AGENDA
PLAN COMMISSION
Board Room, 3rd Floor
Arlington Heights Village Hall, 33 S. Arlington Heights Rd.
Arlington Heights IL 60005
July 23, 2025
7:30 PM

I. CALL TO ORDER

II. ROLL CALL OF MEMBERS

III. APPROVAL OF MINUTES

A. Minutes 6/11/25

IV. PUBLIC HEARINGS

A. 1331 W. Dundee Rd. - Jameson's Charhouse - PC#25-011
Amendment to Special Use Ordinance 04-028 to expand outdoor seating with variance

V. OTHER BUSINESS

A. Plan Commission Reorganization

VI. PUBLIC COMMENT

Anyone wishing to speak on a subject not on the Agenda may speak at this time. Please limit your comments to three minutes.

VII. UPDATE ON PREVIOUS PLAN COMMISSION CASES

VIII. ADJOURNMENT

Persons with disabilities requiring auxiliary aids or services, such as an American Sign Language interpreter or written materials in accessible formats, should contact the Health & Human Services Department, at 33 S. Arlington Heights Road, Arlington Heights, IL 60005, healthmail@vah.com or 847/368-5760.

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COMMISSION

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

RE: 519 WEST ALGONQUIN ROAD - CHEZ HOTEL - PC #25-010
LAND USE 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 11th day of June, 2025 at the hour of 7:30 p.m.

MEMBERS PRESENT:

JAY CHERWIN, Chairperson
KRISTEN SCHURTZ
JOE LORENZINI
BRUCE GREEN
GEORGE DROST
TERRY ENNES
JOHN SIGALOS

ALSO PRESENT:

RACHEL HITZEMANN, Development Planner
MICHAEL LYSICATOS, Assistant Director of Planning and Community Development

DRAFT

(Gavel pounded.)

CHAIRPERSON CHERWIN: Okay, we'll go ahead and call this meeting to order.

If we can stand for the Pledge of Allegiance, please?

(Pledge of Allegiance recited.)

CHAIRPERSON CHERWIN: Thank you.

We'll have roll call, please.

MS. HITZEMANN: Yes.

Dawson.

(No response.)

MS. HITZEMANN: Drost.

COMMISSIONER DROST: Here.

MS. HITZEMANN: Ennes.

COMMISSIONER ENNES: Here.

MS. HITZEMANN: Green.

COMMISSIONER GREEN: Here.

MS. HITZEMANN: Lorenzini.

COMMISSIONER LORENZINI: Here.

MS. HITZEMANN: Schurtz.

COMMISSIONER SCHURTZ: Here.

MS. HITZEMANN: Sigalos.

COMMISSIONER SIGALOS: Here.

MS. HITZEMANN: Cherwin.

CHAIRPERSON CHERWIN: Here.

Thank you.

All right, noted that we do have a quorum and we can proceed. Item III on our agenda is the approval of minutes from 5/14/25.

Is there a motion to approve those minutes?

COMMISSIONER GREEN: I'll make that motion.

COMMISSIONER SIGALOS: I'll second.

CHAIRPERSON CHERWIN: Motion is on the table.

All in favor?

(Chorus of ayes.)

CHAIRPERSON CHERWIN: Any opposed?

(No response.)

CHAIRPERSON CHERWIN: Okay, our motion passes; minutes are approved. Thank you.

Item No. IV is public hearings. There's one today. It's a continuation; and this is for 519 West Algonquin Road, Chez Hotel. So, I think at this point, we will continue on from our last meeting.

We had an initial presentation by the Petitioner. We had an initial presentation from the Staff. I think some adjustments have probably been made to those. So, unless the Staff objects, I would invite the Petitioner up to maybe summarize where we've been over the last few weeks and note any changes, and then I can turn it back over to the Staff for the same.

MR. CAZARES: Absolutely. James Cazares, Chez Hotel. We have a --

DRAFT

CHAIRPERSON CHERWIN: Can I just have you raise your hand, again?

(Witness sworn.)

CHAIRPERSON CHERWIN: Thank you. I don't know if we had to do that, but I figure why not.

All right, thanks, James.

MR. CAZARES: We revised some of the parking agreements, the letters. We added some of the conditions that Staff recommended. It isn't a formal lease, but it's something with more substance that Staff was looking for. So, I felt it wasn't appropriate to ask for a formal lease, but we came to I guess a medium on that in trying to gently get our neighbors to sign that, which they have.

We have a couple of outstanding issues in regards to valet over here, in regards to where show vehicles would be parked. Historically, we parked the vehicles in front, but I determined that it's better to just remove that and to just use regular parking spots, you know, we're a luxury hotel; we'd like to present a luxury image. This is part of our internal operation over here.

I do have a little bit of issue with removing the depiction of the valet plan in our site plan. You know, that site plan basically predates myself and is over 20 something years old. There's always been an issue here in the Village with parking on our site, and I don't have a problem to remove the depiction, but I'd like to still count those parking spots. So, that can be I guess discussed later at the time or we can try to hash that out.

Otherwise, there are some shading trees that need to be done in the parking lot. I talked to the Building Director today. He's under the understanding that we're on a temporary certificate of occupancy. I am under the understanding that we have a final certificate of occupancy, so we'll try to resolve that as well. I do have a final certificate that I received, but the Village believes I have a temporary, but otherwise, we will put those shading trees out there.

I think that's about it. You know, I just want to recap my last presentation. We really don't have a parking deficit here. We really have a parking surplus. I've fought with the Village and with Charles and with Staff for many years on this. The sad thing is that we have, today we're at 95 percent and we have over 100 something parking spots. I think we should have the highest and best use.

Us as the operators, having been here for over 27 years, I think we can do that responsibly. Just by looking at this room and not having any of my neighbors here hooting and hollering and saying these people are totally nuts and I'm having parking issues really is a gentle way to say that, you know, we're good neighbors. So, I think let's try to get this approved.

I still believe this hotel should be 120 rooms, and maybe one day I'll decide to come back and add another tower over here, but for now, we'll leave it as is. So, thank you so much, and I hope to invite you all when the public is allowed to come.

CHAIRPERSON CHERWIN: Could I ask you real quick, just to go through and just for clarity, I know you brought up a few points, but just so we understand where you're coming from, there is in the Staff report several, I think there's eight conditions outlined and I think you were kind of generally walking through them, but --

MR. CAZARES: Yes.

CHAIRPERSON CHERWIN: -- am I to understand that you're taking the position, if you could maybe reference those eight, and I'm sure 8 is fine so we're kind of, you know, 1 is okay, so we're looking between 2, 3, 4, 5, 6, 7, do any of those stand out to you in

particular as your main concerns or you object to? Are there some that you're fine with?

MR. CAZARES: Yes, I'm generally in agreement with all of them. I think that we just, we need to work out the finer details. My understanding is those trees would be completed once the generator was done. So, we have some items that are I would say not relevant to the Board or just internally happening that were delayed due to Covid and construction. We didn't want to plant some of them because we still have some construction that's going to be happening on the property, but in general, yes, I am in agreement with them.

CHAIRPERSON CHERWIN: Okay. All right, thank you. Well, you can go ahead and take a seat for now, and I'll turn my attention to the Staff.

If you have any updates, Rachel?

MS. HITZEMANN: I do.

So, to just kind of briefly remind everybody where we're at, so the subject property is 519 West Algonquin Road. They're in an M-2 District and they're looking for a land use variation to allow a restaurant to be opened to the public. They're also requesting variations to waive the traffic study and to reduce the required number of off-street parking spaces from 257 to 171.

Here is the aerial of the subject property. Then, I'm not going to go into the project background. I think we kind of covered that last time, but it is in the slide.

So, for the progress update from the last meeting, we did hold, Staff held a meeting with the Petitioner on May 29th to address outstanding items and to kind of all be on the same page on what we're looking for to move forward. Per that meeting, the Petitioner had submitted a comment response letter addressing round one comments, an updated valet plan, and updated parking agreements. Staff had reviewed those updated plans and provided a new comment letter. So, it wasn't just Planning Staff, but it was also the Engineering Department and the other Staff, Building, et cetera.

We want to stress that, you know, good progress has been made since that last meeting to move this application forward. There are a just a few outstanding items that we still need to address to keep continuing to move forward. I'm going to kind of outline these in the presentation. I do want to stress we have had a good working relationship with James and we think that this can get to where it needs to be; we're just not quite there yet but we can talk about it as we move forward.

Just a reminder, this is the rooftop space that we're talking about. The restaurant component on the sixth floor with that enclosed structure.

So, this is the site plan. You can see for the red, outlined in the red are those valet spaces that we are requesting to be removed from the site plan, those valet spaces. This is really a request from the Engineering Department. They have concerns with the access flow of not only emergency vehicles but also just vehicles on the site and how many parking spaces for the public that it would block if those spaces were to be used for valet, specifically on the north side of this, those three spots. Engineering believes that there is not enough room to kind of navigate around those if vehicles were to be parked. So, our request is to have those removed and really have most of the valet parking centered into that green area along the southernmost part of the site, anticipating that those parallel parked valet spaces would block basically both of those rows from parking where they could use both of those rows plus the parallel spaces as valet spaces which would accommodate their need to kind of remove those other valet spaces.

So, the parking study was revised by the Applicant to the restaurant

use classification, so we appreciate that. Per code, 257 parking spaces are required, but per the study, the Petitioner indicates that a peak demand would be 224 spaces. Staff is amenable to the Petitioner using 224 spaces as their peak demand as what we would require provided that they could provide agreements for the roughly 54 off-site spaces that would be needed. So, the valet plan identifies those 23 valet spaces to be used during an overflow. We would require that most of those be removed and just keep that southernmost parking. While the valet increases the on-site parking, it blocks those other spaces, so that's why we would want to concentrate it on that southern portion.

Staff has requested a revised site plan before the Village Board meeting showing the elimination of those aisle valet spaces, and specifically where show vehicles will be parked. But as James said, it sounds like he's parking those in regular spaces, so just clarifying that on the valet plan for the site. Then, also for the valet plan in terms of the narrative, before the Village Board, we're going to ask that that southernmost parking be noted as the primary valet area. I know this is kind of different than what we've told you in the past and we acknowledge that, but I think from a planning perspective, Engineering would prefer that all of the parking be off-site.

We understand from a planning perspective and a functionality that most likely if you have excess parking demand, you're going to use your valet first. So, we want to be accommodating of that and say that the southernmost parking access drive is where the valet should be, and then it should be the Brite-O-Matic site, and then the hand therapy site. So, we would like that clarified, how access to the southernmost two rows of parking would be restricted to patrons if valet is determined to be needed, a staging plan for how that part of the site would be utilized, clarification again regarding where show vehicles will be parked, and anticipated hours of valet operation on days that it is implemented.

The Petitioner has provided updated parking agreements that include many of the requested items that we outlined last time in mutual terms and conditions, the number of parking spaces, number of years, et cetera. The one element that we are still requesting is automatic extensions of the agreements which has not yet been provided. I think the specific language on the agreement is they agree to talk about extended automatic extensions. We would really just like to have that automatic extension be built into place.

So, here are the two agreements that we have. You'll see in both pictures that the Chez Hotel is outlined in red, and then in the first picture, the Brite-O-Matic north lot is the yellow. That's what we would be anticipating as their second option. Then, that hand therapy is the third and last option because they would need to go on to Algonquin Road into that site and then onto Algonquin Road to come back.

So, we are, Staff Development Committee does recommend approval of the land use variation to allow a restaurant in the M-2 District. We do have those eight conditions. One is an updated response to the land use variation criteria. Those other two, the next two relate to the valet plan as discussed. The fourth one is the parking agreements. The outstanding landscaping items, that must be installed this planting season, so if you're anticipating that it's going to be planted this year, I think your generator is coming in the next few weeks if I am understanding correctly, so they should be able to meet that.

Then, so those first five are really prior to Village Board, so if you do choose to recommend approval of this, the Petitioner will need to provide that to Staff before it goes to the Village Board meeting. These next three are kind of as it moves forward as an approved ordinance in that they must retain off-site parking agreements for 54 spaces and what

would happen if the agreements lapse, and that the valet parking may only be used between the south two parking rows.

With that, I'll turn it over for any questions.

CHAIRPERSON CHERWIN: Thank you.

Is there a motion to submit the updated Staff report?

COMMISSIONER DROST: Yes, I'll make that motion.

COMMISSIONER ENNES: I'll second it.

CHAIRPERSON CHERWIN: All right, all in favor?

(Chorus of ayes.)

CHAIRPERSON CHERWIN: Okay, any opposed?

(No response.)

CHAIRPERSON CHERWIN: All right, the updated Staff report has been voted into the public record.

Thank you.

Rachel, I guess before we go on, I just have a couple of points for clarification here. The show vehicles?

MS. HITZEMANN: Yes.

CHAIRPERSON CHERWIN: What are we talking about?

MS. HITZEMANN: I think they're the higher-end vehicles. So, if somebody comes in with like a Maserati or some other higher-end vehicle that's a show, you know, a showy car, that they would like to, yes, park it closer to the entrance for people to see.

CHAIRPERSON CHERWIN: All right, then I guess I just, I'm really, you know, I'm having trouble with the, can you put up that site plan that shows the highlighted aisles? Yes, that is the one. Where does, so I'm looking at the red valet parking and put aside the issue of, you know, okay, there are some cars that are going to get boxed in here, what's the emergency issue here for circulation? How does this affect the emergency vehicles?

MS. HITZEMANN: So, it shouldn't, in theory, affect the emergency vehicles because they will use the access that's closest to the building. I think Engineering is concerned, you know, let's say that there are emergency vehicles that are parked in that access drive, how if they are then. So, let's say, does this work? Yes, somewhere, there it is. So, let's say there's an access vehicle or an emergency vehicle here, if there are people parked over here, how they would be able to get out if these were also used as valet. So, it may interfere with that, and I think Engineering's point is really just that these will block people's access through the site and they're really against that, I think.

CHAIRPERSON CHERWIN: Well, I guess, you know, I mean, in terms of that, yes, but we have, I mean, isn't this, this is like it happens a lot I think when we go to restaurants. I mean, I feel like, or something crowded, you can always have valets and sometimes they're blocking and that's just the nature of valets. You've got to ask the guy and say, okay, move, but I don't know. From my perspective, I think like, yes, it's a little, I mean, it's difficult to manage, but I would think that the hotel is in a better position than some engineer in our department to determine what's most feasible for managing on-site traffic with this.

If it's not good for their guests or it's not, I mean, I don't buy the whole emergency vehicle; I think that's a non-issue. I think they're just grasping at straws there. I don't know, I guess I just, I'm not as concerned about it. I feel like the hotel is going to be able to manage with their valet if they're putting wherever they're putting people, if it's a, you know, longer-term banquet person, maybe they park in there. I mean, they have an incentive to make it

not miserable for people to have to, you know, get to their car, and if they don't do it right, it is going to be a logistic issue. So, I think they're incented more than our Village engineer to figure out the best way to handle the parking on their spot.

I guess on the southern part of it, the valet, the green area down there, is that kind of, that's the same, I'm just having trouble figuring out the two different valet issues. The issue down there in the green area, that's where you want the valet to be and that's where you want, so you want to move it off the red and --

COMMISSIONER GREEN: On to the green.

CHAIRPERSON CHERWIN: -- on to the green, yet you have the same issue back there.

MR. LYSICATOS: Well, he was proposing to have both. The Petitioner was proposing to have both the green and the red as valet on any given occasion. So, what that does is it reduces the overall then supply of the parking for the now public uses. I think that was, Planning is concerned with having both operating at the same time as now you've taken out essentially half the parking on the site as valet, which is likely to be to the banquet use or the hotel use. So, you're starting to reduce the amount of general parking available --

CHAIRPERSON CHERWIN: For the public, but --

MR. LYSICATOS: -- for all those concurrent uses, right.

CHAIRPERSON CHERWIN: -- I mean, but --

MR. LYSICATOS: So, we thought either/or kind of allows it to be a little more flexible.

CHAIRPERSON CHERWIN: -- wouldn't that, from your, I mean, even if, wouldn't it seem like the event would kind of dictate what's appropriate for that, if it's a major event that's, you know, that's a big banquet or they have a wedding and a full hotel, I think they would be incented to, you know, use that auxiliary parking first so that people aren't having to go find their way into Brite-O-Matic or whatever to park. I mean, so I guess my concern here with this is it just seems like we're trying to really be extremely prescriptive on how they run their business and how they manage their clients, and I feel like this is their business and they have an incentive to make sure it runs as smoothly as possible. We don't know that, you know, how it's going to work and how they may need to adjust.

My fear is just that we are basically telling them, kind of micro-managing this thing. I don't know why we would do that because I feel like they're, as long as we're okay with the overall number, and personally, I'm looking at the agreements and, you know, I feel like they're probably good enough for me, but they have this auxiliary parking I guess, so I don't know, that was my only point.

I'll ask you guys if you have any questions of the Staff or the Petitioner; however, you guys want to address it. So, why don't we start down by John this time.

John, do you have any?

COMMISSIONER SIGALOS: Yes, I had a question on these recommendations 1 through 8, and I think you mentioned that 1 through 6 has to be resolved or provided before the Village Board meeting. Why aren't they provided before our Plan Commission meeting?

MS. HITZEMANN: So, it would be 1 through 4.

COMMISSIONER SIGALOS: Oh, 1 through 4.

MS. HITZEMANN: And 5 would be, to be done this year, essentially.

COMMISSIONER SIGALOS: Right.

