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PLAN

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

COMMISSION

RE: 1821 NORTH VERDE SUBDIVISION - PC #21-007
PRELIMINARY AND FINAL PLAT OF SUBDIVISION, REZONING FROM R-1 TO
R-3, LOT WIDTH VARIATION

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 14th day of February, 2024 at the hour of 7:30 p.m.

MEMBERS PRESENT:

MARY JO WARSKOW, Acting Chairperson
LYNN JENSEN
JOE LORENZINI
BRUCE GREEN
GEORGE DROST
TERRY ENNES
JOHN SIGALOS
JAY CHERWIN

ALSO PRESENT:

SAM HUBBARD, Development Planner
HAILEY NICHOLAS, Assistant Planner

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ACTING CHAIRPERSON WARSKOW: All right, let's call this Plan Commission hearing to order. We'll all stand and say the pledge, please.

(Pledge of Allegiance recited.)

ACTING CHAIRPERSON WARSKOW: All right, if we could have our roll call, Sam?

MR. HUBBARD: Commissioner Cherwin.

COMMISSIONER CHERWIN: Here.

MR. HUBBARD: Commissioner Drost.

COMMISSIONER DROST: Here.

MR. HUBBARD: Commissioner Ennes.

COMMISSIONER ENNES: Here.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Here.

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Here.

MR. HUBBARD: Commissioner Lorenzini.

COMMISSIONER LORENZINI: Here.

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Here.

MR. HUBBARD: Chair Dawson.

(No response.)

MR. HUBBARD: And Vice Chair Warskow.

ACTING CHAIRPERSON WARSKOW: Here.

All right, and we have approval from the last meeting's minutes to vote on. Does anybody want to make a motion?

COMMISSIONER DROST: I'll make that motion to accept the minutes.

COMMISSIONER CHERWIN: I'll second.

ACTING CHAIRPERSON WARSKOW: All those in favor?

(Chorus of ayes.)

COMMISSIONER GREEN: I have to abstain; I was not there.

ACTING CHAIRPERSON WARSKOW: All right, anybody opposed?

(No response.)

ACTING CHAIRPERSON WARSKOW: So, the minutes are recorded into the record. All right, so let's have our first petition here today.

Who is representing 1821 North Verde Subdivision?

MR. VAN KOOTEN: That would be me, John Van Kooten.

ACTING CHAIRPERSON WARSKOW: Okay, Sam, have all the public notices been given?

MR. HUBBARD: They have, yes.

ACTING CHAIRPERSON WARSKOW: Okay, feel free to adjust microphones as needed. You could use that podium, too, with those microphones.

MR. VAN KOOTEN: Hi, I'm John Van Kooten and this is my wife Annie, and we own the property at 18 --

ACTING CHAIRPERSON WARSKOW: One second. Can I ask to swear you in?

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MR. VAN KOOTEN: Sure.

ACTING CHAIRPERSON WARSKOW: Can you hold your hand up?
(Witness sworn.)

ACTING CHAIRPERSON WARSKOW: Thank you. Now, if you can spell your last name for the court reporter?

MR. VAN KOOTEN: Okay, that's V-a-n K-o-o-t-e-n.

ACTING CHAIRPERSON WARSKOW: All right, and have you seen the conditions of approval?

MR. VAN KOOTEN: Yes.

ACTING CHAIRPERSON WARSKOW: And you agree to all those conditions?

MR. VAN KOOTEN: I do.

ACTING CHAIRPERSON WARSKOW: All right, please go ahead and give your presentation.

MR. VAN KOOTEN: Okay, so we own the property here at Verde, and we have asked for a subdivision and a rezone. When I originally looked at the property, I had checked the Village's maps to see what it was zoned, and then looked at the Comprehensive Map and found out that the Comprehensive Map actually called for this property to, allowed for this property to be rezoned to R-3. So, once I saw that, I came down to the Village and spoke with a few people here at the Village and just asked if this was a feasible project. I think there was some sort of application to look at it preliminarily and then that came back positive, and then we moved forward there through five rounds of negotiations about curb sidewalks, streetlights and what have you to get to this point.

So, if we can go to the next slide, we'll talk about that.

MR. HUBBARD: There's a pointer up there, if you press to the right, it should go to the next slide.

MR. VAN KOOTEN: Okay, cool. All right, so the original subdivision was already two existing lots of record, they just weren't separated in a way that would work for this. So, the original lots were a small one on the corner that was only 6,000 square-foot and 38-foot wide, and then the interior lot was 120-foot wide and 20,000 square-foot.

This is the original plat. That's what that looked like. You can see the existing home and then there is an existing garage that would be closer to Palatine frontage road there, and then the home is facing Verde there. Then we've got a couple of small sheds in there, too.

The existing conditions like you just saw, it's a two-story single-family home, Cape Cod style, frame construction. It's a slab foundation, no basement. Two-car detached garage, and there's two driveways already with two culverts off of Verde. I don't think those driveways and culverts are going to line up for this, but there's already some right-of-way there.

These are the variations that are required on the interior lot. So, the corner lot, because it's on the corner of Palatine frontage, and Verde requires a very large side yard setback, that side yard setback would be consistent with the neighbor's yard who would be to the east of us. He is on Patton Street, facing Patton Street, and his side yard is approximately, I want to say it's around 39 feet, and that's what, I think the last few inches will get determined in the permit process but we're right around 39-foot. So, that puts the corner lot at about 90 feet,

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and it only leaves 68.5-foot for the interior lot where 75 feet is required. It's within 10 percent of, you know, of the ordinance, so typically that's something that, you know, would be allowable and so that's how we proceeded and that's what we've come up with at this point.

So, there's the variations: Chapter 28, Section 5.1-3.2, Minimum Lot Width at Building Line, allows for 68.5-wide where 75 is required, and then another one, 68.5 lot where 75 is required. So, those are the two specific ordinances that we need a variation on.

Then, again, the zoning was in the Comprehensive Plan so that was already decided in 2019. You can see here, I've pulled up those maps for you. So, when I originally looked at the property, this is what I saw, right, and this is what made me feel like this was something that could be done here. I went to the original Zoning Map and I saw R-1, and then I went to the Comprehensive Map and I saw that the Village had decided in 2019 that it would be appropriate for R-3 on this corner.

Okay, and the new lots that we're proposing, I spoke of the corner one. It's a 90-foot wide, 50,000 square-foot, so it's a sizeable lot because it's got that 30-foot side yard setback. They're also pretty deep lots, 171-foot, so it's a pretty sizeable corner lot but it's got a 30-foot setback on the side, and then the traditional setbacks in front. That lot actually allows for a 50-foot wide building where the interior lot actually allows for 54 because I have so much setback on Palatine frontage road, for the future, you know, in case it gets widened and that kind of thing.

