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PLAN

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

COMMISSION

RE: NAPLETON/ARLINGTON LANES PARKING LOT -
3435 NORTH KENNICOTT AVENUE - PC# 18-014
LAND USE VARIATION FOR AUTO SALES LOT, VARIATIONS

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 25th day of July, 2018 at the hour of 7:30 p.m.

MEMBERS PRESENT:

TERRY ENNES, Chairman
LYNN JENSEN
MARY JO WARSKOW
BRUCE GREEN
GEORGE DROST
JOHN SIGALOS

ALSO PRESENT:

SAM HUBBARD, Community Development Planner

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CHAIRMAN ENNES: This meeting of the Arlington Heights Plan Commission is hereby called to order. Would you all please rise and join us in the pledge of allegiance?

(Pledge of allegiance recited.)

CHAIRMAN ENNES: Sam, would you please take the roll?

MR. HUBBARD: Commissioner Cherwin.

(No response.)

MR. HUBBARD: Commissioner Dawson.

(No response.)

MR. HUBBARD: Commissioner Drost.

COMMISSIONER DROST: Here.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Here.

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Here.

MR. HUBBARD: Commissioner Lorenzini.

(No response.)

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Here.

MR. HUBBARD: Commissioner Warskow.

COMMISSIONER WARSKOW: Here.

MR. HUBBARD: Chairman Ennes.

CHAIRMAN ENNES: Here. Okay, Sam, were public notices for the hearing made?

MR. HUBBARD: For both items, yes, the public notices were made.

CHAIRMAN ENNES: Okay, thank you. We have a set of minutes from our last meeting. I want to, do we have a motion to approve those? Did everyone receive those?

COMMISSIONER GREEN: I'll make that motion.

COMMISSIONER JENSEN: I'll second.

CHAIRMAN ENNES: All in favor?

(Chorus of ayes.)

CHAIRMAN ENNES: Anybody opposed that wasn't here?

COMMISSIONER WARSKOW: I was not here.

CHAIRMAN ENNES: I was not here.

COMMISSIONER DROST: I was not here.

CHAIRMAN ENNES: Okay.

COMMISSIONER WARSKOW: I do have to say I found a typo in the minutes according to --

COMMISSIONER DROST: What kind of life do you lead?

COMMISSIONER WARSKOW: It was a number that made the other numbers not make any sense, and I'm a numbers person.

CHAIRMAN ENNES: Okay, you'll take care of that?

COMMISSIONER WARSKOW: Yes.

CHAIRMAN ENNES: Okay, that sounds good. So, our first Petitioner is going to be the petition for Napleton/Arlington Heights Parking Lot that is 18-014. Is the

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Petitioner present?

MR. PONTON: Yes.

CHAIRMAN ENNES: Can I ask you to please come up, state your name, and please spell it for our court reporter?

MR. PONTON: My name is Ryan Ponton, that's R-y-a-n P-o-n-t-o-n, and I'm Assistant General Counsel for Napleton Automotive.

CHAIRMAN ENNES: Okay, can I swear you in? Please raise your hand. (Witness sworn.)

CHAIRMAN ENNES: Thank you. Would you please tell us about your petition?

MR. PONTON: Sure. All right, the Chrysler Jeep Ram Dodge dealership located at 1155 West Dundee Road was built in 2013. Since such time, the Petitioner, Napleton Automotive, has been a proud member of the Arlington Heights community. The dealership has seen significant sales growth since 2015, with annual sales increasing by 15 and 16 percent. Due to such sales growth, the Petitioner is leasing parking spaces at Arlington Heights Bowling Lanes, currently leasing 75 parking spaces out of a total of 230 current spaces there, and we are currently seeking three variances from the Village: a land use variation to allow a motor vehicle sales parking lot not contiguous to an automobile sales room within the M-1 Zoning District; a variation to allow tandem parking where certain spaces do not open directly upon a drive aisle; and a variation to allow for 150 parking spaces at the Lanes where 166 are required.

The proposed use will not alter the essential character of the locality and it will be compatible with the existing uses and zoning of nearby property. To cite a few examples, Petitioner owns a sales lot 700 feet to the west of the subject property, Arlington Heights Ford storage lot -- sorry, I believe east of the subject property, and there are four car dealerships within a half mile of the subject property. The plight of the owner is due to unique circumstances which may include the one that's on the subject property has been vacant as zoned. There has been a persistent overabundance of empty parking at the subject property since the current owner purchased the property. In addition, the proposed variations are in harmony with the spirit and intent of Section 22 of the Zoning Code.