MS. HITZEMANN: The reason they are not done before this meeting is that the Petitioner would like to move forward with this as timely as possible, so he requested to be at this meeting date. So, we are trying to accommodate his request by then requesting that, making sure that these conditions --

COMMISSIONER SIGALOS: But the reason that this was continued today from a few weeks ago was because the Petitioner hasn't provided you all the answers to everything that you requested at that time. Has he given you all the information you ask now? I mean, I see you're recommending approval, but I just want to make sure you've got everything that you've asked for; that he's provided them.

MS. HITZEMANN: We've made progress to everything that we need. He has amended some of the items, but we still have, you know, 1 through 4, things that need to be updated to get to everything that we need, but we're on the right track, which is why we felt comfortable with recommending approval.

COMMISSIONER SIGALOS: Okay, but what if he doesn't agree to these 1 through 4? Then it's a waste of time.

MS. HITZEMANN: That's his choice.

MR. LYSICATOS: Well, I think the forum for tonight is if the Plan Commission is comfortable with these conditions, that would be their recommendation to the Board, or if there's a will to alter any of these conditions after the hearing and after you hear testimony, we would obviously work with the Plan Commission and Petitioner to alter those potential conditions tonight. But as the Petitioner wanted to move forward and have the follow-up or the continuation of the public hearing, we put forward what we would like to see as those conditions of approval. So, that's to answer your question.

COMMISSIONER SIGALOS: So, you feel comfortable with it then, the information --

MR. LYSICATOS: With these conditions. If the Plan Commission, and there are some points that are already being raised that we're obviously amenable to and would talk through, we obviously would work with you and the Petitioner to see if there's anything that would change if and when you got to your motion.

COMMISSIONER SIGALOS: Okay, and my last question is Item 5, the outstanding landscaping, why hasn't that been done? If he's got a certificate of occupancy, doesn't the landscaping have to be done before you get everything approved for occupancy?

MS. HITZEMANN: Yes. However, this project was done in the middle of transitional periods, plus it was reviewed by a third-party, Building Review. So, I think between all of that, some things may have fallen through the cracks and I think there's a discrepancy on whether he has a final occupancy or a temporary occupancy, so that's really a question for the Building Department. But in theory, if he did have a final occupancy, then they should be completed prior to him receiving that, yes.

COMMISSIONER SIGALOS: He should. Here we are in June, this is planting season, why isn't it being done?

MR. CAZARES: Yes, the planting season would be in the fall would be the best time. Right now it's the peak heat; it would not be optimal right now. The reason why I stated why they're not done right now is because we have to add a generator. It wasn't on the plan. So, our former Director of Building decided that he was going to be the authority on jurisdiction and he was going to impose rules that were not on our approved plans. We agreed to do that to settle with him. So, in that agreement, those items were also, verbally with Staff and

Mr. Recklaus, was to be deferred.

COMMISSIONER SIGALOS: But, again, as far as planting of trees required and the number of parking stalls and so on, that has nothing to do with your generator.

MR. CAZARES: Yes, it does, because the trees are located on the eastmost portion. That is where the work is going to be starting next week and it's going to be coned off and there has to be underground work; there has to be excavation for gas lines. I mean, it's not a generator house; this is a generator the size of two cars over here. So, that's going to be placed over there by those lots. So, unfortunately, we're not able to do it until it's done. We anticipate that being completed in about 60 days; the generator actually is arriving next week.

COMMISSIONER SIGALOS: So, Staff, again, you're okay with that then?

MS. HITZEMANN: Correct.

COMMISSIONER SIGALOS: Okay. All right, that's all I have.

CHAIRPERSON CHERWIN: Thanks, John.

Terry, anything further?

COMMISSIONER ENNES: For Staff. Rachel, your understanding of these parking spots, valet parking spots that block existing parking spots, would people who come into the restaurant or the banquet be using those regular parking spots and then valets would be parking cars across them?

MS. HITZEMANN: So, as it's set up, yes. These spaces could be used for people who are parking their cars at the restaurant, et cetera. Then if valet was then implemented and they were allowed to park here, they will be blocking those people, which is why we're requesting --

COMMISSIONER ENNES: Why would they, if they parked in one of those spots and then it got busier and valets blocked me, I've got to go find a valet to move a car?

MS. HITZEMANN: Yes.

MR. CAZARES: No, well, can I --

COMMISSIONER ENNES: We never encountered that in a restaurant.

CHAIRPERSON CHERWIN: Wait, hold on for a second, Mr. Cazares.

Yes, I mean, what I'm saying is the stacking of cars, I think what it is --

COMMISSIONER ENNES: Yes, valet cars.

CHAIRPERSON CHERWIN: Yes.

COMMISSIONER ENNES: Well, they can be moved, but this is public parking.

CHAIRPERSON CHERWIN: Well, it's parking for their facility.

COMMISSIONER ENNES: I understand, but it's any customer. I've been to the facility a number of times and I've always parked in those spots. I've never had valet parking behind whether it existed then or not, but to me, it's a huge inconvenience if I go to a facility, any restaurant, and I park in a spot and I come out and now I've got to deal with finding a valet and identifying the car that's blocking me in?

CHAIRPERSON CHERWIN: Yes, I think it is. I mean, it happens to me when I'm in the city and stuff like that when people are double-parked, but wouldn't you want to ask the Petitioner how he plans to handle it? Because I think it's a business operations issue.

COMMISSIONER ENNES: No, we ask --

MS. HITZEMANN: Yes, so it is part of the operations. Now, he may

decide, you know, he knows when peak times are so he may decide that valet is going to be utilized at the beginning of the night when he is not that crowded, and then as he gets more crowded, you know, valet will still be in service. So, they will know where to park the cars, but that is technically one issue that could arise. Now, will it? Who's to say? But with this plan, that is an issue that could arise, which is why we've suggested that the green area be used for valet because those marked parking spaces will be blocked regardless of, you know, if they use valet. So, patrons really can't park in those spots because they all will be used even though they're not designated valet, which is why we're recommending it there to kind of increase the valet to make up for the red area as it would be functioning that way anyway.

COMMISSIONER SIGALOS: So, to clarify, you don't want any valet parking in those red spots on this site map?

MS. HITZEMANN: Correct.

COMMISSIONER SIGALOS: So, that problem goes away.

MS. HITZEMANN: Correct.

COMMISSIONER SIGALOS: Okay.

MR. LYSICATOS: But I think the concern, to Rachel's point, is that if you consolidate where all the valet is happening, those are all valet spots, because once you block a car in, the blocked car becomes a valet spot by default essentially. You have to go get the valet to move to get to their car. So, if you consolidate all the valet to the back of the site and make those high, and those are also the biggest turnover spaces because they're at the front of the building.

COMMISSIONER ENNES: Right.

MR. LYSICATOS: That's the first spaces people are going to drive to, you're going to have the biggest turnover, we thought it would probably be ideal to have them all at the back, and then if you have a really big event, you have the overflow adjacent to it and then the second overflow to the east which would be on the bottom of that.

CHAIRPERSON CHERWIN: And I don't disagree with that necessarily, Terry. I just don't want to, like if there's a good reason for it and they need to use it, I guess I don't think it would be optimal, but like I said, do you want to ask the Petitioner how they plan to --

COMMISSIONER ENNES: No, I wanted to understand Staff's understanding of how this was going to work from their discussions with the Petitioner --

CHAIRPERSON CHERWIN: Okay.

COMMISSIONER ENNES: -- and I just --

MR. CAZARES: The valet, the updated valet plan that we provided, our plan of attack is to not valet the cars hopefully on the property. If we actually need it, we're going to use the Brite-O-Matic parking lot, right? We want to let the guests use the south parking storage over here. As the rooftop opens, you know, we have to take a step-by-step approach. Our approach is, first, to limit the public usage, to look at events that are coming, to see, you know, what concerns, how our guests, how this is going to be.

You know, this over here has basically never been done. We never use these valet parking spots. In the history that the hotel has opened, we usually have a surplus. You know, we'll have to see. Our clients will dictate this is going to happen. If our clients don't feel comfortable with us parking cars far away that's not in their visual presence, we may have to do some in the front. I don't know. You know, we have to swim and tread down the river over here a little bit before we can really make a solid plan.

You know, our customers give us our best feedback. So, you know,

in your comment with your Rolls Royce, you won't want me park it in Brite-O-Matic, probably not. So, hypothetical, this is a contingency plan in a worst-case scenario.

MS. HITZEMANN: To that point, we're not limiting the, like if he wants to use valet and park people's cars in the marked spaces, we're saying that that's okay; we're allowing that or permitting that. It's really just those spaces in red that are the parallel valet that would block the other spaces. So, if he does have a Rolls Royce that he wants to park in a marked parking space and have it valeted there, we're not saying that that's not allowed. Obviously, we would prefer that the green area be used first, but it's really just the issues of the parallel spaces marked in the red.

CHAIRPERSON CHERWIN: Okay. All right, thank you.

MR. CAZARES: Exactly, yes. So, I mean, thank you.

MR. LYSICATOS: Yes, that was one of, we didn't specify that being, the whole parking lot could be valet.

COMMISSIONER ENNES: Could be.

MR. LYSICATOS: It's using the drive aisle, because then that becomes substandard to our code. Our code says you have to have 24-foot drive aisles and all of the such. If, you know, if that was the case, everybody who came in here could say I want to just park in the aisles of my entire parking lot, we wouldn't let that go. So, that was the point.

The whole lot could be valeted and it gives them flexibility. They can valet park everybody's car in the site if they like. It's the using of the drive aisle that we would prefer just be in that one location because we feel it just could really interfere with a bunch of operations in that regard. So, yes.

COMMISSIONER ENNES: It's my understanding that there was a proposed or a projected limitation on how often there would be valet parking. This is an exception rather than any kind of a norm?

MS. HITZEMANN: That's our understanding. It wasn't totally clear on their valet plan; it does say a limited use. I don't know what limited use, you know, what number that is. Maybe James can fill us in.

MR. CAZARES: It would be to the management's discretion, you know.

COMMISSIONER ENNES: So, it could be everyday?

MR. CAZARES: It could be everyday, you know, we would forecast and see what's going on. When we would have compression; we would have valet. Right now, we have valet most every Saturday for each wedding, but we don't use the aisles and we have ample parking spots available, but we have that because it's a service that we provide.

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

CHAIRPERSON CHERWIN: Thanks, Terry.

George?

COMMISSIONER DROST: Yes, this seems to be event dependent. Basically, I'd cede the, you know, decisions to the person that, you know, puts their money at risk on these, on the entrepreneur. Again, I think it has to apply some sort of common-sense rules. I don't see this as a, you know, 365-day problem. It's going to be a problem on limited occasions or special occasions, but I wouldn't want to over-regulate and get into the micro-managing of, you know, the business of Chez Hotel.

CHAIRPERSON CHERWIN: Thanks, George.

Anything else?

COMMISSIONER DROST: No.

CHAIRPERSON CHERWIN: All right, down at the end.
Kristen, any questions?
COMMISSIONER SCHURTZ: I think if Staff thinks it's okay, I'm good with that.
CHAIRPERSON CHERWIN: Okay, Joe?
COMMISSIONER LORENZINI: Yes, so on this site plan, how many parking spots are on this plan?
MS. HITZEMANN: There is 171 striped spaces, and then this current plan shows 23 valet spaces.
COMMISSIONER LORENZINI: Okay, so that gives us 194 spots. How many spots are in the off-site?
MS. HITZEMANN: It's approximately 55.
COMMISSIONER LORENZINI: And where is that site located?
CHAIRPERSON CHERWIN: It's in the Staff --
MS. HITZEMANN: So, there's two sites. There's the north lot here for Brite-O-Matic, and then the lot here for the hand therapy.
COMMISSIONER LORENZINI: Okay, then who is going to be, to the Petitioner, who is going to be parking in those spots, the off-site spots?
MR. CAZARES: The valet plan that we submitted, it would be the valet that would park off-site.
COMMISSIONER LORENZINI: So, it would only be valet in the off-site?
MR. CAZARES: Yes. Yes, we would open the public parking, but these are all hypothetical situations, right? We're hypothetically planning for something that's most likely not going to happen, but if it were to happen, the valet would then park the cars. We don't want to block patrons that self-park like Mr. Ennes said over here, right? The hotel guest usually checks in before an event. If the event is at 6:00 o'clock, the wedding, the guest is going to check in say around, they'd want to check in at 2:00 or 3:00. If they have a car, then they would have parked in the parking lot. So, it's going to behoove us not to impede their access.
COMMISSIONER LORENZINI: No, I agree with what Chairman Cherwin is saying. We don't want to manage your business; you know your business. So, theoretically, what if all the green spots and red spots were full, or all the spots were full and somebody wants to park their own car, they have to go to one of the off-site spots?
MR. CAZARES: That will happen if I don't operate the hotel or I'm dead. I can plan very well. We can forecast it very well on this property over here. We know exactly who is coming to the hotel and where they belong.
As we open the rooftop to the public, we're going to progressively stage it so that we can see what the patterns are, right, because we don't know the patterns. I know the hotel patterns. I know that on Saturday, most everyone who stays in the hotel is attending the wedding because I specifically block that from the OTAs which is our online travel agencies. I'm specifically marketing the property that way.
So, as we open this to the public, we will stage and kind of learn on how it should go, right? If somebody may have a problem, then we park it at Brite-O-Matic or here or there, so we have to take it step by step, unfortunately.
COMMISSIONER LORENZINI: Okay, going back to the last drawing here, where is the drive aisle we're concerned about?
MR. CAZARES: The red one.

COMMISSIONER LORENZINI: The red, okay.
MS. HITZEMANN: It's the red areas.
MR. CAZARES: The red area.
COMMISSIONER LORENZINI: Yes, okay. Again, I don't think we should dictate how the manager plays it. I'm just concerned about anything related to safety.
MR. CAZARES: Yes, and we are, too. You know, I think we can come to an agreement that if we do use those spots, maybe we cone off that entire area so that, you know, again back to the operation, okay, we know guests are coming in. We're really looking at a Saturday possibly five times a year, you know, okay, maybe we have to pre-cone that off in the afternoon, and any guests that come in and self-park have to park on the east side or on the south side or something like that, but I'm sure that we'd be more than able to handle that.
COMMISSIONER LORENZINI: If you are anticipating you're busy, how many valet people would you have?
MR. CAZARES: How many valet do we normally have? I don't know. Five guys, yes.
COMMISSIONER LORENZINI: Okay, and then going to the issue of if somebody has parked their own car behind the, or their car is parked behind the red valet parking spots, the inconvenience of that, well, if they get upset or anything, I think it's self regulating --
MR. CAZARES: Well, sure, because the reviews dictate our business, right? You know, if customers complain --
COMMISSIONER LORENZINI: That's what I was just going to say.
MR. CAZARES: If a customer complains, you know --
COMMISSIONER LORENZINI: I was just going to say that if those customers don't --
MR. CAZARES: If you think I'm Type A, you should see why we have to be, we've got Type A plus coming into the hotel. So, you know, we'll have to make a plan of attack on that, right?
COMMISSIONER LORENZINI: Let me finish my point.
MR. CAZARES: Yes, of course, sorry.
COMMISSIONER LORENZINI: Okay, thank you. So, yes, they could upset somebody if they're blocked in with the valet parking, but that's your decision on how you're going to manage it. So, I don't think we should be dictating that.
MR. CAZARES: Okay, thank you.
COMMISSIONER LORENZINI: That's all I have for right now.
CHAIRPERSON CHERWIN: All right, Mr. Bruce?
COMMISSIONER GREEN: I just have, the smartest thing I've heard here tonight is putting the valet parking in the off-site spots. That would solve all these problems, I think. Now, is the off-site to the east up on the, I'd like the other drive, go back to the other drive. There's more rows on it. Is it up to the top of the page? Is that the one that you can go through, or is it the bottom? East and west?
MS. HITZEMANN: So, it would be at the bottom and then it would be over on the --
COMMISSIONER GREEN: Okay, now which is the one that you have to go out on the road to come back in?
MS. HITZEMANN: Down here.
COMMISSIONER GREEN: Okay, so the one on the top you can get to from

here?

MS. HITZEMANN: Correct.

COMMISSIONER GREEN: Why wouldn't you just put the valet over there and be done with all this? Then Engineering is happy and you're happy --

MR. CAZARES: Well --

COMMISSIONER GREEN: Wait, and I'm happy and everybody's happy if that's the case, or is that not a possibility?

MS. HITZEMANN: So, that was the first thing that Staff requested specifically, Engineering as well, is to maintain those 55, 54 spaces roughly that are provided off-site for valet. Per how operations work, we assume that if James could accommodate the valet on site, that he would choose to do that instead of parking in his neighbors' properties.

COMMISSIONER GREEN: Do you choose to do that? I don't want to get a blow-by-blow here because I want to get out of here tonight.

MR. CAZARES: Of course.

COMMISSIONER GREEN: So, would you rather have the valet in the red and the green area, or would you rather have the valet parking in the off-site spot?

MR. CAZARES: I can tell you how it's been done the last year.

COMMISSIONER GREEN: No, what would you prefer?

MR. CAZARES: The parking for valet would be in these spots.

COMMISSIONER GREEN: Here, on-site?

MR. CAZARES: On-site, yes.

COMMISSIONER GREEN: Why would you not want to have it just across the little street there?

MR. CAZARES: Because I don't have a parking issue. I understand the figures and numbers and you see the deficits.

COMMISSIONER GREEN: Okay, okay, okay.

MR. CAZARES: Right.

COMMISSIONER GREEN: Let's not go there again.

MR. CAZARES: Right.

COMMISSIONER GREEN: We see it as a parking issue.

MR. CAZARES: Okay.

COMMISSIONER GREEN: So, if the Village has a parking issue, you have a parking issue, okay? Whether you like it or not. Now, I'm not trying to be --

MR. CAZARES: Of course.

