



Village of Arlington Heights
Plan Commission
Board Room, 3rd Floor
Arlington Heights Village Hall, 33 S. Arlington Heights Rd.
March 13, 2024
7:30 PM

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. Ford Auxiliary Parking Lot - 580 W. University Dr. - 2/28/24

IV. PUBLIC HEARINGS

V. OTHER BUSINESS

- A. Arlington 425 - Sigwalt/Chestnut/Highland - PC#21-002
Zoning Entitlement Extension Request

VI. PUBLIC COMMENTS

VII. ADJOURNMENT

Persons with disabilities requiring auxiliary aids or services, such as an American Sign Language interpreter or written materials in accessible formats, should contact Erin Mercado, at 33 S. Arlington Heights Road, Arlington Heights, Illinois 60005, emercado@vah.com or (847)368-5793.



**Plan Commission
3/13/2024**

Item: Ford Auxillary Parking Lot - 580 W. University Dr. - 2/28/24

Department: Planning & Community Development Department

ATTACHMENTS:

Description	Type
Ford Auxillary Parking Lot - 2/28/24 Minutes	Minutes

PLAN

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

COMMISSION

RE: FORD AUXILIARY PARKING LOT - 580 WEST UNIVERSITY DRIVE - PC #23-016
 AMENDMENT TO LAND USE VARIATION 01-057 FOR NON-PASSENGER VEHICLE
 PARKING

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 28th day of February, 2024 at the hour of 7:30 p.m.

MEMBERS PRESENT:

SUSAN DAWSON, Chairperson
 LYNN JENSEN
 MARY JO WARSKOW
 JOE LORENZINI
 BRUCE GREEN
 TERRY ENNES
 JOHN SIGALOS
 JAY CHERWIN

ALSO PRESENT:

SAM HUBBARD, Development Planner
 DAN OSOBA, Planner I

pledge.

CHAIRPERSON DAWSON: I have a call to order. Let's stand for the

(Pledge of Allegiance recited.)

CHAIRPERSON DAWSON: All right, let's do roll call.

MR. OSOBA: Commissioner Cherwin.

COMMISSIONER CHERWIN: Here.

MR. OSOBA: Commissioner Dorst, Drost, sorry.

(No response.)

MR. OSOBA: Commissioner Ennes.

COMMISSIONER ENNES: Yes.

MR. OSOBA: Commissioner Green.

COMMISSIONER GREEN: Yes.

MR. OSOBA: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.

MR. OSOBA: Commissioner Lorenzini.

COMMISSIONER LORENZINI: Here.

MR. OSOBA: Commissioner Sigalos.

COMMISSIONER SIGALOS: Here.

MR. OSOBA: Commissioner Warskow.

COMMISSIONER WARSKOW: Here.

MR. OSOBA: And Chair Dawson.

CHAIRPERSON DAWSON: Here.

All right, first item of the agenda is approval of minutes. We have the Opal Massage Therapy and 1821 North Verde Subdivision.

COMMISSIONER WARSKOW: I'll make such a motion.

COMMISSIONER ENNES: I'll second it.

CHAIRPERSON DAWSON: All right, all in favor?

(Chorus of ayes.)

attendance.

COMMISSIONER JENSEN: I have to recuse myself. I wasn't in

CHAIRPERSON DAWSON: You're abstaining?

COMMISSIONER JENSEN: Abstaining, yes.

attendance.

CHAIRPERSON DAWSON: Yes, I'm abstaining as well. I also was not in

All right, so with that, we've got our first or our only petition on the agenda. Our Petitioner is here? Why don't you come on up? Who, will both of you be speaking? I'll swear you both in at the same time.

MR. GUIDO: We will.

been given?

CHAIRPERSON DAWSON: First of all, let me ask, have all public notices

MR. OSOBA: Yes.

CHAIRPERSON DAWSON: Okay, great.

(Witnesses sworn.)

CHAIRPERSON DAWSON: Terrific.

If you could state your name, spell your last name for us for the record before you speak, and then go ahead and give us your presentation.

MR. GUIDO: My name is John Guido, G-u-i-d-o, it's Jr.

MS. SMITH: And my name is Cassie Smith, S-m-i-t-h.

CHAIRPERSON DAWSON: Terrific, thank you.

MR. GUIDO: So, we're here today to talk about our land use amendment for our property that was owned by the Village at one point in time and then transferred over to Arlington Heights Ford as an auxiliary parking lot. In that transition over to us, the verbiage had that it was going to be for additional passenger vehicle parking. As our business grew, we needed more spots to park vehicles, and what we're using it for is more commercial type vehicles. So, the bigger trucks are going over there and that's why we're looking to get that changed in the verbiage.

CHAIRPERSON DAWSON: Okay, do you have any other, because otherwise we'll go right to Staff presentation. Do you have, you do have a presentation?

MS. SMITH: We want to go through the five --

CHAIRPERSON DAWSON: Okay, sorry. It looked to me like you were done. Okay, here we go.