Petitioner has proposed various parking lot and landscaping repairs as per the landscape plan on the final slide. We plan to, within 60 days of ordinance approval, to repair the areas of deteriorated pavement and curbing as well as making new landscapes grading along Kennicott Avenue. As additional notes, the total motor vehicles to be parked by Petitioner will not exceed 100. No vehicle repairs will occur at the subject property, and there will be no For Sale signs on the vehicles parked at the subject property.

That's it.

CHAIRMAN ENNES: Okay, Ryan, have you seen the Staff report and the 10 conditions that they are recommending?

MR. PONTON: Yes. Yes, I have.

CHAIRMAN ENNES: Do you agree with all of those?

MR. PONTON: Yes, I am. In terms of the repairs which were requested, we agree with them. Most of them, in terms of the landscaping repairs and curbing repairs, are pretty much in the proposal, in the last slide. I know it's a little foggy there, I've got clearer copies here which I can hand out. But we do agree with all the requests that are in there.

CHAIRMAN ENNES: Okay, are any of these requests being taken care of

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by the landowner?

MR. PONTON: So, in terms of the, so the landowner is handling removing some of the damaged trees. So, we're removing two of the damaged trees, I think six of them were mentioned. Let me pull that real quickly.

CHAIRMAN ENNES: So, you have this covered with them?

MR. PONTON: Yes, yes.

CHAIRMAN ENNES: Are they present?

MR. PONTON: Yes, Mr. Robert Kuhn is here.

CHAIRMAN ENNES: Oh, okay, okay.

MR. PONTON: So, basically, if you pan out the rest of the way, he'll handle the remaining trees and the remaining islands on the property. So, basically, the rest of the property will be --

CHAIRMAN ENNES: Okay, that might come up under questioning. Okay, I just wanted to ask that.

MR. PONTON: Yes.

CHAIRMAN ENNES: But thank you. If you want to have a seat? We'll have the Staff report.

MR. PONTON: Sure.

CHAIRMAN ENNES: Sam, would you please provide us with the Staff report?

MR. HUBBARD: Sure. Thank you, Chairman Ennes. So, the subject property is located at 3435 North Kennicott Avenue, that's on the north side of Arlington Heights. It's located in an M-1 Zoning District which is a research, development and light manufacturing district, but zoned on our Comprehensive Plan as suitable for commercial uses. The requested land use variation to allow a motor vehicle sales lot not contiguous to an automobile sales room, motor vehicle sales lots are not allowed in the M-1 district and they're not allowed in any of the B districts unless they are contiguous to an automobile sales room. This one is not in a B district so it's an M-1 district, and additionally, it's not contiguous to the Napleton facility to the west. So, therefore, the land use variation is required in this instance. They are requesting two variations, one to allow a tandem parking, and the other is to reduce the parking requirements on site.

On May 10th, 2017, they did appear before the Conceptual Plan Review Committee which I believe was called the Plat & Sub Committee at that time. It was met with a favorable recommendation to move forward and there weren't any huge issues brought up at that meeting.

So, here is the site aerial. You can see a lot of the parking is already occurring here. These are the spaces that are leased by Napleton, here, and then this row here, and then up here. So, you can see the tandem parking is already occurring, and the spaces are mostly full by Napleton vehicles. So, this illustrates one of the variations to allow tandem parking.

Staff is supportive of this variation. It's pretty typical for a dealership lot to pack in as many cars as possible, so that's not atypical. Additionally, when we zoom out and look at the context of the area, you'll see this is the existing Napleton facility here, but there are auto storage lots here, and then immediately to the east, this is the Ford Dealership with their auto sales lots here. So, it's within the character of the area, and we believe the necessary criteria for the land use variation and tandem parking has been met.

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When we looked at the overall parking variation for the site, here are the calculations. The site has 230 parking spaces. The bowling alley and associated restaurant requires 151 parking spaces, plus an additional 15 for their amusement device arcade use, for a total of 166 parking spaces required. If you subtract the 75 spaces that are leased by Napleton, and five additional spaces that have to be striped as handicap spaces to comply with current handicap parking code, you result in a 16-space deficit. So, a variation is required to allow 150 parking spaces where 166 are required.