COMMISSIONER GREEN: You know, I just want to get to the understanding here. So, if there is a parking issue, is there any reason why the valet couldn't be put into the off-site spot?

MR. CAZARES: There's no reason.

COMMISSIONER GREEN: Hang on, I'm talking to Staff, please.

MS. HITZEMANN: There is no reason, no. It would just be from a safety perspective in terms of you're going to get on and off of Algonquin.

COMMISSIONER GREEN: No, no, no. I'm not talking about the one over here. The one that's connected.

MS. HITZEMANN: Oh, connected in the back?

COMMISSIONER GREEN: Yes. Is it in the back over here?

MS. HITZEMANN: Yes. So, it would be --

COMMISSIONER GREEN: It's over here?

MS. HITZEMANN: Yes, it would be right here. There is not really a safety issue. They do use that as a storage, so we're not sure how much, you know, will be --

COMMISSIONER GREEN: The valet is a controlled driver and he works for the Petitioner.

MS. HITZEMANN: Right, right.

COMMISSIONER GREEN: So, what would be a --

MS. HITZEMANN: So, the only issue would be we don't know how many spaces would be there actually available at a time because they do use that as a loading dock area. So, that would be the biggest issue, but it's minor compared to other issues.

COMMISSIONER GREEN: Yes, to me that would be the, your valet guys are your hired guys, insured guys, and they don't have Terry there having to park his Rolls Royce back there.

CHAIRPERSON CHERWIN: I thought it was a Bentley.

COMMISSIONER GREEN: Or a Bentley, maybe it's a Bentley; I can never tell.

COMMISSIONER ENNES : Yes.

COMMISSIONER GREEN: In other words, that might be the answer to it. Mike, you're looking like there's something you need to say?

MR. LYSICATOS: Yes, no, just to be clear, we are okay if the entire site is valet.

COMMISSIONER GREEN: Okay, no, I --

MR. LYSICATOS: It's the matter of blocking the spaces, and if they do get to that 224. Again, it's the rare event, that's what we're planning for. So, the dichotomy of what we're trying to solve with the valet plan is if they do get to those big numbers, we have the overflow, the parking agreements are very close, that makes sense. But if they get let's say close to that, the first stage of overflow is parking in the aisle, we believe this is a bit of a compromise to say instead of having to, you know, start using those agreements, you get a first shot with the aisle and you get an extra 10 or 20 spots, but then those all become valet exclusive because you've blocked the aisle in stages.

COMMISSIONER GREEN: Right, no, I get it, I get it. Believe it or not, I intend to come to an agreement with the --

MR. LYSICATOS: Yes, right.

COMMISSIONER GREEN: So, I think that there is enough, I think the stuff that's at the end here is not striped; isn't that correct?

MS. HITZEMANN: Correct.

COMMISSIONER GREEN: And so, that would be hard for the public to park there, so to me that's only a valet parking area anyway.

MS. HITZEMANN: Correct.

COMMISSIONER GREEN: And so, as long as you know that, then you have the option of putting yourself there. I, too, agree that it seems like the parking is something that he can work out. So, I do agree that we don't need to try to micro-manage exactly, here's 13 cars here and here. As long as there is space for this overflow to hit 224, I think it can work.

MR. LYSICATOS: And that's what we've received. So, the number that James has provided is hitting that 224, so we think that's a really positive development. That's why we are --

COMMISSIONER GREEN: And I agree. I'm in agreement with you, Mike.

MR. LYSICATOS: Right, the only condition that Engineering raised with us is they're not completely comfortable with cars blocking drive aisles. We don't allow that on any other parking lot, so our compromise is if that condition, the only place we would want that condition to exist is that rear lot because it essentially blocks in everything.

COMMISSIONER GREEN: I hear that, too.

MR. LYSICATOS: That's it, because there's high flow, their turnover spots are going to be in the front of the site, and we're just wary about anything being parked in the aisle there.

COMMISSIONER GREEN: And I agree. If they have show car parking, I'm sure you're going to take care of this and you're not going to block in some of your best patrons that come to your restaurant only because the valet is behind them. So, I feel confident that here you will figure out where to put these guys, the valet in the back, and that everybody will be happy and there should be enough spots.

CHAIRPERSON CHERWIN: Yes.

COMMISSIONER GREEN: Do you agree?

CHAIRPERSON CHERWIN: Yes, I mean, I agree. I'm looking at it like I don't want to pin them in to say you have to use the auxiliary parking, because a lot of events just aren't going to draw that many cars.

COMMISSIONER GREEN: Right, but the valet is nice because he's hired them and he knows how to do it.

CHAIRPERSON CHERWIN: Yes, but you may never need it for a lot of their events, so it's like, well, I don't want to pin him in to having to use the supplement first.

COMMISSIONER GREEN: And we're in agreement.

CHAIRPERSON CHERWIN: Yes. So, I mean, that was where I was coming from.

MR. LYSICATOS: So, to your point, Chair, do we want to modify the conditions that take away the staging requirement? We don't have to get into the staging. We'd just say the off-sites are valet only.

CHAIRPERSON CHERWIN: All valet as well, yes.

MR. LYSICATOS: And the only place we would allow the aisle parking would be in that southern lot.

CHAIRPERSON CHERWIN: Yes, I think that we have, I mean, for me personally, I think Conditions 2, 4 and 7 to me aren't conditions that I necessarily would need. I feel like 6 is where it all is, which is we're telling the Petitioner, listen, this is a conditional land use variation because it's up to you to manage it properly. If it doesn't get managed properly, whether they're in the back or whether, you know, wherever they are, if we're getting complaints from petitioners or neighbors of there's issues going on, then you're going to have to solve it. If you're not going to solve it, you're going to be back to square one where you can't open to the public. That's, to me, that's where everything is --

COMMISSIONER GREEN: Right.

CHAIRPERSON CHERWIN: -- which is we'll give yourself enough leeway to run your business and do that, but if there's problems and you can't manage it, then this goes away. I feel like the same thing goes with their license agreements on the parking. It seems to me like they've got enough buy-in from their neighbors that we don't need to push him more with more terms on all this. If it goes away, they need to report to us, No. 5, or No. 6, and if those go

away, then there's a red flag for us, we have to monitor it more. Then if we're starting to get complaints from these folks next door, oh, no, these guys are parking on my lots, they're not supposed to, then we've got to work it out. If we can't, then this isn't going to work.

So, in my opinion, 6 is where the rubber meets the road here, and I think that's an important one to keep in. 2, 4, 7, in my opinion, I don't need them and I don't want to overly restrict the guy, but that's my thought.

But before we, I guess, go any further, I would just like to officially see if there's any questions from the public. I don't see anybody unless I'm totally losing it.

(No response.)

CHAIRPERSON CHERWIN: Okay, seeing that there's no members of the public, we'll close the public hearing officially and bring it back to the Commissioners for any follow-up questions.

Yes, Mr. Joe?

COMMISSIONER LORENZINI: I have one more question for the Petitioner. So, when do you think would be the peak valet parking time just for weddings and --

MR. CAZARES: Just for an event? Yes, I would say on a Saturday night would be the peak valet. That's historically where it's been in the last year.

COMMISSIONER LORENZINI: Okay, if somebody wants valet parking, how do you decide if you're going to park in the green space or the red space?

MR. CAZARES: I think the plan of attack is regular space, and then followed by our overflow Brite-O-Matic or hand surgery.

COMMISSIONER LORENZINI: So, if a person, if you've got red spaces and green spaces available, how do you decide where you're going to park the car, in the red or green spaces, if you have availability in both spots?

MR. CAZARES: If the parking lot is full, correct?

COMMISSIONER LORENZINI: No, if somebody pulls up in a car and they want valet parking, how are you going to decide if you're going to park in either the green spots or red spots?

MR. CAZARES: Well, there would be a multitude of determining factors. If there are spots open, we would just use the regular unmarked spots. Once the parking lot would be full, we would then go to the overflow.

COMMISSIONER LORENZINI: Okay, well, hold on. The question is, valet parking, how do you decide if it goes into a red spot or a green spot if there's availability in both locations?

MS. HITZEMANN: I think to Commissioner Lorenzini's point, say you've parked all of the valet in the striped spots, you've used up your two off-site parking, and all you have left is red and green, where would you park? Which would be very rare.

MR. LYSICATOS: Well, and just for clarification just through the Chair, so the red and green, just to clarify, the red and green, what we're trying to show in that exhibit is the aisle blocking spots. It's not that those are valet zones, it's that that's where the Petitioner has proposed parking in the drive lane. That's what that is. It's not to say that those are valet areas, the entire site can be valet parking. We have no, that's up to their discretion, and to the Chair's point --

CHAIRPERSON CHERWIN: Yes, you're just saying before you start stacking the aisle, you'd rather have them do it in the back.

MR. LYSICATOS: Right, and that was the red flag for our Engineering

Department is they're not comfortable with cars parking in their drive aisles. So, that's the heart of the recommendation in the valet plan, that if they do that, the only place we want that happening is in the green area, but it's up to them and their business plan, whatever works best for them to valet those cars anywhere that they see fit. If they feel it's better on the east side, they can do it on the east side. If they want to fill the ones in front of the building, it's up to whatever works for them, and we're fine with that.

COMMISSIONER LORENZINI: Okay, thank you for your clarification.

MR. LYSICATOS: Yes.

CHAIRPERSON CHERWIN: All right, is there any other comment?

COMMISSIONER DROST: Yes, the comment would be, based on what you said, how do you kind of edit this proposed resolution, you know, as to do we just make it subject to Nos. 1, 6 and 8?

CHAIRPERSON CHERWIN: Well, I would say if you're going to make the motion, then you have the option --

COMMISSIONER DROST: Well, no, I'm just saying because I thought, you know, simplification here because 4, for instance, where you've got automatic renewal after five years, but it can be terminated at any time by either party makes it only whatever the notice requirement is, a 30-day, 5-day, 1-day.

CHAIRPERSON CHERWIN: Yes, yes.

COMMISSIONER DROST: So, it doesn't have really much impact.

CHAIRPERSON CHERWIN: I was thinking the same thing, George.

MR. LYSICATOS: So, Staff would just to kind of work through I think No. 4. I think that makes sense to the Chair's point, No. 6 gives us all the leeway we need --

COMMISSIONER DROST: Yes.

CHAIRPERSON CHERWIN: Right.

MR. LYSICATOS: -- to figure something out. So, we can eliminate 4. No. 1 is okay. No. 2, we just, what we're requesting there is that the site plan be updated so that the drive aisle spaces aren't shown where that red area is, that was something specifically our Engineering Department did not want in any of the drive aisles. We're comfortable with it just being shown where the green is.

CHAIRPERSON CHERWIN: And, Joe, maybe 2-Section 1 is okay to keep in.

MR. LYSICATOS: 2-1, and eliminate No. 2-2.

CHAIRPERSON CHERWIN: And 2 maybe just comes out, George.

COMMISSIONER DROST: Yes. Yes, all right.

CHAIRPERSON CHERWIN: So, 1 is okay. 2-2 is eliminated. No. 3 is essentially, I don't think we need the show vehicles, because again, they can valet anywhere they want. So, we can eliminate No. 3-4.

COMMISSIONER DROST: Yes, right.

MR. LYSICATOS: Because the valet plan is just showing us how they're going to rope off if they use the drive aisle. That's really our biggest concern there. No. 4 is eliminated. No. 5 is okay. No. 6 gives us our flexibility. I think No. 7, is No. 7 redundant at this point?

COMMISSIONER DROST: Yes, it feels redundant.

CHAIRPERSON CHERWIN: Yes, it feels redundant with number --

MR. LYSICATOS: Yes, we're eliminating No. 7. That will just go to the

ordinance, whatever the language is in the ordinance, so we can eliminate No. 7. Then, No. 8 is fine. So, we would eliminate No. 2-2, No. 3-4, No. 4, and No. 7.

COMMISSIONER DROST: Okay.

MS. HITZEMANN: The only thing with 7 is that it does say that all other on-site parking spots can be used for valet services. So, maybe we leave that part, but we take out the valet aisle parking may only be used between the south two parking rows on the property.

COMMISSIONER DROST: So, that first sentence is retained?

CHAIRPERSON CHERWIN: No, the first sentence is eliminated.

MS. HITZEMANN: It would be the last sentence that's retained, all other on-site parking spots can be used for valet services, but must be maintained in striped parking spaces.

COMMISSIONER DROST: Okay, the last sentence.

MR. LYSICATOS: So, I'll take it from the top. Our modified recommendation to the Plan Commission is that of the eight, we eliminate 2-2, 3-4, 4 in its entirety, and the first sentence of No. 7.

MS. HITZEMANN: Do we want the first two sentences of No. 7?

COMMISSIONER DROST: Yes, first two, I think. Yes, eliminate the first two in No. 7.

MR. LYSICATOS: Oh, two, I'm sorry. Yes, and eliminate the first two sentences of No. 7.

COMMISSIONER DROST: All right, is the Petitioner following this?

MR. CAZARES: Yes.

CHAIRPERSON CHERWIN: So, that's the revised recommendation from Staff.

COMMISSIONER DROST: Yes, is that okay with you?

MR. CAZARES: Yes.

COMMISSIONER SIGALOS: Why are we eliminating Item 2, the elimination of access valet spaces except in the southernmost two rows of the lot? I mean, so --

MR. LYSICATOS: That's 2-2.

COMMISSIONER SIGALOS: -- 2-2 is what we're eliminating?

MS. HITZEMANN: Where specifically show vehicles will be parked.

CHAIRPERSON CHERWIN: We don't need to know where John Sigalos' Rolls Royce is going to be parked.

MS. HITZEMANN: Assuming that the show vehicles will be parked in striped spaces, not just right in front of the hotel in the non-striped space.

COMMISSIONER SIGALOS: So, the spaces that are shown in red are going to eliminated for valet parking?

MR. LYSICATOS: Correct.

COMMISSIONER SIGALOS: Okay, thank you.

MR. LYSICATOS: Correct.

CHAIRPERSON CHERWIN: All right, well, if there are no other questions; is there a motion?

COMMISSIONER DROST: I'll make a motion if that's okay?

CHAIRPERSON CHERWIN: Okay, you can make a motion. Go ahead with the motion.

COMMISSIONER DROST: Okay.

DRAFT

A motion to recommend to the Village Board of Trustees <u>approval</u> of PC #25-010, a Land Use Variation to allow a restaurant in the M-2 Zoning District, and the following Variations:

1. **Variation to Section 6.12-1.3 to waive the requirement for a traffic study;**
2. **Variation to Section 10.4-4 to reduce the required number of off-street parking spaces from 257 spaces to 171 spaces.**

This recommendation is subject to the resolution of the following:

1. **An updated response to the Land Use Variation criteria shall be provided before the Village Board meeting.**
2. **A revised site plan is provided before the Village Board meeting showing the elimination of access aisle valet spaces except in the southernmost two rows of the lot.**
3. **The valet plan will be updated prior to the Village Board meeting with the following items:**
   - **3.1. The southernmost two rows are noted as the primary valet area;**
   - **3.2. How access to the southern two rows will be restricted to patrons if valet is determined to be needed;**
   - **3.3. Staging plan for how the on-site valet will be utilized; and**
   - **3.4. Anticipated hours of the valet operation on days that it is implemented.**
4. **Outstanding landscaping items must be installed this planting season. These include: landscaping that is absent near the northeast corner of the building per the approved landscape plan, and three code-required trees that have not been installed. Per Chapter 28, a four-inch caliper shade tree must be provided at the end of each parking row.**
5. **Petitioner must retain off-site parking agreements for 54 parking spaces. If the agreements lapse, the Petitioner must notify the Village. If it is determined, at the sole discretion of the Village, that the subject property is creating a parking problem or creating an unsafe impact on traffic along the private access drive and along Algonquin Road, the Petitioner shall work with the Village to resolve the situation through the staggering of event times, the limiting of event sizes, restrictions on hours/days of operation for the banquet hall and restaurant, contracting with the Police Department to provide traffic control personnel, the addition of further off-site parking areas, or any other option as determined appropriate by the Village. If a resolution cannot occur, at its sole discretion, the Village may revoke the land use approval.**
6. **All other on-site parking spots can be used for valet services but must be maintained in striped parking spaces.**
7. **The Petitioner shall comply with all applicable federal, state, and Village codes, regulations and policies.**

CHAIRPERSON CHERWIN: Thank you.
That's the motion; is there a second?
COMMISSIONER GREEN: I'll second that.
CHAIRPERSON CHERWIN: Okay, we heard the motion.
Can we please have a roll call in favor of the motion?
MS. HITZEMANN: Yes.

