7. These are preliminary comments only and should not be relied upon as identification of the only major issues. The Staff Development Committee reserves the right to change its position on issues upon submittal of a formal application and detailed review.

May 21, 2015

Bill Enright, Deputy Director of Planning and Community Development

C: Randy Recklaus, Village Manager  
All Department Heads

**TRADEMARK BUILDERS, INC.**

**32 W. SHERMAN STREET, PALATINE, IL 60067**

**847-202-9890 (OFFICE), 847-707-6688 (WIRELESS), 847-202-9875 (FAX)**

**Email: [trademark.bruce@sbcglobal.net](mailto:trademark.bruce@sbcglobal.net)**

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April 24, 2015

Ms. Latika Bhide  
Development Planner  
Village of Arlington Heights  
33 S. Arlington Heights Road  
Arlington Heights, IL 60004

Re: Lot consolidation/Subdivision – 933 N. Highland Ave, 927 N. Highland Ave, 921 N. Highland Ave.

Dear Ms. Bhide:

Per our previous conversations, enclosed is the documentation to get the ball rolling for this project. To summarize, Charlie and Tracy Drost purchased two 50' lots (933 N. Highland Ave. and 927 N. Highland Ave) with the intention to consolidate and subdivide these lots into a 75' wide lot and sell the remaining 25' to the neighbor to the south, Jay and Jennifer Hasche (921 N. Highland Ave.). The overall intent of this project is to create two 75' wide lots from three 50' wide lots.

If approved, the Drost's will build a new home on the 75' lot and the Hasche's will demo an existing detached garage and build an attached garage on the side of their existing home.

General comments:

o The proposed new home by the Drost's is in the initial schematic design phase. At this moment, the actual footprint of the proposed home is unknown. However, the garage will be located on the north side of the lot and will be set back from the face of the proposed home.

o The proposed attached garage addition to the Hasche's existing home will also be set back from the face of the existing home.

o Since there is not a requirement to have a completed design to propose a lot consolidation/subdivision Charlie asked me to push the process forward as far as we can without drawings. The drawings will take time to complete and they are anxious to get started sooner than later while interest rates remain attractive to finance this project.

If you need any additional information, please contact me.

Sincerely,

  
Bruce Miller

Trademark Builders, Inc.

**Construction and Land Surveyors**  
P.O. Box 412 Wauconda, IL 60084  
Tel. (847) 526-1793 Fax. (847) 526-1794

**PARCEL 1:**

## PARCEL 2:

KNOWN AS: [REDACTED], ARLINGTON HEIGHTS, ILLINOIS.

**P.I.N.**



01/13/2015 13:57 8472555975

HAAS & HAAS

PAGE 01



File 1408956 - [REDACTED]