MS. SMITH: Yes, so this kind of breaks down our requested action. We're requesting to use 51 spots in total on this storage for commercial parking. The commercial vehicles that will be parked on the lot will be a combination of commercial vehicles for sale as well as some potential overflow of commercial vehicles we're working on in service. With the parts shortage and things like that, sometimes there's a five to seven-day delay on parts showing up, and then the service vehicles will be parked in average again of maybe five days on the lot, that's kind of being a little excessive, if we're waiting for parts.

I included a photo of that lot with numbered parking. So, the requested parking are the three parking rows against the very back fence which would be the top of that photo with the drive past being the bottom of the photo. That way we keep them out of public view as passers by are going by. The remainder of the parking lot will be for our passenger vehicles for sale.

There were some recommendations from the different sites that we had to request, and then these were just the things that were left that had not yet been handled. So, I mentioned that parking only allowed in Spaces 1 through 50 and Space 176 as numbered on the previous photo, we do agree to this term. We will not be parking vehicles in the center aisles as requested. They mentioned in case of fire or anything like that, vehicles had to be driven through. We do keep those aisles empty in the center.

We do currently have a post-work permit request in for the seal coating and restriping of the lot as the company that did that did not apply for a permit, and we were unaware that there was permit required for the striping. So, we've got that in already.

We added sod into the grass area towards the side of the parking lot. We do not, we have not and will not be parking there since it has been fixed. Then the vehicles again on the lot, as requested, will only be in stock units or vehicles awaiting service as needed. We will not be leasing any spots to outside entities.

Continued recommendations. All of the vehicles temporarily stored on this lot will be in working order. We have a separate location for our body shop in Wheeling because that was mentioned as a concern. That's the old Stasek Chevrolet Store, and that's where all of our body work gets done.

The landscaping currently covers the view of the lot except for the west side of the driveway. So, there is a little corner of that gate that's not covered with the

required shrubs. We do plan on having those installed in springtime once the weather obviously brightens up a little bit.

Then just closing remarks. We need to get the lot amendment approved so we can utilize it as needed. We're also looking forward to our continued partnership with the Village because we do have some additional expansion on the horizon. But we'll be increasing traffic to the township as well as tax revenue. We've currently got another lot just, or another warehouse just behind us that we're working on rezoning with you guys as well.

CHAIRPERSON DAWSON: Okay, great. Thank you for your presentation. We can go to the -- I'm sorry. You did go through some of them, but I just want to make sure. Have you gone through all the conditions of approval and do you agree with all of them? I know that some of them were in your presentation.

MS. SMITH: We do.

CHAIRPERSON DAWSON: Okay, terrific.

All right, so let's go to Staff presentation then.

MR. OSOBA: All right, good evening, Chair and Commissioners. The property in question for this petition is located at 580 West University Drive which is in M-1 Research Development and Light Manufacturing District. Vehicle storage is not a permitted land use within M-1; however, in 2001, this property obtained a land use variation to permit the storage of passenger vehicles on the property, and the Petitioner again is before you this evening to request an amendment to this previously approved land use variation to permit the storage of non-passenger vehicles on the property.

A little bit of background on the petition here, in March 2023, Arlington Heights Ford was issued a citation due to the storage of these non-passenger commercial vehicles as shown on this slide. In discussing the citation with Arlington Heights Ford, the dealership has a high volume of vehicle repairs for commercial vehicle freights such as ABC Plumbing and Amazon. This was a way to retain the business by expanding service operations and bring numerous commercial accounts during the Covid pandemic, and that has continued since the end of that pandemic.

Then after these discussions, Arlington Heights Ford submitted a conceptual proposal to begin the process for a land use variation amendment and went to the Conceptual Plan Review Committee in May of 2023. The CPRC was generally favorable of the proposal but cited the need for vehicle storage at the rear of the property and concerns on landscape maintenance, concerns about vehicle repair and operability of those vehicles that are stored on site, and the use of parking spaces as storage specifically for Arlington Heights Ford.

This aerial shows the site and demonstrates the overall industrial context of the surrounding development along West University Drive. Additionally, this shows the rear of the property is surrounded by an industrial type land use, and one of the criteria for approval that Staff reviews for land use variation requests is whether the proposal will change the essential character of the locality and whether it can be compatible with the surrounding development. Storage of the larger non-passenger vehicles at the rear of the property would reduce visibility from West University Drive and not significantly impact the character of the surrounding development to the north.

These site photos were taken this morning, showing the site facing north from West University Drive. The photo on the left of your screen shows the public hearing sign posted on the gate, and the photo on the right shows the interior of the lot and the fencing that surrounds the parking lot. It is worth noting that it appeared that all of the vehicles that were

parked within the lot this morning were passenger vehicles.

This is the proposed parking plan for the site overlaid with an aerial image. The 51 parking spaces designated for non-passenger vehicle parking are highlighted in red at the north end of the property, and the Petitioner agreed with Staff's assertion that the commercial vehicles should be parked at the rear to reduce the visual impacts on the adjacent street. Staff has a recommended condition of approval to limit non-passenger vehicles to the spaces specifically shown on this exhibit.

