



MINUTES

President and Board of Trustees
Village of Arlington Heights
Board Room

Arlington Heights Village Hall
33 S. Arlington Heights Road
Arlington Heights, IL 60005

April 2, 2018

8:00 PM

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL OF MEMBERS

President Hayes and the following Trustees responded to roll: Rosenberg, Scaletta, Sidor, Glasgow, Tinaglia, Baldino, Blackwood and LaBedz.

Also present were: Randy Recklaus, Charles Perkins, Bill Enright, Robin Ward, Mark Burkland, Diana Mikula and Becky Hume.

IV. APPROVAL OF MINUTES

A. Village Board 03/05/2018 - Amended Approved

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

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Rosenberg, Scaletta,
Sidor, Tinaglia

B. Village Board 03/19/2018 Approved

Trustee Thomas Glasgow moved to approve. Trustee Robin LaBedz
Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Rosenberg, Scaletta,
Sidor, Tinaglia

V. APPROVAL OF ACCOUNTS PAYABLE

- A. Warrant Register 03/30/2018 Approved

Trustee Bert Rosenberg moved to approve Warrant Register in the amount of \$1,596,321.25. Trustee Thomas Glasgow Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

VI. RECOGNITIONS AND PRESENTATIONS

VII. PUBLIC HEARINGS

VIII. CITIZENS TO BE HEARD

President Hayes said he expressed his emotions at the end of in the meeting of March 19th. He expressed his regret for making those off hand remarks and apologized.

IX. OLD BUSINESS

- A. Report of the Committee-of-the-Whole Meeting Approved
of April 2, 2018

Consideration of recommending to the Liquor Commissioner the issuance of a Class "AA" Liquor License to Harmony Hospitality, LLC, dba Hey Nonny, located at 10 S. Vail Avenue. Liquor License will be issued upon verification that the layout is consistent with the submitted floor plan.

Trustee Robin LaBedz moved to approve upon verification that the layout is consistent with the submitted floor plan. Trustee John Scaletta Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

- B. Report of the Committee-of-the-Whole Meeting Approved
of April 2, 2018

Consideration of recommending to the Liquor
Commissioner the issuance of a Class "A" Liquor
License to Sky Daily Bread, Inc., dba Nikko
Jusarang, located at 282 E. Algonquin Road
upon surrender of the current liquor license
issued to this address

Trustee John Scaletta moved to approve upon surrender of current liquor
license issued to this address. Trustee Jim Tinaglia Seconded the Motion.
The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Rosenberg, Scaletta,
Sidor, Tinaglia

- C. Continued Discussion on Proposed New Liquor Approved
Classifications - Breweries

Village Manager Recklaus said the Board directed staff to draft liquor
regulations related to brew pubs, microbreweries and breweries at the
February 23, 2018 Village Board meeting. Staff is presenting proposed
amendments to the Liquor Code. Any approved changes will come back to
the Board after the required Plan Commission review and Public Hearing
Process for related Zoning.

In-House Counsel Ward stated that the proposed changes create definitions
for these businesses. Staff proposes that a brewpub be defined as a
restaurant that brews beer. Also proposed is the addition of a Class M
Liquor License, which would apply to tap rooms in breweries which allow
people to taste beer, but do not have a restaurant facility. Ward explained
Classes A, AA and E would now include brewpubs. There is a proposed
supplemental cost for a Class E, as the brewery would also be selling beer
as a retailer. She explained that staff is still working on what the fee should
be for a Class M. The Plan Commission's review would address square
footage and zoning issues.

Trustee Sidor asked how the maximum gallons were determined within the
licensing definitions. Ms. Ward said the State of Illinois limits and numbers
were used.

Trustee Scaletta thought this topic should be discussed at a Committee of
the Whole meeting where a more in depth presentation could occur. Mr.
Recklaus said the issue was presented tonight to expedite the process. If
the Board is in favor of the proposed changes, the Plan Commission review
and public hearing process can proceed. Then, the Board can consider the
proposal with the liquor and zoning information. Recklaus explained it is

not a new concept, so did not warrant a full presentation.