In order to substantiate the validity of that request, the Petitioner surveyed the parking lot of the bowling alley on four different occasions on June of 2017. They found that of the 150 spaces that would be used and allocated to the bowling alley, the maximum peak usage was 125 at any one time, and that occurred during the early afternoon when they had a lot of league bowling occurring. They did survey during the evenings, and I would have thought that evening parking would be peak time, but it's really during the afternoons on the weekends when they have their league bowling going in full swing. So, they have illustrated that they will not have a detrimental effect relative to parking on neighboring properties. They'll accommodate for the demand on site.

Staff did require the submission of a landscape plan in conjunction with this application. One of the things that was happening is because of the tandem parking, some of the porters would come up and they would drive over the front lawn here and just access, you know, some of the cars here, pull them out, back them out on the lawn and then head out, rather than having to move some of the stacked cars there. So, we've asked the Petitioner to comply with current landscape requirements and plant a continuous buffer along the parking lot which we are hoping is going to prevent that activity. Since we brought it to the Petitioner's attention at the Conceptual Plan Review Committee meeting last year, we've noticed that it's stopped for the most part although I have seen some tire ruts on the lawn still. We think that this landscaping which will bring the property in compliance with code will also help to mitigate that behavior.

So, we are recommending approval subject to several conditions. I'm happy to get into those if the Plan Commission would like, and that concludes my presentation.

CHAIRMAN ENNES: Thank you, Sam. Could I have a motion to accept the Staff report?

COMMISSIONER DROST: I'll make that motion.

CHAIRMAN ENNES: And a second?

COMMISSIONER SIGALOS: I'll second.

CHAIRMAN ENNES: All in favor?

(Chorus of ayes.)

CHAIRMAN ENNES: Anybody opposed?

(No response.)

CHAIRMAN ENNES: Okay, well, let's start with questioning. John, would you like to start?

COMMISSIONER SIGALOS: Yes. I was at the Conceptual Plan Review meeting at the time, and I really don't have too many questions. The only one I had then, and I'd just like to go on the record that this is just strictly for car storage, it's not going to have any For Sale signs or balloons or anything like that there, correct?

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MR. PONTON: Not at all.

CHAIRMAN ENNES: No marketing, just parking, right?

COMMISSIONER SIGALOS: Just parking. I have no further questions.

CHAIRMAN ENNES: Okay, Commissioner Jensen. First, I wanted to thank you for filling in for me last week.

COMMISSIONER JENSEN: Glad to do it. Just actually a little clarification. Is the Petitioner only going to improve the parking lot, or part of that parking lot, and the rest of it which isn't really your affair, is that going to be left as it is now? Or is the entire lot going to be improved?

MR. PONTON: The entire lot will be. The remaining portion will be improved by the owner.

COMMISSIONER JENSEN: I'm sorry, you'd have to --

CHAIRMAN ENNES: Ryan, please.

MR. PONTON: We will improve our portion and then the remaining portion will be improved by the owner.

COMMISSIONER JENSEN: So, the entire parking lot is going to be improved.

MR. PONTON: Correct.

COMMISSIONER JENSEN: The landscaping and so forth, and obviously you worked out what you're responsible for and what they're responsible for?

MR. PONTON: Correct, yes.

COMMISSIONER JENSEN: That's really my only question. I want to commend Staff, the depth of my concern about what it meant to be in the harmony and spirit of the chapter, I appreciate you putting those words in the Staff rider. I now understand that relative to this case. So, I don't have any further questions.

CHAIRMAN ENNES: Mary Jo?

COMMISSIONER WARSKOW: Yes. I just want to go on record saying I am glad to see an impervious surface like a parking lot actually being utilized and improved with the trees in the parking lot surface. I actually visited there with my family and noticed the use, and I thought it was a very good and innovative relationship. That's all I have.

CHAIRMAN ENNES: Commissioner Green?

COMMISSIONER GREEN: I was in the Plat and Sub, and I really have, my only concern was driving across the right-of-way and parking like you do on Dundee Road with your four-wheel drive trucks on the right-of-ways. So, that's a practice that I really don't like to see because I don't really think your product should be at the curb line. So, I know it's a favorite trick of all the car dealers around here, but I'm hoping that you guys will refrain from that behavior.

MR. PONTON: I will advise them.

COMMISSIONER GREEN: Thank you.

CHAIRMAN ENNES: Okay, Commissioner Drost?

COMMISSIONER DROST: Yes, two questions. One is on spirit and harmony. For an M district to become a B for parking, Sam, does the owner have to be contiguous or just a business, light business have to be contiguous? Because it appears from the site that there is a contiguous auto dealer there but not Napleton.

