



Village of Arlington Heights
Plan Commission
Board Room
Arlington Heights Village Hall
33 S. Arlington Heights Road
Arlington Heights, IL 60005
February 11, 2015
7:30 PM

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. Parkview Apartments - 1/28/15

IV. PUBLIC HEARINGS

- A. Johler Demolition - 125 W. Boeger Dr. - PC#14-025
Land Use Variation

V. OTHER BUSINESS

VI. ADJOURNMENT

Persons with disabilities requiring auxiliary aids or services, such as an American Sign Language interpreter or written materials in accessible formats, should contact 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: Parkview Apartments - 1/28/15
Department: Planning & Community Development

ATTACHMENTS:

Description	Type
PC Minutes 1/28/15 - DRAFT	Minutes

PLAN

REPORT OF THE PROCEEDINGS OF A REGULAR MEETING
BEFORE THE VILLAGE OF ARLINGTON HEIGHTS
PLAN COMMISSION

COMMISSION

RE: PARKVIEW APARTMENTS - 212 N. DUNTON AVE. - PC#14-013
FINAL PUD

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 January, 2015, at the hour of 7:30 o'clock p.m.

MEMBERS PRESENT:

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

ALSO PRESENT:

LATIKA BHIDE, Development Planner

CHAIRMAN LORENZINI: Let's call this meeting to order please. Would you all please stand and recite the pledge of allegiance?

(Pledge of allegiance.)

CHAIRMAN LORENZINI: Latika, roll call please.

MS. Bhide: Commissioner Drost.

(No response.)

MS. Bhide: Commissioner Dawson.

(No response.)

MS. Bhide: Commissioner Cherwin.

COMMISSIONER CHERWIN: Here.

MS. Bhide: Commissioner Ennes.

COMMISSIONER ENNES: Here.

MS. Bhide: Commissioner Green.

COMMISSIONER GREEN: Here.

MS. Bhide: Commissioner Jensen.

COMMISSIONER JENSEN: Here.

MS. Bhide: Commissioner Sigalos.

COMMISSIONER SIGALOS: Here.

MS. Bhide: Commissioner Warskow.

COMMISSIONER WARSKOW: Here.

MS. Bhide: Chairman Lorenzini.

CHAIRMAN LORENZINI: Here. Okay, the next item on the agenda is approval of meeting minutes from the Comprehensive Plan of January 14, 2015. Any comments on the minutes?

COMMISSIONER JENSEN: So moved approval.

CHAIRMAN LORENZINI: Okay.

COMMISSIONER GREEN: Second.

CHAIRMAN LORENZINI: Second. All in favor?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Opposed?

(No response.)

CHAIRMAN LORENZINI: Very good. All right. The next item on the agenda is public hearing and there is really no public hearing scheduled for tonight. Other business, this brings us to Parkview Apartments, 212 North Dunton, PC #14-013. And Latika, we don't have any notices required for this, do we or don't we?

MS. Bhide: That's correct, no notices.

CHAIRMAN LORENZINI: Let it be shown Commissioner Dawson is now here.

Okay. So, where do we go next with the, Petitioner is here? Come forward please, state your name, spell it and give your address please.

MR. EZGUR: Good evening, Mr. Commissioner and members of the Commission. Michael Ezgur, E-z-g-u-r, attorney for the Petitioner,

Parkview Dunton, LLC. And my address is 1030 West Chicago Avenue in Chicago, Illinois.

And I'm here before you to respectfully request your final PUD approval for our project in Dunton. The --

CHAIRMAN LORENZINI: I'm not sure if this is, if we need to, but let me swear you in. Raise your right hand?

(Witness sworn.)

CHAIRMAN LORENZINI: Thank you. Okay, go ahead.

MR. EZGUR: You will recall that in August 13th, we received approval for a preliminary PUD based on the project which is a seven-story apartment building, 45 units, 60 parking spots. We have complied with the Village requirements of the affordable with committing to seven in perpetuity. We have 1,254 square feet of retail. And once again, we have also secured some offsite parking with working with Staff at the south Vail garage, 15 spots overnight at our cost, the Petitioner's cost, and then additional parking during the day on the North Garage as available for retail to the extent as necessary.

We have, since August, been working with Staff to respond to all the comments that were required and I think we've done so adequately. And so, we are here to respectfully request your approval. And remain available for any questions.

CHAIRMAN LORENZINI: Okay, thank you. Latika?

MS. BHIDE: The Petitioner is here this evening seeking a final planned unit development for a seven-story building, 45 residential rental apartment, 1,314 square feet of commercial spaces, and 60 interior parking spaces. As you can see, this is the plan for the site, and the site is about 0.4 --

CHAIRMAN LORENZINI: Latika, could you get a little closer to the mic please? Thank you.

MS. BHIDE: Is this better?

CHAIRMAN LORENZINI: Yes.

MS. BHIDE: The site is approximately 0.4 acres in area. The ground units would be located on floors 3 to 7, and there would be about 1,314 square feet of retail commercial space on the first floor. A total of 60 parking spaces are located on the first and second floors. So, you can see, the first floor plan here with the commercial space in that corner, the northwest corner there, and two levels of parking spaces. The access to the garage will be provided in two locations, one on Dunton and one on Eastman, as you can see here.

And on September 2nd, 2014, the Village Board adopted an ordinance approving the preliminary planned unit development. There were a few variations along with that, and those were for the minimum yards for the combined side yard and the rear setback for the residential units. There was the variation to waive the required loading berth, and then a variation for proposed drive aisles.

The Petitioner is now seeking a final planned unit development, which is in substantial compliance with the preliminary PUD ordinance. There were two conditions that were required, in the preliminary ordinance that were required to be completed before the final PUD. And one was that a fee in lieu of onsite detention be paid; that amount was established as \$6,273. The developer has requested to delay that payment until building permit, that they will note that they have secured financing, and the Engineering Division has agreed that this fee can be paid after they have provided a staging plan as well as a construction schedule.

That being said, I just have a couple of slides for the north elevation and the east elevation. This is a perspective view from the Dunton-Eastman intersection. And then the conditions of approval, so these are in addition to the preliminary PUD conditions, these are additional conditions of approval. That a fee in lieu of detention should be paid prior to issuance of a building permit. The Petitioner will be required to complete an indemnification agreement to hold the Village harmless for the balconies on the north and the east facade prior to building permit.

The Housing Commission motion is included here, that seven units be maintained as affordable in perpetuity under the Village's guidelines. The affordable requirements of the low income housing tax credit program that is secured for the project, they are consistent with the Village's affordable rental guidelines but they may be followed with respect to those seven units for the period of the, compliance period of financing. Any additional affordable units beyond the seven shall comply with the affordability requirements associated with the project financing. There are some reporting requirements, and the bedroom ratios were specified in the Housing Commission motion.

And then there is an addition that exhaust venting be designed in a manner that it doesn't impact either the residents of the new building or any potential new development. And the Petitioner has indicated that they will, this was an issue that was brought up at Village Board and they have indicated that they will comply with that at building permit. And then any federal, state and Village codes. So, that's all I have.

CHAIRMAN LORENZINI: Okay. This is not a public hearing but I guess we should have a motion to include the Staff report in the public record.

COMMISSIONER ENNES: So moved.

CHAIRMAN LORENZINI: Second?

COMMISSIONER GREEN: Second.

CHAIRMAN LORENZINI: All in favor?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Opposed?

(No response.)

CHAIRMAN LORENZINI: Thank you. Okay. Let's go to the questions. Lynn, would you like to start?

COMMISSIONER JENSEN: I think this is a good project. I am supportive of it. I do have questions of Staff actually. When we have an established neighborhood such as this, do we ever take a look at the parking requirements for the area and not just piecemeal as we have a project coming before us? Does anyone really assess how we're doing overall? Because you've got a lot of restaurants, you've got a lot of activity there, and it always strikes me, the insufficient parking. Does Staff ever take a broader view than just looking at the thing coming before the Commission?

MS. BHIDE: So, the code requirement for the project is established on a per project basis. So, for this development when they came in, 54 was established as the code requirement parking. Staff does continually look at the area. I know that Staff is looking at the allocation of parking spaces in that garage right now to see if it would be more effective if, you know, if the distribution could be better. So, yes, we do take a broader look. But for the project, it's established based on that project code requirement.

COMMISSIONER JENSEN: Okay. Well, you know, I really don't have any objection to the project in any way. I do have a concern and I'll talk about it, maybe after we pass the motion I may make a comment, really just striking the right balance between parking and retail when you're north of the railroad tracks. I still have a concern that we haven't really struck the right balance, but that's for the Village Board to ultimately decide. So, I'll pass at this point to the next Commissioner.

CHAIRMAN LORENZINI: Thank you. Mary Jo?

COMMISSIONER WARSKOW: I don't have any questions.

CHAIRMAN LORENZINI: Terry?

COMMISSIONER ENNES: I have one question. In the Staff report, under, there's a couple of conditions. In condition 12 -- oh, wait. In regard to the remediation plan by the Illinois EPA, has that been completed? Have you seen that and I just missed it?

MR. EZGUR: Do you have the --

MS. BHIDE: I know that the NFR letter, no further remediation letter has been issued by the Illinois EPA.

COMMISSIONER ENNES: Okay.

MS. BHIDE: But the preliminary planned unit development ordinance did say that a copy must be provided and that must be done prior to building permit. So, we don't have it yet.

MR. EZGUR: When we undertake construction, we're going to have the environmental people, we have to have the environmental people there to make sure that we are doing things in accordance with the

proper methods of excavation, cleanup, removal of any, and remediation of the soil. So, that's certainly part of the plan.

COMMISSIONER ENNES: I know there was a question on an unknown, which is part of the reason that the developer did not want to be party down the road. Do we know, is there any containment, at this point is there any containment issue?

MR. EZGUR: We believe that there is and we believe that right now it's encapsulated. And we know when we build our building, there will be even better engineered barriers because we're going to have a big, huge concrete parking structure on top of it. So, there will not, there are no current issues and we do have the NFR letter. And when we dig in and when we develop, we'll be doing it in accordance with their guidelines and there will be a better condition than what exists now because once again we'll have this great, big concrete barrier.

COMMISSIONER ENNES: What was the source of the contamination? Is it --

MR. EZGUR: Just east of the site was a dry cleaner booth and that was a big issue in acquisition and due diligence.

COMMISSIONER ENNES: And so, based on if they're going to approve this to be encapsulated, they must feel that it's not going to migrate to a drain?

MR. EZGUR: Without question, yes, that is correct.

COMMISSIONER ENNES: That's the only issue. It's a good project to me. I'm looking forward to you being able to get --

MR. EZGUR: We'll see, pass that along.

COMMISSIONER GREEN: I think it's overall a good project. But I do have a comment about the lack of commercial space on the first floor. I think that the north end of the tracks here needs to have that space in order for it to compete if nothing else with the south of the tracks. I just would hate to see this as a precedent being set for other developments in the area. I would like to see, still I would like to see more commercial space on the first floor.

CHAIRMAN LORENZINI: Thank you, Bruce. Susan?

COMMISSIONER DAWSON: I don't have any questions.

CHAIRMAN LORENZINI: John?