Drost.
COMMISSIONER DROST: Aye.
MS. HITZEMANN: Ennes.
COMMISSIONER ENNES: Yes.
MS. HITZEMANN: Green.
COMMISSIONER GREEN: Yes.
MS. HITZEMANN: Lorenzini.
COMMISSIONER LORENZINI: Yes.
MS. HITZEMANN: Schurtz.
COMMISSIONER SCHURTZ: Yes.
MS. HITZEMANN: Sigalos.
COMMISSIONER SIGALOS: Yes.
MS. HITZEMANN: Cherwin.
CHAIRPERSON CHERWIN: Yes.
All right, the motion passes.
There is unanimous approval for the recommendation as it was stated. There are some editing I think that needs to be done, but I think we're all on the same page.
Thank you, Michael, for your --
COMMISSIONER DROST: You earned your pay, guys.
CHAIRPERSON CHERWIN: Yes. Thank you, Michael.
All right, so, congratulations to the Petitioners, you have an approval. This next goes to the Village Board. Please continue to work with the Staff so that you can make your way forward to the Board.
All right, that will conclude that matter and that is the last of our public hearings.
Is there any other business?
MS. HITZEMANN: No.
COMMISSIONER GREEN: Now, what's the update to previous plan?
CHAIRPERSON CHERWIN: That's okay --
COMMISSIONER GREEN: What's that?
MS. HITZEMANN: Update on previous Plan Commission cases?
COMMISSIONER GREEN: Yes, I just see it on there.
CHAIRPERSON CHERWIN: Yes, okay, so no other business. No public comment. No. VII, Bruce is referring to the Update on Previous Plan Commission Cases. I think we had brought it up to the Staff last time to have some format so that we can start tracking progress so we're making sure petitioners are moving along the process smoothly.
MS. HITZEMANN: Yes. So, the Park District, all the Park District ordinances have been approved by the Village Board. The Roast 808 at Salt Creek is working through their building permits. East Country Lane Townhomes have submitted for their final plat and they're going through review for that. Then Arlington Steel is going before the Village Board on the 16th. Those are kind of the last projects that you've seen.
Does anybody have any specific projects they have questions on that we can provide an update for you?
Yes?
COMMISSIONER ENNES: I don't have a question on a specific project, but

I do have a question. There is a, it's my understanding that there is a change coming out in regard to affordable and low-income housing. Does the Department have any plans to create a zoning class for this type of property, or include this kind of property in any zoning class? For two reasons, so that developers know where to look for property, and so that adjoining property owners know that that's a viable option for a property that might be next to them.

MR. LYSICATOS: So, I can fill in. So, as of this point, we have no plans to change the Village's Affordable Housing Ordinance at this time. We have one in place already. So, the ground rules for how we determine how much affordable housing will be required in multi-family projects is pretty set at this point. Any changes that might happen on the state level, we'll have to assess, but at this point --

COMMISSIONER ENNES: Shouldn't there be zoning for this type of property that allows it?

MR. LYSICATOS: We haven't discussed that. Again, our Affordable Housing Ordinance covers how affordable housing is constructed as part of multi-family projects. So, that's what the Village uses at this point in its implementation plan. We have not discussed in any detail any changes to that recently. So, if we do, we'll bring that forward to the Ordinance Review Subcommittee and discuss it at that point.

MS. HITZEMANN: And, you know, affordable residential housing, even if it's a whole unit, is typically allowed and permitted where any residential housing would be permitted. The fact that it's affordable versus not affordable doesn't really apply. It's just if it requires a special use for whatever reason, or a PUD, things like that, that's when it would be noticed.

COMMISSIONER ENNES: In the original program, when we were advised about it, the thing we were told about it is that every apartment building, condominium building, would have a certain number; however, now it seems like there's been a rush for full 100 percent buildings. That's more my concern and things --

MR. LYSICATOS: Well, I wouldn't assess it as a full rush for a 100 percent buildings. I think we just had one, the Full Circle development, which was a 100 percent, but beyond that, in the last two years, I don't think we've had any other approvals. I know Crescent Place was a 100 percent; that was approved several years ago, constructed a couple of years ago, but I don't think we've gotten anything since.

COMMISSIONER GREEN: What about the one on Rand?

MR. LYSICATOS: I believe that is Crescent Place.

COMMISSIONER ENNES: Yes, that's a 100 percent. They have other properties; the property right in downtown here is a 100 percent.

MR. LYSICATOS: Correct.

COMMISSIONER ENNES: The facility at South Arlington Heights Road --

MR. LYSICATOS: The Full Circle development.

CHAIRPERSON CHERWIN: The one by the library, didn't that convert to a 100 percent when it was proposed to like 30 or 40 percent?

MR. LYSICATOS: I think that's the one that Commissioner Green talked about in the downtown.

CHAIRPERSON CHERWIN: Maybe.

COMMISSIONER GREEN: Well, Terry. I was the one on Rand.

CHAIRPERSON CHERWIN: Yes, yes, that's Crescent. The one by the library here that was originally billed as a partial and then, you know, obviously, people --

COMMISSIONER ENNES: They just did their own thing and converted it.

CHAIRPERSON CHERWIN: Well, yes. I mean, it's hard to, I mean, the reality is --

COMMISSIONER ENNES: Well, but we should be able to control properties in our town --

CHAIRPERSON CHERWIN: That's right.

COMMISSIONER ENNES: -- and not have a developer come in and just say, oh, we're going to do the minimum percentage and then convert it to a 100 percent.

CHAIRPERSON CHERWIN: Yes. Well, I don't disagree with you, but there's a terrible ordinance that we have and they passed it; I didn't.

COMMISSIONER ENNES: What I'm saying is --

CHAIRPERSON CHERWIN: Yes, I mean, we have a terrible ordinance. I mean, I don't know what to tell you.

MS. HITZEMANN: To your point, we're not planning, we don't have any plans to amend that ordinance at this time. As it stands now, anywhere that residential could be built, it could be built a 100 percent affordable. If it did need a zoning entitlement just like any other residential building that would need a zoning entitlement, it would come before you obviously for review, but that's kind of the gist of it; otherwise, it would just need to go through a typical building permit process.

MR. LYSICATOS: Again, I don't know the legality of restricting something from becoming affordable housing.

COMMISSIONER ENNES: I'm not saying restricting it; I'm saying allowing adjoining property owners to know, and developers to know where properties are.

MR. LYSICATOS: Where affordable housing can be built?

COMMISSIONER ENNES: Right, yes.

MR. LYSICATOS: That's what I'm saying, I don't know that that law allows us to restrict where affordable housing could be built regardless. I would have to look into that. I don't know. So, I don't know if there is even a pathway to that legally. So, we would have to look into that if you want an answer on that.

COMMISSIONER ENNES: It would be nice.

COMMISSIONER GREEN: I have a question about a project. The one that we're talking about with the through-street and it was off of Walnut and the east-west street that's going through it and somebody built a house there.

MR. LYSICATOS: Yes, the one on Ridge.

COMMISSIONER GREEN: Where are we with that one?

MS. HITZEMANN: We are in the process of getting a legal opinion on whether or not they can submit the application without the technical owner of the property signing off on them submitting that application. So, essentially, for those who are not aware because this has only gone to CPRC and has not come before the full Plan Commission yet, there is a property on Chestnut and Walnut that is very long, and the owner of that property has tax parceled the property into several different pieces of property. Now, a tax parcel is different than a subdivision in that they're not legally buildable lots until they are fully subdivided.

So, they are coming in and looking to subdivide that property, and there's a lot to that on kind of the Comprehensive Plan and what the Village has intended for that property long-term. What they do lot-wise in terms of utilities, et cetera is something that we've gone back and forth with them about, but they have chosen to move forward with a Plan Commission application. However, because they do not have technically the owner's signoff to

submit that application, we cannot technically move it forward to a Plan Commission hearing until they provide us with that. They are challenging that they do not need that signature because those lots have been tax parceled, so we are in the process of getting attorney opinion about whether or not they can move forward.

COMMISSIONER GREEN: Okay, have we found out how the house was able to be built in what was supposed to be a right-of-way all the way through? Basically, I want to know who did that.

MS. HITZEMANN: So, it's our understanding that that property had a portion of a right-of-way dedicated, but not the full right-of-way that the Village would need. So, when they came in for a building permit, they met all of the zoning and building requirements and engineering requirements to build that house. But at the time, the Village did not request for that additional right-of-way to be granted which, if they did, it probably would have resulted in that house not being built, but for whatever reason, we didn't request that and I don't know, we don't know.

MR. LYSICATOS: We're not sure exactly what the history of that was.

COMMISSIONER ENNES: What house is this?

MR. LYSICATOS: It's a roadway, but I don't know that ---

COMMISSIONER GREEN: So, wouldn't that more or less free up the Village from the idea of connecting the two? It's never going to happen because there's a house in the way.

MR. LYSICATOS: I mean, we don't want to sort of go through the details of what the petition might be. I don't think that would be appropriate for us to sort of pre-suppose the application, but –

COMMISSIONER GREEN: Okay, but I'm just --

MR. LYSICATOS: -- it would not, we still have subdivision regulations and there are some areas where it could happen. So, this doesn't necessarily --

COMMISSIONER GREEN: After that lady that presented this at the meeting, that was a long time ago and I just don't know why it's taking so long to come up with a resolution one way or the other.

MR. LYSICATOS: We have given them information, and then they are determining what they want to do on their end and obviously working through some of the technicalities to have an actual formal application at this point. Technically, it's not a complete application because of the point that Rachel made about the actual submission without the actual landowner being a party to the petition.

COMMISSIONER GREEN: Is this a Hart Passman --

MR. LYSICATOS: This is our Legal Counsel. We are running it by Legal Counsel, so we actually have one point of view, they just have another. So, we're just clarifying how to move forward.

COMMISSIONER GREEN: Okay, I'm just going to be curious to what happens.

CHAIRPERSON CHERWIN: I think our point on the update, just as a clarification, I appreciate the rundown, but I think our plan is to have like a grid, an ongoing grid that gets passed out every two weeks with the rest of it. As soon as someone submits like an e-mail or a package, that's when the clock starts ticking. It's not just kind of where things are. We need to know where they are in the process because we need to hold ourselves accountable at the committee level and everything else. So, once something is submitted, we want to be able to

see where things are moving.

MS. HITZEMANN: So, are you talking about a Plan Commission application submittal or just an e-mail to our department?

CHAIRPERSON CHERWIN: Anything. If somebody is submitting a plan like officially getting the clock going, if they have an application, if they've signed the application and they've sent it in, then --

MS. HITZEMANN: So, the official application wouldn't start until they submit an official Plan Commission application.

CHAIRPERSON CHERWIN: Yes, okay, so at that point. Yes, so if they're starting the process and they haven't gone to Plat and Sub yet or Conceptual Review, we need to know when that clock starts ticking so that somebody who's caught in Plan and Sub and it's been going on for an inordinate amount of time, we need to know about that because we need to know what's getting hung up and what we can do to move things along.

COMMISSIONER GREEN: A timeline, just the start and finish.

MS. HITZEMANN: Yes, the issue we're, so Plat and Sub and Conceptual Plan Review is before they submit an actual Plan Commission application. So, at that point, it's really just been e-mails back and forth with the Planning Staff. So, just I'm trying to get a clarification on when we want the timeline to start because, technically, they haven't submitted anything like official that they submitted an application until they submit the Plan Commission application.

CHAIRPERSON CHERWIN: Well, yes. So, I think then we start with that. If, I would say if an application has been submitted, then that's probably where we need to start. If it's incomplete or it's this and that, if it's just an e-mail, that's fine, I don't think we need to keep track of that. But even if it hasn't gotten to the Conceptual Review Committee and it's hung up on Conceptual Review before it comes to the Plan Commission, I think we have to start tracking that because we need to, I think we need to know if things are languishing and why they're languishing, you know, it doesn't do us any good if we're not monitoring that internally.

COMMISSIONER DROST: And this is a Village of Good Neighbors for fast permitting.

CHAIRPERSON CHERWIN: Yes.

MR. LYSICATOS: Well, I mean, that is what we do at the department. I mean, it's essentially, just to be fair, that's what we are doing and --

CHAIRPERSON CHERWIN: I appreciate that, but --

MR. LYSICATOS: -- whoever the Director, but when it comes to documents, to Rachel's point, that are still in draft format; we are very careful about what we share.

CHAIRPERSON CHERWIN: You don't have to share documents.

MR. LYSICATOS: Right.

CHAIRPERSON CHERWIN: It's just a draft. It's just saying, hey, this person you saw here in, you know, whenever, August, and here it is, you know, six months later and why, you know, Bruce is asking questions, there's other issues that have come up, and I think what we want to do is make sure that if things are getting hung up, then we have line of sight to it. You know, if we saw something eight months ago in Conceptual Review and we're wondering --

COMMISSIONER DROST: It's still there.

CHAIRPERSON CHERWIN: It's still there, right.

COMMISSIONER DROST: Then what do we do?
CHAIRPERSON CHERWIN: Right.
MS. HITZEMANN: So, you want it --
MR. LYSICATOS: Well, to be fair, we also don't want any vetting issues with the Plan Commission before it's ready for a public hearing, but --
CHAIRPERSON CHERWIN: I don't think it's vetting issues --
MR. LYSICATOS: -- if we're giving you dynamics of why plans have stalled, there are specific issues like I don't want to talk about specific issues with the one on Ridge, because now we're vetting the application before the application is ready to be vetted with the Plan Commission.
CHAIRPERSON CHERWIN: Yes.
MR. LYSICATOS: So, we can give you a status and that's completely fine.
CHAIRPERSON CHERWIN: Yes. Yes, I think that's fine.
MR. LYSICATOS: If you're looking for documents, looking for a response --
CHAIRPERSON CHERWIN: We're not looking for vetting, but if somebody is in the pipeline for like seven months, we need to know about it because that's completely inappropriate.
MR. LYSICATOS: Yes, sure, and some stuff just goes away. I mean, obviously, in some sort of stalls, have to refer to the petitioner, we've reminded them, we have no response.
CHAIRPERSON CHERWIN: I think --
COMMISSIONER LORENZINI: Look, Michael, I guess what everyone is looking for is, like the property just west of Metropolis that building that was brought on, they came before us and it was approved. I'd just kind of like to know what the status of stuff like that is, or the huge piece of property on Arlington Heights Road just south of Golf. We had a proposal for a couple of high rises or whatnot and that's dead now, and the old International Shopping Center, that's huge. I mean, I just would like to know what's going on with that stuff, too.
MR. LYSICATOS: Yes. So, I can tell you we are working with them on a petition.
COMMISSIONER DROST: And the Arlington Race Track?
MS. HITZEMANN: So, I'm understanding that you really want the updates to start from after they've come to CPRC, or at the relative --
COMMISSIONER GREEN: Yes, I would say starting with the Plan Commission actual application.
COMMISSIONER LORENZINI: Right, right.
MS. HITZEMANN: But that's after CPRC, so --
MR. LYSICATOS: We can put something together when something comes to, when you've heard at Conceptual, to give you a sense of is the project still going or is it gone.
CHAIRPERSON CHERWIN: Yes.
COMMISSIONER LORENZINI: Exactly. Thank you.
MS. HITZEMANN: Okay.
MR. LYSICATOS: Yes, we can do that.
COMMISSIONER GREEN: Thank you.
CHAIRPERSON CHERWIN: Any other comment?
COMMISSIONER DROST: Are all the committees filled, Rachel?
MS. HITZEMANN: Not yet, no.

COMMISSIONER DROST: Do we need to do anything?
MS. HITZEMANN: We do. I've been trying to connect with Jay and we're working on --
CHAIRPERSON CHERWIN: I didn't know that. How are you trying to connect with me?
MS. HITZEMANN: I sent you a couple of e-mails, but maybe you haven't gotten them yet.
CHAIRPERSON CHERWIN: Oh, okay.
MR. LYSICATOS: We'll work with you offline on that.
MS. HITZEMANN: We'll work on it, yes.
MR. LYSICATOS: We still have the committees; it's just a matter of re-organizing and tweaking a couple of things.
CHAIRPERSON CHERWIN: So, is there a motion to adjourn then pretty much?
COMMISSIONER GREEN: Motion to adjourn.
COMMISSIONER DROST: Yes, I'll second it.
CHAIRPERSON CHERWIN: Okay, all in favor?
(Chorus of ayes.)
CHAIRPERSON CHERWIN: Any opposed?
(No response.)
CHAIRPERSON CHERWIN: Okay, motion passes. We're adjourned.
(Whereupon, at 8:43 p.m., the public hearing on the above-mentioned petition was adjourned.)

DRAFT

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. 2025.

_____
NOTARY PUBLIC

DRAFT

VILLAGE OF ARLINGTON HEIGHTS
INC. 1887

Plan Commission
7/23/2025

Item: 1331 W. Dundee Rd. - Jameson's Charhouse - PC#25-011 Amendment to Special Use Ordinance 04-028 to expand outdoor seating with variance

Department: Planning & Community Development

Item Description:

Requested Action

Amendment to the Special Use Permit Ordinance 04-028 to expand the outdoor seating area to a total of 940 square-feet.

Variations Required

Variation from Chapter 28, Section 5.1-23 (Outdoor Eating Cafés on Private Property) to allow the partial enclosure of an outdoor eating café where enclosure of an outdoor eating café is not permitted.

Recommendation

The Staff Development Committee (SDC) reviewed the proposed amendment to the Special Use Permit Ordinance 04-048 to expand the outdoor seating area to a total of 940 square-feet, along with the following variation to Chapter 28 of the Municipal Code:

1. Variation from Section 5.1-28 (Outdoor Eating Cafés on Private Property) to allow the partial enclosure of an outdoor eating café where enclosure of an outdoor eating café is not permitted.

The Staff Development Committee recommends APPROVAL of the petition subject to the following conditions:

1. The outdoor seating café may only be utilized between the months of May through September.

2. The screens on the outside of the outdoor seating area shall not be left down during non-business hours.

3. Signage or advertising on the outdoor seating area screens is prohibited.

4. The Petitioner shall plant one shade tree in each of the three landscape

islands along the north property line. A landscape plan shall be submitted with an application for building permit that includes tree planting locations and species.

5. The Petitioner shall remove the six noncompliant parallel parking stalls located along the south side of the property at the time of building permit.