So, this is a photo of the proposed lots. You can see that the lot that's fronting Palatine and Verde there, that corner lot, that's the big one. You see where the, or you see the dotted line, that is the footprint. That's not how big the houses are going to be there, that's the allowable footprint. So, that footprint that you see there is not something that we would be trying to build, you know, we would be building something more in the area of like a 3,500 square-foot home or something. But what the survey here is showing is the allowable.

COMMISSIONER GREEN: The buildable envelope.

MR. VAN KOOTEN: There you, buildable envelope. Okay, you see on the, you see the big side yard setback, and then on the other one we have the traditional setbacks of I believe five feet on each side.

All right, and then the proposed use is for the construction of two new single-family homes. We would demolish the Cape Cod which is in very poor condition. It's not in such bad condition that it needs to be ripped down immediately, but it's not in good enough condition to move forward with. That was the way I determined it originally. The two proposed new single-family homes will have finished basements and garages and it will be brick and frame.

The site improvements that we, some of the stuff that we worked on in these five different rounds, the elimination of the existing well system, so this house was on well and septic prior to this. So, we're going to have to cap off, I don't know the terminology for that but per code, right, so we're going to get rid of that existing well. We're going to get rid of the existing septic system per code.

The grading plan has been approved by the Engineering Department. We've gone over that several times because I know there is a little bit of drainage issue in the area. So, that took some time with the Engineering Department to come up with something that was going to satisfy everybody.

We're going to be adding two water connections and two sewer connections. We already have two driveways and culverts, but those are probably going to be

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repositioned. I'm sure there's going to be maybe some right-of-way stuff, too, to work on in the future; hopefully not but maybe there will be.

Then the big one is, I would say in lieu of street widening curbs and sidewalks which is not appropriate there because the rest of the street is all R-1 kind of estate lots, it would kind of lead to a sidewalk to nowhere kind of thing. So, I suppose in lieu of that, we've come up with the streetlights. So, we have a streetlight on the corner already, an existing streetlight on the frontage road and Verde, but we're going to put another one then at my expense at the end of the property which would be 168-foot away from the frontage road. So, you have one on the corner, the existing one, and then another 168-foot another streetlight, so it's going to be well lit. Then an estoppel agreement for if there's any future street widening curbs or sidewalks in the area.

Then trees, there's, you know, quite a few trees on the property and we'll work with the permit department to make sure that we leave tree that we can.

That's about it. That about sums it up. Does anybody have any questions for me?

COMMISSIONER GREEN: Not yet.

ACTING CHAIRPERSON WARSKOW: Generally, we'll have you give your presentation, and then Staff give their presentation. We'll have questions here among the Commission, open it up to public. We don't really have many in public today, and then we'll come back for our additional questions and any motion that we make.

MR. VAN KOOTEN: Okay.

ACTING CHAIRPERSON WARSKOW: So, if you want to have a seat, we'll get our Staff report.

MR. VAN KOOTEN: Thank you so much.

MR. HUBBARD: All right, thank you, Chair Warskow.

So, the subject property is at 1821 North Verde Avenue. As you've heard, it's in an R-1 One-Family Dwelling District, and on the Comprehensive Plan it is classified as appropriate for single-family detached uses, and I'll touch a little bit more on that later in the presentation.

Specifically, the Petitioner is requesting a rezoning from the R-1 District into the R-3 District, both are single-family, One-Family Dwelling Zoning Districts, and then they are requesting preliminary and final plat of subdivision approval to subdivide the property into two lots. It is existing as two lots today. One is a standard lot size, the other is a substandard lot size.

Then there are two variations being requested, as you've heard, to reduce the required lot width for Lot 2, the southern lot, the interior lot, from 75 feet to 68.5 feet. It is two variations but it's the exact same code requirement; that's because this particular requirement appears in two different chapters in the code, one in the Zoning Code and one in the Subdivision Code.

The Petitioner appeared before the Conceptual Plan Review Committee in August of 2020. I would characterize that review as generally favorable of the concept. Staff did encourage the Petitioner to reach out to some of their neighbors and make them aware of the proposed subdivision, and on May 17th of 2021, they held a neighborhood meeting to introduce this project to the neighbors and understand any concerns they may have. According to the Petitioner, only three members of the public attended the neighborhood meeting.

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Their primary concerns were whether or not the property would be redeveloped as single-family or as some sort of other commercial use.

This is a neighborhood aerial showing the property. The subject lot is outlined in red. This just kind of gives a very general visual of how this property compares to some of the lot sizes in the vicinity. This particular lot was subdivided in 1956 before it was incorporated into the Village. Originally, it was two lots, both I believe of the same size. However, when Palatine Road was expanded, the northern lot had to give part of the lot, the majority of that lot away to accommodate for that Palatine Road expansion, leaving that northern portion substandard in size.

Relative to zoning, the existing property, as I mentioned, is zoned R-1. To the north, there are R-3 neighborhoods and a section of P-L Public Lands. To the east, it is all R-3, and then to the south, it is R-E, that's a Residential Estate Zoning District. Then to the west, there is an R-3 area and a pocket of R-1 as well. So, in regards to the rezoning, the rezoning of this property would put it into the R-3 Zoning District and that would be compatible with the property immediately to the east, and so we do see this rezoning aligning with what the zoning is in the vicinity, and it is going to be compatible with that zoning to the east. Additionally, there is a small pocket, as I mentioned, 12 lots to the west which it would also be compatible with. R-3 zoning is also, you know, compatible to R-1 and R-E to the south, although the R-3 zone does allow for a little more intense use of land, you can get a little bit more density on smaller lots.

One of the primary things that we look at when it comes to rezoning is the Comprehensive Plan. So, the Comprehensive Plan designates this lot as suitable for single-family detached zoning, and that's consistent with the entire frontage along Palatine Road. So, the rezoning into the R-3 District is compatible with the Comprehensive Plan. The plan is based on good, sound planning principles. It places the higher intensity land uses closer to the major arterial like Palatine Road, and that acts as kind of a buffer to some of the lower intensity land uses that occur in this vicinity to the south. Not to say that R-3 is an intense usage of land, but in comparison to the R-E District to the south, it allows a slightly higher intensity of use and this does kind of make sense, you know, given the configuration of Palatine Road to the north. So, we are supportive of the rezoning in this instance.

Here's the plat of subdivision, and there is the variation being requested for Lot 2 which is shaded in red. If the lot was constructed at a code-compliant lot size, it would look roughly like this as bounded in the dashed blue line. You can see there's really not too much of a difference between the two lot sizes. It represents only an 8.6 percent reduction in lot width. So, the Staff Development Committee found that this was the minimum necessary to allow for redevelopment of this lot. Lot 2 does exceed the minimum allowable lot size by 35 percent. So, while it is a little bit substandard relative to the width, it is well in excess of the minimum allowable lot size required by code.