COMMISSIONER SIGALOS: I just have two questions, just continuing with the containment of soil issue. If I remember, when we previously discussed this at the previous Plan hearing, it seems the area was remediated to a four-foot level and then asphalt was placed over this so that the top four feet is clean, filled, and so any building construction, footings, foundations and so forth for the parking garage, the building itself, would not go into that containment of soil. It would still be above what's in this four-foot clean filled area. Is that correct? I mean I wanted to know that if you see the structural drawings.

MR. EZGUR: Yes, right. And so, well, I will say that typically what's done is that there is going to be an additional excavation typically that's needed for footings, et cetera. However, that soil has been removed and disposed of specially.

COMMISSIONER SIGALOS: Good.

MR. EZGUR: And so, I'm not sure how deep this is going, but I do assume from just prior from doing this a lot that typically that is, when it is removed, that would be taken to a special offsite facility.

COMMISSIONER SIGALOS: Correct.

MR. EZGUR: It would cost a little bit more to dispose of that soil, as you may know. And then once again though, then it's clean, what's been excavated is now clean and then the concrete barrier of the garage which has become what is technically an engineered barrier is once again better than what it is right now.

COMMISSIONER SIGALOS: And encapsulated.

MR. EZGUR: It's totally encapsulated. So, this is not an issue of migrating gases or fluids. It's just we have this stuff in the soil and that stuff will be encapsulated.

COMMISSIONER SIGALOS: I'm going to ask the question, and again I brought this up at the previous Plan Commission hearing, these are all rental apartments, not condominiums. And Latika, if the developer or the property owner was to change this at a future date to condominiums, does he have to come back to the Village to gain approval for that?

MR. EZGUR: We do.

MS. BHIDE: I'm trying to look at the conditions of the preliminary PUD and the ordinance, one of the conditions. Yes. So, one of the conditions was that they were approved as renting apartments and converting it to condominiums would require an amendment to the PUD. So, they would have to come back for the PUD amendment also.

COMMISSIONER SIGALOS: Well, it's unrelated but it is related, that the Timber Courts just went the opposite and they never came back to the Village of Arlington Heights. They started out as condominiums and now they're all rentals. They won't even sell you a unit there. If I wanted to go there and buy one as a condominium, they're strictly rental, and I come to find out that they never came back to the Village for that approval.

MS. BHIDE: Right, and I'd have to, I don't know if that's a condition that was included in their PUD ordinance. But for this one, we specifically have a condition that says if it is converted, it will have to come back for the PUD amendment also.

COMMISSIONER SIGALOS: Okay, that's fine. That's all I have, thank you.

CHAIRMAN LORENZINI: Jay?

COMMISSIONER CHERWIN: Yes. Not many questions I guess, just real quick. I know in one of the notes there was a note from the Fire Safety planner where he indicated there were significant design changes to the project. Was that a reference just to his part of the project or --

MS. BHIDE: Right, let me clarify that. First, he doesn't really have concern. He just, typically they like to see the architect put together a list of what the changes are.

COMMISSIONER CHERWIN: Okay.

MS. BHIDE: But there were no concerns.

COMMISSIONER CHERWIN: And then the other thing I had thought was are we referencing the NFR or the provisions of the NFR at all in the plan? I didn't see it in there. And I don't know if that's, I can't remember who put the plan together, but would the restriction there contained in the NFR be referenced in the plan? And the other question I have would be similarly for the indemnification, just to see if we have that, a stand-alone agreement with ownership changes and stuff if the Village wanted to make sure that that's tied to the ownership of the property.

MS. BHIDE: Because there is not a --

CHAIRMAN LORENZINI: Latika?

MS. BHIDE: Sorry. Because there is not a plat here, it cannot be a condition of plat. But the indemnification, my understanding is that those agreements are how they've done an indemnification in the past. And then as far as the NFR letter, they are required to provide a copy of the remediation, we have a copy of the NFR letter but they are required to provide a copy of the remediation plan prior to building permit.

COMMISSIONER CHERWIN: No other questions.

CHAIRMAN LORENZINI: Okay. Thank you. Latika, under the recommendations, item 4, the plans should ensure the placement of the exhaust venting is designated in such a manner that it does not impact adjacent residences as well as the new building, how do we make sure that happens?

MS. BHIDE: So, it is a condition in the final PUD ordinance, and so we would check that in the plans coming for permit. So, we go through the preliminary and final PUD ordinances to make sure that all of the conditions in there were complied with.

CHAIRMAN LORENZINI: Okay. And on the, from the Community Services Bureau, they had a comment. Underground parking elevators and stairwells should be visible from the parking area to avoid creating hiding or ambush locations. Emergency telephones should be installed. How do we make sure all this is being done?

MS. BHIDE: We have the same thing. When plans come in for permit, we make sure that these conditions get carried through.

CHAIRMAN LORENZINI: Okay. And to the Petitioner, you've got a construction schedule in here. As an engineer, I will see this. We rarely see these come before so I compliment you on that. That's all I have.

There is nobody here from the public for questions. It's not a public hearing anyway, so if nobody from the Commission has any other questions, if they want to make a motion?

COMMISSIONER ENNES: I'll make a motion.

A motion to recommend to the Village Board of Trustees approval of PC#14-013, a Final Planned Unit Development to allow the construction of a 7-story mixed use building that has a total of 45 residential rental apartment units, 1,314 square feet of commercial retail space on the first floor, and a total of 60 interior parking spaces.

This approval is contingent upon compliance with the recommendation of the Plan Commission and the follow recommendations detailed in the Staff report dated January 22, 2015:

RECOMMENDATION

The Staff Development Committee has reviewed the Petitioner's request and recommends approval subject to the following additional conditions:

1. Prior to the issuance of a building permit, the Petitioner shall pay a fee in lieu of onsite detention.
2. Prior to the issuance of a building permit, the Petitioner shall be required to complete an indemnification agreement to indemnify and hold harmless the Village for the balconies on the north and east facades that overhang above the right-of-way.
3. In accordance with the Housing Commission motion at their August 8, 2014 meeting, the following shall be applicable:
 - a. The 7 affordable units shall be maintained as affordable in perpetuity under the Village's affordable rental housing guidelines.
 - b. The affordability requirements of an affordable housing financing program secured for the project (e.g., the low income housing tax credit program), which are consistent with the requirements of the Village's affordable rental housing guidelines, may be temporarily followed with respect to the 7 units during the compliance period of the financing, but at all other times the requirements of the Village's affordable rental housing guidelines shall apply in perpetuity.

- c. Any additional affordable units in the project, beyond the 7 affordable units required, are recommended for approval and shall comply with the affordability requirements associated with the project financing.
 - d. The owner or the owner's designee shall be responsible for reporting to the Village on a quarterly basis in compliance with the affordable housing requirements utilizing a form prescribed by the Village of Arlington Heights.
 - e. The bedroom mix of the 7 required affordable units shall be provided according to the ratios as proposed by the Petitioner at the July 1, 2014 Housing Commission meeting resulting in 2 one-bedroom units, 4 two-bedroom units, and 1 three-bedroom unit. Any additional affordable units provided shall also comply as much as practical with the bedroom mix ratios proposed by the Petitioner at the July 1, 2014 Housing Commission meeting, those approximate ratios being 20 percent one-bedroom units, 65 percent two-bedroom units, and 15 percent three-bedroom units.
4. The plans should ensure the placement of the exhaust venting is designed in such a manner that it does not impact adjacent residents as well as residents of the new building or potential development to the south.
5. The Petitioner shall comply with all federal, state, and Village codes, regulations and policies.

COMMISSIONER WARSKOW: Second.

CHAIRMAN LORENZINI: Okay. Roll call vote please.

MS. BHIDE: Commissioner Dawson.

COMMISSIONER DAWSON: Yes.

MS. BHIDE: Commissioner Ennes.

COMMISSIONER ENNES: Yes.

MS. BHIDE: Commissioner Green.

COMMISSIONER GREEN: Yes.

MS. BHIDE: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.

MS. BHIDE: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MS. BHIDE: Commissioner Warskow.

COMMISSIONER WARSKOW: Yes.

MS. BHIDE: Chairman Lorenzini.

CHAIRMAN LORENZINI: Yes.

MS. BHIDE: Oh, sorry, Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes.

MS. Bhide: Chairman Lorenzini.

CHAIRMAN LORENZINI: Yes. Okay. It's been a unanimous approval.

MR. EZGUR: Thank you very much.

CHAIRMAN LORENZINI: Thank you, good luck.

MR. EZGUR: Thanks.

CHAIRMAN LORENZINI: All right. There is nothing else in the agenda. Any other business, Latika?

MS. Bhide: No.

CHAIRMAN LORENZINI: Any Commissioners have anything to say?

COMMISSIONER JENSEN: Our next meeting is when?

MS. Bhide: In two week's time.

CHAIRMAN LORENZINI: On the 11th?

MS. Bhide: The 11th.

COMMISSIONER JENSEN: Okay.

CHAIRMAN LORENZINI: All right. Do we have a motion to adjourn?

COMMISSIONER GREEN: I'd like to make that motion.

CHAIRMAN LORENZINI: Second?

COMMISSIONER SIGALOS: Second.

CHAIRMAN LORENZINI: All in favor?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Thank you.

(Whereupon, the meeting was adjourned
at 7:51 p.m.)

I, ROBERT LUTZOW, depose and say that I am a direct record 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.

ROBERT LUTZOW

SUBSCRIBED AND SWORN TO

BEFORE ME THIS DAY OF

_____, A.D. 2015.

NOTARY PUBLIC



Item: Johler Demolition - 125 W. Boeger Dr. - PC#14-025

Department: Planning & Community Development

Requested Action

A Land Use Variation to allow a Construction Yard in the M-1 district.

Variations Identified

1. Chapter 28, Section 6.12-1(3) Traffic Engineering Approval, to waive the requirement for a traffic study and parking analysis from a Certified Traffic Engineer.
2. Chapter 28, Section 11.4, Schedule of Parking Requirements, to allow 37 parking spaces instead of the required 39 parking spaces.

Recommendation

The Staff Development Committee reviewed the petitioner's request and recommends approval of the Land Use Variation to allow a Construction Yard in the M-1 district. This approval shall be subject to the following conditions:

1. The land use variation shall apply only to Johler Demolition.
2. As part of this request, the portion of the fence that does not meet the requirements of Village Code will be brought up to Code.
3. The Petitioner shall comply with all Federal, State, and Village codes, regulations, and policies.

ATTACHMENTS:

Description	Type
Legal Notice	Correspondence
Staff Report	Report
Notification Affidavit	Correspondence
Location Map	Exhibits
Plat & Sub Minutes - 12-10-14	Minutes
Plat of Survey	Exhibits
Narrative	Correspondence

Floor Plan
Parking Plan
Photos
LUV Justification
Department Comments
Response to Department Comments

Exhibits
Exhibits
Exhibits
Correspondence
Correspondence
Correspondence

NOTICE OF
PUBLIC HEARING
NOTICE IS HEREBY
GIVEN THAT THE PLAN
COMMISSION OF THE
VILLAGE OF ARLINGTON
HEIGHTS WILL CONDUCT
A PUBLIC HEARING ON
FEBRUARY 11, 2015 AT
7:30 P.M. in the Municipal
Building, 33 South Arlington
Heights Road, Arlington
Heights, Illinois to consider
Petition No. 14-025, for a
Land Use Variation to allow
a Construction Yard in the
M-1 district. The subject site
is generally located on the
south side of Boeger Drive,
east of Arlington Heights
Road at 125 W. Boeger
Drive., Arlington Heights,
IL.