In regards to site improvements, Staff recently noticed the parking was seal coated and restriped without a permit, as was mentioned. A condition of approval had been recommended by Staff to require the Petitioner to submit a permit application prior to Village Board approval. At this time, Arlington Heights Ford has submitted a complete permit application on February 23rd which was after the Staff report and this condition was published. The permit is currently in review but has not been issued yet at this point.

In regards to landscaping, the existing landscaping along West University Drive is to be upgraded to comply with all screening requirements, and a condition of approval has been recommended by Staff to require the Petitioner to provide a landscape plan that demonstrates compliance with these requirements.

In regards to business operations, Staff noted during review that vehicles are not to be parked or stored within drive aisles to maintain circulation. Vehicles are to be stored in paved striped parking spaces only. All vehicles on the lot must be awaiting service by Arlington Heights Ford or be overflow Arlington Heights Ford vehicle inventory. Vehicles stored on site must be in working order and not visibly damaged. Staff has recommended conditions of approval to ensure site circulation and business operations are maintained to comply with these items.

Staff is recommending approval of this application subject to those seven conditions as outlined on the slide and on the motion sheet before the Plan Commission. I'm happy to answer any questions.

CHAIRPERSON DAWSON: Great.

First, do we have a motion to include the Staff report in the public record?

COMMISSIONER JENSEN: So moved.

CHAIRPERSON DAWSON: Is there a second?

COMMISSIONER CHERWIN: I second.

CHAIRPERSON DAWSON: All in favor?

(Chorus of ayes.)

CHAIRPERSON DAWSON: Any objections, opposed?

(No response.)

CHAIRPERSON DAWSON: No, all right.

Let me, before we ask you direct questions, seeing only one person in the audience, can I open up, should I open up to public?

MR. GUIDO: Sure.

CHAIRPERSON DAWSON: I am opening it up to public commentary at this time. Any public comments?

(No response.)

CHAIRPERSON DAWSON: No, all right. So, I'm going to close public commentary.

Terrific, why don't we go then, are there any questions?

Commissioner, I can start down here.

COMMISSIONER CHERWIN: Yes, I would just, I don't, I mean, it's a good project, I'm totally good with it. I guess I'd ask as long as you're here, it looks like you have a nice security fence and everything there. Have you had any security problems while you've been there? I know there have been some car dealers in the area that have run into some theft issues. Have you guys been subject to that? Has this lot been subject to that?

MR. GUIDO: Not of that lot, no. We have cameras there, but we have had it at the dealership and at Buick GMC which is our other store next door.

COMMISSIONER CHERWIN: Is it still an ongoing issue?

MR. GUIDO: The Buick GMC store had another vehicle stolen a few weeks ago.

COMMISSIONER CHERWIN: Really.

MR. GUIDO: Yes. That was recovered, but it was stolen.

COMMISSIONER CHERWIN: Is there anything that the Village you think should, or --

MR. GUIDO: I don't. I really don't think there's anyone can do to make it safer. These crews that are coming in, they're highly trained, highly armed. They know what they're doing. Just having cameras is all we can do.

COMMISSIONER CHERWIN: Are any of these like cases going, I mean are you finding the people who are doing it, or is it just kind of --

MR. GUIDO: They're going absolutely nowhere. No one is getting prosecuted. They won't go on high speed chases. I was involved in a couple of them myself when I was on property and they came, held guns. Police were chasing after them on the highway, they stopped pursuit.

COMMISSIONER CHERWIN: They just let them go?

MR. GUIDO: Let them go.

COMMISSIONER CHERWIN: Pretty good deal. All right, that's it. Thank you.

CHAIRPERSON DAWSON: Okay.

COMMISSIONER SIGALOS: I have no questions. I was at the CPRC meeting, so I, we know you went there so I have no questions.

MR. GUIDO: Thank you, John.

COMMISSIONER ENNES: I have a couple of questions. Under the conditions, for Staff, I don't understand some of the conditions we're requiring for this type of a business with this situation, in 5, 6 and 7. We're saying that they shall not, any vehicles there shall not be leased or used for general vehicle storage by outside entities. Are you talking about from other dealerships or like if part of their service is for companies like ABC or Amazon I think you said, those would seem like general vehicles from outside entities that are leased. Would those be excluded?

MR. OSOBA: No, those would not be excluded. The intent is to make sure that the vehicles that are going to be on the site are to be serviced by Arlington Heights Ford and not leased to Amazon or not leased to ABC Plumbing for storage for their vehicles indefinitely.

COMMISSIONER ENNES: So, they're not subletting spaces out to other entities?

MR. OSOBA: Correct. Correct.

COMMISSIONER ENNES: Okay, which is kind of unusual because that original lease with, I believe with the dealerships was for Arlington Heights Ford and any other dealership that wanted to use the space, but anyways, if they're okay with that, that's fine with me.

The dealership has a body shop. Why would you preclude them from having vehicles that need body repairs?

MR. OSOBA: So, the dealership has an approval for service and not for body repairs. So, the land use approval for the actual dealership that's performing the repairs has a service approval, and that was from the original ordinance, the land use variation ordinance.

MR. GUIDO: Those are off site. It's a different site.

COMMISSIONER ENNES: So, but at the dealership, they can park cars needing repair?