6. The Petitioner shall submit a Design Commission application.

7. The petitioner shall comply with all Federal, State, and Village Codes, Regulations, and Policies.

ATTACHMENTS:

1. Staff Report_Jameson's Charhouse
2. Certificate of Publication_Jameson's Charhouse
3. Aerial
4. Exhibit A_Project Description
5. Exhibit B_SUP Criteria
6. Exhibit C_Patio Screens_Existing
7. Exhibit D_Proposed Screens
8. Exhibit E_Parking Survey
9. Exhibit F_Plat of Survey_Partial 1331 W. Dundee Road
10. Ord. 04-028 special use amendment; 1331 w dundee; outdoor seating
11. Ord. 82-011 special use; 1331 w dundee; restaurant
12. Jameson's Patio Proposal
13. Department Comments - Round 1 Review
14. Petitioner Response to 1st Round Comments
15. Department Comments - Round 2 Review

VILLAGE OF ARLINGTON HEIGHTS

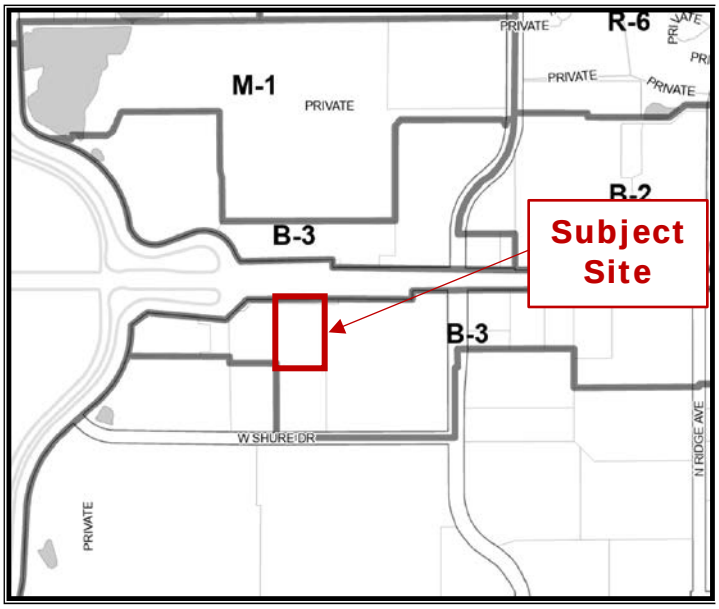
STAFF DEVELOPMENT COMMITTEE REPORT

PC File Number: PC25-011
Project Title: Jameson's Charhouse
Address: 1331 W. Dundee Road
PINs: 03-071-02-010

To: Plan Commission
Prepared By: Dan Osoba, Planner I
Meeting Date: July 23, 2025
Date Prepared: July 18, 2025

Petitioner: James Leberis, Jameson's Charhouse
Address: 1331 W. Dundee Road
Arlington Heights, IL 60004

Existing Zoning: B-3, General Service, Wholesale, & Motor Vehicle District
Comprehensive Plan: Commercial



SURROUNDING LAND USES

Direction	Existing Zoning	Existing Use	Comprehensive Plan
North	B-3, General Service, Wholesale, & Motor Vehicle District	Lexus of Arlington	Commercial
South	B-3, General Service, Wholesale, & Motor Vehicle District	VTech (surface parking lot)	Commercial
East	B-3, General Service, Wholesale, & Motor Vehicle District	Napleton Arlington Heights	Commercial
West	B-3, General Service, Wholesale, & Motor Vehicle District & M-1 Research, Development, and Light Manufacturing District	Days Inn & Suites by Windham Arlington Heights & Office	Commercial & Offices Only

Requested Action:

1. Amendment to the Special Use Permit Ordinance 04-028 to expand the outdoor seating area to a total of 940 square-feet.

Variations Required:

1. Variation from Chapter 28, Section 5.1-23 (Outdoor Eating Cafés on Private Property) to allow the partial enclosure of an outdoor eating café where enclosure of an outdoor eating café is not permitted.

Project Background:
The subject property is located approximately 400-feet east of the intersection of N. Wilke Road and W. Dundee Road at 1331 W. Dundee Road. The 2.04-acre property is occupied by a restaurant, Jameson's Charhouse, which includes an existing outdoor seating area and 127 surface parking spaces.

Jameson's Charhouse has been operating at this location since 1982 when the property obtained the original Special Use Permit approval for a restaurant (Ord. 82-011). In 2004, Jameson's obtained approval of an amendment to the Special Use Permit to allow a 686 square-foot outdoor eating area on the north and east sides of the building.

In 2024, the property owner expanded the outdoor seating area to a total area of 940 square-feet and added white screening material to the exterior of the outdoor seating area to provide shelter and shade for customers. Partial enclosure of outdoor seating areas, even temporarily, is not permitted in Section 5.1-23-Outdoor Eating Cafés on Private Property. The Petitioner has indicated that the outdoor seating area will only be used during the months of May through September as it is primarily used for shade and shelter from rain.

Zoning and Comprehensive Plan
The property is currently zoned B-3 General Service, Wholesale, & Motor Vehicle District. The proposed expansion of the outdoor seating area requires an amendment to the Special Use Permit Ordinance 04-028 and the enclosure of the space requires a variance. The Petitioner provided a written response to the criteria for approval for Special Use Permits, which are listed below. The SDC (Staff Development Committee) is in agreement with the Petitioner's response to these criteria (reference Exhibit B – SUP Criteria).

- **That said special use is deemed necessary for the public convenience at this location.**
- **That such case will not, under any circumstances of the particular case, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity.**
- **That the proposed use will comply with the regulations and conditions specified in this ordinance for such use, and with the stipulations and conditions made a part of the authorization granted by the Village Board.**

The Comprehensive Plan designates the property as appropriate for "Commercial" land uses along with the majority of other properties along the Dundee Road corridor. This proposal is consistent with the Commercial designation in the Comprehensive Plan.

Building Improvements
The expansion of the outdoor seating area has already been constructed without first obtaining a Village Building Permit. The expanded area is covered by a black awning affixed to the existing roof and the screens are a semi-transparent white color. Photos of the existing site conditions can be found in Exhibit C – Patio Screens_Existing. The Petitioner has since submitted a building permit and this petition to bring the patio expansion into code compliance.

The proposed outdoor seating area will accommodate 14 tables, each with four seats for a total of 56 customers. At the direction of the SDC, the Petitioner is proposing to replace the white screens with perforated, semi-transparent black screens to be more harmonious with the existing building and black awnings. Staff is also recommending that any advertising or signage on the screens be prohibited as part of the recommendation for approval. Reference Exhibit D – Proposed Screens for details. The SDC has reviewed the proposed floor plan for zoning code compliance and accessibility between tables and on the adjacent sidewalk. The existing interior floor plan is not changing as part of this petition. If this petition is approved, the Petitioner will need to obtain a Village Building Permit that is consistent with the floor plan and compliant with all Village Codes.

A Design Commission application will be required to review the aesthetic design of the outdoor seating area screens. A condition of approval has been recommended by the SDC to that effect.

Site Improvements & Landscaping

Exterior site improvements are not proposed with this petition; however, the SDC is requiring shade trees to be planted on the parking lot islands at the north end of the site. This was originally required per Ordinance 04-048, which granted the original outdoor seating area. Since those trees are no longer there, the SDC is recommending the trees be replanted to comply with the condition of that ordinance. Additionally, there are 6 parallel parking spaces at the southern end of the property that do not comply with code. These spaces were to be removed as a condition of approval per Ordinance 04-048. Therefore, the SDC is requiring the removal of the striped parallel spaces as part of this petition.

Parking and Traffic:

The code required off-street parking for this proposal is shown in the table below:

Table 1 – Off-Street Parking Requirements – 1331 W. Dundee Road

Use	SF (Seating Area)	Parking Ratio	Required Parking
Dining Area I	1,275	1 space / 45 SF	28.3
Dining Area II	870	1 space / 45 SF	19.3
Party Room	540	1 space / 45 SF	12
Bar	995	1 space / 45 SF	22.1
Mezzanine	650	1 space / 45 SF	14.4
Outdoor Seating Area Existing	686	1 space / 45 SF	15.2
Outdoor Seating Area Proposed	254	1 space / 45 SF	5.6
Total			117
Total Provided*			121
Surplus / (Deficit)			**4**

*There are currently a total of 127 parking stalls on-site; however, 6 of those stalls are not code compliant parallel spaces and are required to be removed.

Code requires that Special Use Permits for projects less than 5,000 square-feet do not need to provide a traffic study; however, a parking analysis is required by Code. At the direction of the SDC, the Petitioner provided a parking survey (reference Exhibit E – Parking Survey) of the property on a Thursday, Saturday and Sunday in May. The survey indicated occupied parking spaces between operating hours of 11:00 AM and 11:00 PM to demonstrate the existing parking utilization. Considering the expansion of the outdoor seating area is already constructed, this is a realistic indication of parking utilization. The survey found that the peak utilization was at 8:00 PM on Saturday night with 92 parking spaces occupied out of 127 (72.4% utilization). The SDC has reviewed the parking survey and determined that there is adequate off-street parking to serve the expanded seating outdoor seating area.

RECOMMENDATION

The Staff Development Committee (SDC) reviewed the proposed amendment to the Special Use Permit Ordinance 04-048 to expand the outdoor seating area to a total of 940 square-feet, along with the following variation to Chapter 28 of the Municipal Code:

1. Variation from Section 5.1-28 to (Outdoor Eating Cafés on Private Property) to allow the partial enclosure of an outdoor eating café where enclosure of an outdoor eating café is not permitted.

The Staff Development Committee recommends **APPROVAL** of the petition subject to the following conditions:

1. The outdoor seating café may only be utilized between the months of May through September.
2. The screens on the outside of the outdoor seating area shall not be left down during non-business hours.
3. Signage or advertising on the outdoor seating area screens is prohibited.

4. The Petitioner shall plant one shade tree in each of the three landscape islands along the north property line. A landscape plan shall be submitted with an application for building permit that includes tree planting locations and species.
5. The Petitioner shall remove the six noncompliant parallel parking stalls located along the south side of the property at the time of building permit.
6. The Petitioner shall submit a Design Commission application.
7. The petitioner shall comply with all Federal, State, and Village Codes, Regulations, and Policies.

_____ July 18, 2025
Michael Lysicatos, Assistant Director of Planning and Community Development
cc: Randy Recklaus, Village Manager
All Department Heads

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT THE PLAN COMMISSION OF THE VILLAGE OF ARLINGTON HEIGHTS WILL CONDUCT A PUBLIC HEARING ON July 23, 2025, AT 7:30 P.M. in the Municipal Building, 33 South Arlington Heights Road, Arlington Heights, Illinois to consider Petition No. 25-011, a request for approval of an amendment to an existing Special Use Permit (Ord. 04-028) to expand the outdoor seating area to a total of 940 square feet with a variation from Chapter 28, Section 5.1-23 to permit the partial enclosure of an outdoor eating café where enclosure of an outdoor eating café is not permitted. The subject property is located at 1331 W. Dundee Road in Arlington Heights, Illinois. The PIN for the subject property is 03-07-102-010-0000. The subject property is legally described as follows:

Lot 1 in the Resubdivision of Lot 1 in Arlington Industrial and Research Center Unit No. 12, A Resubdivision of Lots 2 and 3 in Arlington Industrial and Research Center Unit 9, Being a Subdivision of Part of the Northwest Quarter of Section 7, Township 42 North, Range 11, East of the Third Principal Meridian, in Cook County, Illinois.

The Plan Commission will consider any zoning actions or relief from Chapter 28 that may be necessary or convenient to allow development of the type described in this notice, or development that is less dense than the type described in this notice, including, without limitation, special use permits, variations, map or text amendments, or other special approvals. Complete list of all final zoning actions and staff report may be viewed at www.vah.com.

At the public hearing, the Plan Commission will accept and consider all testimony and evidence pertaining to the application.

All persons desiring to be heard shall be given the opportunity 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 Department at 33 South Arlington Heights Road, Arlington Heights, Illinois 60005, (847) 368-5760, TDD# (847) 368-5794.

Jay Cherwin, Chair
ARLINGTON HEIGHTS PLAN COMMISSION
Published in Daily Herald July 8 2025 (296436)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Northwest Suburbs
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 **Northwest Suburbs DAILY HERALD**. That said **Northwest Suburbs DAILY HERALD** is a secular newspaper, published in Arlington Heights, Cook County, State of Illinois, and has been in general circulation daily throughout Cook County, continuously for more than 50 weeks prior to the first Publication of the attached notice, and a newspaper as defined by 715 ILCS 5/5.

I further certify that the **Northwest Suburbs 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 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy,
was published 07/08/2025
in said **Northwest Suburbs DAILY HERALD**. This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

BY _____
Designee of the Publisher of the Daily Herald

Control # 296436

PADDOCK PUBLICATIONS, INC.
Corporate
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ILLINOIS

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3436
N Kennicott Ave
1500
1350

JAMESON'S CHARHOUSE
1331 West Dundee Road • Arlington Heights, Illinois 60004
Tel: (847) 392-7100 • Fax: (847) 392-7318
www.jamesonsdundee.com

03/14/24

Dear Sir or Madam:

Jamesons Charhouse is requesting a variance for outdoor seating area. We will be using the outdoor patio during the months of May through September. There will be no heating provided in the outdoor seating area. At this time a canopy and expanded overhang will be 940 square feet. So, this additional area is requested in a special use permit. Also, in the variance requesting allowance of partial screening of patio. Screening will comply with the character of the building. This however requires a color of screen to blend in with the building. Please note that the screens will only be used in inclement weather in the area. Other times, screens will not be in use. Jamesons Charhouse has been a staple in the community for 30 years with our never-ending commitment to customer satisfaction. We are asking for this variance currently, and we are looking forward to complying with all city requirements. Patio dining will be from 11:00 am to 10:00 pm daily weather permitting

Respectfully,

James Leberis

James Leberis
General Manager

• PARTY ROOMS AVAILABLE •

JAMESON'S CHARHOUSE
1331 West Dundee Road • Arlington Heights, Illinois 60004
Tel: (847) 392-7100 • Fax: (847) 392-7318
www.jamesonsdundee.com

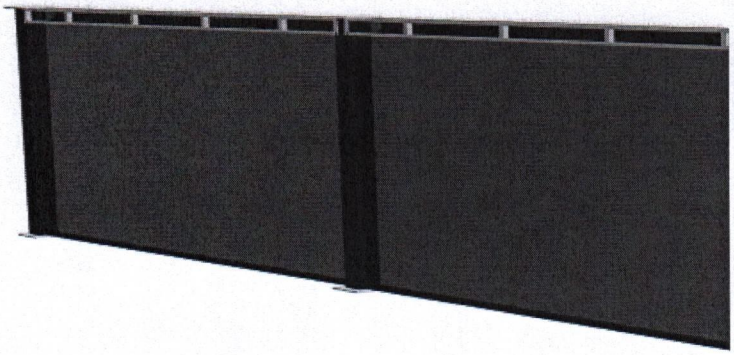
Special use Criteria

#1 Jamesons Charhouse is applying for special use permit and variance. This request is primary for public convenience due to the popularity of providing an outdoor dining area. In recent years our clientele has shown an increase in demand for outdoor seating.

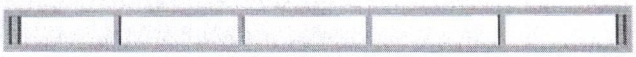
#2. Addressing safety, general warfare of people working or residing in adjoining area is always our number one goal. To this end we will provide fencing in the area for the outdoor seating area. Also parking barriers completely cover the patio area. Currently, we have provided a plan (diagram) for canopy and screens to enrich the patio area.

#3 The proposed use of outdoor seating will comply with regulations and conditions always specified in the ordinance. The canopy and expanded overhang will be 940 square feet. So, an additional area is requested for special use permits. Please note that screening will need a variance to comply. The screens will only be used during inclement weather in the area. At all other times screens will not be used. We will have screens comply with blend of the building. To that extent we have shown a sample of the screen color for approval.

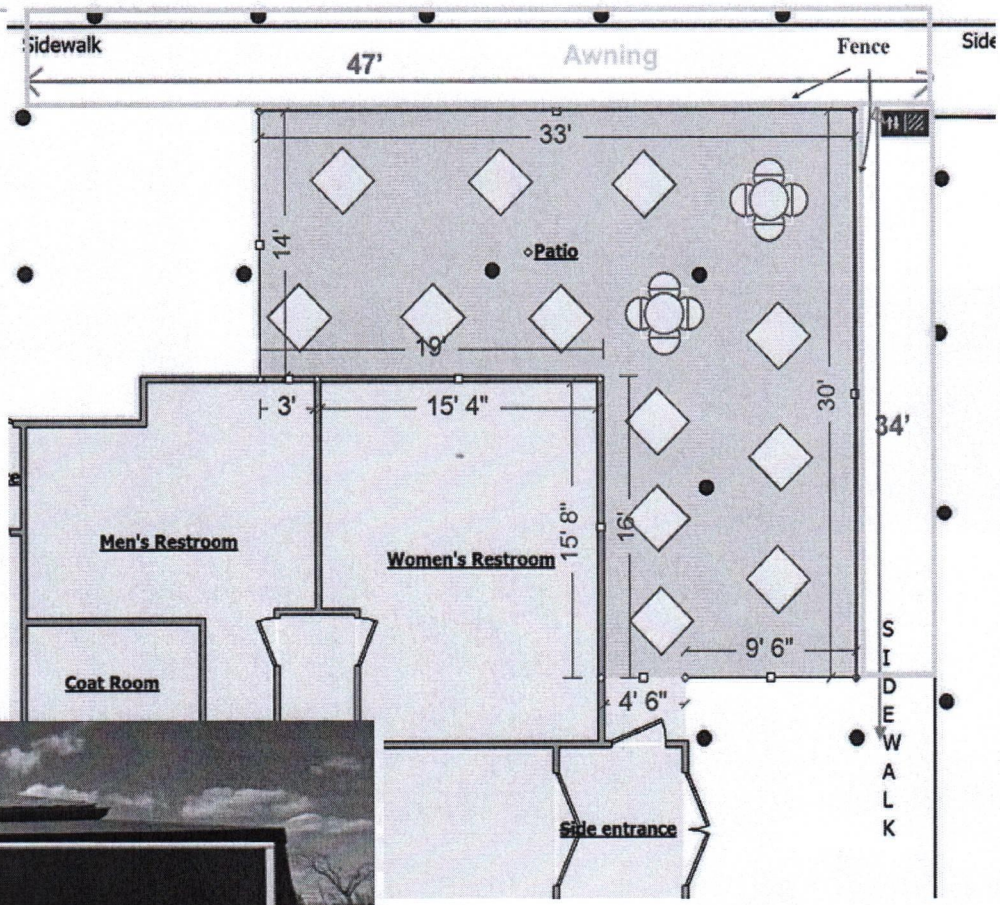
Hunzinger Williams, Inc
27982 W Commercial Ave #1
Lake Barrington, IL 60010
+1 847-381-1878



Flexshade Drop Screen will be mounted to subframe using wall mount brackets and #10 x 1.5" flat head stainless steel.