As part of said request the
petitioner is requesting the
following variations from
the Municipal Code:

• Chapter 28, Section 6.12-
1(3) Traffic Engineering Ap-
proval, to waive the require-
ment for a traffic study and
parking analysis from a
Certified Traffic Engineer.

• Chapter 28, Section 11.4,
Schedule of Parking Re-
quirements, to allow 37
parking spaces instead of
the required parking
spaces.

And other variations as de-
termined necessary by the
Plan Commission.

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

Joe Lorenzini, Chairman
ARLINGTON HEIGHTS
PLAN COMMISSION
Published in Daily Herald
January 27, 2015 (4396616)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of Algonquin, Antioch, Arlington Heights, Aurora, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Deer Park, Des Plaines, South Elgin, East Dundee, Elburn, Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Geneva, Gilberts, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Villa, Lake in the Hills, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Mt. Prospect, Mundelein, Palatine, Prospect Heights, Rolling Meadows, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake park, Schaumburg, Sleepy Hollow, St. Charles, Streamwood, Tower Lakes, Vernon Hills, Volo, Wauconda, Wheeling, West Dundee, Wildwood, Sugar Grove, North Aurora

County(ies) of Cook, Kane, Lake, McHenry

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

I further certify that the **DAILY HERALD** is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 7150, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 1/27/15 in said **DAILY HERALD**.

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

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY

Danula Baltz
Authorized Agent

Control # 4396616

STAFF DEVELOPMENT COMMITTEE REPORT

To: Plan Commission
 Prepared By: Latika Bhide, Development Planner
 Meeting Date: February 11, 2015
 Date Prepared: February 4, 2015
 Project Title: Johler Demolition
 Address: 125 W. Boeger Drive

BACKGROUND INFORMATION

Petitioner: Robby Johler
 Address: 200 Industrial Drive
 Lincolnshire, IL 60069

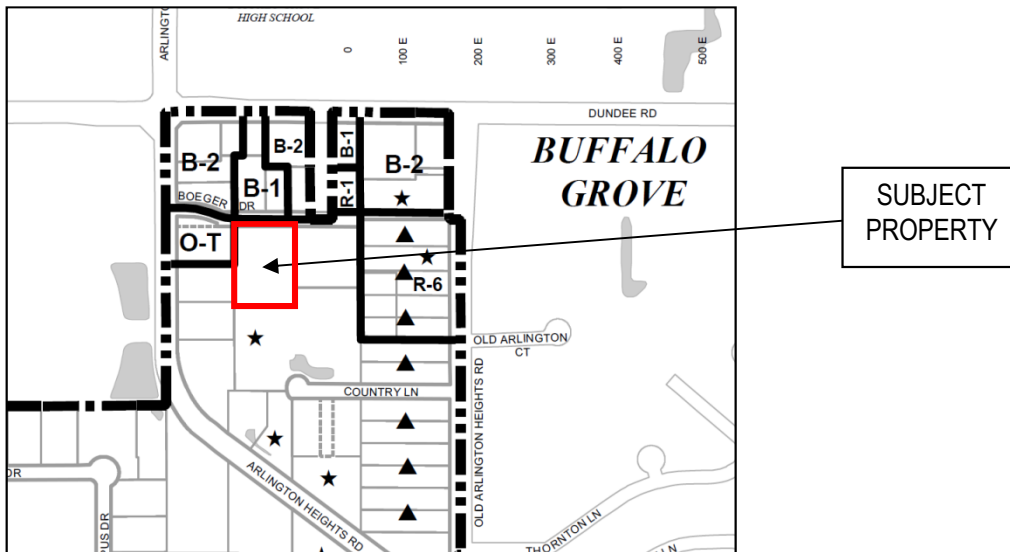
Existing Zoning: M-1, Research, Development and Light Manufacturing

Requested Action:

- A Land Use Variation to allow a Construction Yard in the M-1 district.

Variations Identified:

- Chapter 28, Section 6.12-1(3) Traffic Engineering Approval, to waive the requirement for a traffic study and parking analysis from a Certified Traffic Engineer.
- Chapter 28, Section 11.4, Schedule of Parking Requirements, to allow 37 parking spaces instead of the required 39 parking spaces.



Surrounding Properties

Direction	Zoning	Existing Use	Comprehensive Plan
North	B-1, Business District Limited Retail and B-2, General Business District	Daycare	Commercial
South	M-1, Research, Development and Light Manufacturing	Arlington Executive Plaza - Offices	R&D, Mfg., Warehouse
East	M-1, Research, Development and Light Manufacturing	Univision Radio	R&D, Mfg., Warehouse
West	O-T, Office Transitional	Riverside Medical	R&D, Mfg., Warehouse

Summary

The subject property is approximately 95,648 square feet (2.2 acres) in area with an existing 2-story building. Johler Demolition intends to purchase the property at 125 W. Boeger Drive to locate its headquarters. Johler Demolition, Inc. is a full-service demolition contractor that specializes in commercial, industrial and residential demolition. Their services include total building demolition, building separation, interior/selective demolition, asbestos abatement, concrete crushing and recycling, heavy concrete removal and on-site concrete recycling.

The use is classified as a "Construction Yard", which is only permitted in the M-2 district. **A Construction Yard is defined as, "An establishment with an enclosed and/or unenclosed space used for bulk storage of landscape and building material, heavy construction equipment and machinery, and, may include the provision of services, the fabrication of building related products the operating of machinery, and the construction yard's business office."** Therefore, a land use variation is required.

The petitioner has indicated that they employ 25 to 40 people at any given time. However, only between 4 and 7 employees work at the corporate office at any given time, while the rest of the employees work in the field. The employees working in the field travel directly to the job site and return home from the job site. They do not come to the office and would not be at this location.

Johler Demolition owns and maintains its own fleet of heavy equipment, including hydraulic excavators, track loaders and wheel loaders. They have indicated that most of the heavy equipment is maintained in the field and would remain out on job sites as no demolition-related work would occur at the subject property. Minor repairs for equipment are completed in the field and the equipment is transported to the shop only if it requires major repairs or due to lack of work. The company also has two dump trucks that typically leave the shop at 6:00 a.m. and return between 3:00 p.m. and 6:00 p.m. on weekdays. The company also owns an additional 4 company pickup trucks and 2 service trucks that are out in the field for most of the day. The applicant has indicated that when the 2 service trucks are not out in the field, they will reside inside the building. Johler Demolition also owns 2 stake bed delivery trucks; these trucks are typically be used daily for job site deliveries. The delivery vehicle typically leaves at 6:00 a.m. and can make several stops at the shop throughout the day in order to fill job site orders.

According to the floor plan provided by the applicant, there will be an approximately 10,000 square feet indoor shop area for maintenance and repair and a 4,500 square feet (indoor) job site tools, equipment storage and maintenance area along the rear of the building. Diamond and Huels, a certified public accounting firm (current occupant), will occupy approximately 4,305 square feet and remain in Suite 101. Johler Demolition will occupy a 4,305 square feet office area on the second floor. Any other tenants currently occupying the property will vacate the premises once Johler Demolition completes the purchase of the property. There is an existing truck dock on the west side of the building along the front of the building that will be utilized by the applicant. Heavy equipment and other company vehicles and trailers are proposed to be stored within an approximately 12,000 square feet area along the rear of the property. There is an existing concrete canopy and brick structure on the east side of the property at the rear of the building that will be used to store supplies. Since the canopy and brick structure do not meet the required 25 feet setback for an accessory structure, they are considered non-conforming. Since no change is proposed at this time, they shall remain as existing non-conforming structures.

Zoning and Comprehensive Plan

The site is currently zoned M-1, Research, Development and Light Manufacturing. Because the use is not permitted in the M-1 district; therefore the petitioner must submit a written justification 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.**

The Village's Comprehensive Plan designates this property as 'R&D, Mfg., Warehouse.' The proposed use is not consistent with the Comprehensive Plan. Due to the fact that other uses with outdoor storage such as King Koncrete (previous tenant),

Rooney Landscape and Emerald Lawn Care (current tenants) have occupied this site, the Staff Development Committee is generally supportive of this Land Use Variation at this location.

Plat and Subdivision Committee

On December 10, 2014, the Plat and Sub Committee met to discuss the project. The subcommittee was overall supportive of the use.

Building and Site Related Issues

The petitioner is not proposing any exterior modifications to the building. If exterior modifications are proposed, then a Design review may be required. With respect to the interior improvements, the Petitioner must comply with all applicable accessibility, building, and life safety code requirements.

Per Chapter 28, Section 5.1-17.1, Conditions of Use, the yard must be enclosed by solid walls or fences. In the M-1 district, slatted fences are permitted between properties. There is an existing 8-foot tall chain link fence with privacy slats around the entire perimeter of the yard. However, it appears that there are portions of the fence that are missing the privacy slats and therefore do not meet the requirements of the Ordinance. As part of this land use variation request, the fence must be brought up to code.

Per Chapter 28, Section 6.15, the ends of all parking rows must include a landscape island equal in area to one parking space and contain a 4" caliper shade tree. One landscape island is deficient along the south end of the west parking row. Since no change is proposed, therefore the lack of a landscape island is considered an existing non-conformity.

Traffic & Parking Related Issues

Parking is provided on the east and west side of the building. There are a total of 37 parking spaces provided on-site, 12 spaces are on the west side of the building and 25 spaces are on the east side of the building, of which 2 spaces are designated accessible spaces.

Per the Zoning Code, the parking requirements for this use are calculated as follows:

Use	CODE USE	SF/ Employees/Bays	PARKING CALC (SF)	PARKING RATIO (1:X)	PARKING REQUIRED
Diamond & Huels (Accounting Firm)	Office	4,305 SF	4,305	1:300	14
Johler Demolition - Office	Office	4,305 SF	4,305	1:300	14
Johler Demolition – Shop Area	Warehouse	10,000 SF 7 employees 8 vehicles		1/two employees + 1/each vehicle used in the conduct of the enterprise	11
Johler Demolition – Job Site Tools	Warehouse	4500 SF	4,500	1/two employees + 1/each vehicle used in the conduct of the enterprise	0*
Total					39
<i>Total Provided</i>					37
Surplus / (Deficit)					(2)

* Johler has indicated that there will be a total of 7 employees on site, including the office, shop, and tools area. There are no additional employees or vehicles beyond those listed that are used in the conduct of the business.

Therefore, the following variation is needed:

- Chapter 28, Section 11.4, Schedule of Parking Requirements, to allow 37 parking spaces instead of the required 39 parking spaces.

The applicant has indicated that no more than 7 employees for Johler Demolition will be present at this location, while Diamond and Huels employs 5 people at this location. They have indicated that the existing 37 parking spaces will meet their requirements.

Per the Zoning Ordinance, a Traffic study and Parking analysis prepared by a qualified professional engineer is required for any project seeking a Land Use Variation that is not adjacent to a major or secondary arterial street as defined by the Village's Thoroughfare Plan. The applicant has indicated that while they own heavy equipment, it is maintained and utilized at various job sites and typically brought back to the shop area of the building only if the equipment needs major repair that cannot be completed at the job site. The applicant has indicated that transporting heavy equipment is very costly and so it is financially beneficial to move the equipment as little as possible, and when moved, to move it from one job site to another. The applicant has estimated that heavy equipment is transported to and from the site approximately 15 times per year. Based on the information provided and the limited number of times the equipment is moved, staff supports not requiring a traffic study and parking analysis. The petitioner has also indicated that transportation of heavy equipment typically occurs one half hour before sunrise. The petitioner must comply with the requirements of the Village Code relative to noise.