Trustee Scaletta described the differentiation between breweries, microbreweries, brewpubs and restaurants noting that there was no food component in the Class M classification for breweries/microbreweries. Mr. Recklaus explained microbreweries and breweries limit consumption, volume and hours of operation. Trustee Scaletta said he was inclined to agree with the proposed changes, but does not want Class M businesses in the downtown. Ms. Ward said the Plan Commission would consider the zoning constraints and make a recommendation to the Board. The Board could approve the proposed classifications and exclude some licenses from downtown. Mr. Recklaus explained the Board would discuss zoning after the public hearing so it has the benefit of public input.

Trustee Glasgow asked for clarification on how the fees were determined. Ms. Ward said that she bench-marked other towns' fees, looked at the relative pricing for the Village's licenses and then adapted pricing in proportion. She said she would do the same in determining Class M fees. Glasgow said he did not want to preclude any projects from the downtown. He said he would like to see more of this. He said other towns with these businesses do not have problems, and the people who patronize taprooms are generally getting a bottle to take home.

Trustee Tinaglia said he supported the new liquor classifications but would like microbreweries to have a food component. He suggested craft snacks could go along with the craft brews. Ms. Ward said the Board could require a food component; the staff proposal is comparable to other Villages' licensing. She explained a taproom is usually ancillary to a brewery. It is a tasting room. A commercial kitchen has another level of health regulation, and is a very different kind of business. Tinaglia asked about the relative size of tap rooms. Ward said the Itasca brewery's ratio is 50/50 brewing space/tap room. Tinaglia stated he was uneasy with that. He said he was not against Class M businesses being in downtown.

Trustee Blackwood asked if the 48-ounce serving limit under Class M was a State regulation. Ms. Ward answered no, each town sets their own serving restriction but 48 ounces is the most common amount among municipalities. The businesses are self-policed. Mr. Recklaus described the different ways businesses could limit consumption. Blackwood expressed concern that people might frequent an establishment more than once a day to circumvent the limit.

Trustee Rosenberg asked if the hours could be changed. The answer was yes. Rosenberg asked if the Board could require the businesses to allow people to order, or bring in food. Ms. Ward said that kind of requirement was not in any other village's liquor codes for these classifications. Rosenberg stated it might be a good component to require the taprooms to provide menus. Trustee Rosenberg asked if there were parts of the Village where breweries were excluded. Ms. Ward said zoning has not been addressed yet, only liquor classifications.

Trustee Sidor asked if many breweries are in downtowns. Planning & Community Relations Director Perkins said brewpubs or small taprooms (with beer brought in from the actual brewery) are most common in downtown districts. Evanston has a brewery in town. Sidor said it seems the Village is about ten years behind. Deputy Planning Director Enright said the Plan Commission could begin its work in early summer. Sidor asked about the pricing strategy. Ms. Ward said the prices need to be in line with the other licenses and the retail component needs evaluation. The prices will fit within the current pricing structure.

Trustee LaBedz asked about the health regulations. Mr. Recklaus said production, service and dish-washing require health regulation. Introducing food service means a business needs more elaborate kitchen facilities to maintain food temperature and store the food, meaning a higher level of regulation.

Trustee Glasgow listed breweries in nearby towns. He said forty-eight ounces is four drinks. These breweries have tasting rooms and typically are independently owned. They are not designed for people to sit down and stay, but for tasting beer, buying it and taking it off property. Glasgow said most microbreweries are factories with small tasting rooms without food, and patrons are ushered out after the tour is over. He said he did not see an overabundance of places where amounts are limited because of the nature of these establishments. He said the State has some location restrictions. He said he would be open to proposals; he did not want to foreclose any potential business opportunities.