We did find that the variation was really a byproduct of the unique shape and configuration of the lot as a corner lot. It would be impossible to configure these lots in a code compliant way unless they were located or reconfigured to a north-south orientation as opposed to the east-west orientation. The north-south orientation wouldn't really be compatible with the existing fabric in the vicinity, so we think the configuration proposed makes a little bit more sense. Also, it's a byproduct of the right-of-way taking for the Palatine Road expansion. Had that not occurred, then this lot would definitely have been able to fit to code-compliant lots.

We also compared the proposed lot sizes to the lots in the vicinity.

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We didn't focus on anything to the north side of Palatine Road. Palatine Road is a pretty large major arterial and it functions as a pretty substantial barrier between this property and the fabric and character of the neighborhood to the north. So, we really focused our analysis on the lots to the south, east and west. These lots highlighted here and bolded in black outline are the lots that we compared this proposed subdivision to. Overall, there were 28 lots analyzed, and you can see the table to the left outlines the proposed lot sizes in comparison to the average and median lot size in the vicinity. Generally, it was compatible. It was a little bit larger than the median lot size, and the two lots were just around the minimum size of the average lot size of the lots surveyed. So, it was compatible with the neighboring lot sizes.

Here is the site plan for the proposed redevelopment. Three things I want to mention, and Mr. Van Kooten mentioned these as well, but the streetscape along Verde is not built up to standard. It's not quite the full roadway pavement width. It doesn't have curb and gutter, and there is no sidewalk. So, rather, it is a requirement of any subdivision to update to current code standards, but because these would be the only two lots along the entire Verde frontage that would comply, in the past we have allowed subdividers to enter into an estoppel agreement, as you heard, which would prevent them from objecting to a special assessment in the future to allow for the installation of those improvements if the Village determines at such time that those improvements are warranted in the future. So, that's one of the conditions of approval.

One of the other conditions of approval was that the Petitioner should work with us to adjust the layout of the proposed homes to potentially save some of the trees on the site. Really, there's only one tree worth mentioning; it's right here kind of on the southwest corner. The footprint shown here doesn't accurately reflect where this home will be constructed. The required setback actually falls more along this line here, so there is a little bit of room between the tree and where the maximum size footprint could be located, and we think it's possible to potentially save this tree. It is the largest tree on the site, and we'll work with the Petitioner as part of the building permit process to see if it is feasible to save that tree.

Finally, I would mention that a fee in lieu of on-site detention is required. It's going to amount to I think a payment of around \$8,000, and the Petitioner will be required to put that money up when the site development permit is issued for the infrastructure work required for this site.

That being said, the Staff Development Committee is supportive of this application and recommending approval subject to the eight conditions as outlined in the Staff report and summarized here on the screen. Thank you.

ACTING CHAIRPERSON WARSKOW: All right, do I have a motion to --

COMMISSIONER ENNES: I'll make that motion.

COMMISSIONER DROST: Second.

ACTING CHAIRPERSON WARSKOW: All right, all those in favor?

(Chorus of ayes.)

ACTING CHAIRPERSON WARSKOW: Anyone opposed?

(No response.)

ACTING CHAIRPERSON WARSKOW: All right, it's in the record.

Now, do any of my fellow Plan Commissioners have any questions before we open it up to the public? Yes?

COMMISSIONER ENNES: Open to the public?

ACTING CHAIRPERSON WARSKOW: Yes, I know.

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COMMISSIONER ENNES: I do. If the Petitioner, Mr. Van Kooten, would come up? Mr. Van Kooten, do you live in the area?

MR. VAN KOOTEN: I live in Glenview.

COMMISSIONER ENNES: Oh, okay, and so from the notes and the proposal, it sounds like you're going to be the general contractor on this?

MR. VAN KOOTEN: Yes.

COMMISSIONER ENNES: And have you done this before?

MR. VAN KOOTEN: Yes.

COMMISSIONER ENNES: Okay, can I ask you, about how long have you been working with the Village to get this to this stage?

MR. VAN KOOTEN: A couple of years. Two years, something to that.

COMMISSIONER ENNES: And have you done this, how many times have you done this before, done a residential development?

MR. VAN KOOTEN: A residential development?

COMMISSIONER ENNES: Yes.

MR. VAN KOOTEN: Quite a bit. In particular, zoning and variations, only once or twice on the zoning or variation. But in terms of construction, yes, a lot more in the city. I did a lot of walk-up condos near the United Center.

COMMISSIONER ENNES: In Chicago, the city?

MR. VAN KOOTEN: Yes.

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

ACTING CHAIRPERSON WARSKOW: Yes?

COMMISSIONER JENSEN: Yes, just maybe Sam could give me some clarification. If and when the Village decides to go ahead and develop sidewalks, curbs and all of that, so does everybody, does the Village bear any of that cost or is all of that cost borne by all the people around the area where that development is going to be done? So, how is the cost distributed I guess is the question?

MR. HUBBARD: I mean, it can go one of two ways. It can be a capital project that the Village plans for, or it could be, you know, the funds could be levied through a special assessment. I think it depends on, you know, really the overall need, who's requesting it and how many of these lots are being subdivided maybe at a time and, you know, whether or not the neighborhood is really pushing for that improvement.

COMMISSIONER JENSEN: But if the special assessment were to be just in this area, it wouldn't be beyond those people who live in the area, and if they go that route, they'd want to recover all the, the Village is going to recover all the cost of doing this or is that something that would be negotiated?

MR. HUBBARD: I believe it would be for the full cost, but I can't say I'm entirely certain, yes.

COMMISSIONER JENSEN: So, the Petitioner or whoever owns this when you get through developing it really doesn't have any idea what this is going to ultimately run should the Village then decide to do that. Is there any kind of a limit put on it?

MR. HUBBARD: Well, it would be subject to an estoppel agreement that I believe would get recorded against the property, so anyone purchasing and doing their due diligence should be able to uncover, you know, what these obligations are.

COMMISSIONER JENSEN: Okay, thanks. I just wanted a little clarification

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on that.

ACTING CHAIRPERSON WARSKOW: Any other Commissioner?

COMMISSIONER ENNES: So, this would be recorded on the deed, the estoppel certificate?

MR. HUBBARD: I believe so, yes.

COMMISSIONER CHERWIN: With the deed.

COMMISSIONER ENNES: With the deed, yes.

COMMISSIONER CHERWIN: I'm sorry --

ACTING CHAIRPERSON WARSKOW: That's okay, go ahead.