The following variation is needed:

- Chapter 28, Section 6.12-1(3) Traffic Engineering Approval, to waive the requirement for a traffic study and parking analysis from a Certified Traffic Engineer.

Recommendation

The Staff Development Committee reviewed the petitioner's request and recommends approval of the Land Use Variation to allow a Construction Yard in the M-1 district. This approval shall be subject to the following conditions:

1. The land use variation shall apply only to Johler Demolition.
2. As part of this request, the portion of the fence that does not meet the requirements of Village Code will be brought up to Code.
3. The Petitioner shall comply with all Federal, State, and Village codes, regulations, and policies.

February 4, 2015

Bill Enright, Deputy Director of Planning and Community Development

C: Randy Recklaus, Village Manager
All Department Heads

NOTIFICATION AFFIDAVIT

I, Natasha A. Adler hereby certify as follows:

1. That on the 26th day of January, 20 15, affiant caused to be mailed in the Post Office of Arlington Heights, copies of the attached Notice of Public Hearing to all listed taxpayers of real estate within 250 feet, excluding all Public Right-of-Ways of the subject property and to the owners, or representatives, of property listed as exempt, and to all Condominium Associations whose property is within 250 feet of the subject site for which the hearing is being held..
2. That the parties to whom said notice was mailed are set forth on the attached list.
3. That the petitioner stated that the required sign(s) were erected as required by the Village of Arlington Heights.

Nat Adler

Signature

Subscribed and Sworn to before me
this 27 day of January, 20 15.

OFFICIAL SEAL
JULIE L. STEGER
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES: 10/29/18

Notary Public



ARLINGTON HEIGHTS RD

BOEGER DR

PIQ

COUNTRY LN

Johler Demolition
Prepared by: The Village of Arlington Heights
Department of Planning & Community Development
February 2015



**REPORT OF THE PROCEEDINGS OF
THE PLAT & SUBDIVISION COMMITTEE**
OF THE VILLAGE OF ARLINGTON HEIGHTS PLAN COMMISSION
HELD AT VILLAGE HALL ON:

December 10, 2014

Project Title: Johler Demolition
Address: 125 W. Boeger Drive
Petitioner: Robby Johler
200 Industrial Drive
Lincolnshire, IL 60069

Requested Action:

1. A Land Use Variation to allow a Construction Yard in the M-1 district

Variations Required:

- Chapter 28, Section 6.12-1(3) Traffic Engineering Approval, to waive the requirement for a traffic study and parking analysis from a Certified Traffic Engineer
- Chapter 28, Section 11.4, Schedule of Parking Requirements, to allow 37 parking spaces instead of the required parking spaces.

Attendees: Robby Johler, Johler Demolition
Bill Lussow, Bespoke Realty
Bruce Green, Plan Commissioner
John Siglaos, Plan Commissioner
Lynn Jensen, Plan Commissioner
Latika Bhide, Development Planner

Project Summary

The subject property is approximately 95,648 square feet (2.2 acres) in area with an existing 2-story building. Johler Demolition intends to purchase the property at 125 W. Boeger Drive to locate its headquarters. Johler Demolition, Inc. is a full service demolition contractor that specializes in commercial, industrial and residential demolition. Their services include total building demolition, building separation, interior/selective demolition, asbestos abatement, concrete crushing and recycling, heavy concrete removal and on-site concrete recycling. The use is classified as a "Construction Yard", which is only permitted in the M-2 district. The petitioner has indicated that they employ 25 to 40 people at any given time. However only between 4 and 7 employees work at the corporate office at any given time, while the rest of the employees work in the field. The employees working in the field travel directly to the work site work and return home from the job site. They do not come to the office and would not be at this location. Johler Demolition owns and maintains its own fleet of heavy equipment, including hydraulic excavators, track loaders and wheel loaders. They have indicated that most of the above mentioned equipment is maintained in the field where it is working. If the equipment requires major repairs it is transported to the shop. Most of the heavy equipment would remain out on job sites as no demolition-related work would occur at the subject property. Johler Demolition has indicated that the heavy equipment is typically out in the field with the exception of major repairs/ heavy maintenance or lack of work. The company also has two dump trucks that typically leave the shop at 6:00 a.m. and return between 3:00 p.m. and 6:00 p.m. on weekdays. The company also owns an additional 4 company pickup trucks and 2 service trucks that are out in the field for most of the day. The applicant has indicated that when the 2 service trucks are not out in the field, they will reside inside the building. Johler Demolition also owns 2 stake bed delivery trucks; these trucks will typically be used daily for job site deliveries. The delivery vehicle typically leaves at 6:00 a.m. and can make several stops at the shop throughout the day in order to fill job site orders. According to the schematic floor plan provided by the applicant, there will be an approximately 10,000 square feet indoor shop area for maintenance and repair and a 4,500 square feet (indoor) job site tools, equipment storage and maintenance area along the rear of the building. Diamond and Huels (current occupant) will occupy approximately 3,500 square feet and remain in Suite 101. Johler Demolition will occupy an

approximately 5,255 square feet office area on the second floor and any remaining space will be vacant. There is an existing truck dock on the west side of the building along the front of the building that will be utilized by the applicant. Heavy equipment and other company vehicles and trailers are proposed to be stored within an approximately 12,000 square feet area along the rear of the property. There is an existing canopy on the east side of the property at the rear of the building that will be used to store supplies.

Meeting Discussion:

R. Johler said that he was searching to buy a property. He has been leasing (his current location) for the last 10 years. He was working with Bill to find a location and found a suitable building in Arlington Heights that needed a (land use) variation. L. Bhide said that the use was classified as a construction yard, which is permitted in the M-2 district and would therefore require a land use variation to be permitted in the M-1 district, which this property is zoned. She said that the applicant would be requesting variations to waive the requirement for a traffic study and parking analysis from a Certified Traffic Engineer, which was required for all land use variations not adjacent to a major or secondary arterial and to allow 37 parking spaces instead of the required parking spaces. She said that staff was not entirely clear on the exact square footages of the various uses and therefore there were a few questions in the staff report which will need to be clarified as part of the Plan Commission application. She said that applicant has indicated that they employed 25-40 people and that 4-7 employees would be at this location. Most of the equipment would be in the field but would be brought back to the shop if it required major repair. Other than that they have company pick-up trucks and service trucks that go in and out of the site. The shop area is proposed to be approximately 10,000 SF and the tools area is approximately 4,500 SF tools. The other tenant at the location is Diamond and Huels, an accounting firm, and they will be staying there. She said that when she went out to the site she also saw that Rooney Landscaping and Emerald Lawn Care were currently occupying the site and the petitioner could clarify if they would continue occupying the site. L. Bhide said that the back 50 feet of the property would be used to store heavy equipment and trailers.

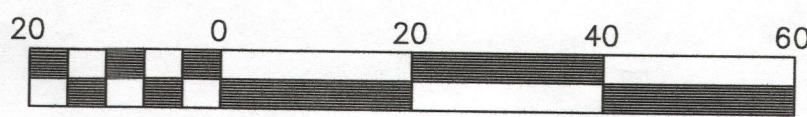
B. Green asked if there was a Village requirement for fences. L. Bhide said that an 8 foot tall fence was required and she thought that there was an existing 8 foot chain link fence with privacy slats. B. Green asked if they were looking to do something with the fence. L. Jensen said that the staff report says that the use is not consistent with the Comprehensive Plan and if that was a concern. L. Bhide said that the previous users of the site included King Concrete and Rooney Landscaping and therefore because of similar previous uses, staff did not have concerns about this use at this location. He said that the Comprehensive Plan Committee should look at this area generally (to see if any changes should be recommended), but he thought that the use was good and it would be good to have that space occupied. J. Sigalos said that he was familiar with the property and he asked if Rooney Landscaping would be staying at the location or would be leaving. R. Johler said that all tenants, other than Diamond and Huels will vacate the site. They will occupy the J. Sigalos asked if Rooney Landscaping was vacating the property? R. Johler said that they would (vacate) if Johler Demolition bought the property. J. Sigalos said that Johler Demolition would not need a lot of parking as their employees drive directly to the (demolition/construction) site. He said he knew that Rooney Landscaping employees drove to the (125 W. Boeger) site and then took the company trucks, so that would not be happening any longer. J. Sigalos asked if there would be any fuel storage on-site and if there was a concern with that? L. Bhide said that staff was seeking information regarding any proposed fuel storage. She said that the Building Department has a checklist for fuel tanks and staff was asking for the location and capacity of the tanks so that the requirements could be relayed to the petitioner. R. Johler said that there are currently a couple of 2000 Gal. tanks on site. J. Sigalos asked if any Demolition material is salvaged from job sites and brought back to yard. R. Johler said that certain items like electrical switchgear was brought back to the site, but it was not kept on the site for long time and would be stored indoors. J. Sigalos said that he thought that the use was fine. B. Green said that the applicant addressed some of his questions regarding the landscaping material in the yard, as the applicant indicated that the other tenants, including the landscaper would vacate the premises. He said that other petitioners, such as Hillside Towing were required to provide a solid masonry wall. L. Bhide said that she believed the Ordinance called for an 8-foot tall solid wall or fence. L. Jensen asked if Rooney Landscaping was aware that they would have to vacate the property. He said that the report should state that the applicant would be purchasing the property. He thought that this was a great use. B. Green said that that with the other tenants vacating it seems that there would be enough parking on site.

L. Jensen said that the applicant must prove the hardship – that the property cannot be used as originally zoned. He asked how long the property was vacant for or on the market. R. Johler said that the property has not been vacant. B. Lussow said that the rents collected for the property were depressed. He said that as an example, Rooney Landscaping was paying 50% less than their original rent. From a leasable perspective, the yard was a positive, but the yard space would be obsolete if they could not store heavy equipment there. B. Green asked if the landscape operation would be allowed (by right) in the M-1 district. L. Bhide said that it would, it was the “construction yard” that triggered the land use variation. J. Sigalos said that per the applicant not a lot of equipment would be moving as most of the equipment was on-site.

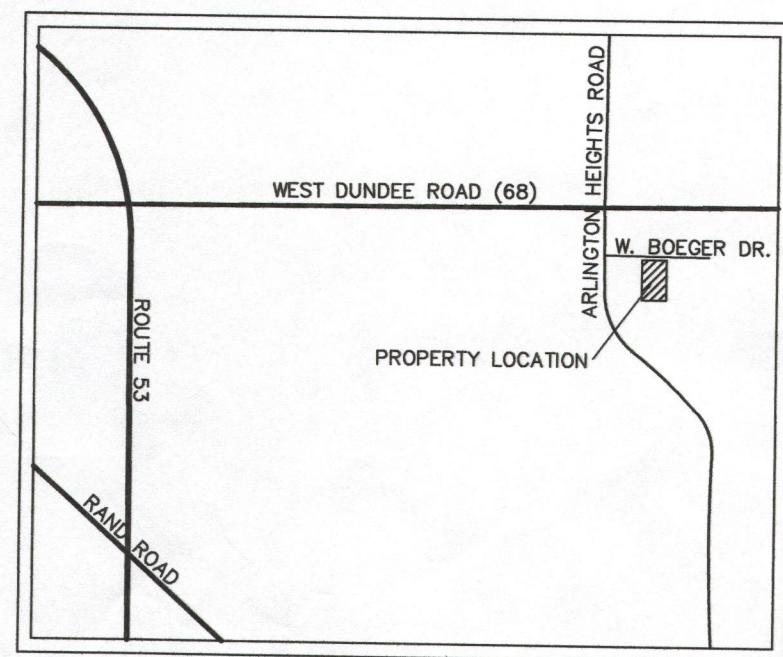
RECOMMENDATION

Commissioner Green said that the Petitioner should move forward through the process.