MR. OSOBA: At the --

MR. GUIDO: The Ford dealership had a body shop in it for many, many years, yes.

COMMISSIONER ENNES: But you don't have that anymore?

MR. GUIDO: We do not.

COMMISSIONER ENNES: Oh, okay, my mistake.

MR. GUIDO: As of three years ago. We turned it into a commercial truck service which is why we're expanding into that building behind us.

COMMISSIONER ENNES: Yes, I know, I had body work done there years ago.

MR. GUIDO: Yes, thanks, Terry.

COMMISSIONER ENNES: Okay, and then when that lot was originally developed, as I recall, in addition to guard rails and fences and everything, that it was fully landscaped. Has that landscaping just deteriorated?

MR. GUIDO: We haven't taken anything down. It's just over time some of the bushes just died, yes.

COMMISSIONER ENNES: Died and whatnot, okay. So, the landscaping that's required, is that just along the front?

MR. OSOBA: Correct, yes. It would be the landscape screening for the parking lot along the front of West University Drive.

COMMISSIONER ENNES: Okay, that's all I have.

CHAIRPERSON DAWSON: Okay, thank you.

Commissioner Green?

COMMISSIONER GREEN: I really don't have any questions. It's nice to see no school buses there. So, that's all I was concerned with.

MR. GUIDO: Agreed.

COMMISSIONER LORENZINI: No questions.

CHAIRPERSON DAWSON: Commissioner Warskow?

COMMISSIONER WARSKOW: I don't have any questions either.

COMMISSIONER JENSEN: I don't either.

CHAIRPERSON DAWSON: All right.

Well, everything has been asked and answered from my perspective.

COMMISSIONER ENNES: So, I would make a motion.

A motion to recommend to the Village Board of Trustees approval of PC #23-016, an Amendment to Land Use Variation Ordinance 01-057 to allow storage of non-passenger vehicles.

This recommendation is subject to the following conditions:

1. Parking of non-passenger vehicles shall only be allowed on Spaces 1 through 50 and Space 176 as identified on the attached exhibit. All remaining spaces on the subject property shall be designated for passenger vehicles only.
2. Vehicles shall not be parked in drive aisles to maintain emergency access and circulation through the site.
3. The Petitioner shall submit a permit application to the Building & Life Safety Department for the parking lot seal coating and restriping work that has already occurred on the subject property. This application shall be received prior to this petition appearing before the Village Board, and the Petitioner shall obtain the permit no less than three months after Village Board approval of this petition.
4. If continued parking of vehicles on grass is observed by the Village upon approval of this petition, Ford shall be required to construct the land-banked parking as generally outlined in Ordinance 01-057 within 90 days of any such request by the Village.
5. All passenger or non-passenger vehicles stored on the subject property shall be awaiting service by Arlington Heights Ford or be excess Arlington Heights Ford vehicle inventory. Parking spaces on the subject property shall not be leased to or used for general vehicle storage by outside entities.
6. All passenger or non-passenger vehicles stored on the subject property shall be in working order, not visibly damaged or inoperable. Vehicles needing body work or engine repair shall not be stored on the subject property.
7. The Petitioner shall provide a landscape plan that demonstrates screening of the parking lot from view of West University Drive. Screening shall be a minimum of three feet in height and consist of a mix of plant material with varying height, including shrubs, perennials, and ornamental trees. Landscaping in compliance with this condition shall be installed no later than September 30, 2024.

COMMISSIONER CHERWIN: I'll second.

CHAIRPERSON DAWSON: Great.

So, voice vote, please. Sorry, roll call, I'm looking at the wrong cheat part of my cheat sheet. Roll call, please.

MR. OSOBA: Commissioner Ennes.

COMMISSIONER ENNES: Yes.

MR. OSOBA: Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes.

MR. OSOBA: Commissioner Drost.

(No response.)

MR. OSOBA: Commissioner Green.

COMMISSIONER GREEN: Yes.

MR. OSOBA: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.
 MR. OSOBA: Commissioner Lorenzini.
 COMMISSIONER LORENZINI: Yes.
 MR. OSOBA: Commissioner Sigalos.
 COMMISSIONER SIGALOS: Yes.
 MR. OSOBA: Commissioner Warskow.
 COMMISSIONER WARSKOW: Yes.
 MR. OSOBA: Chair Dawson.
 CHAIRPERSON DAWSON: Yes.

Great, so you've received a unanimous recommendation from us, but we're just a recommending body, you will be going to the Village Trustees for a final deliberation. Staff can talk to you more about when that will be, but congratulations.

MR. GUIDO: Thank you very much.
 MS. SMITH: Thank you, guys.
 MR. GUIDO: Appreciate it. Thanks for your help.
 COMMISSIONER ENNES: Good luck.
 COMMISSIONER CHERWIN: Good luck.

CHAIRPERSON DAWSON: All right, our next item on the agenda is just general public commentary. Any general public commentary?

(No response.)

CHAIRPERSON DAWSON: Seeing none, we're closing general public commentary. Any other items for the agenda this evening?