Trustee Scaletta said he was in support of brewpubs. As for breweries and microbreweries, he asked if there were other municipalities that require a food component to serve alcohol like Arlington Heights, that have added a brewery or microbrewery. Assistant Village Manager Mikula said the data she collected showed of the 14 communities surveyed, 12 permit breweries and microbreweries, and 5 permit taprooms without food. She did not know if they require food in their other licensing.

President Hayes agreed that the Village was behind the curve, and stated the proposal should move ahead with the recommendations to level the playing field.

Trustee Thomas Glasgow moved to approve recommended changes to the Liquor Code and direct Staff to move forward with proposed changes to the Zoning Code. Trustee Mike Sidor Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Rosenberg, Sidor, Tinaglia

Nays: Scaletta

X. CONSENT AGENDA

CONSENT OLD BUSINESS

CONSENT APPROVAL OF BIDS

- A. Asphalt Spray Patch Contract Extension 2018 Approved

Trustee Thomas Glasgow moved to approve. Trustee Robin LaBedz
Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Rosenberg, Scaletta,
Sidor, Tinaglia

- B. Cured In Place Sewer Lining 2018 Approved

Trustee Thomas Glasgow moved to approve. Trustee Robin LaBedz
Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Rosenberg, Scaletta,
Sidor, Tinaglia

- C. Water System Improvements 2018 Approved

Trustee Thomas Glasgow moved to approve. Trustee Robin LaBedz
Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Rosenberg, Scaletta,
Sidor, Tinaglia

- D. Arlington Heights Police Station Bradford
Lockers Approved

Trustee Thomas Glasgow moved to approve. Trustee Robin LaBedz
Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Rosenberg, Scaletta,
Sidor, Tinaglia

CONSENT LEGAL

- A. An Ordinance Amending Planned Unit Development Ordinance Number 17-028 and Granting Variations from Chapter 28 of the Arlington Heights Municipal Code (Heart's Place, 120-122 E. Boeger Dr.) Approved

Trustee Thomas Glasgow moved to approve 18-006. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

CONSENT REPORT OF THE VILLAGE MANAGER

XI. APPROVAL OF BIDS

XII. NEW BUSINESS

- A. Chapter 28 Text Amendments - Phase 2 - Approved
PC#17-005

Mr. Enright summarized the proposed changes to Chapter 28. The changes eliminate repetitive text within the chapter or eliminate text covered in other chapters of the Municipal Code. Staff is also recommending amendments to some code requirements, which affect development standards. These include:

28-5 Use Districts

- a. Increase density standards for the Hickory Kensington Overlay Zone
- b. A recommendation for 49 foot lots to be build-able versus current 50 foot minimum
- c. Allow for lots to be build-able if there is already a house on the lot.

28-6 General Provisions-Increase fence height from 5 feet to 6 feet for side and rear yards.

28-11 Off Street Parking and Loading

- a. A 'Substantial Compliance' section to allow for smaller parking deficits for multipurpose buildings.
- b. New parking ratio for elementary schools.

28-13 Plan Commission- Four new standards for Hardship criteria that

apply to both ZBA and the Plan Commission.

Trustee Rosenberg asked where R-6 areas are located. Mr. Enright said mostly on the outskirts of town, Lake Cook Road, Dundee Road, Rand Road and Golf Road, but there are a few south of Sigwalt. Town houses or 3-4 story apartment buildings are R-6. The Plan Commission recommended a minimum height of 50 feet in R-6. Rosenberg asked why Staff is recommending 45 feet. Enright responded 50 feet would restrict most buildings to four stories. A variation would be required for them to go to five. Rosenberg questioned the removal of language regarding vehicle repair and service signage. Enright said the language was duplicated in other Code sections; it is not a change in policy. Trustee Rosenberg asked staff to compare the provisions regarding RV's in residential areas to other municipalities.

Trustee Baldino pointed out that the fees in 28.12-14 are not being eliminated; they are being itemized in another Code section. Mr. Recklaus said the goal is to have all fees in one centralized place.