MR. HUBBARD: No, it has to be contiguous to the dealership that is --

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COMMISSIONER DROST: To the exact dealership. But maybe that's something we want to look into, too, if you have a business that's contiguous but not necessarily the ownership, that that can also be a way to create that harmony that we all love.

MR. HUBBARD: Sure.

COMMISSIONER DROST: Okay, I mean I just want that for the record, and I think the Trustees will probably read into that.

Then the second item, maybe ask Ryan this question. With this, assuming we're going to have an approval of the project, is this going to affect your revenues from the standpoint of improving and increasing revenues, making it accommodative to your business?

MR. PONTON: I would hope so, yes. It can't hurt it, so yes.

COMMISSIONER DROST: No, it can't, but it can facilitate more auto sales in the Village.

MR. PONTON: Yes.

COMMISSIONER DROST: Okay, that's for the record. Good, thanks.

COMMISSIONER GREEN: They love that.

CHAIRMAN ENNES: Do we want to quantify that?

COMMISSIONER DROST: No, we don't have to quantify, empirical is okay.

CHAIRMAN ENNES: Okay, Ryan, I have a question for you. I'm assuming you're done, George?

COMMISSIONER DROST: I'm done.

CHAIRMAN ENNES: Okay, Ryan, I have a question for you, actually a couple. When the dealership, have you been with the dealership since it was built in 2013?

MR. PONTON: Two years.

CHAIRMAN ENNES: Two years, so you weren't there originally.

MR. PONTON: No.

CHAIRMAN ENNES: You might know the answer to this anyways. When the dealership was developed, were there any tax incentives granted to the dealership from the Village of Arlington Heights?

MR. PONTON: I'm not certain. I can get back to you on that.

CHAIRMAN ENNES: Yes, no, that's okay. I think just bringing it up, the Board might. What my question is going to there, will increased sales in any way be impacted by an incentive if it does exist, is this something to the betterment of the Village?

Let's see. Do you know what the current size acreage of the dealership property, the actual sales and parking lot of the dealership property is? Do you know how many acres that is?

MR. PONTON: Exactly? Not exactly, no.

CHAIRMAN ENNES: No, okay, because obviously the trend is towards larger dealerships. Other dealerships in the area have either moved out of their small locations, that's why there's three vacant ones just about three-quarters of a mile east of you, and some of the other dealerships have gone and done what I think you guys want to do which is to go out and find excess parking, some kind of a lot that you can --

MR. PONTON: I can assure you we have no plans of leaving any time soon.

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CHAIRMAN ENNES: Yes. No, no, no, I'm just saying. But parking for dealerships, especially some of the smaller ones is important.

I do have a question for Arlington Lanes, if their representative could come forward? Could you please tell us your name and what your capacity is with --

MR. KUHN: Sure. My name is Robert M. Kuhn. I've owned Arlington Lanes now for the last six years.

CHAIRMAN ENNES: Okay, hi, Robert. Would you spell that for our court reporter?

MR. KUHN: K-u-h-n.

CHAIRMAN ENNES: Okay, and since I didn't swear you in before, do you swear to tell the truth about the matters before us this evening?

(Witness sworn.)

CHAIRMAN ENNES: On the parking spreadsheet that was shown in the Staff report, I'm sure you've seen that?

MR. KUHN: Yes.

CHAIRMAN ENNES: It's showing all the uses, but there was one use that I didn't see mentioned in that graph, and that was the banquet usage. Yet in the parking study, on one of the dates, you had a banquet. I've been in the bowling alley a number of times over the years, and where do you, it said that an area can be converted for banquet use. Where do you --

MR. KUHN: Yes, we have three, as we call them, meeting rooms or banquet rooms that are in the facility.

CHAIRMAN ENNES: Oh, okay.

MR. KUHN: They're in the west side of the building towards the south end.

CHAIRMAN ENNES: What is the maximum capacity of that? Is there a, so you could have a banquet going on at the bowling?

MR. KUHN: Yes, each room can probably handle 50 to 75 people, in each of the rooms.

CHAIRMAN ENNES: Okay, 50 to 75. So, you could have potentially a banquet, if it was at full capacity, 150 people plus bowling?

MR. KUHN: We'd probably have, yes, 125 I think --

CHAIRMAN ENNES: My thinking is worst case scenario, what will we have if we had all the bowlers and the banquet fully utilized?

MR. KUHN: Well, there's 40 lanes times four would be, four in a team would be 160. So, you're looking at somewhere around 300 people.

CHAIRMAN ENNES: Question for Sam. Would we have a parking problem? Should that have been included in the demand for parking there?