COMMISSIONER GREEN: I have a comment. We see this guy for the first time here.

MR. OSOBA: That's true, yes.
 COMMISSIONER GREEN: Dan, thank you.
 MR. OSOBA: Glad to be here.
 COMMISSIONER CHERWIN: Welcome, Dan.
 COMMISSIONER ENNES: Welcome.
 COMMISSIONER JENSEN: Good job. You did an excellent job.
 CHAIRPERSON DAWSON: I wasn't sure because I wasn't here last time.

So, I was like maybe I just missed something and he's been here all along.

MR. OSOBA: Not quite.
 CHAIRPERSON DAWSON: Well, welcome, Dan.
 MR. OSOBA: Thank you.
 CHAIRPERSON DAWSON: Okay, do I have a motion to adjourn?
 COMMISSIONER GREEN: I'll make that motion.
 COMMISSIONER CHERWIN: I'll second.
 CHAIRPERSON DAWSON: All in favor?

(Chorus of ayes.)

CHAIRPERSON DAWSON: All right, that's it. Thanks, everyone.
 (Whereupon, at 7:50 p.m., the public hearing on the above-mentioned petition 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. 2024.

NOTARY PUBLIC



Plan Commission 3/13/2024

Item: Arlington 425 - Sigwalt/Chestnut/Highland - PC#21-002

Department: Planning & Community Development Department

Project Background

On May 3, 2021, the Village Board adopted Ordinance #21-013, which granted an amendment to the Arlington 425 Planned Unit Development (PUD) approvals to allow modifications to the previously approved development plan for the site. As required by the Municipal Code, the PUD approval was valid for 24 months. Additionally, the Preliminary Plat of Resubdivision approval was set to expire 24 months after approval of Ordinance #21-013. In sum, both of these zoning entitlements were set to expire on May 3rd of 2023.

Request

At the recommendation of staff, the petitioner has requested a 6-month extension to the PUD and Preliminary Plat of Resubdivision approvals, which would extend expiration until November 3rd of 2024. They have outlined the reasons for this request in a letter included within the packet provided to the Plan Commission.

Recommendation

It is recommended that the Village Board approve the following:

1. A 6-month extension to the PUD and Preliminary Plat of Resubdivision expiration deadline, from May 3, 2024 to November 3, 2024.

ATTACHMENTS:

Description	Type
Staff Memo to PC - 3/8/24	Memorandum
Extension Request Letter - 2/27/24	Correspondence
VB Minutes - 4/17/23	Minutes
2021 Approved Site Plan - For Reference	Exhibits



Memorandum

To: Chair Dawson and Members of the Plan Commission
CC: Charles Witherington-Perkins, Director of Planning and Community Development
From: Sam Hubbard, Development Planner
Date: 3/8/2024
Re: Request for Zoning Entitlement Extensions – Arlington 425 Development (PC #21-002)

Project Background:

On May 3, 2021, the Village Board adopted Ordinance #21-013, which granted an amendment to the Arlington 425 Planned Unit Development (PUD) approvals to allow modifications to the previously approved development plan for the site. As required by the Municipal Code, the PUD approval was valid for 24 months. Additionally, the Preliminary Plat of Resubdivision approval was set to expire 24 months after approval of Ordinance #21-013. In sum, both of these zoning entitlements were set to expire on May 3rd of 2023.

Pursuant to Village Code, an initial 12-month extension of both the PUD and Preliminary Plat can be granted directly by the Village Board. On April 17 of 2023, the petitioner requested a one-year extension of the both the PUD and Preliminary Plat of Subdivision, as well as a on-year extension to the deadline for submission of a building permit for the Chestnut Building (from April 30, 2028 to April 30, 2029), all of which was granted by the Village Board (minutes attached). Accordingly, the approvals are set to expire on May 3rd of this year. Any subsequent request for extension must be heard first by the Plan Commission and then by the Village Board.

Request

At the recommendation of staff, the petitioner has requested a 6-month extension to the PUD and Preliminary Plat of Resubdivision approvals, which would extend expiration until November 3rd of 2024. They have outlined the reasons for this request in a letter included within the packet provided to the Plan Commission.

Staff notes that the petitioner has undertaken several steps demonstrating continued efforts towards finalizing the zoning entitlements and commencing construction of this project:

- On November 14th and November 28th of 2023, the petitioner appeared before the Design Commission to authorize modifications to the design and architecture of the Campbell Building, which were ultimately approved by the Design Commission subject to one condition of approval.
- On December 12th of 2023 and January 9th of 2024, the petitioner appeared before the Design Commission to authorize modifications to the design and architecture of the Highland Avenue garage. These modifications were also approved by the Design Commission subject to several conditions of approval.
- In order to complete the subdivision entitlements, the petitioner submitted Final Engineering plans and a Final Plat of Subdivision to the Village on February 20th. These documents are currently under review.
- On March 4th, the petitioner applied for a building permit to allow construction of the Campbell Building, Highland Avenue garage, and sitework necessary to prepare the site for construction.