Trustee Tinaglia stated he appreciated the updates as a user of the Code. The language is often redundant, or does not jive. Centralizing the information will make it easier for many people. Tinaglia explained that it would be hard to squeeze five stories under 50 feet. It would be nice for developers to have a little more space in four floors to do something special.

Trustee Labedz asked for a fire pit definition. Mr. Enright said fire pits are one or two foot circles that contain a gas line, some are wood burning. She asked about portable fire pits and restrictions. Mr. Enright said any fire is required to be a certain distance away from structures and portable pits are allowed. The added Code language is providing for a use that is occurring. There have not been complaints about them. Trustee Labedz asked if there are rules as to what can be burned. Mr. Enright said not in the Zoning chapter, there are other ordinances that prohibit materials to be burned, like leaves or tires.

Trustee LaBedz asked why R-5/R-6 developments require two parking spaces and R-7 requires 1.5 spaces per unit. Mr. Enright explained R-7 is downtown, so the proximity to the train and a more walk-able area allows for fewer needed spaces. LaBedz said she preferred 45 feet for R-6 so it is different from R-7. She asked if tandem parking was still allowed. Enright said the section on tandem parking has not changed and it is allowed.

Labedz asked how the hardship criteria changed. Ms. Ward said it was hard to evaluate if a property could/could not yield a reasonable return. The previous definitions were confusing and vague. In trying to be clearer and succinct, staff looked at the LaSalle factors, which were guidelines established by the State of Illinois Supreme Court in the late 1950's for evaluating variations, as well as other municipalities criteria in making the proposed changes to the criteria.

Trustee Glasgow asked if all setbacks were being removed in the B-5 District. Mr. Enright said no. In downtown, buildings are built to the zero lot line. Staff is recommending the frontage be to the zero lot line. The area that comes into play is the side yard. In the heart of downtown, the buildings are surrounded by B-5 and there are onerous restrictions now. But the amendment builds in that if you are adjacent or across the street from single family, there needs to be a minimum set back. On the perimeter of the downtown, developments cannot go all the way to the lot line. Mostly, B-5 buildings surround B-5 buildings.

Glasgow asked if grills off the kitchen in a side yard are prohibited. Mr. Enright said movable grills like a Weber grill are not regulated. Structural outdoor kitchens have to be in the rear yard, not the side. Generators need to be in the back yard, this is being codified, but it is not a change. Glasgow asked about the elimination of outdoor sales. Enright said outdoor sales are not allowed, so you cannot discontinue something that is not allowed. There are a few exceptions like Lowes. Ms. Ward said this is a clean-up of the language. Glasgow asked why the lease requirement on parking spaces is being deleted. Ms. Ward said, in leasing spaces from the Village, the Village would already be reviewing the lease, so it is redundant language.

Trustee Sidor revisited the tandem parking space issue. He said he reads it as the space has to have access to driveway, not the car. Mr. Perkins said it has been viewed both ways.

Trustee Bert Rosenberg moved to approve the Plan Commission recommendations of January 10, 2018 with the exception of the recommended side yard set back of 10% for R-6. The Village Board recommends a side yard setback of 20% for R-6. Trustee Jim Tinaglia Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

B. Olympic Park Swim Center - 660 N. Ridge Ave. - Approved
PC#18-002
PUD Amendment, Parking Variation

Ben Rea of the Arlington Heights Park District described the proposed two story addition to Olympic Pool which includes: a gymnasium with two basketball courts, running track, office space, remodeled locker rooms, fitness center and a fourth pool. They have contacted Christian Liberty Academy to discuss an agreement for additional parking for high use events. Dave Yandel of FGM Architects showed the new entrance on the west side. Safety-town remains intact and a landscaped buffer extends from there. A new playground will be in front of the gym next to the entrance.

The variations requested relate to parking, fencing around the basketball court and sun porch. There are some concerns regarding traffic on Ridge/Euclid. There is some land banked parking available. The Park District is happy to comply with the additional landscaping requested on the north boarder to make the neighbors happy.