# PLAT OF SURVEY

of



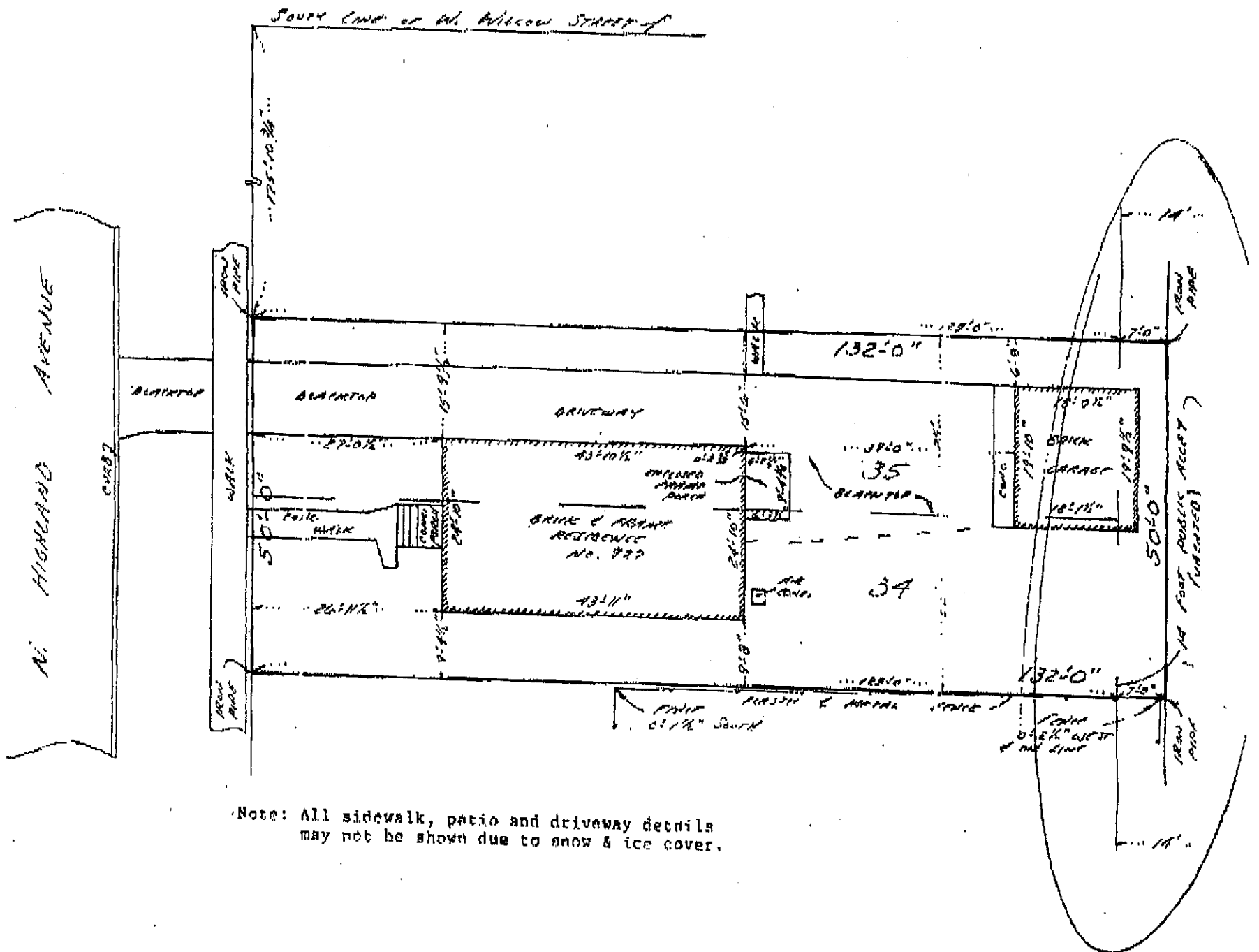
ANTON ADAMS  
Illinois Professional Land Surveyor

61 N. Wille Street  
Mt. Prospect, IL 60056

(817) 251

1 inch = 15 FEET

lots 34 and 35, together with the West 1/2 of vacated alley lying East of and adjoining said lots 34 and 35, in Block 1 in Dunton and Other's Subdivision of Lots 4, 5 and 6 of Northwest 1/4 and Lots 1, 2, 8 and 9 of Southwest 1/4 of Northwest 1/4 of Section 29, Township 42 North, Range 11, East of the Third Principal Meridian, in Cook County, Illinois.



NUMBER: 48057

BOOK: 42-11-110

PAGE: 43

DEED BY: EDWARD J. WOLKOWITZ

Legal description on this plat with deed or title policy. Compare all before building by same and report any differences at once. Building lines, if any, are shown as they appear on the recorded plat of lot; otherwise refer to deed, title policy or zoning ordinances. Distances shown may not be assumed by scaling.



STATE OF ILLINOIS  
COUNTY OF COOK

I, ANTON ADAMS, Illinois Professional Land Surveyor, hereby certify that I have surveyed the property described above and that the plat hereon is a correct representation thereof. This professional service conforms to the current Illinois minimum standards for a boundary survey.

MOUNT PROSPECT, ILLINOIS JANUARY 10 A.D. 2015

[Signature]