Given the complexity of this development, the Village informed the petitioner it is unlikely that Final Plat would be approved by the Village Board on April 15th (the last Board meeting prior to the May 3rd expiration date), and the issuance of a building permit was unlikely to occur prior to the May 3rd deadline. The building permit will take several layers of review beyond Village staff, which will likely prolong the permit issuance process, such as MWRD review, ComEd review for removal of the utility lines, and structural review by an outside consultant to ensure no damage will occur to the Village-owned Vail Avenue garage. Given that the petitioner has demonstrated that they are proactively working towards finalizing the zoning entitlements and obtaining a building permit, the Staff Development Committee is supportive of the requested 6-month extension.

Recommendation

It is recommended that the Village Board approve the following:

1. A 6-month extension to the PUD and Preliminary Plat of Resubdivision expiration deadline, from May 3, 2024 to November 3, 2024.

CCH LLC
838 Busse Highway – Park Ridge, IL 60068
T.847.655.7700 F.847.655.7701

February 27, 2024

Mr. Charles Witherington-Perkins
Director of Planning and Community Development
Village of Arlington Heights
33 S. Arlington Heights Road
Arlington Heights, Illinois 60005

**Re: Arlington 425 Planned Unit Development Ordinance 19-
Ordinance 21-013)
Request for Extension**

Dear Charles,

Reference is made to Village Ordinance 19-019 enacted on June 3, 2019 (“Original Ordinance”) as amended by Village Ordinance 21-013 passed and approved on May 3, 2021 (“Amended Ordinance”).

Section 5.K. of the Amended Ordinance set a deadline for both issuance of building permits as well as expiration of the preliminary plat of subdivision, as May 2, 2023. This date was extended to May 2, 2024 viva voce at the meeting of the Board of Trustees on April 17, 2023.

Section 5.L. of the Amended Ordinance set a similar automatic expiry for submission of a building permit application for the Chestnut building on or before April 30, 2028 (effectively 5 years thereafter). Those minutes also extended this date to April 30, 2029, but this request is in no way a request to extend this date.

Section 9.12 (“Enforcement of Development Schedule) of the Village’s Zoning Code (as amended) provides for a 12-month extension through submittal to your department for final approval by the Village Board of Trustees. Technically, as such, we understand that the extensions granted on April 17, 2023, are the only extensions that can be granted without further consideration by the Board of Trustees.

Based on staff’s suggestion, the Developer hereby requests a **SIX (6) MONTHS’** extension pursuant to Section 9.12 of the deadline provided for in Section 5.K. of the Amended Ordinance, through **November 2, 2024**. The Developer recognizes that the Village’s grant of extension of April 17, 2023 was fraught with frustration; you may trust it was mutual. However, if there is any way that the Developer can assist in shortening the requested extension’s time period, you may be assured of its commitment to that as well.

As of February 20, 2024, your staff confirmed that the Developer has submitted all of the documents required under Section 5. (“Conditions”) of the Amended Ordinance to have the

Mr. Charles Witherington-Perkins
February 27, 2024
Page 2

process for finalization of the Final Plat of Subdivision commence. However, the Developer is advised that the timeline for staff comments, possible revisions to the Final Plat and supporting documentation, and being able to be placed on the agendas for both the Plan Commission and Board of Trustees meetings required prior to April 30, 2024, are problematic.

The Developer also will file building permit applications for Phase I no later than Monday, March 4, 2024. The Developer has arranged a “Teams” meeting with the Building Department today to assure a complete submittal. The Developer is advised that filing by the March 4 date will allow an eight-weeks’ period for review, revisions and issuance of building permits by the May 2, 2024 deadline. However, the Developer is also advised that permits cannot be issued prior to Board approval of the Final Plat along with finalization of certain other administrative matters. In this regard, getting ComEd, Nicor and the MWRD in particular fully on board create their own issues.* Hence, issuance of building permits by that deadline now are equally problematic.

But these are explanations, and not intended as excuses. The Developer is on track to obtain Final Plat approval and building permits, but timing is simply “off”.

Since the Board of Trustees’ meeting of April 17, 2023, when the potential reality of the development was in jeopardy, the Developer assembled a team of the best professionals and consultants to value engineer and price the cost of Arlington 425 Phase I. Frankly, that initial pricing was not available until January 29, 2024. That is how long it sometimes takes to obtain clarity so that good things become technically and economically feasible and ascertainable. The hope, of course, is that with the economy generally improving and with both inflation abating and interest rates stabilizing, the financial community will agree so that construction may commence.

Please let us not allow frustration to dictate how the Village and the Developer will proceed with Arlington 425 to a successful conclusion.

Please let us know what, if any, further documentation or information you will need to support this request and to recommend approval by the Village Board of Trustees. We trust in your Department’s support for the requested six months’ extension.

Lastly, the Developer wants to assure the Village of two additional points of importance relating to when construction will commence, when lease-up and occupancy can occur, and how it will be financed:

* As an example, despite having contracted with ComEd for dry utilities services nearly 3 years ago, at this juncture it has taken a month for ComEd even to find the paperwork including the receipt for the payment that the Developer made at that time, for that work. The Developer appreciates the Village’s assistance in getting this back on track.