COMMISSIONER CHERWIN: So, the only thing I was kind of a little confused with, Sam, could you go back to the site plan thing you had up? Maybe that's the engineering. That just looks like, it looks like different than the plat of resubdivision that was on there, because if you look at like the widths in there, just the way it lays out, it seems like on this plan the property to the north has a much narrower space for the buildable envelope to the northerly --

MR. HUBBARD: Yes, there's errors on both the western and northern building envelopes shown here. They don't comply with the setbacks that are required. We did make the Petitioner aware of that, so he should be aware that these building envelopes don't represent, you know, the location where the foundations could be constructed to code.

COMMISSIONER CHERWIN: Can you go to the final plat of resubdivision real quick? Is the final plat, is this closer, the one that you've brought up, is that closer to what it should look like?

MR. HUBBARD: Yes, exactly.

COMMISSIONER CHERWIN: I got you, all right.

MR. VAN KOOTEN: I would make a point though, that's as big as the footprint could be. It will definitely be smaller.

COMMISSIONER CHERWIN: Understood, yes.

MR. VAN KOOTEN: Yes.

COMMISSIONER CHERWIN: I'm just, I'm talking about like the northerly side yard thing. Then I guess the other thing here is on the other, I guess I'm just trying to think here what the calculation is between the building envelopes. To me, I understand that the building envelopes are what they are. Is there like an FAR that, I don't know off the top of my head, I don't remember, but what's like the FAR that would restrict the size of a house in these envelopes? Is that --

MR. HUBBARD: It would have to comply with the floor area requirements of the R-3 District. Off the top of my head, I want to say that's maybe around 50 percent, I don't know.

COMMISSIONER GREEN: Around 50, Sam.

MR. HUBBARD: Yes, thank you.

COMMISSIONER CHERWIN: Around 50, okay. So, I know the Petitioner has said that the building is not going to be this big, however, I'm just curious as to how big it could get within this, because these are pretty close together. I don't have a problem generally with this project, with the subdivision and all that stuff. The only issue I do have is I just want to make sure that we're not like, I mean, because, you know, obviously this building envelope is a pretty big envelope and they're somewhat closer together than I think ideally we would like.

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Those would be my two concerns, but if the Staff feels comfortable that our other bulk restrictions would be sufficient to limit these, you know, I can live with it.

I see the 30-foot, I guess the last question here, I'm sorry, on this, it says nine-foot building setback line, and then seven-foot building setback line. So, that would be, on the northerly lot it couldn't get any closer than nine feet from that bifurcating line between the lots, and then on the southerly lot it could get as close as seven-foot to the property line.

MR. HUBBARD: Correct.

COMMISSIONER GREEN: It's 10 percent.

MR. HUBBARD: Yes, 10 percent. Yes, these are the standards of the R-3 District.

COMMISSIONER CHERWIN: Yes, so the catch is that if we have a narrower lot, we've got that narrower setback line as well. I'm not as concerned about the width of the lots; I am a little bit concerned about the setback.

MR. HUBBARD: I mean, you're talking about a half a foot setback difference if it was at 75 feet in width. So, it wouldn't be much of a difference.

COMMISSIONER CHERWIN: Yes, okay. All right, that's all. Thank you.

COMMISSIONER DROST: I've got one question for Mr. Van Kooten.

MR. VAN KOOTEN: Sure.

COMMISSIONER DROST: On the, you mentioned in your presentation that you were thinking about a 35,000 square-foot pair of homes --

MR. VAN KOOTEN: 3,500.

COMMISSIONER DROST: 3,500, excuse me, 3,500. Have you thought about what the sales price would be for these homes?

MR. VAN KOOTEN: I think, you know, it's changed in a couple of years.

COMMISSIONER DROST: Oh, yes.

MR. VAN KOOTEN: Originally, I talked about --

COMMISSIONER DROST: You were here in 2020 when you initially started the process.

MR. VAN KOOTEN: I think originally in the rounds that are documented there, we talked about like \$850,000, but I think things have gone up a bit since in the last couple of years. I think everybody is aware of that.

COMMISSIONER DROST: Yes, so you're looking at million-dollar homes.

MR. VAN KOOTEN: Probably right around that number, yes. Hopefully, we get the Bears in town and that works out for everybody.

COMMISSIONER ENNES: It would be a stone's throw away.

MR. VAN KOOTEN: It's pretty consistent with what's down Verde. I mean, yes, I'm sure you guys have been down Verde, maybe not recently, but --

COMMISSIONER DROST: You've been down there, Mr. Green?

COMMISSIONER GREEN: Yes.

COMMISSIONER DROST: Yes, good.

MR. VAN KOOTEN: Yes, a lot of new homes down Verde to the south between Palatine frontage and Thomas. Then along Verde and Patton there, there's a lot of new construction, a lot of vacant lots.

COMMISSIONER DROST: And that would be consistent with the neighbors to the south as well, the home prices?

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MR. VAN KOOTEN: Yes. Yes, yes, oh, yes, that's exactly what they're doing. I'm just, you know, copying what they've been doing. That's been working for them and everyone has been happy with it, so, with craftsman style home that everybody likes in the Chicago area right now.

ACTING CHAIRPERSON WARSKOW: All right, I'm going to open it up to public commentary.

Do we have anybody in the public who would like to speak to this petition?

(No response.)

ACTING CHAIRPERSON WARSKOW: No, okay. I'm going to close this portion of the public commentary and ask my fellow Commissioners if we have any more questions before we make a motion.

Comments? Questions?

COMMISSIONER CHERWIN: I'll make a motion.

A motion to recommend to the Village Board of Trustees approval of PC #21-007, a Rezoning from the R-1 One-Family Dwelling District to the R-3 One-Family Dwelling District, and a Preliminary and Final Plat of Subdivision to re-subdivide the property into two lots, and the following Variations:

1. Chapter 28, Section 5.1-3.2, *Minimum Lot Width at Building Line*, to allow a 68.5-foot wide lot where 75-foot wide lots are required.
2. Chapter 29, Section 29-307B.2, to allow a 68.5-foot wide lot where 75-foot wide lots are required.

This recommendation is subject to resolution of the following:

1. The existing home on the subject property shall be demolished no more than six months after subdivision approval by the Village Board.
2. Prior to issuance of a building permit for a new home on Lot 1, impact fees shall be required in accordance with Chapter 29 of the Municipal Code.
3. A Design Commission application shall be required for each new home on the subject property.
4. Linkage fees, in accordance with Chapter 7 of the Municipal Code, shall be required prior to permit issuance for each new home on the subject property.
5. The Petitioner shall continue to work with the Village on the final design and footprint of the homes on each proposed lot and shall preserve as many of the existing mature trees on the subject property that are in good health, as feasible.
6. Prior to issuance of a site development permit for the required improvements, the Petitioner shall provide a \$8,264 fee in lieu of on-site detention.
7. The Petitioner shall enter into an estoppel agreement with the Village, which agreement shall state that the property owner will not object to the establishment of a special assessment for construction of paving, curb and gutter, storm sewer, and sidewalk improvements within the Verde Avenue right-of-way.
8. The Petitioner shall comply with all federal, state, and Village codes, regulations and policies.