**Bruce Green, Chair
PLAT & SUBDIVISION COMMITTEE
Latika Bhide, Recorder**



Scale 1" = 20'



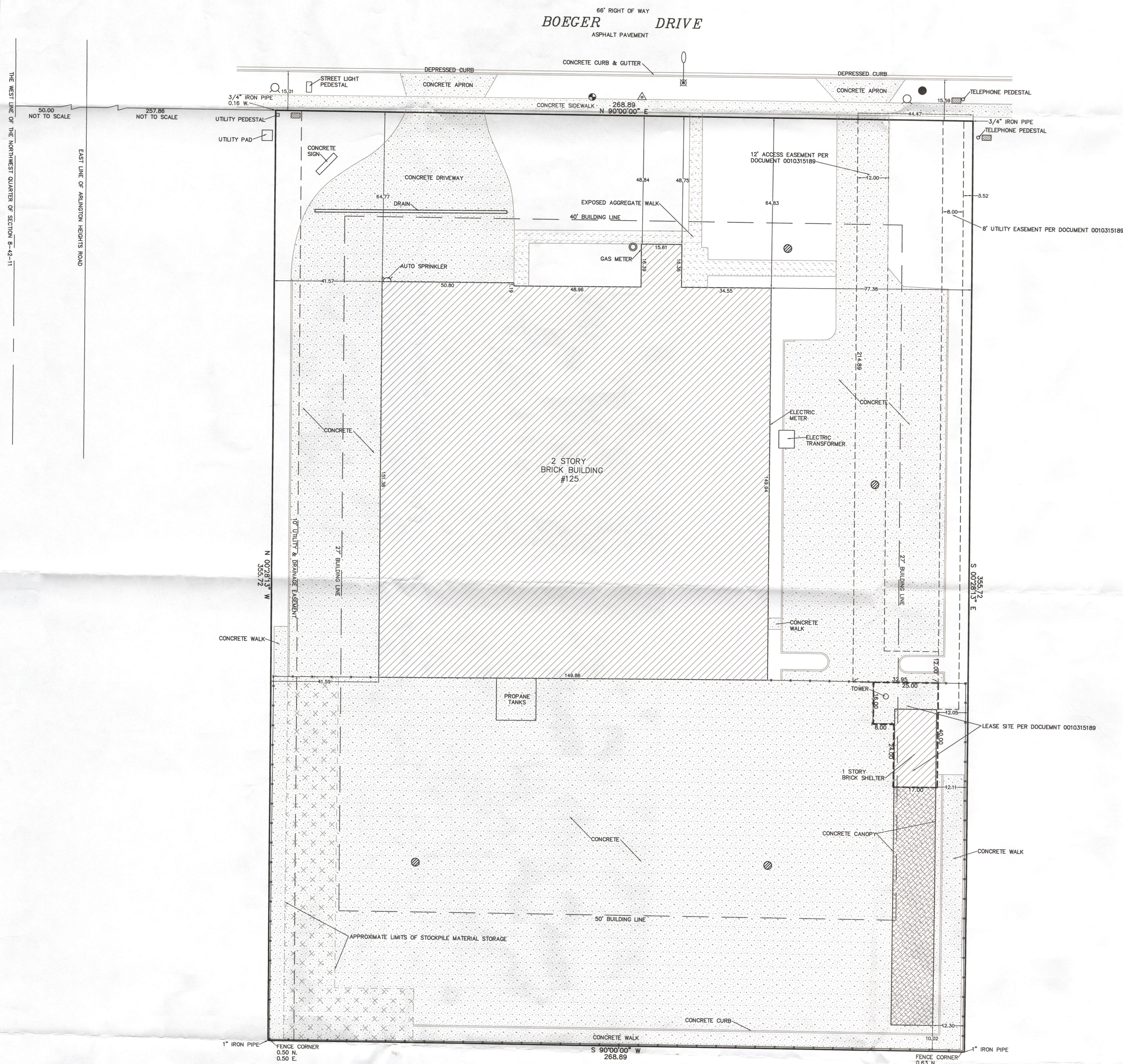
LOCATION MAP
NOT TO SCALE

A.L.T.A./A.C.S.M. LAND TITLE SURVEY

LEGAL DESCRIPTION

LOT 1 IN TSCHEURTS SUBDIVISION BEING A SUBDIVISION OF THAT PART OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 8, THENCE SOUTH ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF SECTION 8, A DISTANCE OF 485.00 FEET, THENCE EAST ALONG THE NORTH LINE OF NORTH RIDGE SUBDIVISION, A DISTANCE OF 307.88 FEET TO THE POINT OF BEGINNING, THENCE CONTINUING EAST ALONG THE AFORESAID LINE, A DISTANCE OF 596.80 FEET TO A POINT IN THE WEST LINE OF FREEDOM SMALL FARMS SUBDIVISION, THENCE SOUTH ALONG THE AFORESAID LINE, A DISTANCE OF 786.70 FEET TO A POINT ON THE NORTH LINE OF FAIRVIEW LANE SUBDIVISION, THENCE WEST ALONG THE AFORESAID NORTH LINE, A DISTANCE OF 596.08 FEET TO A POINT ON THE EAST LINE OF THE NORTH RIDGE SUBDIVISION, THENCE NORTH ALONG THE AFORESAID EAST LINE, A DISTANCE OF 789.52 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

T.K.D. Land Surveyors, Inc.
P.O. BOX 1463, Arlington Heights, IL 60006
Phone: (847) 997-9292
tksdlandsurveyors@aol.net



LEGEND

- WATER VALVE
- VALVE VAULT
- FIRE HYDRANT
- SANITARY MANHOLE
- STORM INLET
- GAS VALVE
- STREET LIGHT
- CONCRETE CURB
- CONCRETE CURB & GUTTER
- WOOD FENCE
- FIBER OPTIC VAULT

ALTA/ACSM TABLE A ITEMS:

- PROPERTY CORNER MONUMENTS ARE SHOWN HEREON.
- THE ADDRESS ON RECORD FOR THIS PROPERTY IS 125 BOEGER DRIVE, ARLINGTON HEIGHTS, IL 60004.
- THE PROPERTY SHOWN HEREON IS LOCATED IN A ZONE "C" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) BY FLOOD INSURANCE RATE MAP #17031CODE3A, DATED AUGUST 19, 2008.
- THE MEASURED PROPERTY AREA IS 85,646 SQUARE FEET (2.09 ACRES).
- PER ARLINGTON HEIGHTS ZONING MAP THE PROPERTY SHOWN HEREON IS ZONED M-1 - RESEARCH, DEVELOPMENT AND LIGHT MANUFACTURING DISTRICT.
- FOR ZONING SETBACK REQUIREMENTS, HEIGHT AND FLOOR SPACE AREA RESTRICTIONS PLEASE REFER TO THE ARLINGTON HEIGHTS MUNICIPAL CODE CHAPTER 28, ZONING REGULATIONS SECTION 3.1-17.
- THE EXTERIOR DIMENSIONS OF ALL BUILDINGS AT GROUND LEVEL ARE SHOWN HEREON.
- THE AREA OF THE EXTERIOR FOOTPRINT OF THE BUILDING SHOWN HEREON IS 22,808 SQUARE FEET.
- ALL SUBSTANTIAL FEATURES OBSERVED IN THE PROCESS OF CONDUCTING THE SURVEY ARE SHOWN HEREON.
- LOCATION OF UTILITIES SHOWN HEREON ARE DETERMINED BY OBSERVED EVIDENCE.

THIS SURVEY IS BASED ON TITLE COMMITMENT/POLICY #2014-2635CK
EFFECTIVE DATE: OCTOBER 7, 2014 BY COMMONWEALTH LAND TITLE INSURANCE COMPANY

STATE OF ILLINOIS) ss.
COUNTY OF COOK) ss.

TO: FIRST MIDWEST BANK, ITS SUCCESSORS AND/OR ASSIGNS AT/MA.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6A, 6B, 7A, 7B, 8, & 11A OF TABLE A THEREOF.

The field work was completed on: October 17, 2014
Date of plot or map: October 17, 2014

Keith E. Delaney Illinois P.L.S. #035-003385
Professional Design Firm Lic. No. 184.005204

* All dimensions shown are given in feet & decimal parts thereof
* No angles or distances are to be assumed by scaling
* Legal description, building lines and easements are taken from recorded subdivision plat and/or other available documentation.
Refer to title policy, deed or local jurisdiction for building setbacks and easements not shown hereon and report any discrepancies.

Scale: 1"=20'
Order # 14-424
Address: 125 Boeger Dr.
Arlington Heights, IL 60004
P.L.N. 03-08-100-038-0000
Ordered by Rick J. Erickson

THIS SURVEY IS VALID ONLY WITH EMBOSSED SEAL

RECEIVED

JAN 15 2015

Land Use Variation Information for 125 Boeger Drive, Arlington Heights

For the past year, Johler Demolition has been searching for property to order to conduct its day-to-day operations. We have been focusing on the Northern suburbs of Chicago for a location in order to stay close to some of the major roads, such as: I-90, I-294 and Route 53, to name a few. Our work is typically performed within a 50 mile radius of Chicago and ensuring that our main office is within this area is of central importance to us.

We believe that the proposed use we have for the property will cause minimal to no adjustment to the surrounding businesses, as this property has had landscape and/or construction type uses since it was originally constructed.

We came across the property at 125 Boeger Dr. several months ago and felt the building was well suited for our business needs, in terms of location, size and accessibility. While we do not currently own the property, we have an agreement in place to purchase the property from the current owner, pending the approval of the zoning change needed to facilitate our business.

The current M1 zoning held by the property would need to be changed to M2, in order to apply to our business and allow the sale of the property. This is due to the fact that Johler owns heavy equipment. It should be noted that while we do own several pieces of heavy equipment, the equipment is generally maintained and utilized at various job sites and would typically only need to be brought to the shop area of the building if a piece needed major repair that cannot be completed at the job site. Transporting heavy equipment is very costly, so it is financially beneficial to move the equipment as little as possible and when it is moved, to move it from one job site to another. To give an approximate number, our heavy equipment will be transported to and from the property around 15 times per year. In addition, the transportation of heavy equipment typically happens one half hour before sunrise to avoid any possible inconveniences to neighboring businesses and/or residences.

The current owner of the property operates their accounting business out of the building. Pending the sale of the property to Johler, Diamond & Huels Accounting firm would continue to occupy the entire first floor of the building (approximately 4,305 square feet) for at least an additional 10 years based on our agreed upon lease terms. Johler would occupy the entire second floor of the building (approximately 4,305 square feet). All other existing leases will be terminated once the sale is completed. Therefore, the Land Use Variation we are requesting would only apply to Johler Demolition.