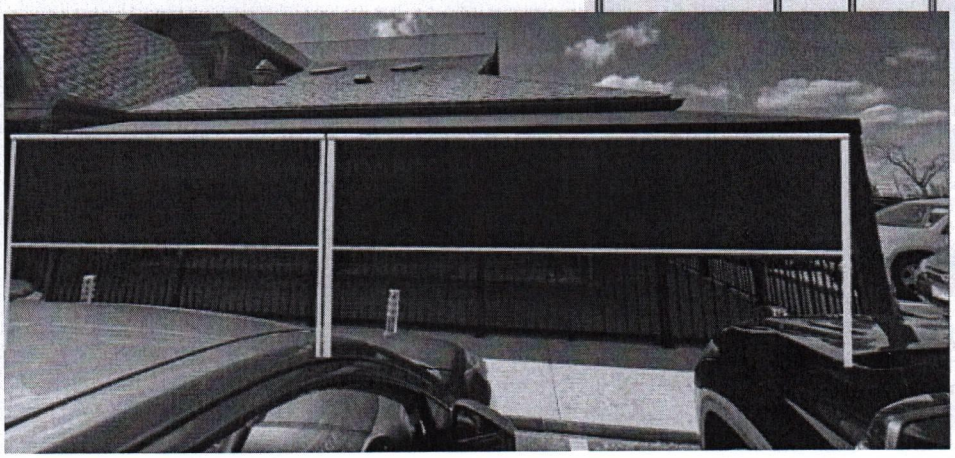


Subframe	
Metal	1" aluminum square tubing
Height	6"
Rafter Spacing	29" spacing between each rafter



Retractable Screens

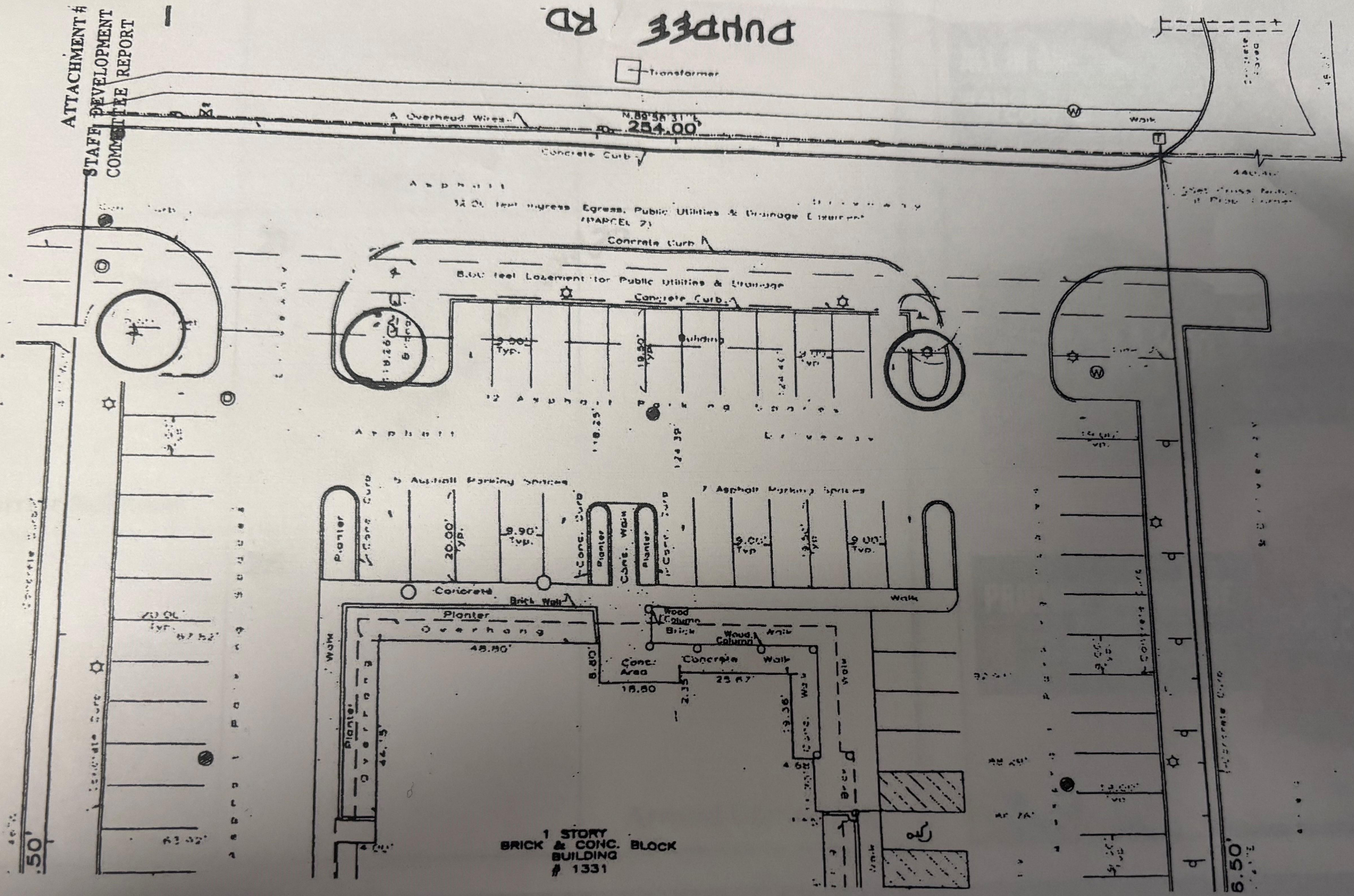
Brand: Flexshade Color and material: TBWe propose to furnish three (3) motorized Flexshade screens 24' 0" x 7'0" and one (1) motorized Flexshade 8'0" x 7'0" drop curtains.



Parking Lot Study For Jameson's Charhouse

	Thursday	Saturday	Sunday
11:00am	6 Cars	5 Cars	Closed
12:00noon	44Cars	12Cars	8Cars
1:00pm	56Cars	25Cars	32Cars
2:00pm	20Cars	30Cars	46Cars
3:00pm	11Cars	15Cars	23Cars
4:00pm	10Cars	18Cars	13Cars
5:00pm	22Cars	45Cars	27Cars
6:00pm	43Cars	55Cars	31Cars
7:00pm	58Cars	85Cars	44Cars
8:00pm	25Cars	92Cars	51Cars
9:00pm	19Cars	50Cars	33Cars
10:00pm	8Cars	23Cars	16Cars
11:00pm	5Cars	11Cars	7Cars

ATTACHMENT #
STAFF DEVELOPMENT
COMMITTEE REPORT



(05/03/04 – Legal #2)
Jameson's Charhouse
1331 W. Dundee Road

Consent

0414510055

Doc#: 0414510055
Eugene "Gene" Moore Fee: $28.00
Cook County Recorder of Deeds
Date: 05/24/2004 10:54 AM Pg: 1 of 3

AN ORDINANCE AMENDING A SPECIAL USE PERMIT FOR A RESTAURANT AND GRANTING A VARIATION FROM CHAPTER 28 OF THE ARLINGTON HEIGHTS MUNICIPAL CODE

WHEREAS, the President and Board of Trustees of the Village of Arlington Heights has heretofore, by Ordinance Number 82-011, granted a special use permit to allow the property at 1331 W. Dundee Road, to be used as a restaurant; and

WHEREAS, the Plan Commission of the Village of Arlington Heights in Petition Number 04-004, pursuant to notice, has on March 31, 2004, conducted a public hearing for an amendment to the special use permit to allow a 686 square foot outside eating area; and

WHEREAS, the President and Board of Trustees of the Village of Arlington Heights, having considered the report and recommendation of the Plan Commission hereby find that the proposed changes to the restaurant will be compatible with other uses in the vicinity of the site; and

WHEREAS, the President and Board of Trustees have determined that the amendment of said special use, subject to certain conditions, is in the best interests of the Village of Arlington Heights,

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ARLINGTON HEIGHTS:

SECTION ONE: That the special use permit heretofore granted in Ordinance Number 82-011, is hereby amended to allow a 686 square foot outside eating area on the property legally described as:

> Lot 1 in the Resubdivision of Lot 1 in Arlington Industrial and Research Center Unit No. 12, A Resubdivision of Lots 2 and 3 in Arlington Industrial and Research Center Unit 9, Being a Subdivision of Part of the Northwest Quarter of Section 7, Township 42 North, Range 11, East of the Third Principal Meridian, in Cook County, Illinois.

P.I.N. 03-07-102-010

04-028

RETURN TO:
BOX 111

LEGAL DEPARTMENT
VILLAGE OF ARLINGTON HEIGHTS
33 South Arlington Heights Rd.
Arlington Heights, IL 60005

04-028

and commonly described as 1331 W. Dundee Road, Arlington Heights, Illinois, in substantial conformance with the site plan prepared by Kerr & Associates, Inc., dated March 4, 2004, consisting of one sheet, copies of which are on file and available for inspection in the Village Clerk's office.

SECTION TWO: That a variation from Chapter 28, Section 6.12, Traffic Engineering Approval, waiving the requirement for a formal traffic study from a Certified Traffic Engineer, is hereby approved.

SECTION THREE: That the amendment to the special use permit and variation granted by this ordinance are hereby subject to the following conditions, to which the petitioner has agreed:

1. One shade tree shall be planted in each of the three northwest landscape islands as indicated on Attachment number 2 of the Staff Development Committee report, attached hereto and made a part hereof.

2. The petitioner shall remove six noncompliant parallel parking stalls located along the south side of the property.

3. The variation waiving the traffic and parking study from a certified traffic engineer shall apply to the current request only.

4. The petitioner shall comply with all Federal, State and Village codes, regulations and policies.

SECTION FOUR: That the Director of Building and Zoning of the Village of Arlington Heights be and is hereby directed to issue permits for the addition of the outside eating area to the restaurant herein approved, upon proper application and after compliance with all applicable ordinances of the Village of Arlington Heights.

SECTION FIVE: That the remaining provisions in Ordinance Number 82-011, shall remain in full force and effect.

SECTION SIX: This ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law and shall be recorded by the Village Clerk in the Office of the Recorder of Cook County, Illinois.

AYES: TOLJANIC, STENGREN, JENSEN, ROSENBERG, HAYES, DADAY, FARWELL, MULDER

NAYS: NONE

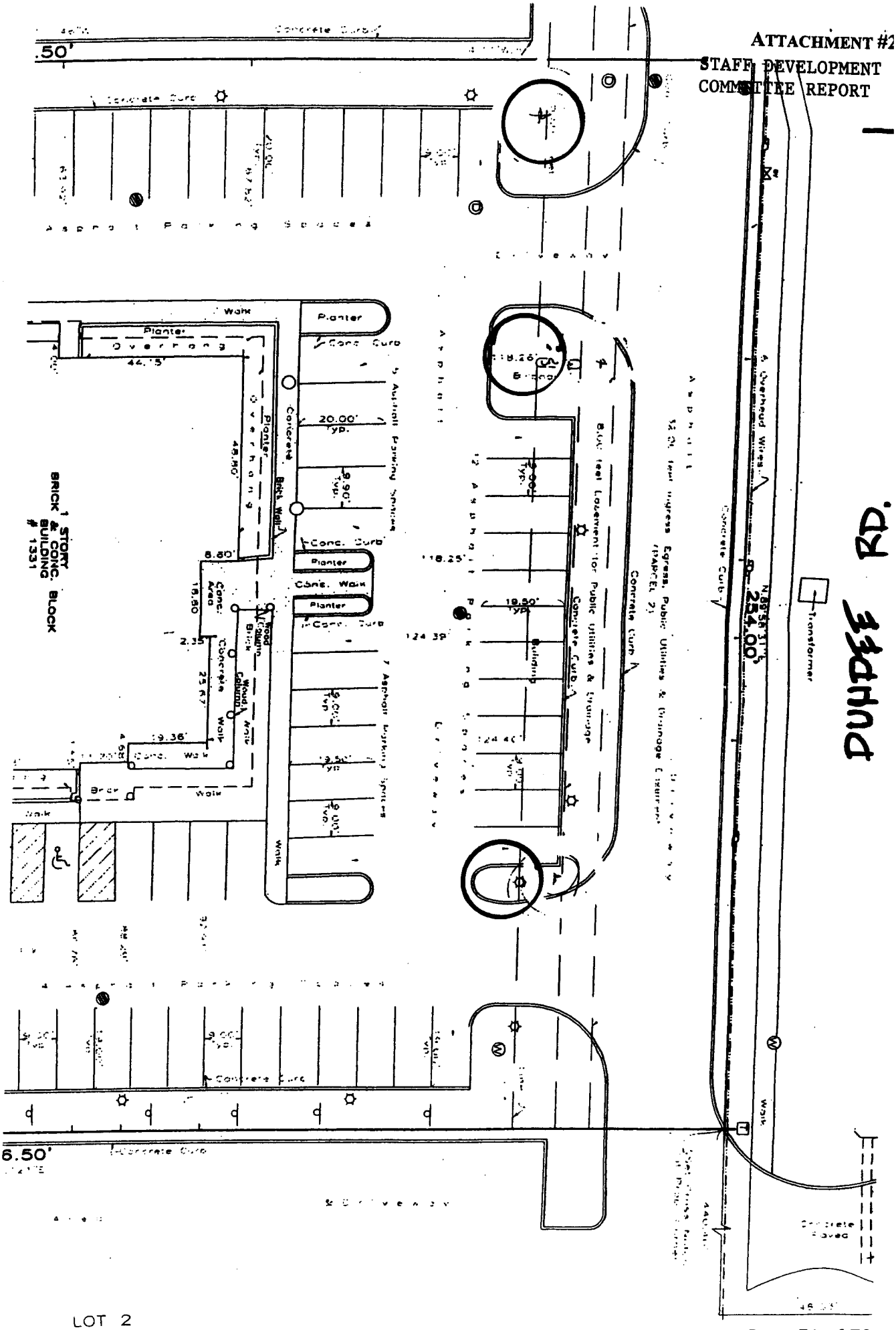
PASSED AND APPROVED this 3rd day of May, 2004.

Arlene J. Mulder
Village President

ATTEST:

Edwina Corsini
Village Clerk

ATTACHMENT #2
STAFF DEVELOPMENT
COMMITTEE REPORT



LOT 2

TRIAL & RESEARCH CENTER UNIT 12

Village of Arlington Heights

33 South Arlington Heights Road
Arlington Heights, Illinois 60005-1499
(847) 368-5000
Website: www.vah.com

April 19, 2004

TO THE PRESIDENT AND
MEMBERS OF THE BOARD OF TRUSTEES
ARLINGTON HEIGHTS, ILLINOIS

PETITIONER: Jameson's Charhouse, C/O Mr. Donald M. Rose; Storino, Ramello & Durkin
1331 W. Dundee Road
P.C. #04-004

REQUEST:

- An Amendment to Special Use Ordinance 82-011 to allow a 686 square foot outside eating area for Jameson's Charhouse at 1331 W. Dundee Road.
- A variation from Chapter 28, Section 6.12, *Traffic Engineering Approval*, to waive the requirement for a traffic and parking study from a Certified Traffic Engineer.
- A variation from Chapter 28, Section 6.15-1.2, *New Landscaping Requirements*, waiving the required installation of one shade tree for three landscape islands.