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COMMISSIONER JENSEN: Second.

ACTING CHAIRPERSON WARSKOW: Okay, can I get a roll call, Sam?

MR. HUBBARD: I'm sorry, who's the second?

ACTING CHAIRPERSON WARSKOW: Commissioner Jensen.

MR. HUBBARD: All right, Commission Cherwin.

COMMISSIONER CHERWIN: Yes.

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.

MR. HUBBARD: Commissioner Drost.

COMMISSIONER DROST: Aye.

MR. HUBBARD: Commissioner Ennes.

COMMISSIONER ENNES: Yes.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Yes.

MR. HUBBARD: Commissioner Lorenzini.

COMMISSIONER LORENZINI: Yes.

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MR. HUBBARD: Chair Warskow.

ACTING CHAIRPERSON WARSKOW: Yes.

All right, congratulations. You have a unanimous approval or recommendation from the Plan Commission. Next stop is the Village Board, and Sam, do you have a tentative date for that?

MR. HUBBARD: Yes, it looks like we're going to be targeting the March 4th Village Board date, but we'll be in contact. I'll let you know once that date is confirmed.

ACTING CHAIRPERSON WARSKOW: All right, well, congratulations. Best of luck with your project.

MR. VAN KOOTEN: Thank you. I'd like to thank everybody for showing up and hearing me out. I appreciate it.

ACTING CHAIRPERSON WARSKOW: You're very welcome.

COMMISSIONER GREEN: Good luck.

COMMISSIONER DROST: Good luck.

(Whereupon, at 8:03 p.m., the public hearing on the above-mentioned petition was adjourned.)

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PLAN

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

COMMISSION

RE: OPAL MASSAGE THERAPY - PC #23-019
LAND USE VARIATION TO ALLOW A MASSAGE ESTABLISHMENT IN THE O-T
DISTRICT

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 14th day of February, 2024 at the hour of 8:03 p.m.

MEMBERS PRESENT:

MARY JO WARSKOW, Acting Chairperson
LYNN JENSEN
JOE LORENZINI
BRUCE GREEN
GEORGE DROST
TERRY ENNES
JOHN SIGALOS
JAY CHERWIN

ALSO PRESENT:

SAM HUBBARD, Development Planner
HAILEY NICHOLAS, Assistant Planner

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ACTING CHAIRPERSON WARSKOW: All right, so, now we have our second Petitioner. If the Petitioner for the Opal Massage Therapy would like to step forward?

If I could first ask, first I'm going to ask Sam, have all public notices been given about this petition?

MS. PEREZ LEYVA: Yes. Yes, they have.

ACTING CHAIRPERSON WARSKOW: Okay, now I'll swear you in, so if you can raise your right hand?

(Witnesses sworn.)

ACTING CHAIRPERSON WARSKOW: Okay. All right, so please go ahead and start your presentation, but beforehand if you could just say your name and spell your last name for the court reporter?

MS. PEREZ LEYVA: Okay, my name is Gabriela Perez Leyva. I have two last names; they're not hyphenated. First last name is P-e-r-e-z L-e-y-v-a.

ACTING CHAIRPERSON WARSKOW: Thank you.

MR. OLVERA: And my name is Samuel Olvera, last name is spelled O-l-v-e-r-a.

ACTING CHAIRPERSON WARSKOW: All right, feel free to begin.

MS. PEREZ LEYVA: All right, so I am the owner of Opal Massage Therapy. This is a little bit about us. We were founded in 2019 by myself and Sam Olvera here. I am Gabriela and I am a licensed massage therapist in the State of Illinois. I graduated from Harper College back in 2017, so I do have seven plus years of experience in the massage world, specifically spa and medical field as well. I do specialize in therapeutic and pregnancy massage, and I also have neuroma therapy background. So, that's a little bit about me, and then I'm going to step to the side and Sam will tell you a little bit about himself.

MR. OLVERA: Yes, so like I said, I'm Sam Olvera, graduated from UIC with an accounting degree. I do a lot of the stuff that Gabby doesn't do as in business side accounting, marketing, website development. Basically, any background stuff, that's what I take care. Gabby is the face of the business, does the hands work, and I do the boring work.

MS. PEREZ LEYVA: So, just a little bit of how we started. So, again, we were founded in 2019 and we began in Mount Prospect, and that's currently where we're at now. It really just started with a dream and a whole lot of passion for the wellness field. Opal has grown organically and with, let me start over. Opal has grown organically, and also because we have been involved with the community, we've sponsored events at the Mount Prospect Library. We have done marathon events, and we've also sponsored events with the American Legion Evanston Post 42. Then, that sketch to the right there, that was the sketch that I did for the logo. So, it was just a little small dream and we've come such a long way, and we're now ready for the next step.

These are services that I offer. So, I offer Swedish massage, therapeutic, pregnancy massage, hot stone massage. I do cupping therapy with massage, and I also offer CBD massage. CBD massage, I'd like to clarify, is just CBD oil that I apply and that's what makes it a CBD massage; it's a product that I use.

Then our business plan here, so first things first, we're looking to get approved for the land use variation. That's number one. Then once we hopefully get approved here, we're looking to relocate to Arlington Heights. We're looking to continue staying involved

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with the community and growing our online presence, and then hiring two to four massage therapists, and then also hiring front desk help. Our hours of operation would be Monday through Friday-8:00 a.m. to 8:00 p.m., Saturday-8:00 to 2:00, and then Sundays we are going to be closed. Then during the week, Monday through Friday, our last client will be taken at 7:00 p.m., so we will be closing at 8:00 o'clock, so we should be out of there by 8:15.

Then this is our floor plan. We are going to have a reception area, three massage rooms, and then a lounge area for clients to pop in and get some tea/coffee, you know, on the way out. Also, there is a potential maybe interest for that being a massage room number four, depending on how business is and how high in demand appointments are. So, potentially it could be a massage room number four.

Then I want to include this slide, this is kind of, with the lighting it's kind of hard to see, but there's a lot of neutral colors. I just wanted you guys to get a good feel for the aesthetic of what I'm looking for. We are meeting with an interior designer next week, so I'm hoping that she can kind of help my vision here come to reality, but this is just kind of what the aesthetics are going to look like. I'm shooting for inviting, welcoming, and very professional.

Then this is a little bit about the licensing and everything else that we are going to require. So, all massage therapists will hold a current license per the Illinois Department of Professional Regulation. All massage therapists will hold and maintain a malpractice insurance. All of the massage therapists will stay current with their continuing education hours that are required, so it's 25 every other year; two of them have to be in ethics, one in sexual harassment prevention, and one in domestic violence and sexual assault awareness.