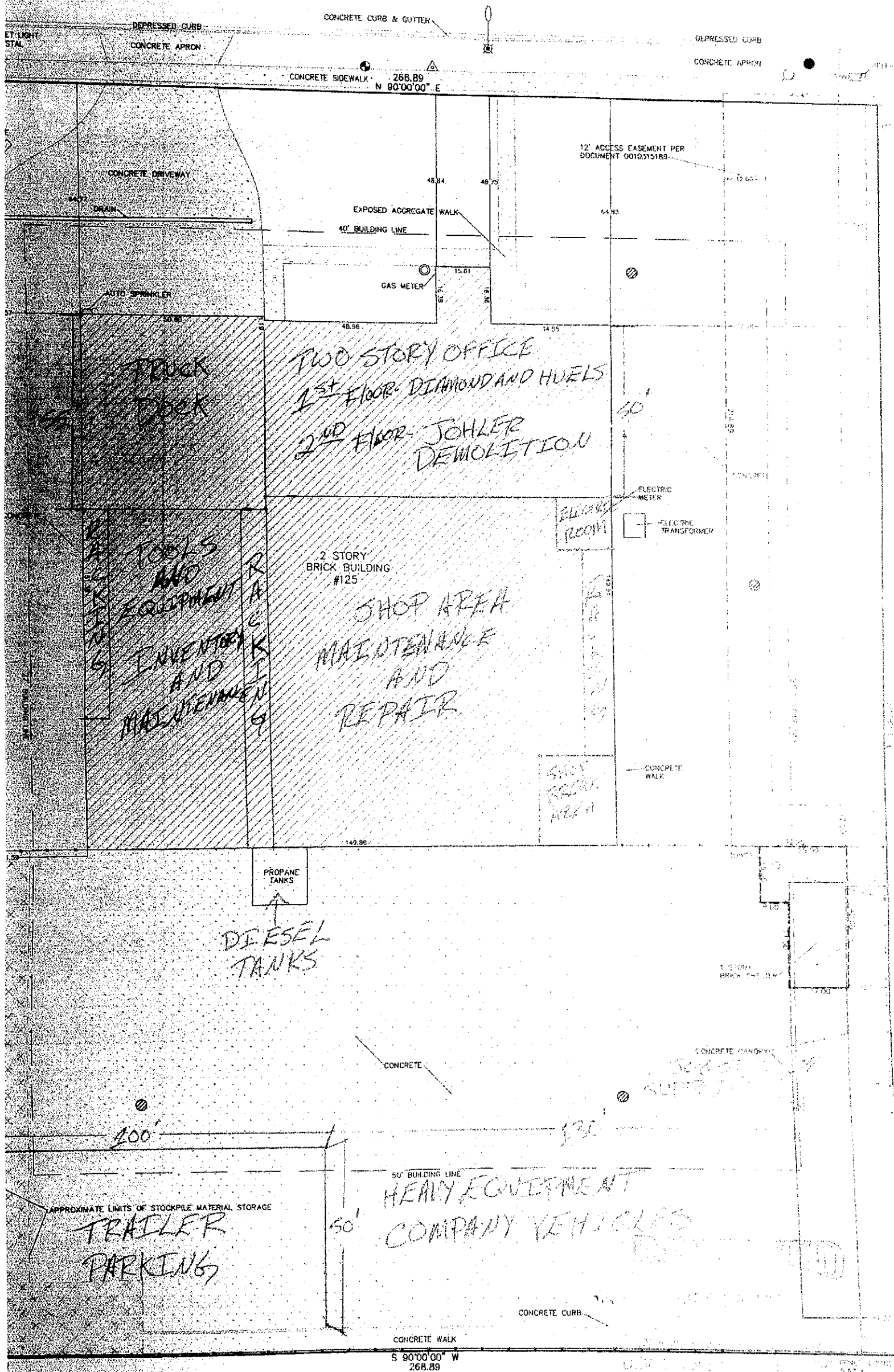
Diamond & Huels employs five individuals at this facility. No more than seven employees from Johler will regularly reside at this property. There are currently 35 parking stalls on the property and two handicap parking stalls on the east and west sides of the property. Presently, there are designated parking spots on the east side of the building. Once Johler purchases the property, those signs will be removed and

the parking lot will be open to all employees. There are also an additional 21 parking stalls marked in the yard area of the property, three of which would be used by Johler shop employees (these employees are included in the total number of 7 Johler employees who will work out of the property).

There is an 8 foot chain link fence with privacy slats around the entire perimeter of the yard area, on the south side of the building. There are also two 2,000 gallon above-ground fuel tanks in the yard area. These tanks will remain on the property and Johler will utilize them for diesel fuel storage for our machines and vehicles. Johler will keep and maintain both the fence and fuel tanks. In addition, Johler will ensure that at no time will the yard usage block any fire department access to the property.

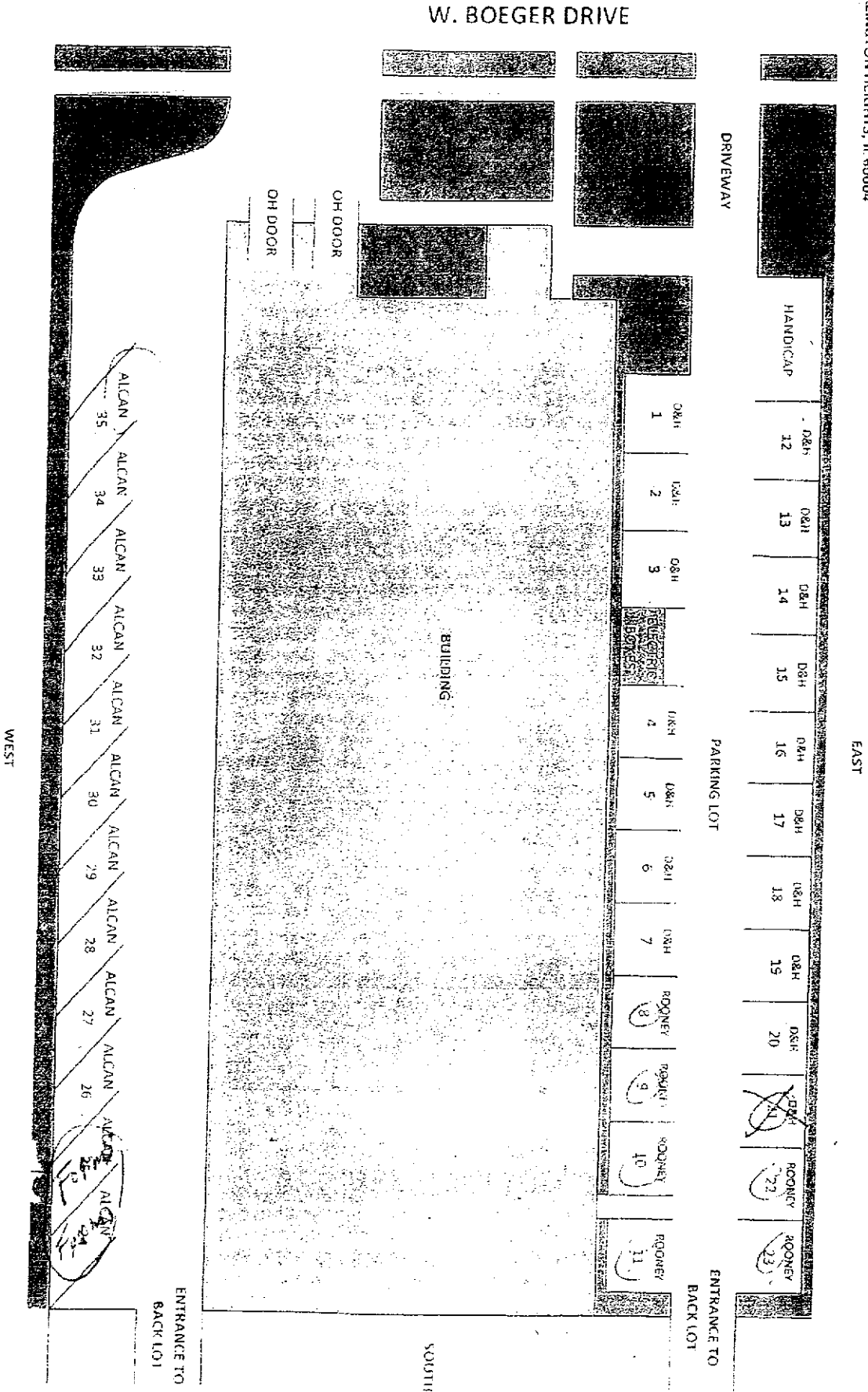
BOEGER DRIVE

66' RIGHT OF WAY
ASPHALT PAVEMENT



125 Boeger Dr., Parking

ALCAN UNITED, LLC
125 W. BOEGER DRIVE
ARLINGTON HEIGHTS, IL 60004





RECEIVED

JAN 15 2015

PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT



RECEIVED

JAN 15 2015

PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT













FUEL TANKS ON THE SOUTH SIDE OF
THE BUILDING





Statement in response to Zoning Criteria and
Request for waiver of Traffic Study

In response to the questions posed the petitioner states as follows:

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations of that zone. Johler Demolition, Inc. is a full-service demolition contractor specializing in commercial, industrial and residential demolition. Rooney Landscape, Inc. currently occupies the premises and uses the premises as a landscaper's yard. As the premises have been long been used as a landscaper's yard, it would be difficult to alter the premises for a new use.
2. The Plight of the owner is due to unique circumstances. Johler Demolition, Inc.'s similar use is a unique opportunity for the property owner. It may be difficult to locate and obtain another similarly situated prospective purchaser.
3. Rooney Landscape's use of the premises is comparable to the proposed use. For example, Rooney Landscape has regular delivery vehicles and dump trucks visiting the site, it stores its landscape materials on the premises and it maintains large equipment on the premise. Therefore the variation, if granted, will not alter the essential character of the locality.

RECEIVED

JAN 15 2015

PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

Craig, Charles

From: Craig, Charles
Sent: Friday, January 16, 2015 9:03 AM
To: Bhide, Latika
Subject: RE: 125 W. Boeger, PC#14-25,1-15-15

Latika-

They can provide details of current building use and configuration- if no changes are to be done then accessibility may be OK.

Parking question for information purposes. Parking count of spaces is for entire site. 25 to 50 total spaces require 2 accessible spaces located and configured per Illinois Access. Code.

The construction hours begin at 7 A.M. This lot may not be a construction area but residents of the condos to the East will be calling with complaints if 1 or more loud diesel motors are started and run at 5 or 6 A.M. When the building was used by a landscape company the condos may not have been there and since the landscaper has been gone for quite a while the residents are now accustomed to quiet.

Charley Craig

From: Bhide, Latika
Sent: Thursday, January 15, 2015 4:57 PM
To: Craig, Charles
Subject: RE: 125 W. Boeger, PC#14-25,1-15-15

See attached pictures.

From: Bhide, Latika
Sent: Thursday, January 15, 2015 4:56 PM
To: Craig, Charles
Subject: RE: 125 W. Boeger, PC#14-25,1-15-15

Thanks Charley,

My understanding is that the building is currently set up for two separate tenant office spaces – one on the first floor, which is a CPA office and one on the second floor that Johler Demolition will occupy. I will ask the petitioner to confirm.