MR. HUBBARD: If you see in the table, we do include, you know, some restaurant areas. That kind of encompasses where those banquet areas are, those are classified as --

CHAIRMAN ENNES: Okay, so that includes the conference rooms?

MR. HUBBARD: I believe it does, yes. I believe it includes the bar and some of, if not all of, the conference rooms. The conference rooms also I believe have some of the amusement gaming stuff.

MR. KUHN: Arcade games.

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MR. HUBBARD: So, that's also accommodated for in there, right. So, it's really, you know, we consider it to be an auxiliary function, and the primary functions are captured in the parking counts.

CHAIRMAN ENNES: From your experience, have you ever had a situation where the bowling alley was full, all your conference rooms were going?

MR. KUHN: Say it again?

CHAIRMAN ENNES: From your experience, you've been there how many years now?

MR. KUHN: Six years.

CHAIRMAN ENNES: Six years. From your experience, have you ever had a situation where your banquet rooms are full, you're fully utilizing the bowling and the other facilities?

MR. KUHN: Maybe three or four times a year, maybe.

CHAIRMAN ENNES: So, pretty rare. You think --

MR. KUHN: We have an agreement with the Mental Health building across the street that we can always use their parking on weekends.

CHAIRMAN ENNES: If you need, okay.

MR. KUHN: Actually, the majority of the time we won't be close to our capacity.

CHAIRMAN ENNES: Okay, thank you. That's all I have.

MR. KUHN: Thank you.

CHAIRMAN ENNES: Is there anybody in the audience that wanted to comment on this? Okay, then are there any other questions or do we have a motion?

COMMISSIONER WARSKOW: I'll make a motion.

A motion to recommend to the Village Board of Trustees approval of PC#18-014, a Land Use Variation to allow a motor vehicle sales parking lot not contiguous to an automobile sales room within the M-1 Zoning District, and the following Variations:

- 1. A Variation to Chapter 28, Section 10.2-9, *Access*, to allow a tandem parking where certain spaces do not open directly upon a drive aisle.**
- 2. A Variation to Chapter 28, Section 10.4, *Schedule of Parking Requirements*, to allow 150 parking spaces where 166 spaces are required.**

This approval shall be subject to the following conditions:

- 1. The total number of vehicles to be parked by Napleton on the subject property shall not exceed 100.**
- 2. The Land Use Variation is solely for Arlington Napleton and/or their future assignees and subject to their maintaining a central dealership facility in Arlington Heights.**
- 3. If the lease to allow Napleton to park automobiles on the subject property is terminated for any reason, the parking variation shall become null and void.**
- 4. In the event that the subject property is redeveloped, or if Napleton discontinues use of the parking area on the subject property, the Village**

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- shall repeal the ordinance that grants approval of this Land Use Variation.
5. The Petitioner shall obtain a permit to repair areas of deteriorated pavement and curbing within the area that they have leased to park automobiles. Such repairs should take place within 60 days of ordinance approval.
 6. Parking lot landscape screening shall be installed along Kennicott Avenue within 60 days of ordinance approval. A detailed landscape plan that includes information on the species and quantities to be planted shall be required when a building permit is obtained for the required parking lot repairs.
 7. All dead trees within the parking lot landscape islands shall be replaced.
 8. No vehicle repairs shall be allowed on the subject property.
 9. There shall be no 'For Sale' advertising on any of the automobiles parked on the subject property.
 10. The Petitioner shall comply with all applicable federal, state, and Village codes, regulations, and policies.

CHAIRMAN ENNES: Would you please take roll call vote?

MR. HUBBARD: Is there a second?

COMMISSIONER DROST: Yes, there needs to be a second.

CHAIRMAN ENNES: Okay, is there a second?

COMMISSIONER JENSEN: Second.

CHAIRMAN ENNES: Okay, and if you could take a roll call vote, Sam?

MR. HUBBARD: Commissioner Drost.

COMMISSIONER DROST: Aye.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Yes.

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MR. HUBBARD: Chairman Ennes.

CHAIRMAN ENNES: Yes.

MR. HUBBARD: Commissioner Warskow.

COMMISSIONER WARSKOW: Yes.

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.

CHAIRMAN ENNES: So, Ryan, you have a unanimous approval, and you can go on to the Village Board. Sam, is there a date for that?

MR. HUBBARD: We're anticipating the second meeting in August for this.

CHAIRMAN ENNES: Okay, thank you very much.

(Whereupon, the above-mentioned petition was adjourned at 7:54 p.m.)