1 inch = 15 FEET

# PLAT OF SURVEY

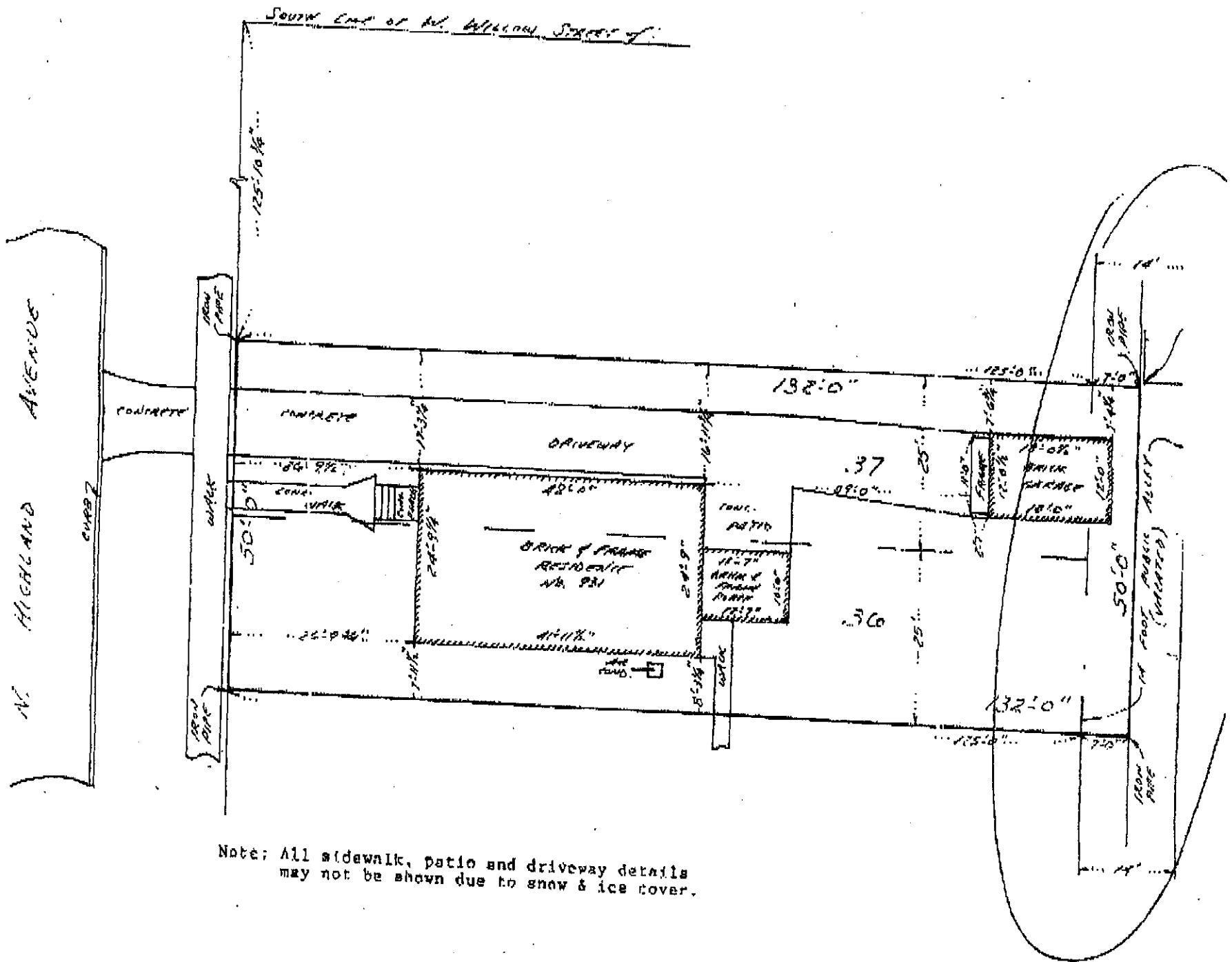
E.L. 1408950

**ANTON ADAMS**  
Illinois Professional Land Surveyor

301 N. White Street  
Mt. Prospect, IL 60056

18171

Lot 36 and Lot 37, together with the West 1/4 of vacated alley lying East of and adjoining said Lot 36 and Lot 37, in Block 1, in Duntan and Others Subdivision of Lots 4 and 5 and 6 of Northwest 1/4 and Lots 1, 2, 8 and 9 of Southwest 1/4 of Northwest 1/4 of Section 29, Township 42 North, Range 11, East of the Third Principal Meridian, in Cook County, Illinois.



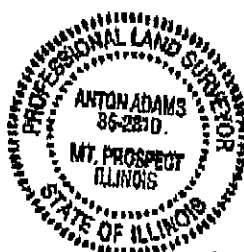
BOOK: 48056

PAGE: 21

PAGE: 21

BY: EDMUND J. WENLMUTH

I description on this plat with deed or title policy. Compare all building by same and report any differences at once. Building lines s. if any, are shown as they appear on the recorded plat of herwise refer to deed, title policy or zoning ordinances. Distances may not be assumed by scaling.



STATE OF ILLINOIS  
COUNTY OF COOK

I, ANTON ADAMS, Illinois Professional Land Surveyor, hereby certify that I have surveyed the property described above and that the plat hereon drawn is a correct representation thereof. This professional service conforms to the current Illinois minimum standards for a Land Survey.