Then we will require new clients to complete a health history form prior to any massage therapy session.

Then, last but not least, we will fully enforce a zero tolerance policy. So, we will have signs in every single massage room and throughout the office, just so that clients and anybody who walks in knows that we will fully enforce that zero tolerance policy. We know like the stigma of massage therapy. Some businesses are not legitimate, but I assure you that I will be running a professional business.

Thank you for your time.

ACTING CHAIRPERSON WARSKOW: Thank you. Okay, if you'll have a seat, we'll have the Staff presentation.

MS. NICHOLAS: Okay, thank you. So, the subject property is 825 East Golf Road, Suite 1530, which is located in the O-T Office Transitional District. The Comprehensive Plan designates this property as appropriate for office uses. The Petitioner is requesting a land use variation to allow a massage establishment in the O-T District, and at this time massage establishments are not permitted in any zoning district, and there are no variations requested.

This image provides an aerial view of the subject property which is located within The Mansions Planned Unit Development. The development was approved in 1978 which includes two office buildings, seven multi-family residential buildings, and then Premier on Golf Shopping Center. Access to the site comes from two curb cuts along a private road, which leads to a full-access signalized intersection with Golf Road. The Petitioner, as mentioned, currently operates their business in Mount Prospect and they're looking to open their new location in Arlington Heights.

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This is the floor plan proposed by the Petitioner. They're showing a couple of private massage rooms and a reception area. The space is 1,755 square feet. This unit was previously occupied by a medical office. Additionally, as indicated by the red line in between two of the massage rooms, the Petitioner does have plans to add a dividing wall in the unit to create two private rooms, which the Petitioner is aware would require a building permit.

To summarize their business operations, they will offer a variety of therapeutic massage services. They will have seven employees, and each massage therapist will possess a license from the State of Illinois and current malpractice insurance. The hours of operation would be 8:00 a.m. to 8:00 p.m., Monday through Friday, 8:00 a.m. to 2:00 p.m. on Saturday, and closed on Sundays.

Staff calculated the required parking for both office buildings, so that would be 825 and 855 East Golf Road as these two separately owned buildings within the development share parking. This was established via a reciprocal parking easement in 1994. The buildings share 224 parking spaces, and Staff calculations indicate that 210 spaces are required per code; therefore, there is a surplus of 14 parking spaces on site. There are currently six vacant units between both buildings, and these were included in parking calculations using the parking ratio for general office uses.

The Petitioner provided a parking survey in which they surveyed the parking area adjacent to the 825 East Golf Road building which is outlined in red in this image. They surveyed the parking lot over a three-day period during their proposed hours of operation in half-hour increments. Pursuant to the study, the weekday peak parking demand occurred on a Monday at 4:30 p.m. in which 50 of the 132 parking stalls surveyed were occupied. That's about 38 percent of the parking area. So, with this provided survey and the parking surplus on site, Staff is of the opinion that there is sufficient parking to accommodate both the proposed and existing uses.

Bicycle parking is not required for this project as the tenant space was previously occupied a medical office which have a higher parking requirement than a massage establishment.

The Petitioner has provided responses to the criteria of approval for variation requests. As there are no zoning districts in the Village that allow massage establishments outright, a land use variation is the only way for the Petitioner to operate their business within the Village. Staff has found their responses to the approval criteria to be sufficient.

Overall, the Staff Development Committee recommends approval to this application with conditions as listed here and in the Staff report available as part of public record. The first condition is that all massage therapists must be licensed by the State of Illinois. The second, that this land use variation be limited to the Petitioners and not be transferred or assigned to any other user. The third and final condition, that the Petitioner must comply with all applicable federal, state and Village regulations.

That concludes the Staff presentation.

COMMISSIONER ENNES: I would make a motion to approve the Staff report.

COMMISSIONER DROST: And I'll second that motion.

ACTING CHAIRPERSON WARSKOW: Everyone in agreement?
(Chorus of ayes.)

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ACTING CHAIRPERSON WARSKOW: Yes, okay. Anybody opposed?
(No response.)

ACTING CHAIRPERSON WARSKOW: All right, the Staff report is entered into the record. I'm sorry, Gabriela, I forgot to ask you if you agreed with the conditions that we have listed here.

MS. PEREZ LEYVA: Yes, I do.

ACTING CHAIRPERSON WARSKOW: Okay, great.

Fellow Commissioners, anybody have any questions for this petition?
Yes, Commissioner Green?

COMMISSIONER GREEN: I have a question for --

ACTING CHAIRPERSON WARSKOW: Gabriela?

COMMISSIONER GREEN: -- Gabriela. No, I'm just, maybe you know this, maybe you don't. Where are the bathrooms?

MS. PEREZ LEYVA: So, I believe there are, I know there's, I believe there's two. It's just as soon as you leave our suite, there's a bathroom across the hall. So, the hall is very narrow, and then, yes, it's basically kind of where the lounge room is. Actually, it's, let's see.

MR. OLVERA: So, the reception, so you exit the reception area, you take a right, there's the men's bathroom. So, you've got to get out --

COMMISSIONER GREEN: I see the men's bathroom.

MR. OLVERA: Yes, and then --

COMMISSIONER GREEN: Is this a condominium? How does that work with not having a bathroom in your part of the building?

MS. PEREZ LEYVA: Well, we do have a sink. There's a small kitchen area, but the other, I think the bathrooms are separated by gender, right? There is a women's bathroom; it's like super close.

MR. OLVERA: It's across the men's.

MS. PEREZ LEYVA: Yes.

COMMISSIONER GREEN: No, I'm just used to within your unit you have your own bathrooms. So, my question is, is it different that a bathroom is not part of their, within their walls?

COMMISSIONER CHERWIN: Yes, sometimes, actually years ago when I first started, I worked in this building next to it, the same one. So, it's like one of the, you know, buildings where it's just a community --

COMMISSIONER GREEN: Okay, I just was curious because we usually don't see that.

COMMISSIONER CHERWIN: Yes. It's on the hallway, yes. It's, you know, some of the buildings around here don't have them in the unit, they have them in the hallway. Yes, if it's an office, it's not too uncommon, depending on the size. You know, if it's --

COMMISSIONER GREEN: I just wondered if it was a condominium or something, you know, a different arrangement.

COMMISSIONER CHERWIN: I think that these buildings might have been initially built for, because it's part of The Mansions and I think, you know, the multi-family behind it, I always wondered if these buildings were architecturally designed to be residential and then were just at some point converted because I thought the same thing. It had this residential feel when you walk in, like some of these units have like fireplaces and stuff. I don't know if you guys

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have, but like my old office in here had a fireplace in it, which is sweet when you fired it up, but it had like all this, so it's kind of an odd thing. I don't know if they originally were going to put it in the unit and then when they turned to office they just left the community bathrooms, but that's hopefully something --

COMMISSIONER GREEN: Okay, no, I just was curious because we usually don't see that. You don't see a lot of that anymore. I don't anyway.