CCH LLC

Mr. Charles Witherington-Perkins

February 27, 2024

Page 3

1. The Developer has bid the construction work that would need to start earliest, based on a presumed July 1, 2024 start date, with a timeline of approximately 18 months to commencement of occupancy.

2. With pricing identified, the Developer is circulating a reliable pro forma for financing purposes. The Developer reached out to a number of prospective lenders, who now are awaiting the pro forma for underwriting purposes.

Should you have any questions regarding this matter, please also do not hesitate to contact the undersigned by email or my DID telephone number below.

Respectfully,



Stephen S. Messutta

General Counsel

DID: 847-655-7716

cc: Bruce J. Adreani



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 17, 2023

7:30 PM

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

- A. Presentation of Colors by Boy Scout Troop 32
chartered by First Presbyterian Church

III. ROLL CALL OF MEMBERS

President Hayes and the following Trustees responded to roll: Scaletta, Canty, Schwingbeck, Bertucci, Tinaglia, Grasse, LaBedz, and Baldino.

Also present were: Randy Recklaus, Hart Passman, Rob Horne, Michael Lysicatos and Becky Hume.

IV. APPROVAL OF MINUTES

- A. Village Board 04/03/2023 Approved

Trustee Mary Beth Canty moved to approve. Trustee Tom Schwingbeck
Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Canty, Grasse, Hayes, LaBedz, Scaletta, Schwingbeck,
Tinaglia

Abstain: Bertucci

V. APPROVAL OF ACCOUNTS PAYABLE

- A. Warrant Register 04/15/2023 Approved

Absent: Tinaglia

CONSENT PETITIONS AND COMMUNICATIONS

Trustee Nicolle Grasse moved to approve. Trustee Mary Beth Canty Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Canty, Grasse, Hayes, LaBedz, Scaletta, Schwingbeck

Absent: Tinaglia

- A. Permit Fee Waiver - Arlington Lakes Golf Course Approved
Pond Bank Stabilization
- B. Bond Waiver - Chicago Adaptive Sports Approved

XI. APPROVAL OF BIDS

XII. NEW BUSINESS

- A. Arlington 425 - PUD Extension Request Approved

Bruce Adreani asked to extend the Ordinance, as the market was affected because of the pandemic, supply chain backlogs, financing constraints and market uncertainty. Mr. Lysicatos said the Ordinance was adopted May 3, 2021 and expires next month. The requirement for permit issuance also expires. Staff recommends approves of permitting these extensions.

Trustee Canty said the reasons to not build were appreciated, but other construction projects are happening in the community in the same period with the same setbacks. She said she is not seeing a clear path forward, and asked how will the next 12 months be different from the past 12 months. Is there a path forward, and what is it?

Mr. Adreani responded that high rise construction adds more money than something than a pod type of construction. Power Construction has increased prices, there have been two big increases in steel and concrete. Trustee Canty countered that surrounding communities are moving forward with construction. The issues Mr. Adreani cited are inherent in the construction businesses. She asked again, what is the path forward? Mr. Adreani said he will explore other avenues of development; he may change the plan. No one knows how the Bears stadium will affect the Downtown and he suggested the Downtown may suffer as a result of that development.

Trustee Canty said she heard the challenges in getting shovels into the

ground, but wasn't hearing how the developer will get over them, and it sounds like he is rethinking the project. She said if he needs to start over, do that, but he'll need to go through the process again.

Trustee Schwingbeck said the Board was so excited for this development and everyone wants it to come to fruition. He said he was not convinced Mr. Adreani is going to do anything there. The staff resources have not been offset by fees as yet. Other projects have been built in this time.

Trustee Baldino added the last time Mr. Adreani was before the Board, he asked what were the chances it would move forward, and the question wasn't answered. So, can it be answered now? Mr. Adreani said the economy and market are not good right now. He said he wished he could start it tomorrow, but it is a risk. Trustee Baldino said the Board is wondering about the commitment to it. We are being asked to extend a PUD without hearing of any progress.

Trustee Bertucci asked what would the timeline look like. Mr. Recklaus said staff will ask what will need to happen to get this done, and/or what would be successful in today's environment. Staff has spent a lot of time on the project and now want to make sure any additional time is well spent. Conversations should begin quickly. Trustee Bertucci asked Mr. Adreani if dialogue could occur in the next 30-60 days. Mr. Adreani agreed.

Trustee LaBedz said development is happening all up and down the Northwest corridor. She said she will give Mr. Adreani the benefit of the doubt, but she has concerns that nothing may happen.

Trustee Grasse said she would be willing to give another 12 months and asked if one portion could be approved without the other. The extension for the Chestnut Building permit (#2) does not have to be approved tonight. She said she does not support #2 at this time.

Mr. Lysicatos explained if the petitioner wanted more time after this waiver or if they amended the plan, they would have to go to the Plan Commission process again.

Mr. Adreani offered to build the Chestnut building first because it is a smaller building. That may help alleviate some of the concerns. It has less risk for him, and might energize the plan.