MOUNT PROSPECT, ILLINOIS, JANUARY 10 AD. 2015

Anton Adams  
Illinois Professional Land Surveyor  
License #862810 expires 11/16

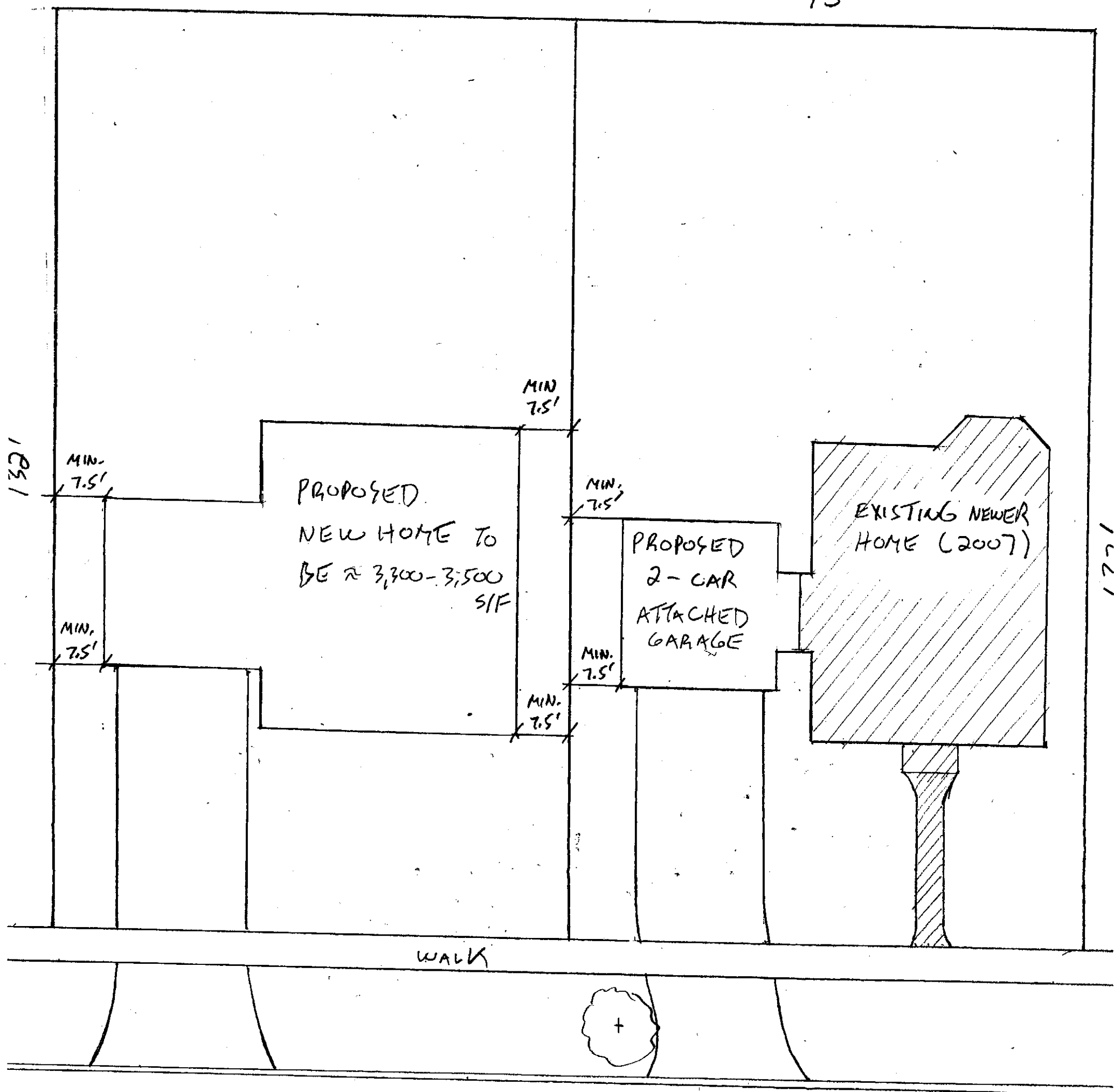
933  
N. HIGHLAND

927  
N. HIGHLAND

921  
N. HIGHLAND

PROPOSED  
75'

PROPOSED  
75'



N. HIGHLAND AVE.

1" = 15'

# LOT WIDTH EXHIBIT