COMMISSIONER CHERWIN: Yes.

COMMISSIONER GREEN: So, no, no, it's no fault with you guys. I just was curious how it was set up.

MS. PEREZ LEYVA: Yes, no, that's --

MR. OLVERA: The lounge actually has a fireplace. That's kind of worked out.

COMMISSIONER CHERWIN: They just have to hold it, Bruce.

COMMISSIONER GREEN: That really wasn't aimed at you guys. I just was curious how it was going here, that's all.

MS. PEREZ LEYVA: Yes, no, that's a good question.

COMMISSIONER GREEN: No other questions, that was it.

COMMISSIONER LORENZINI: Just a comment. I've been to several doctor's offices where it's the same setup. You go outside the office to use a public common restroom.

COMMISSIONER GREEN: Into a public, yes, okay.

COMMISSIONER ENNES: So, along the same line if you're done, Bruce?

COMMISSIONER GREEN: Yes, sure.

COMMISSIONER ENNES: Is this a first floor office? Businesses are first floor in the building?

MR. OLVERA: Most of them are first floor. There is a second floor, but I believe it's vacant in that building.

COMMISSIONER ENNES: Vacant?

MS. PEREZ LEYVA: Yes, but we're on the first.

MR. OLVERA: We're on the first floor, yes.

COMMISSIONER ENNES: Okay, and this to my left, which would be your left, is that the entrance from the parking lot?

MR. OLVERA: No, so that's one of the entrances, but the main entrance is to my right. So, there's a long hallway to take you to the main lobby.

COMMISSIONER ENNES: Okay, so what we're seeing here isn't just your suite. Your suite would be the rooms with the red lettering and also that little closet area and maybe a lunch area?

MR. OLVERA: Right.

COMMISSIONER ENNES: And then the bathroom is part of common area along with the hallway.

MR. OLVERA: Right.

COMMISSIONER ENNES: And is there a business in the suite down below you, or not down below --

MS. PEREZ LEYVA: Across?

COMMISSIONER ENNES: -- on the lower part of the floor plan.

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MR. OLVERA: We believe there are, yes.

COMMISSIONER ENNES: That there's somebody in there?

MR. OLVERA: I'm not sure which exact one it is, but yes.

COMMISSIONER ENNES: Okay.

MS. PEREZ LEYVA: This lists all the tenants in the building. I believe it might be a general office unit across from them.

COMMISSIONER CHERWIN: Hailey, do you have the visual where it shows the aerial of the building?

MS. NICHOLAS: Yes. This one?

COMMISSIONER CHERWIN: Yes. So, isn't this one located all the way in the 825? Am I correct there?

MS. NICHOLAS: Yes, that's correct.

COMMISSIONER CHERWIN: So, you have that kind of the edge of the parking lot there. There's a door on the west side of that building.

COMMISSIONER ENNES: Yes, the corner is there.

COMMISSIONER SIGALOS: Yes, there's a corner there.

COMMISSIONER CHERWIN: Yes. So, you have the central access to the building on the northerly side, southerly side in the back, and then the westerly door goes out to --

COMMISSIONER ENNES: So, Gabriela, you've been in business since 2019?

MS. PEREZ LEYVA: Yes, on my own.

COMMISSIONER ENNES: On your own, and have you had other massage therapists working for you?

MS. PEREZ LEYVA: Currently, yes, I have one employee. She just started with us a couple of months ago.

COMMISSIONER ENNES: Okay, so it will be, being an expansion, you're going to add another one?

MS. PEREZ LEYVA: Yes.

COMMISSIONER ENNES: Which is why you're bringing in Samuel to run the business end?

MS. PEREZ LEYVA: Yes, I'm going to need more brain to help, yes.

COMMISSIONER ENNES: Okay, so the boring part is the business end which you're running, Samuel?

MR. OLVERA: Yes, that's what I'm doing.

COMMISSIONER ENNES: Okay, good.

COMMISSIONER CHERWIN: Are they going to be employees or like independent contractors?

MS. PEREZ LEYVA: Employees.

MR. OLVERA: Employees. The current lady we work with, she is an independent contractor.

COMMISSIONER CHERWIN: Got you.

ACTING CHAIRPERSON WARSKOW: Any other questions?

COMMISSIONER DROST: Yes, to Sam or to Hailey. What's sort of the population of massage offices in Arlington Heights? How many do we have that are the standalones? Do we know?

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MR. HUBBARD: It's very low. I think historically there were some concerns from the Police Department, so I know that this use has not been allowed in Arlington Heights for, you know, for many decades. But I think, you know, we've recently relaxed I think some of our standards and we've been able to vet these petitioners. Then most recently, there was a Massa Spa approved not too far from here, but there's really not too many.

COMMISSIONER DROST: No, I've remembered some of the, that we've had some petitions that have involved massage facilities and some in actual residential neighborhoods. The point I would make is that this is an opportunity to grow that kind of practice in the community.

Then the second question is, as far as any of the products that you sell, what portion of that percentage wise to the actual physical therapy or massage that you give would retail sales work out? What's your history been in your prior place and do you expect to increase retail sales? That's basically what I'm getting at.

MS. PEREZ LEYVA: Yes, I'm going to almost hand over that question to, he's the numbers guy, the accounting. So, he would have a better understanding of what the revenues are for retail.

MR. OLVERA: Yes, so retail, for the most part we saw e-commerce, not necessarily at the site. At the current place, we do have them displayed but not a lot of is sold via the actual retail spot. Most of that is through Amazon, Walmart, Etsy. Overall, I would say it's a small part of our business, maybe 10 percent of the actual retail.

MS. PEREZ LEYVA: Yes.

MR. OLVERA: And if we do expand that, we will expand it via the e-commerce side, not necessarily within the retail site.

COMMISSIONER DROST: Yes, and how do you attract your clientele? Is it through these community efforts that you have or is it through --

MS. PEREZ LEYVA: Yes. Yes, so --

MR. OLVERA: Word of mouth thing.

COMMISSIONER DROST: Yes.

MS. PEREZ LEYVA: Yes, so it is a little bit of both. I have been trying to like build my clientele. In the very beginning, I did Groupon. So, I can always go back to my humble beginnings if need be, but yes, just sponsoring and staying involved with the community. I try to be very present on social media. I do have a couple, I have like a YouTube channel and I will make videos, informational videos, just tips and tricks, all related to massage and essential oils. I just find that social media is huge for advertising, it's free and everybody is on their phone anyway, and I like to think I'm easy on the eye, you know. So, yes, just very, you know, educational videos.