On March 31, 2004, the Plan Commission held a public hearing. The recommendation of the Plan Commission during the hearing is as follows:

PLAN COMMISSION / MOTION
COMMISSIONER WOLFE MOVED AND COMMISSIONER GRONER SECONDED:

1. **APPROVAL OF P.C. 04-004, A PROPOSED SPECIAL USE AMENDMENT TO ALLOW AN OUTSIDE SEATING AREA AT THE JAMESON'S CHARHOUSE RESTAURANT AT 1331 W. DUNDEE ROAD AND A VARIATION FROM CHAPTER 28, SECTION 6.12, TRAFFIC ENGINEERING APPROVAL, TO WAIVE THE REQUIREMENT FOR A TRAFFIC AND PARKING STUDY FROM A CERTIFIED TRAFFIC ENGINEER.**

2. **DENIAL OF THE REQUESTED VARIATION FROM CHAPTER 28, SECTION 6.15-1.2, NEW LANDSCAPING REQUIREMENTS, WAIVING THE REQUIRED INSTALLATION OF ONE SHADE TREE FOR THREE LANDSCAPE ISLANDS.**

THIS APPROVAL IS CONTINGENT UPON COMPLIANCE WITH THE RECOMMENDATIONS OF THE PLAN COMMISSION, AND THE FOLLOWING RECOMMENDATIONS DETAILED IN THE STAFF DEVELOPMENT COMMITTEE REPORT DATED MARCH 24, 2004:

1. **ONE SHADE TREE SHALL BE PLANTED IN EACH OF THE THREE NORTHWEST LANDSCAPE ISLANDS AS INDICATED ON ATTACHMENT #2 OF THE STAFF DEVELOPMENT COMMITTEE REPORT.**

2. **THE PETITIONER SHALL REMOVE THE NONCOMPLIANT 6 PARALLEL PARKING STALLS ALONG THE SOUTH SIDE OF THE PROPERTY.**

3. **THE VARIATIONS TO WAIVE THE TRAFFIC AND PARKING STUDY FROM A CERTIFIED TRAFFIC ENGINEER SHALL APPLY TO THE CURRENT REQUEST ONLY.**

4. **THE PETITIONER SHALL COMPLY WITH ALL FEDERAL, STATE AND VILLAGE CODES, REGULATIONS AND POLICIES.**

ROLL CALL VOTE:

COMMISSIONER: BALLINGER, EISENHAMMER, GREEN, GRONER, WOLFE AND ACTING CHAIRMAN O'NEILL VOTED IN FAVOR.

COMMISSIONER: DROST AND MERTES VOTED AGAINST.

THE MOTION CARRIED.

COMMISSIONER COMMENT:

ACTING CHAIR O'NEILL: Yes. Okay, we start at the first comment by Commissioner Mertes.

COMMISSIONER MERTES: My comment and reason for voting no is I'm not convinced that the ordinance applies in this situation. We're swapping seats from the inside to the outside for the summer season. That's why I voted no.

ACTING CHAIR O'NEILL: Okay.

COMMISSIONER DROST: Yes. I'll concur on that. And I think the other point would be to take a look at the ordinance. If Ms. Connolly is right, then I think I would recommend to the Village Board that they reconsider that particular requirement.

ACTING CHAIR O'NEILL: Okay. It's been duly noted. Thank you very much. We're very excited about your outdoor seating, and you can work with Kate at a later date for the Village Board. Thank you.

Hearing ended at 9:30 p.m.

CAROLE ANN O'NEILL, ACTING CHAIRMAN
ARLINGTON HEIGHTS PLAN COMMISSION
Recorded by LeGrand Services

STAFF DEVELOPMENT COMMITTEE REPORT

To: Plan Commission
Prepared By: Katherine E. Brest van Kempen, Development Planner
Meeting Date: March 31, 2004
Date Prepared: March 24, 2004

Project Title: Jameson's Charhouse Outside Eating Café
Address: 1331 W. Dundee Road

BACKGROUND INFORMATION

Petitioner: Mr. George Leberis c/o Mr. Donald M. Rose
Address: Storino, Ramello & Durkin
9501 West Devon Avenue
Rosemont, IL 60018

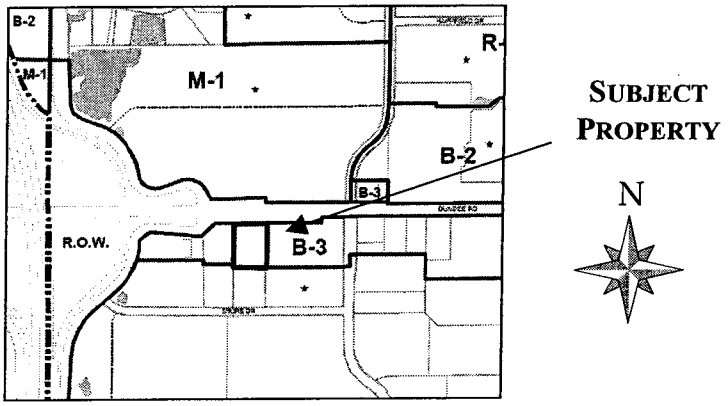
Existing Zoning: B-3, General Service, Wholesale, and Motor Vehicle District

Requested Action:

- An Amendment to Special Use Ordinance 82-011 to allow a 686 square foot outside eating area for Jameson's Charhouse at 1331 W. Dundee Road.

Variations Required:

- A variation from Chapter 28, Section 6.12, *Traffic Engineering Approval*, to waive the requirement for a traffic and parking study from a Certified Traffic Engineer.
- A variation from Chapter 28, Section 6.15-1.2, *New Landscaping Requirements*, waiving the required installation of one shade tree for three landscape islands



ANALYSIS

Surrounding Land Uses:

Direction	Existing Zoning	Existing Use	Comprehensive Plan
North	M-1, Research, Development and Light Manufacturing	Office/Light Industrial	Research & Development, Manufacturing and Warehouse
South	M-1, Research, Development and Light Manufacturing	Office/Light Industrial	Office Only
East	B-3, General Service, Wholesale, and Motor Vehicle District	Office	Office Only
West	B-3, General Service, Wholesale, and Motor Vehicle District	La Quinta Inn	Commercial

Summary:
The Petitioner is proposing to construct an outside seating area on the north and east sides of the structure, towards Dundee Road. The existing restaurant has approximately 4,330 square feet of seating area and has approximately 230 seats within. The current hours of operation of the restaurant are from 11:00 a.m. to 11:00 p.m. (Monday through Thursday), 11:00 a.m. – 12:00 a.m. (Friday and Saturday), and 12:00 p.m. to 10:00 p.m. (Sunday). They have indicated that their peak hours of operation are from 12:00 p.m. – 1:00 p.m. during the week for the lunchtime and 6:00 p.m. – 8:00 p.m. for the dinner peak daily. Finally, deliveries occur Monday – Friday 8:00 a.m. – 10:00 a.m. and 2:00 p.m. – 4:00 p.m. and trash collection occurs three times a week, always before 10:00 a.m.

Zoning and Comprehensive Plan
The site and its environs is zoned B-3, General Service, Wholesale, and Motor Vehicle District, and the proposal is consistent with this designation but requires a Special Use. As part of the formal review process, the Petitioner demonstrated that the proposed request meets the following Special Use criteria outlined in the Village's Zoning Ordinance (see Attachment #1).

- ***That said special use is deemed necessary for the public convenience at this location.***
- ***That such case will not, under any circumstances of the particular case, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity.***
- ***That the proposed use will comply with the regulations and conditions specified in this ordinance for such use, and with the stipulations and conditions made a port of the authorization granted by the Village Board.***

The Village's Comprehensive Plan designates the subject property as Offices Only, but has been utilized as a restaurant since the approval of The Cattle Company's restaurant in 1982.

Site/Building Issues
Access into the seating area from the restaurant will be through the door located on the north side of the east vestibule. The Petitioner will be required to comply with all Village requirements for outside seating areas, such as the installation of a mechanical air curtain over the proposed door, a hose bib, a fence that is at least four-feet tall, that wraps around the entire seating area with a gate that is used for exiting only, and any other requirements that may be determined as necessary during the building permit review process. In addition, the Petitioner will be required to amend the Liquor License for the restaurant, as required. Concern was raised by the Health Department regarding the spacing of the tables in the outside seating area. The aisle must maintain a 36" clearance for passage.

Landscaping Issues
Currently there are three landscape islands that do not include the required 4" caliper shade trees located towards the northeast corner of the site (Attachment #2). These islands should be brought into compliance with the Zoning Ordinance at this time. However, the Petitioner argues that the expense would be significant and therefore the is seeking the following variation (Attachment #3):

- A variation from Chapter 28, Section 6.15-1.2, *New Landscaping Requirements*, waiving the required installation of one shade tree for three landscape islands.

Staff is not supportive of this variation, as the Petitioner has not demonstrated that there is a true hardship that exists regarding the landscaping. The Petitioner has stated that the cost will be significant and that there is not enough room in the islands for said trees due to an existing ground sign and light poles. It is staff's opinion based on a site visit that these landscape islands could accommodate a shade tree as required.

Traffic & Parking Issues
According to the Village's Zoning Ordinance, any Special Use application or amendment thereto, regardless of size, that is adjacent to a major arterial such as Dundee Road needs to provide a traffic and parking study from a Certified Traffic Engineer. However, the Petitioner argues that there will be minimal to no effects that the proposed outside eating café will have, other than maybe on parking. Therefore, the Petitioner is seeking the following variation:

- **A variation from Chapter 28, Section 6.12, *Traffic Engineering Approval*, to waive the requirement for a traffic and parking study from a Certified Traffic Engineer.**

The Village has evaluated this request and concurs that the proposed special use will not alter existing circulation patterns or have an adverse effect on existing roadways. However, in lieu of a formal Traffic and Parking study, the Village has required the Petitioner to provide an inventory and/or survey of the on-site parking spaces that are available for customers over a three-day period including Saturday during the restaurant's lunch and dinner peak hours. In conjunction with the Plan Commission review, this information was reviewed and it was determined that there is enough parking supply to handle the current and future demand. Based on the counts provided in the packet, a maximum of 91 parking stalls were occupied during the dinner peak, and a maximum of 56 parking stalls were occupied during the lunch peak.

With respect to parking, according to the Zoning Ordinance, one parking space is required for every 45 square feet of seating area for restaurants. The restaurant currently has a total of 127 parking stalls. It should be noted that six of these parking stalls are not in compliance with the zoning ordinance (they are parallel stalls located within a drive aisle). Therefore, said parking stalls should be removed at this time. The following is the breakdown of the various rooms in the restaurant and the proposed parking requirement:

Room	*Square Footage*	*Parking Requirement*
Dining Area I	*1,275*	*28.3*
Dining Area II	*870*	*19.3*
Party Room	*540*	*12*
Bar	*995*	*22.1*
Mezzanine	*650*	*14.4*
Outside Eating Café	*686*	*15.2*
TOTAL	*5,016*	*111.3*

Based on the above chart, the restaurant, including the proposed outside eating café, meets the Village's parking requirements.

RECOMMENDATION

The Staff Development Committee has reviewed the petitioners request and recommends the following:

1. **Approval** the proposed Special Use Amendment to allow an outside seating area at the Jameson's Charhouse Restaurant at 1331 W. Dundee Road and a variation from Chapter 28, Section 6.12, Traffic Engineering Approval, to waive the requirement for a traffic and parking study from a Certified Traffic Engineer.
2. **Denial** of the requested a variation from Chapter 28, Section 6.15-1.2, *New Landscaping Requirements*, waiving the required installation of one shade tree for three landscape islands.

The recommendation shall be subject to the following conditions:

1. One shade tree shall be planted in each of the three northwest landscape islands as indicated on Attachment #2 of the Staff Development Committee Report.
2. The Petitioner shall remove the noncompliant 6 parallel parking stalls along the south side of the property.
3. The variation to waive the traffic and parking study from a Certified Traffic Engineer shall only apply to the current request only.
4. The Petitioner shall comply with all Federal, State, and Village Codes, Regulations, and Policies.

March 24, 2004

Bill Enright, AICP
Deputy Director of Planning and Community Development

C: William C. Dixon, Village Manager
All Department Heads
Petitioner

Saga Corp. dba Stuart
Anderson's Cattle Co
Dundee Road at Route 53

AN ORDINANCE GRANTING A SPECIAL USE

26176882

OFFICIAL BUSINESS

WHEREAS, the Plan Commission of the Village of Arlington Heights has heretofore conducted a hearing on a request to approve a special use permit for a restaurant; and approval of a preliminary plat of subdivision; and

WHEREAS, the Plan Commission has recommended the approval of the petitioned special use, and preliminary plat of subdivision, subject to certain stipulations; and

WHEREAS, the developer has agreed to certain terms and conditions set forth by the Plan Commission and the President and members of the Board of Trustees as hereinafter are set forth; deeming same to be in the best interests of the Village of Arlington Heights;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ARLINGTON HEIGHTS:

SECTION ONE: The Village of Arlington Heights hereby grants a special use permit for a restaurant on the following described property:

> The north 346.50 feet of Lot 1, in Arlington Industrial and Research Center Unit Number 12, a resubdivision of part of the northwest quarter of Section 7, Township 42 North, Range 11, East of the Third Principal Meridian, in Cook County, Illinois.

Commonly described as property located on the south side of Dundee Road, between Kennicott Avenue and Illinois Route 53.

SECTION TWO: The special use herein granted is conditioned upon the improvement of said property in substantial conformance with the plans and drawings heretofore submitted to the Plan Commission and Village President and Board of Trustees, a true and correct copy of said plans being attached hereto and made part of this ordinance as EXHIBIT A and available for inspection in the office of the Village Clerk.

26176882

SECTION THREE: The special use approved herein shall be subject to the following terms and conditions:

1. Subject to approval by the Village Forester and Village Planner of landscaping plans;

2. Subject to approval of architectural drawings;

3. Construction being in conformance with approved plans;

4. That all public improvements be constructed in accordance with the Manual For the Design of Public Improvements in Arlington Heights and meeting the

82-011

82-11

approval of the Director of Engineering of the Village;

5. That the developer shall submit engineering drawings to, and secure the approval of the Director of Engineering for all public improvements and upon approval of said drawings shall deposit guarantees in the form and amount specified by the Director of Engineering;

6. That the developer and/or owner enter into an agreement for on-site utility maintenance, including storm water detention basin or basins;

SECTION FOUR: The Director of Building and Zoning of the Village of Arlington Heights is hereby directed to issue necessary permits to effectuate the purpose of this ordinance upon proper application in conformance with the codes and ordinances of the Village.

SECTION FIVE: The Village Clerk of the Village of Arlington Heights is hereby directed to record this ordinance in the Office of the Recorder of Deeds of Cook County, Illinois.

SECTION SIX: This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form in the manner provided by law.

AYES: **Walsh, Schroeder, Buss, Cannon, Cawley, Jolly, Palmatier**

NAYS: **None**

PASSED AND APPROVED this 15th day of February, 1982.

Francis N. Palmatier

Village President
Pro Tem

ATTEST:

Village Clerk

26176882

26176882

NO CHARGE
WILL CALL

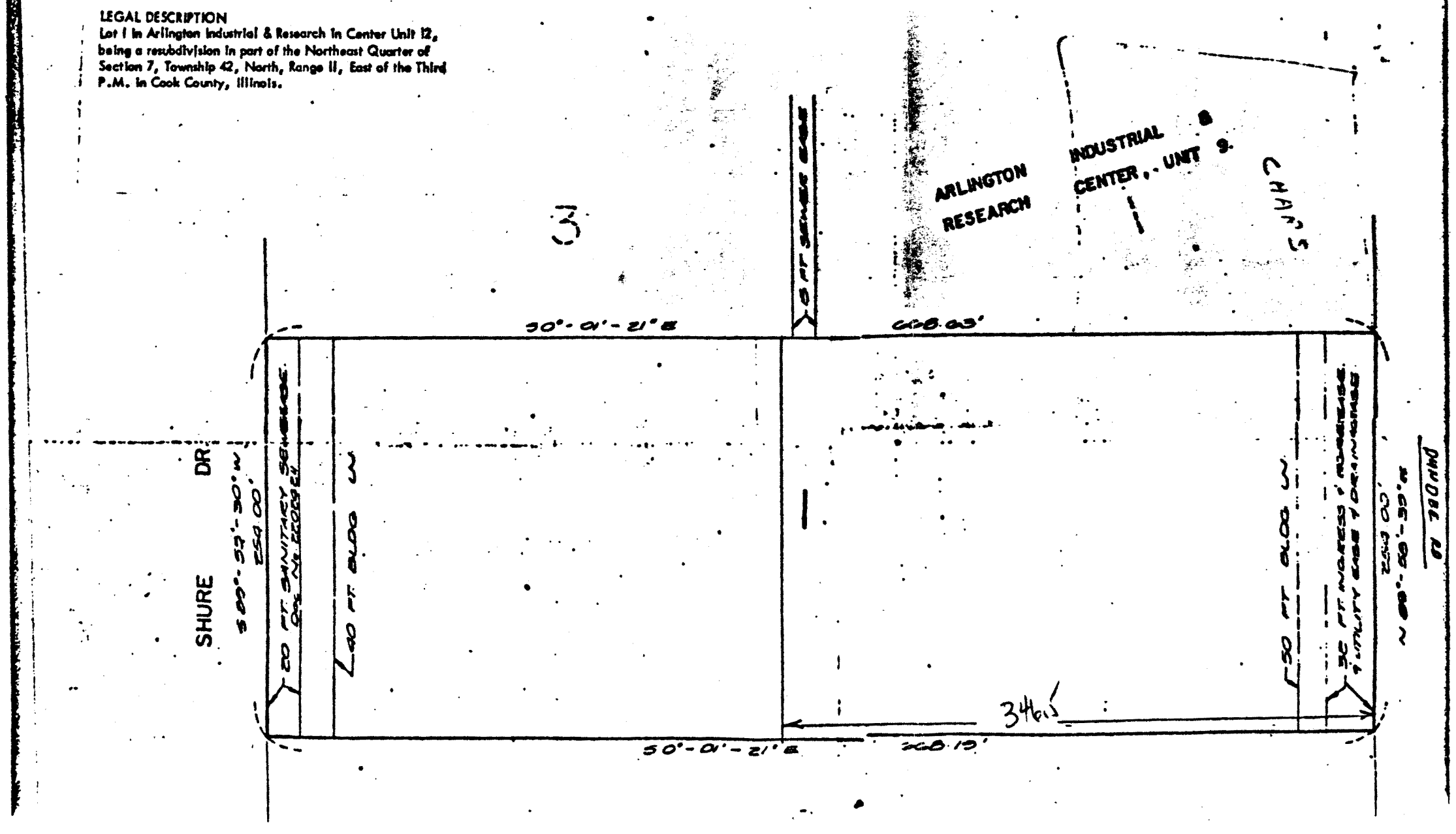
MAR-19-82 4 02 PM 26176882 A — NF 0.00

1982 MAR 19 AM 9 55 RECORDER COOK COUNTY-ILLINOIS

"EXHIBIT A"

Lot 1 in Arlington Industrial & Research Center Unit 12, being a resubdivision in part of the Northeast Quarter of Section 7, Township 42 North, Range 11, East of the Third P.M., in Cook County, Illinois.