I had counted 25 parking spaces on the west side of the building and 2 were designated as accessible spaces. Their plans shows 23 spaces on the west side with one accessible space – I can verify that number tomorrow. I didn't measure them, but the parking spaces did not appear sub-standard to me.

Since they will not be doing any demolition work at this site, can they start the equipment to just transport it elsewhere? Or is it not permissible to start any equipment prior to sunrise?

Thanks much,
Latika

From: Craig, Charles
Sent: Thursday, January 15, 2015 4:38 PM
To: Bhide, Latika
Subject: 125 W. Boeger, PC#14-25,1-15-15

Latikā-

.There are several comments about the proposal for 125 W. Boeger.

Is the building currently set up for two separate tenant office spaces, one on the second floor? There may be accessibility issues involved in using a subdivided second floor.

The accessible parking shown may not meet current standards for configuration, location, quantity and etc.

Note that the existing fuel tanks installed on the exterior must be maintained in a safe and code compliant manner.

The planned interior modifications will require that permits be obtained and the work inspected.

The applicant should be informed that starting large construction equipment before sunrise may impact adjacent residential properties and violate village noise regulations.

Charley Craig

Assistant Building Official

33 S. Arlington Heights Rd.

Arlington Heights IL. 60005

(847) 368-5585

ccraig@vah.com

BUILDING DEPARTMENT

1A

PETITIONER'S APPLICATION - ARLINGTON HEIGHTS PLAN COMMISSION

Petition #: P.C. _____	P.I.N.# 03-08-100-038-0000
Petitioner: Robert Johler	Location: 125 Boeger Drive
200 Industrial Drive Lincolnshire, IL 60069	Rezoning: ☒ Current: M1 Proposed: M2
847-530-7759	Subdivision: _____
Owner: Alcan United, LLC c/o William Huels	# of Lots: _____ Current: _____ Proposed: _____
125 Boeger Dr Arlington Heights, IL 60004	PUD: _____ For: _____
847-342-5920	Special Use: _____ For: _____
Contact Person: Robert Johler	Land Use Variation: _____ For: _____
Address: 200 Industrial Drive	Land Use: _____ Current: _____
Lincolnshire, IL 60069	Proposed: _____
Phone #: 847-530-7759	Site Gross Area: 2.2 Acres
Fax #: 847-821-8501	# of Units Total: _____
E-Mail: robby@johlerinc.com	1BR: _____ 2BR: _____ 3BR: _____ 4BR: _____

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

INSPECTIONAL SERVICES

REFER TO ATTACHED.

RECEIVED

JAN 29 2015

PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT
Director

1/28/15

Date

MEMORANDUM

TO: Latika Bhide - Development Planner

FROM: Paul Butt – Fire Safety Plan Reviewer

DATE: 1/28/15

RE: Jöhler Demolition
125 W. Boeger Drive
PC# 14-025 – Round 1

I have reviewed the submitted material for the above referenced project and offer the following comments:

1. Review of this project is based on the 2009 International Building Code and the 2009 International Fire Code.
2. To determine the “Use” of the areas of this building provide a description of what will be stored in the “Tools/ Equipment/Inventory/ Maintenance area. Also what type of work will be performed in the “Maintenance and Repair” area?
3. Will there be flammable or combustible liquids stored anywhere in the building? What quantities?
4. Describe the storage racking. How high and what will be the storage commodity?
5. What is the capacity of the diesel storage tanks? Installation of these tanks shall comply with Village requirements, NFPA-30 and the State Fire Marshalls office.
6. Describe what type of interior alterations will be performed, if any, for the office space and the rear shop/storage areas.

RECEIVED

JAN 29 2015

PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

PUBLIC WORKS DEPARTMENT

2

PETITIONER'S APPLICATION - ARLINGTON HEIGHTS PLAN COMMISSION

Petition #: P.C. _____
 Petitioner: Robert Johler
 200 Industrial Drive Lincolnshire, IL 60069
 847-530-7759
 Owner: Alcan United, LLC c/o William Huels
 125 Boeger Dr Arlington Heights, IL 60004
 847-342-5920
 Contact Person: Robert Johler
 Address: 200 Industrial Drive
 Lincolnshire, IL 60069
 Phone #: 847-530-7759
 Fax #: 847-821-8501
 E-Mail: robby@johlerinc.com

P.I.N.# 03-08-100-038-0000
 Location: 125 Boeger Drive
 Rezoning: ☒ Current: M1 Proposed: M2
 Subdivision: _____
 # of Lots: _____ Current: _____ Proposed: _____
 PUD: _____ For: _____
 Special Use: _____ For: _____
 Land Use Variation: _____ For: _____
 Land Use: _____ Current: _____
 Proposed: _____
 Site Gross Area: 2.2 Acres
 # of Units Total: _____
 1BR: _____ 2BR: _____ 3BR: _____ 4BR: _____

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

	EXISTING IMPROVEMENT	REQUIRED IMPROVEMENT	COMMENTS
1. UTILITIES:			
Water	_____	_____	_____
Metering	_____	_____	_____
Backflow	_____	X	per comments
Sanitary Sewer	_____	_____	_____
Storm Sewer	_____	X	per comment
2. SURFACE:			
Pavement	_____	_____	_____
Curb & Gutter	_____	_____	_____
Sidewalks	_____	_____	_____
Street Lighting	_____	_____	_____
3. GENERAL COMMENTS:			

RECEIVED

FEB - 2 2015

PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

Asst. Director

Director

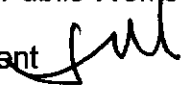
1-26-15
DateAS NOTED
ON MEMO

Dated 1-23-15

Village of Arlington Heights
Public Works Department

Memorandum

To: Cris Papierniak, Assistant Director of Public Works

From: Jeff Musinski, Utilities Superintendent 

Date: January 23, 2015

Subject: 125 W. Boeger, P.C. #14-025 Round 1

With regard to the proposed Land Use Variation, I have the following comment:

- 1) There may need to be protective features added to existing and future catch basins depending upon the condition of construction vehicles stored within the property.
- 2) If an approved and functioning RPZ is not installed at this location; one must be installed in accordance with Village Ordinance. The device will need to protect both fire and domestic service.

If you have any questions, please feel free to contact me.

C. file

RECEIVED

FEB - 2 2015

PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

PETITIONER'S APPLICATION - ARLINGTON HEIGHTS PLAN COMMISSION

Petition #: P.C. 14-025
 Petitioner: Robert Johler
200 Industrial Drive Lincolnshire, IL 60069
847-530-7759
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125 Boeger Dr Arlington Heights, IL 60004
847-342-5920
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 Phone #: 847-530-7759
 Fax #: 847-821-8501
 E-Mail: robby@johlerinc.com

P.I.N.# 03-08-100-038-0000
 Location: 125 Boeger Drive
 Rezoning: ☒ Current: M1 Proposed: M2
 Subdivision: _____
 # of Lots: _____ Current: _____ Proposed: _____
 PUD: _____ For: _____
 Special Use: _____ For: _____
 Land Use Variation: _____ For: _____
 Land Use: _____ Current: _____
 Proposed: _____
 Site Gross Area: 2.2 Acres
 # of Units Total: _____
 1BR: _____ 2BR: _____ 3BR: _____ 4BR: _____

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

1. PUBLIC IMPROVEMENTS

REQUIRED: _____ YES NO COMMENTS

a. Underground Utilities

Water _____ ☒ _____Sanitary Sewer _____ ☒ _____Storm Sewer _____ ☒ _____

b. Surface Improvement

Pavement _____ ☒ _____Curb & Gutter _____ ☒ _____Sidewalks _____ ☒ _____Street Lighting _____ ☒ _____

c. Easements

Utility & Drainage _____ ☒ _____Access _____ ☒ _____

2. PERMITS REQUIRED OTHER THAN VILLAGE:

a. MWRDGC _____

b. IDOT _____

c. ARMY CORP _____

d. IEPA _____

e. CCHD _____

3. R.O.W. DEDICATIONS? _____

4. SITE PLAN ACCEPTABLE? _____

5. PRELIMINARY PLAT ACCEPTABLE? _____

6. TRAFFIC STUDY ACCEPTABLE? _____

7. STORM WATER DETENTION REQUIRED? _____

8. CONTRIBUTION ORDINANCE EXISTING? _____

9. FLOOD PLAIN OR FLOODWAY EXISTING? _____

10. WETLAND EXISTING? _____

YES

NO

COMMENTS

☒☒NO CHANGES TO EXISTING☒☐N/A☐☐N/A☐☐N/A☐☒N/A☐☒N/A☐☒N/A☐☒N/A~~GENERAL COMMENTS ATTACHED~~NO FURTHER COMMENTS AT THIS TIMEPLANS PREPARED BY: N/ADATE OF PLANS: N/A

Director

James J. McCall 1/21/15
Date



Arlington Heights Fire Department Plan Review Sheet

P. C. Number 14-025

Project Name

Johler Demolition

Project Location

125 W. Boeger Drive

Planning Department Contact Latika Bhide

General Comments

No comments at this time.

**NOTE: PLAN IS CONCEPTUAL ONLY
SUBJECT TO DETAILED PLAN REVIEW**

Date 01/28/2015

Reviewed By: LT. Larson

Arlington Heights Fire Department

ARLINGTON HEIGHTS POLICE DEPARTMENT

Community Services Bureau

DEPARTMENT PLAN REVIEW SUMMARY

Johler Demolition – 125 W Boeger Land Use Variation

Round 1 Review Comments

01/28/2015

1. Character of use:

The character of use is consistent with the area and is not a concern.

2. Are lighting requirements adequate?

Lighting should be up to Village of Arlington Heights code.

3. Present traffic problems?

There are no traffic problems at this location.

4. Traffic accidents at particular location?

This is not a problem area in relation to traffic accidents.

5. Traffic problems that may be created by the development.

This development should not create any additional traffic problems.

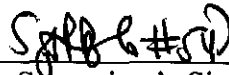
6. General comments:

Fence around property should be free of holes and in good repair to prevent access to the property and heavy equipment. Keys to equipment should be stored in a secure location and not inside the vehicles or heavy equipment on site.



Brandi Romag, Crime Prevention Officer
Community Services Bureau

Approved by:



Supervisor's Signature

RECEIVED

JAN 29 2015

PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

HEALTH SERVICES DEPARTMENT

6

PETITIONER'S APPLICATION - ARLINGTON HEIGHTS PLAN COMMISSION

Petition #: P.C. _____	P.I.N.# 03-08-100-038-0000
Petitioner: Robert Johler	Location: 125 Boeger Drive
200 Industrial Drive Lincolnshire, IL 60069	Rezoning: ☒ Current: M1 Proposed: M2
847-530-7759	Subdivision: _____
Owner: Alcan United, LLC c/o William Huels	# of Lots: _____ Current: _____ Proposed: _____
125 Boeger Dr Arlington Heights, IL 60004	PUD: _____ For: _____
847-342-5920	Special Use: _____ For: _____
Contact Person: Robert Johler	Land Use Variation: _____ For: _____
Address: 200 Industrial Drive	Land Use: _____ Current: _____
Lincolnshire, IL 60069	Proposed: _____
Phone #: 847-530-7759	Site Gross Area: 2.2 Acres
Fax #: 847-821-8501	# of Units Total: _____
E-Mail: robby@johlerinc.com	1BR: _____ 2BR: _____ 3BR: _____ 4BR: _____

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

1. GENERAL COMMENTS:

No comments.