Like you said, also, we're planning on continuing like sponsoring events within the neighborhood and the surrounding suburbs to just kind of get our name out there, and attending marketing meetings whenever I do get a chance to as well to network.

COMMISSIONER DROST: Yes.

MR. OLVERA: Yes, we've got a lot of --

COMMISSIONER DROST: Do you have any sort of, on percentage basis, what your business was in 2019 and how it's, presuming it's increased, do you have those percentages, Mr. Olvera?

MR. OLVERA: It's definitely decreased 2x. I mean, when we started --

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COMMISSIONER DROST: Decreased?

MR. OLVERA: Increased.

COMMISSIONER DROST: Oh, increased, okay.

MR. OLVERA: I know our revenues were \$30,000 the first year. This year, revenues are going to be 92. I actually just ran the numbers.

COMMISSIONER DROST: You're on a rocket ship then it sounds like.

MR. OLVERA: Yes, it's gone great.

COMMISSIONER DROST: Just trying to get an idea of what to expect.

MS. PEREZ LEYVA: Yes.

COMMISSIONER DROST: And it sounds like you're, you didn't need to provide the exact detail for us, that's why I wanted to use percentages sort of to mask, but --

MR. OLVERA: Yes.

MS. PEREZ LEYVA: Okay, yes.

COMMISSIONER DROST: -- thank you.

COMMISSIONER ENNES: Do you have relationships with chiropractors or surgeons or anybody?

MS. PEREZ LEYVA: Yes, so I do, that's another thing that I plan on doing, going to chiropractor offices that don't already work with massage therapists and just introducing myself to them and handing out business cards when I can. Going to acupuncturist, you know, offices, and I do work with one acupuncturist. She's currently in Mount Prospect. Then I do know a chiropractor in Arlington Heights, she has a big presence here. Then I do currently work with another chiropractor in Mount Prospect. So, we refer clients to each other and I continue to, I'm going to continue to keep networking with like medical professionals in the area.

COMMISSIONER DROST: Yes, you seem to have some potential neighbors that you can work with as well. So, there's maybe some synergy that you can bring to that site.

MS. PEREZ LEYVA: Most definitely, yes.

COMMISSIONER SIGALOS: Will you be keeping your Mount Prospect office open or close it and bringing those people, your clients here to this Arlington Heights location?

MS. PEREZ LEYVA: Yes, so we do plan on closing that location and starting a new chapter. Yes, clients are super eager and they're, you know, they're just saying keep me posted. Let us know how your process goes, and they're going to follow.

COMMISSIONER DROST: Yes, so what do you charge for a half hour?

MS. PEREZ LEYVA: So, for 30 minutes, it's \$50. For a 60-minute session, it's \$90. Then for a 90-minute, \$130. That's just for basic, like Swedish therapeutic. If we had a couple more add-ons like CBD, that's a little bit more. Hot stone massage is a little bit more. Deeper pressure work, deep tissue is a little bit more. So, just the very basics would be, yes, that.

COMMISSIONER DROST: Yes, and that sounds competitive.

ACTING CHAIRPERSON WARSKOW: Anybody else?

(No response.)

ACTING CHAIRPERSON WARSKOW: All right, I'll open it to the public then.

Do we have anyone in the public who would like to ask questions or

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comment on this petition?

(No response.)

ACTING CHAIRPERSON WARSKOW: All right, not hearing any requests, I will close that portion of the public commentary.

Do we have a motion?

COMMISSIONER ENNES: I would make a motion.

A motion to recommend to the Village Board of Trustees approval of PC #23-019, a Land Use Variation to allow a massage establishment in the O-T District.

This recommendation is subject to resolution of the following:

- 1. All massage therapists must be licensed by the Illinois Department of Professional Regulation as per applicable regulations.**
- 2. This land use variation shall be limited to the Petitioners and cannot be transferred or assigned to any other user.**
- 3. The Petitioner shall comply with all federal, state, and Village codes, regulations and policies.**

COMMISSIONER CHERWIN: Second.

COMMISSIONER ENNES: And that is subject to conditions one, two and three.

COMMISSIONER CHERWIN: Still second.

COMMISSIONER ENNES: Okay.

ACTING CHAIRPERSON WARSKOW: All right, Hailey, can we have a roll call, please?

MS. NICHOLAS: Commissioner Ennes.

COMMISSIONER ENNES: Yes.

MS. NICHOLAS: Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes.

MS. NICHOLAS: Commissioner Drost.

COMMISSIONER DROST: Aye.

MS. NICHOLAS: Commissioner Green.

COMMISSIONER GREEN: Yes.

MS. NICHOLAS: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.

MS. NICHOLAS: Commissioner Lorenzini.

COMMISSIONER LORENZINI: Yes.

MS. NICHOLAS: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MS. NICHOLAS: Chair Warskow.

ACTING CHAIRPERSON WARSKOW: Yes.

Congratulations, you have a unanimous recommended approval of your petition and you'll go before the Village Board next.

Hailey, do you have an estimated date when they would go?

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MS. NICHOLAS: It would also be March 4th.
ACTING CHAIRPERSON WARSKOW: Terrific. All right, best of luck to you.

MS. PEREZ LEYVA: Thank you.

MR. OLVERA: Thank you.

MS. PEREZ LEYVA: Thank you for your time.

COMMISSIONER CHERWIN: Good luck to your business.

COMMISSIONER DROST: Yes.

ACTING CHAIRPERSON WARSKOW: All right, so that's the end of the petitions.

Do we have anybody who would like to make general public comments?

(No response.)

ACTING CHAIRPERSON WARSKOW: No, okay. So, I'm going to close all public commentary.

COMMISSIONER GREEN: I move we adjourn.

COMMISSIONER DROST: I'll second that motion.

MR. HUBBARD: I do have a few housekeeping items just to announce, sorry. First things first, I don't know if the Commissioners saw the e-mail I sent out today. If anyone accesses the website and uses our Wi-Fi, the password and Wi-Fi name is changing, so just make sure you're up on that.

Then, I believe Pat sent out two separate e-mails polling about future attendance, one for the end of March during what I think is spring break, and then one for a potential special meeting in early April. So, if everyone could please respond when they know their availability, that would be appreciated. Thank you.

ACTING CHAIRPERSON WARSKOW: Great. I think that's it.

We have a motion?

COMMISSIONER GREEN: I move we adjourn, again.

COMMISSIONER DROST: Second. It wasn't voted.

ACTING CHAIRPERSON WARSKOW: All right, everybody in agreement?

(Chorus of ayes.)

ACTING CHAIRPERSON WARSKOW: Anybody opposed?

(No response.)

ACTING CHAIRPERSON WARSKOW: No, all right. So, the meeting, the hearing is closed.

(Whereupon, at 8:31 p.m., the public hearing on the above-mentioned petition was adjourned.)

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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