LEGAL DESCRIPTION
Lot 1 in Arlington Industrial & Research In Center Unit 12, being a resubdivision in part of the Northeast Quarter of Section 7, Township 42, North, Range 11, East of the Third P.M. in Cook County, Illinois.



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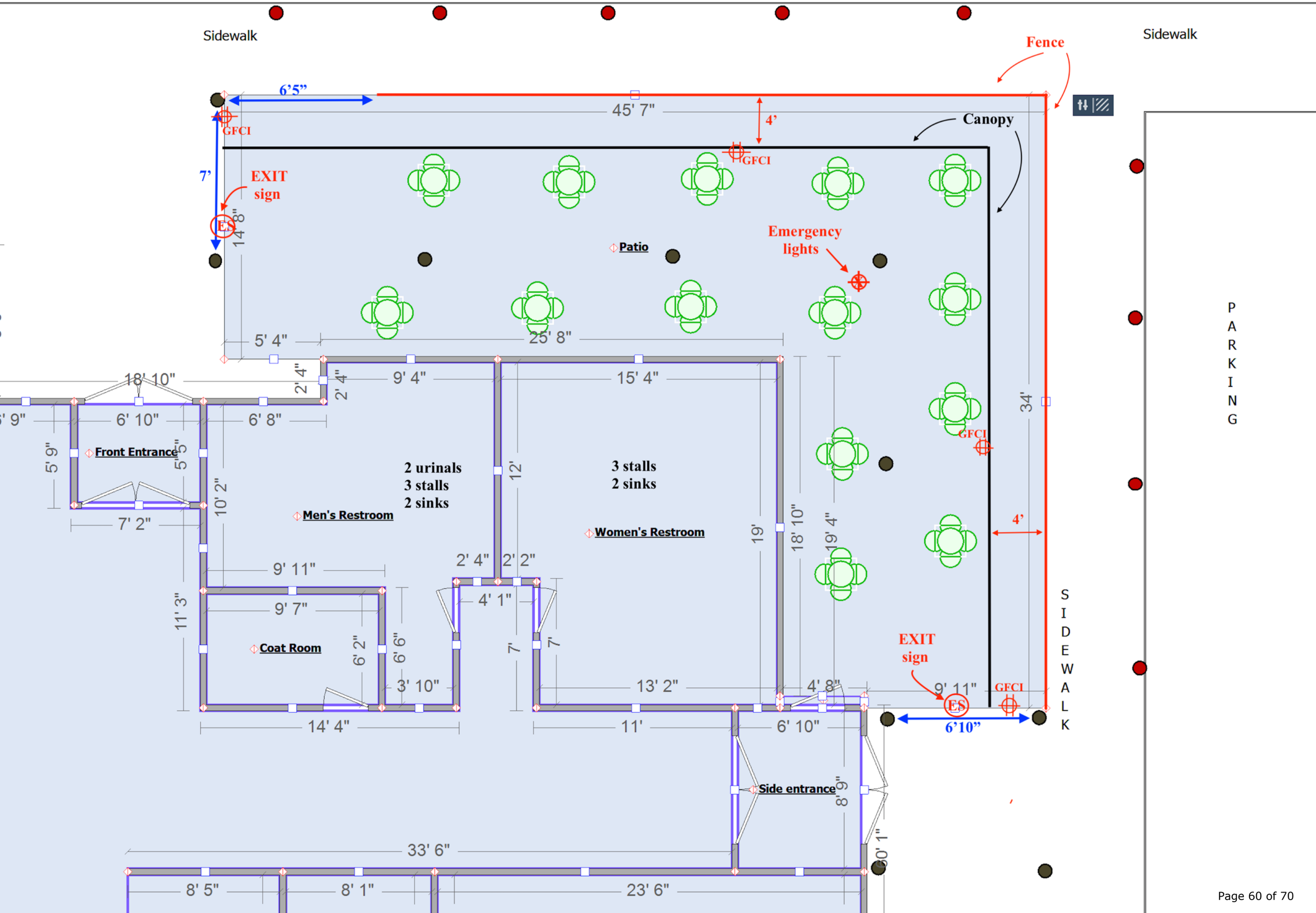
VIL. OF ARLINGTON HEIGHTS
PLANNING COMMISSION


PARKING
Sidewalk
Sidewalk
Fence
6'5"
45' 7"
4'
GFCI
Canopy
GFCI
7'
EXIT sign
ES
14' 8"
Patio
Emergency lights
5' 4"
25' 8"
18' 10"
2' 4"
2' 4"
9' 4"
15' 4"
34'
6' 9"
6' 10"
6' 8"
GFCI
5' 9"
Front Entrance
5' 5"
2 urinals
3 stalls
2 sinks
12'
3 stalls
2 sinks
10' 2"
Men's Restroom
Women's Restroom
19'
18' 10"
19' 4"
4'
7' 2"
9' 11"
2' 4"
2' 2"
4' 1"
11' 3"
9' 7"
Coat Room
6' 2"
6' 6"
7'
7'
3' 10"
13' 2"
4' 8"
EXIT sign
9' 11"
GFCI
ES
6'10"
14' 4"
11'
6' 10"
Side entrance
8' 9"
33' 6"
30' 1"
8' 5"
8' 1"
23' 6"
PARKING
SIDEWALK

PLAN COMMISSION REVIEW
ENGINEERING DIVISION

Village of Arlington Heights
Interoffice Memorandum

To:	**Planning Staff Liaison**
From:	**Nanci Julius, P.E., Senior Civil Engineer**
Department:	**Public Works & Engineering Department**
File Number:	**PCA00011-2024**
Project:	**Jameson's Outdoor Dining, 1331 W Dundee Road**
Review Round:	**Round 1**
Date:	**May 5, 2025**

DO EXISTING STRUCTURES, IF ANY, MEET MINIMUM REQUIREMENTS OF THE FOLLOWING?

1. PUBLIC IMPROVEMENTS REQUIRED:

	YES	NO	COMMENTS
a. Underground Utilities			
i. Water…….	☐	☒	_____
ii. Sanitary Sewer …….	☐	☒	_____
iii. Storm Sewer……	☐	☒	_____
b. Surface Improvement			
i. Pavement …….	☐	☒	_____
ii. Curb& Gutter……...	☐	☒	_____
iii. Sidewalks…….	☐	☒	_____
iv. Street Lighting…….	☐	☒	_____
c. Easements			
i. Utility & Drainage….	☐	☒	_____
ii. Access……	☐	☒	_____

2. PERMITS REQUIRED OTHER THAN VILLAGE
   a. MWRDGC…… ☐
   b. IDOT…… ☐
   c. ARMY CORP… ☐
   d. IEPA…… ☐
   e. CCHD……. ☐
   f. OTHER…… ☐_____

3. R.O.W. DEDICATIONS…… YES ☐ NO ☒ _____
4. SITE PLAN ACCEPTABLE……. YES ☒ NO ☐ _____
5. PRELMINARY PLATE ACCEPTABLE…… YES ☐ NO ☐ N/A
6. TRAFFIC STUDY ACCEPTABLE…….. YES ☐ NO ☐ N/A
7. STORMWATER DETENTION REQUIRED…… YES ☐ NO ☒ _____
8. CONTRIBUTION ORDINANCE EXISTING…… YES ☐ NO ☒ _____
9. FLOOD PLAIN OR FLOODWAY EXISTING… YES ☐ NO ☒ _____
10. WETLAND EXISTING…… YES ☐ NO ☒ _____

11. The petitioner is notified that these comments are being provided to ensure that the project meets the requirements for submittal to the Plan Commission. Approval by the Plan Commission is not an endorsement or approval of these documents to obtain the required building permits, engineering approval, or permits required by other government or permitting agencies for construction. Detailed plan review with associated comments will be provided upon submittal of plans for a building permit. The petitioner shall acknowledge that they accept this understanding.

12. The Public Works and Engineering Division have no objection to the requested variance for outdoor seating and have no further comments.

May 5, 2025

Nanci C. Julius, P.E. Date
Senior Civil Engineer

PLAN COMMISSION REVIEW
FIRE DEPARTMENT

Village of Arlington Heights Interoffice Memorandum

To:	**Daniel Osoba**
From:	**Div. Chief Dave Roberts**
Department:	**Fire Department**
File Number:	**PCA00011-2025**
Project:	**1331 W Dundee RD Jameson's**
Review Round:	**Round 1**
Date:	**May 6, 2025**

GENERAL COMMENTS:

1. The Fire Department has no comments for the proposed Special Use Permit.

Village of Arlington Heights
Interoffice Memorandum

From:	**Dan Osoba | 847-368-5215; dosoba@vah.com**
Department:	**Planning & Community Development**
File Number:	**PC25-011**
Project:	**1331 W. Dundee Road – Jameson's Charhouse Outdoor Seating Expansion**
Review Round:	**Round 1**
Date:	**May 13, 2025**

	YES	NO
1. COMPLIES WITH COMPREHENSIVE PLAN:	☒	☐
2. COMPLIES WITH THOROUGHFARE PLAN:	☒	☐
3. VARIAITONS NEEDED FROM ZONING REGULATIONS: a. Variation listed in comment 7b.	☒	☐
4. VARIATIONS NEEDE FROM SUBDIVISION REGULATIONS:	☐	☒
5. SUBDIVISION REQUIRED:	☒	☒
6. SCHOOL/PARK DISTRICT CONTRIBUTION REQUIRED:	☒	☒

Zoning:

7. The following zoning approvals have been requested based on a review of the plans. Please acknowledge the following:
    a. Amendment to the existing Special Use Permit (Ord. 04-028) to expand the outdoor seating area to a total of 940 square-feet.
    b. Variation from Chapter 28, Section 5.1-23 to allow the partial enclosure of an outdoor eating café where enclosure of an outdoor eating café is not permitted.

8. Provide a written response to the four variation criteria listed below (written response to the Special Use Permit criteria was already provided). This shall be provided with the second submission:
    a. The proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property.
    b. The plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned.

c. The proposed variation is in harmony with the spirit and intent of this Chapter.
d. The variance requested is the minimum variance necessary to allow reasonable use of the property.

General:

9. The Petitioner has indicated that the outdoor seating area will be used during the months of May through September. A condition of approval will be recommended by the Planning Department for this Special Use Permit amendment.

10. Provide additional photos of the screens when they are up and when they are down for reference.

11. Your response to these comments must be uploaded to the CSS portal, along with tall the revised plans. Once the entire resubmittal has been uploaded, please email Dan Osoba at dosoba@vah.com to notify that a resubmittal has been uploaded. Please coordinate with me on any upload of revised/new plans. We can set up a meeting to assist as needed.

Site & Landscaping

12. Include the dimension of the sidewalk adjacent to the seating area in the diagram.

13. Shade trees shall be planted on the parking lot islands at the north end of the site per the approval of Ord. 04-028.

Parking

14. The parking requirements are listed below:

Use	**SF (Seating Area)**	**Parking Ratio**	**Required Parking**
Dining Area I	1,275	1 space / 45 SF	28.3
Dining Area II	870	1 space / 45 SF	19.3
Party Room	540	1 space / 45 SF	12
Bar	995	1 space / 45 SF	22.1
Mezzanine	650	1 space / 45 SF	14.4
Outdoor Seating Area Existing	686	1 space / 45 SF	15.2
Outdoor Seating Area Proposed	254	1 space / 45 SF	5.6
Total			117
Total Provided*			121
Surplus / (Deficit)			**4**

*There are currently a total of 127 parking stalls on-site; however, 6 of those stalls are not code compliant parallel spaces and were to be removed with the approval of Ord. 04-028.

15. The Petitioner shall provide a copy of the current floor plan for review with the next submittal. Note that the parking table above may change based on any changes to the current floor plan.

16. Code requires that Special Use Permits for projects less than 5,000 square-feet do not need to provide a traffic study; however, a parking analysis is required by code. Please provide a parking survey with your second submittal that includes the following:
    a. Parking survey shall include at least 3 days: one weekday, Saturday and Sunday.
    b. Survey should be taken during operating hours and provide the number of occupied spaces every hour.
    c. If the number of spaces occupied exceeds 90% of the occupancy of the parking lot, then a full parking study may be required.

Second Review Application Dated 06/10 /2025

Item#7a. Please accept this request to expand outdoor seating to a total of 940 square feet.

Item#7b Also at this time we are requesting a variation from Chapter28,section 5.1-23. To allow Partial enclosure of outdoor eating patio. The screen enclosure will be used only In event of passing rain showers.

Item# 8a Requested special use permit will not alter essential character of the locality and And will be compatible with existing uses zoning of nearby property.

Item# 8b This property has been in it's current use for thirty years.

Item#9 Jameson's Charhouse will comply with all conditions of approval for special use permit.

Item#12 The sidewalk dimensions are as follows East Sidewalk is 4 Feet Width by 45 feet Length North Sidewalk is 4 Feet Width by 32 Feet Length.

Item#13 Shade Trees will be planted as recommende by Planning Department.

Respectfully,

James Leberis

General Manager/ Owner

Village of Arlington Heights
Interoffice Memorandum

From:	**Dan Osoba | 847-368-5215; dosoba@vah.com**
Department:	**Planning & Community Development**
File Number:	**PC25-011**
Project:	**1331 W. Dundee Road – Jameson's Charhouse Outdoor Seating Expansion**
Review Round:	**Round 2**
Date:	**June 25, 2025**

	YES	NO
1. COMPLIES WITH COMPREHENSIVE PLAN:	☒	☐
2. COMPLIES WITH THOROUGHFARE PLAN:	☒	☐
3. VARIAITONS NEEDED FROM ZONING REGULATIONS: a. Variation listed in comment 7b.	☒	☐
4. VARIATIONS NEEDE FROM SUBDIVISION REGULATIONS:	☐	☒
5. SUBDIVISION REQUIRED:	☒	☒
6. SCHOOL/PARK DISTRICT CONTRIBUTION REQUIRED:	☒	☒

Zoning:

7. The following zoning approvals have been requested based on a review of the plans. Please acknowledge the following:
    a. Amendment to the existing Special Use Permit (Ord. 04-028) to expand the outdoor seating area to a total of 940 square-feet.
    b. Variation from Chapter 28, Section 5.1-23 to allow the partial enclosure of an outdoor eating café where enclosure of an outdoor eating café is not permitted.
        i. **2nd Review:** this comment has been addressed. **Complete**

8. Provide a written response to the four variation criteria listed below (written response to the Special Use Permit criteria was already provided). This shall be provided with the second submission:
    a. The proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property.

b. The plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned.
c. The proposed variation is in harmony with the spirit and intent of this Chapter.
d. The variance requested is the minimum variance necessary to allow reasonable use of the property.
    i. **2nd Review:** this comment has been addressed. **Complete**

General:

9. The Petitioner has indicated that the outdoor seating area will be used during the months of May through September. A condition of approval will be recommended by the Planning Department for this Special Use Permit amendment.
    a. **2nd Review:** this will continue to be a recommended condition of approval of this petition. No further action is needed. **Complete**

10. Provide additional photos of the screens when they are up and when they are down for reference.
    a. **2nd Review:** this comment has been addressed. **Complete**

11. Your response to these comments must be uploaded to the CSS portal, along with tall the revised plans. Once the entire resubmittal has been uploaded, please email Dan Osoba at dosoba@vah.com to notify that a resubmittal has been uploaded. Please coordinate with me on any upload of revised/new plans. We can set up a meeting to assist as needed.
    a. **2nd Review:** no further submissions are needed. **Complete**

Site & Landscaping

12. Include the dimension of the sidewalk adjacent to the seating area in the diagram.
    a. **2nd Review:** comment response letter indicates the sidewalk is 4' wide. **Complete**

13. Shade trees shall be planted on the parking lot islands at the north end of the site per the approval of Ord. 04-028.
    a. **2nd Review:** this will be a recommended condition of approval. No further action needed. **Complete**

Parking

14. The parking requirements are listed below:

Use	SF (Seating Area)	Parking Ratio	Required Parking
Dining Area I	1,275	1 space / 45 SF	28.3
Dining Area II	870	1 space / 45 SF	19.3
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Surplus / (Deficit)			**4**

*There are currently a total of 127 parking stalls on-site; however, 6 of those stalls are not code compliant parallel spaces and were to be removed with the approval of Ord. 04-028.

15. The Petitioner shall provide a copy of the current floor plan for review with the next submittal. Note that the parking table above may change based on any changes to the current floor plan.
    a. **2nd Review:** this comment has been addressed; no changes to the floor plan have occurred. **Complete**

16. Code requires that Special Use Permits for projects less than 5,000 square-feet do not need to provide a traffic study; however, a parking analysis is required by code. Please provide a parking survey with your second submittal that includes the following:
    a. Parking survey shall include at least 3 days: one weekday, Saturday and Sunday.
    b. Survey should be taken during operating hours and provide the number of occupied spaces every hour.
    c. If the number of spaces occupied exceeds 90% of the occupancy of the parking lot, then a full parking study may be required.
        i. **2nd Review:** the parking survey provided shows the site has more than adequate amounts of parking for the use as the maximum occupancy was 92 vehicles (76.03% occupied) at 8:00pm on Saturday.