Mr. Perkins said the key issues are parking and traffic movement at Ridge/Euclid. There is a 35 parking space deficit projected. A parking deficit is common for parks. Some additional on street parking could go on Ridge but only during non-school times and only on one side of the street. Residents have said they would rather have street parking on a few busy days a year rather than take up green space for a parking lot that is not fully used. Ideally, the Christian Liberty Academy lot would be used. The soccer field shifted north to allow for land-banked parking. The fence variations intend to stop balls from going into the detention area and balls from leaving the basketball court. A potential car backup on Ridge could limit access to the parking lot and back up traffic on Euclid. Staff would use a graduated approach to solve any problems. Euclid egress is not advised, as it would be too close to the Northwest Highway intersection with Euclid.

Trustee LaBedz asked where the construction staging is proposed. Mr. Rea said most materials will be staged on site. They are looking to start in June. Sections will begin closing in March, with the goal of completing the project by fall of 2019. There will be times when the pool will have to close, but they are working to accommodate residents at other indoor pool locations.

Trustee Tinaglia said this proposed facility has been missing in the Village. The parking variations make sense because it is better to have a little more parking on the streets for a few occasions than having a lot of asphalt that is unused most times.

Trustee Scaletta said he was glad the Park District was working with what they have and not taking more property off the tax rolls. He asked how much parking is being added. Mr. Perkins answered 83 spaces. Trustee Scaletta expressed concern regarding the bottleneck in the south parking lot that spills onto the Ridge/Euclid intersection. He would like there to be only a drop off, not cars waiting to pick-up causing traffic issues. Mr. Yandel agreed saying to help alleviate a bottleneck, the entrance drive is centered on the west side. Mr. Rea said the Skate park is going to be removed, and will be reinstalled somewhere else in the district. Trustee Scaletta asked how Big Ange's parking agreement would be affected. Mr. Rea said they have six dedicated spaces. He did not predict a negative impact. During construction, it may need to be on hold periodically.

Trustee Glasgow said the Park District has gone above and beyond to make this work. He supports the project.

Trustee Baldino said in his experience, there are always spots open in the parking lot, even on busy days. He supports the project.

President Hayes asked if there was a concern that the children will want to run from the playground to the soccer field through the parking lot. Mr. Rea said there is a fence and gate around the playground so children cannot run into traffic.

Resident Cari Klinkenborg said crossing Ridge at Euclid is already challenging for pedestrians. Cars turning onto Euclid off Ridge have a hard time too. She expressed concern for children riding bikes or walking to or from the pool. There is no light to help them cross safely. With more attractions added, there will be more foot traffic and more concerns for pedestrians. Mr. Perkins said the safest place to cross is at Walnut. President Hayes said the Village will continue to look at safety issues after the project is complete. Ms. Klinkenborg said crossing Ridge is the issue, not Euclid.

Resident Carol Fiesfeld asked if handicapped parking would increase from what it is today. Mr. Yandel said there are 10 handicapped parking spaces proposed on the west side near the new entrance.

Trustee Jim Tinaglia moved to approve. Trustee John Scaletta Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia

XIII. LEGAL

XIV. REPORT OF THE VILLAGE MANAGER

XV. APPOINTMENTS

XVI. PETITIONS AND COMMUNICATIONS

- A. Request for Closed Session per 5 ILCS 120/2(c) (21): Discussion of minutes lawfully closed, whether for purposes of approval of the minutes or the semi-annual review of the minutes

- and -

5 ILCS 120/2(c)(11): Litigation, when an action against, affecting or on behalf of the Village has been filed and is pending before a court or administrative tribunal, or when the Board finds that an action is probable or imminent

XVII. ADJOURNMENT

Trustee Jim Tinaglia moved to adjourn to Closed Session at 10:08 p.m.

Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Blackwood, Glasgow, Hayes, LaBedz, Rosenberg, Scaletta, Sidor, Tinaglia