Terese Biskner, 1/22/15

TB

Environmental Health Officer

Date

James McCalister, 1/22/2015

JA

tor

Direc
Date

PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

7

PETITIONER'S APPLICATION - ARLINGTON HEIGHTS PLAN COMMISSION

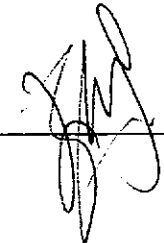
Petition #: P.C. _____	P.I.N.# 03-08-100-038-0000
Petitioner: Robert Johler	Location: 125 Boeger Drive
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Lincolnshire, IL 60069	Proposed: _____
Phone #: 847-530-7759	Site Gross Area: 2.2 Acres
Fax #: 847-821-8501	# of Units Total: _____
E-Mail: robbv@johlerinc.com	1BR: _____ 2BR: _____ 3BR: _____ 4BR: _____

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

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

Comments:

SEE ATTACHED.


 _____ 1-29-15 _____
 Date

Planning Department Comments (PL14-025, 125 W. Boeger Drive)

7. A Land Use Variation for a Construction Yard in the M-1 district is required.
8. The following variations are necessary:
 - a. Chapter 28, Section 6.12-1(3) Traffic Engineering Approval, to waive the requirement for a traffic study and parking analysis from a Certified Traffic Engineer.
 - b. Chapter 28, Section 11.4, Schedule of Parking Requirements, to allow 37 parking spaces instead of the required 39 parking spaces.
9. Similar to the justification for the land use variation that has been provided, please provide a written justification for the zoning variations above.
 - a. 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.
 - b. The plight of the owner is due to unique circumstances.
 - c. The variation, if granted, will not alter the essential character of the locality.
10. Per Section 5.1-17.1, all servicing must take place within completely enclosed buildings. Confirm that any maintenance and repair of vehicles will take place within the building.
11. The applicant shall provide written confirmation that the operations will not violate the requirements for: noise, smoke and particulate matter, vibration, fire and explosive hazard, odors, noxious odorous matter, & glare and heat, as outlined in Section 5.1-17.2, Industrial Performance Standards.
12. The existing concrete canopy and brick shelter do not meet the required 25 feet setback for an accessory structure and are considered existing non-conforming. As no change is being proposed, the canopy and brick shelter shall remain as an existing non-conforming structure at this time.
13. The total code parking for this site is calculated as:

Use	CODE USE	SF/ Employees/Bays	PARKING CALC (SF)	PARKING RATIO (1:X)	PARKING REQUIRED
Diamond & Huels (Accounting Firm)	Office	4,305 SF	4,305	1:300	14
Johler Demolition - Office	Office	4,305 SF	4,305	1:300	14
Johler Demolition – Shop Area	Warehouse	10,000 SF 7 employees 8 vehicles		1/two employees + 1/each vehicle used in the conduct of the enterprise	11
Johler Demolition – Job Site Tools	Warehouse	4500 SF	4,500	1/two employees + 1/each vehicle used in the conduct of the enterprise	0*
Total					39
<i>Total Provided</i>					37
Surplus / (Deficit)					(2)

* Johler has indicated that there will be a total of 7 employees on site, including the office, shop, and tools area. There are no additional vehicles beyond the 8 listed that are used in the conduct of the business.

Therefore, a variation of 2 spaces is needed.

14. Is there room on the property to provide the required parking spaces? If the required parking spaces can be provided on site, then a variation will not be required.
15. The petitioner has indicated that there is an eight foot tall chain link fence with privacy slats around the entire perimeter of the yard. Per Section 5.1-17.1, Conditions of Use, the yard must be enclosed by solid walls or fences. It appears that portions of the fence do not meet the requirements of the Ordinance. As part of this land use variation request, the fence must be brought up to code.

16. Is an additional fence proposed for the heavy equipment/ company vehicles or trailers? State the number of heavy equipment/company vehicles/trailers stored within this area.
17. The ends of all parking rows must include a landscape island equal in area to one parking space. One landscape island is required for the south end of the west parking row. If there is no room to add an island at this time and no change is being proposed, then the lack of a landscape island would be considered as an existing non-conformity.
18. If any exterior modifications are proposed, then a Design review will be required.

PETITIONER'S APPLICATION - ARLINGTON HEIGHTS PLAN COMMISSION

Petition #: P.C.	P.I.N.# 03-08-100-038-0000
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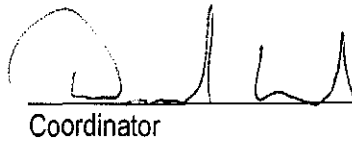
(Petitioner: Please do not write below this line.)

LANDSCAPE & TREE PRESERVATION:

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

Comments:

- 1) The ends of all parking rows must include a landscape island equal in area to one parking space, protected by durable materials, which contains a 4" caliper shade tree (Chapter 28, Section 6.16-1.2b). Per code an island is required on the west elevation at the south end of the parking row.

 1/29/15
Coordinator Date

Response to Department Review Comments, 125 W. Boeger Drive

1. Charley Craig, Assistant Building Official

Is the building currently set up for two separate tenant office spaces, one on the second floor?

- Yes, the first floor is currently being used as office space and the second floor is also available to be used by a second tenant.

The accessible parking shown may not meet current standards for configuration, location, quantity and etc.

- Yes, there are currently 37 parking stalls and two accessible stalls. We realize 39 stalls are needed by code and will require a variation.

Note that the existing fuel tanks installed on the exterior must be maintained in a safe and code compliant manner.

- Yes, we acknowledge this and agree to safely maintain the tanks.

The planned interior modification will require that permits be obtained and the work inspected.

- Yes, we acknowledge that if modifications are needed, we will obtain the appropriate permits.

The applicant should be informed that starting large construction equipment before sunrise may impact residential properties and violate village noise regulations.

- We acknowledge this concern and will comply with the village noise regulations.

1A. Paul Butt, Fire Safety Plan Reviewer

1. Review of this project is based on the 2009 International Building Code and the 2009 International Fire Code.

- Acknowledged

2. To determine the "Use" of the areas of this building provide a description of what will be stored in the "Tools/ Equipment/Inventory/ Maintenance area. Also what type of work will be performed in the "Maintenance and Repair" area?

- The items to be stored in "Tools/Equipment/Inventory/Maintenance Area" include: hand held electrical tools, blades for various tools, dollies, flat carts, temporary lighting, cords, fans, personal protective equipment, building materials, disaster saws, concrete saws, floor removal tools, hammers, prybars, screwdrivers, tin snips, etc.
- Work to be performed in the "Maintenance and Repair" area include: cleaning and repairing tools that will be coming back from job sites and inventory control

3. Will there be flammable or combustible liquids stored anywhere in the building? What quantities?

- Yes, torch carts containing propane and oxygen will be used and stored within the building.

4. *Describe the storage racking. How high and what will be the storage commodity?*

- Racking will be approximately 15 feet in height and contain items listed above in number 2.

5. *What is the capacity of the diesel storage tanks? Installation of these tanks shall comply with Village requirements, NFPA-30 and the State Fire Marshalls office.*

- There are 2 onsite diesel storage tanks that contain 2,000 gallons each. Johler will confirm the installation complies with village and state requirements.

6. *Describe what type of interior alterations will be performed, if any, for the office space and the rear shop/storage areas.*

- At this time, there are no plans for any interior alterations.

2. Public Works

There may need to be protective features added to existing and future catch basins depending upon the condition of construction vehicles stored within the property.

- Johler expects only street sediment on vehicles stored at this location. However, in case of excessive sediment, Johler will install and maintain sediment baskets in the yard area.

If an approved and functioning RPZ is not installed at this location; one must be installed in accordance with Village Ordinance. The device will need to protect both fire and domestic service.

- There is currently an inspected and functioning RPZ installed in the building.

3. Engineering

No Comments

4. Fire

No Comments

5. Police

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

- No Response needed

2. *Are lighting requirements adequate? Lighting should be up to Village of Arlington Heights code.*

- No Response needed

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

- No Response needed

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

- No Response needed

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

- No Response needed

6. *General comments: Fence around property should be free of holes and in good repair to prevent access to the property and heavy equipment. Keys to equipment should be stored in a secure location and not inside the vehicles or heavy equipment on site.*

- Acknowledged

6. Health

No Comments

7. Planning Department Comments

7. *A Land Use Variation for a Construction Yard in the M-1 district is required.*

- Acknowledged

8. *The following variations are necessary:*

a. *Chapter 28, Section 6.12-1(3) Traffic Engineering Approval, to waive the requirement for a traffic study and parking analysis from a Certified Traffic Engineer.*

b. *Chapter 28, Section 11.4, Schedule of Parking Requirements, to allow 37 parking spaces instead of the required 39 parking spaces.*

- a. & b. Acknowledged

9. *Submitted this response previously.*

10. *Per Section 5.1-17.1, all servicing must take place within completely enclosed buildings. Confirm that any maintenance and repair of vehicles will take place within the building.*

- All maintenance and repairs will take place within the shop area.

11. *The applicant shall provide written confirmation that the operations will not violate the requirements for: noise, smoke and particulate matter, vibration, fire and explosive hazard, odors, noxious odorous matter, & glare and heat, as outlined in Section 5.1-17.2, Industrial Performance Standards.*

- Johler will comply with Sections 5.1-17.2.

12. *The existing concrete canopy and brick shelter do not meet the required 25 feet setback for an accessory structure and are considered existing non-conforming. As no change is being proposed, the canopy and brick shelter shall remain as an existing non-conforming structure at this time.*

- Acknowledged

13. *The total code parking for this site is calculated as:.....*

Therefore, a variation of 2 spaces is needed.

- Acknowledged

14. *Is there room on the property to provide the required parking spaces? If the required parking spaces can be provided on site, then a variation will not be required.*

- A variation is requested.

15. The petitioner has indicated that there is an eight foot tall chain link fence with privacy slats around the entire perimeter of the yard. Per Section 5.1-17.1, Conditions of Use, the yard must be enclosed by solid walls or fences. It appears that portions of the fence do not meet the requirements of the Ordinance. As part of this land use variation request, the fence must be brought up to code.

- Johler would need to know what the deficiency is with the existing fence in order to correct the code requirement.

16. Is an additional fence proposed for the heavy equipment/ company vehicles or trailers? State the number of heavy equipment/company vehicles/trailers stored within this area.

- No other fencing is proposed within the yard. Johler owns seven pieces of Heavy Equipment, which could be in and out of the yard at any point in time. Typically, 0-3 company vehicles could be stored in the yard. Typically, about 10 trailers could be stored at any given time.

17. The ends of all parking rows must include a landscape island equal in area to one parking space. One landscape island is required for the south end of the west parking row. If there is no room to add an island at this time and no change is being proposed, then the lack of a landscape island would be considered as an existing nonconformity.

- There would not be room for a landscape area at the south end of the west parking row.

18. If any exterior modifications are proposed, then a Design review will be required.

- At this time, there are no exterior modifications proposed.

7A. Planning/Landscape

The ends of all parking rows must include a landscape island equal in area to one parking space, protected by durable materials, which contains a 4" caliper shade tree (Chapter 28, Section 6.16-1.2b). Per code an island is required on the west elevation at the south end of the parking row.

- There would not be room for a landscape area at the south end of the west parking row.