Trustee Scaletta said he is frustrated that it is not moving. He did not think it wise to build the Chestnut Building first. He said if Mr. Adreani can't do the project, he should find someone who can. The Downtown is not going away if the Bears come to town, that is not a valid reason. The atmosphere of a charming Downtown is not going to be the same kind of experience a stadium will be, meaning it will not be in direct competition. He said if Mr. Adreani has lost the passion to get this done, there is not much more the Village can do to help. Trustee Scaletta told him to get something done or move on.

Trustee Schwingbeck asked if it was to fail, what would it mean. Mr. Recklaus said the approvals would all expire. Even if he even wanted to do the same thing, he would have to go through the whole process again. Trustee Schwingbeck asked if there was a way to recoup staff costs. Mr. Recklaus said permit revenue fees do not offset staff time costs. The hope is that if the project is built, tax revenues would increase.

President Hayes said the Board needs to see some progress. The Village cannot have a vacant valuable piece of property. He said he is inclined to grant the request, but this will be the last time. He wants to see the whole thing built, not just the Chestnut Building.

Mr. Adreani said he would be willing to come back in six months.

Lisa Doty, lives on Mitchell and said resident support is still very high for the buildings to be built. She said she would like to see the extension be granted. She suggested to the developer to put in a pollinator garden as a place holder. She asked for future developments to install pollinator plants.

Trustee John Scaletta moved to approve a 12-month extension to the PUD and Preliminary Plat of Resubdivision to May 3, 2024 and a 12-month extension to the deadline for submission of a building permit for the Chestnut Building from April 30, 2028 to April 30, 2029. Trustee Nicolle Grasse Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Bertucci, Grasse, Hayes, LaBedz, Scaletta, Schwingbeck

Abstain: Canty

Absent: Tinaglia

XIII. LEGAL

- A. Ordinance Amending Chapter 8 of the Municipal Code of the Village of Arlington Heights
Regarding Street Performers

Mr. Recklaus said an Ordinance was drafted based on the direction of the Board regarding street performers (buskers) after a February Committee of the Whole discussion. The Ordinance says street performers are not required to have a permit, are limited to performing between 10 a.m. to 9 p.m., and may not obstruct bike or pedestrian passage. Also, they may not amplify sound. The Ordinance makes it clear these regulations do not apply to a Village performance or a sanctioned part of the Alfresco sidewalk licensing.

Discussion revolved primarily around the Ordinance SECTION 2 which states:

Sec. 8-527 Street Performers.

LINE OF 8'-0" RIGHT-OF-WAY DEDICATION TO THE VILLAGE (NORTH OF EXISTING VAIL PARKING GARAGE)

CAMPBELL COURT
(8 STORIES)

METROPOLIS
PLACE LOFTS
(8 STORIES)

225 W. CAMPBELL
(10) STORIES
(234) RESIDENTIAL UNITS

5-STORY
CONDO
BUILDING

1-STORY
OFFICE
BUILDING

S. HIGHLAND AVE.

HIGHLAND PARKING GARAGE
SLAB-ON-GRADE
OPEN ROOF DECK
(4) STORIES = (345) PARKING STALLS

33 S. CHESTNUT
(5) STORIES
(85) RESIDENTIAL UNITS
POTENTIAL (44) PARKING STALLS

S. CHESTNUT AVE.

ARLINGTON 425: ARCHITECTURAL SITE PLAN

SCALE: 1" = 30'-0"

ARLINGTON 425

A NEW B-5 DISTRICT PUD DEVELOPMENT PRESENTED BY:
CCH LLC * 838 BUSSE HIGHWAY * PARK RIDGE, ILLINOIS

DRAWING INDEX

CS	COVER SHEET AND ARCHITECTURAL SITE PLAN
HL.1	HIGHLAND PARKING GARAGE FLOOR PLANS
HL.2	HIGHLAND PARKING GARAGE ELEVATIONS
CA.1	225 W. CAMPBELL BUILDING FLOOR PLANS
CA.2	225 W. CAMPBELL BUILDING FLOOR PLANS
CA.3	225 W. CAMPBELL BUILDING ELEVATIONS
CA.4	225 W. CAMPBELL BUILDING ELEVATIONS
PB.1	ELEVATED PEDESTRIAN BRIDGE PLANS AND ELEVATIONS
CH.1	33 S. CHESTNUT BUILDING FLOOR PLANS
CH.2	33 S. CHESTNUT BUILDING ELEVATIONS
SCS	SITE SECTION COMPARISON

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TINAGLIA
ARCHITECTS

CLIENT

CCH LLC
838 BUSSE HIGHWAY
PARK RIDGE, IL 60068

PROJECT

ARLINGTON 425

ARLINGTON HEIGHTS, ILLINOIS
MIXED-USE DEVELOPMENT

DRAWING TITLE

ARCHITECTURAL
SITE PLAN

FILE NAME 3883-31P Site Plan
DRAWN BY RDL DATE 9.15.20

NO.	REVISED PER	DATE	BY
1	DESIGN DEVELOPMENT	11.2.20	KGB
2	DESIGN DEVELOPMENT	12.21.20	KGB
3	PC/DC SUBMITTAL	2.25.21	KGB

JOB NO. 388315

SHEET NO.
OF 11

CS

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