

PLAN

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

COMMISSION

RE: NAPLETON REPAIR FACILITY - 3650 NORTH WILKE ROAD - PC# 18-019
REZONE FROM M-1 TO B-3, 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 24th day of October, 2018 at the hour of 8:30 p.m.

MEMBERS PRESENT:

TERRY ENNES, Chairman
LYNN JENSEN
JOE LORENZINI
BRUCE GREEN
GEORGE DROST
SUSAN DAWSON
JAY CHERWIN

ALSO PRESENT:

SAM HUBBARD, Development Planner

CHAIRMAN ENNES: We're going to move on to the second petition this

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evening, and that is Petition #18-019, 3650 North Wilke Road. I assume the Petitioner is here?

MR. PARK: Yes, Your Honor.

CHAIRMAN ENNES: Thank you for not --

MR. PARK: I'm sorry, I'm used to --

CHAIRMAN ENNES: Chair, yes. Okay, I take it you're the attorney for --

MR. PARK: Correct, I'm the assistant general counsel for Napleton, the Petitioner at this time.

CHAIRMAN ENNES: Okay, great. So, if you would spell your name, spell it and tell us your name.

MR. PARK: Sure. My name is Joon Park. It's pronounced like the month of June but it's spelled J-o-o-n, last name is Park, P-a-r-k.

CHAIRMAN ENNES: Okay, and would you tell us about your project?

MR. PARK: Yes. I was not only trying to be brief but I may be brief by necessity because I came on towards the tail end of this project for my predecessor Ryan Ponton, so I will try to do my best, and I appreciate --

CHAIRMAN ENNES: I'm sure you'll do a good job.

MR. PARK: I appreciate the opportunity to be here. The project is a request for rezoning from M-1 to a B-3 zoning. If you look at the first slide, the current building on this property at 3650 North Wilke is a vacant building. It used to be the offices and I believe with printing capability of printing processes for Suburban Press. It used to be a weekly news magazine or news publishing media organization. What we are seeking to do with that property is to turn into a light minor automotive repair facility to service Napleton's Chrysler, Dodge, Jeep, RAM dealership that's about a quarter mile southeast on Dundee Road.

So, the repair facility will not be open to the public. It would just be a facility that the dealership uses to repair, to do light automotive repair, some cleaning, servicing, carwashing I think of, you know, new, used automobiles in the facility.

CHAIRMAN ENNES: New car prep?

MR. PARK: New car prep, exactly. That's what one of the intended uses. In addition to the requested rezoning, we are seeking three variances. The first one is to not have all of the required shade trees at the end of the parking row, and I will go into each one of these individually. The second one is to request that we reduce the height of the shrubbery or the plant screening along the public way from 36 inches to 12. Then the third request is to waive the requirement of traffic and parking study.

Our understanding of the chapter for this ordinance is that it is intended to reduce the air and noise pollution and improve the appearance of the Village. So, with regard to the shade trees, trees are the natural enemy of automobile facilities because trees bring animals, animals bring waste, they tend fall over in bad weather. They present obstacles to be avoided by cars within the facility.

We had, excuse me, we had a consultant review the zoning requirements, and the yellow highlighted portions on this slide are what our consultant believed to be the required trees to meet your zoning requirements. So, there are 11 trees total at those locations. The green highlighted areas are the trees that Napleton proposes to have. There are five. So, we are seeking to omit six trees, and those are the yellow ones on the slide there, and that is the comparison of the zoning required trees and our proposed trees.

Now, if you look at the upper left-hand corner, the far northwest, that's an example of having two trees close to each other which Napleton believes can be

serviced by one tree. At the very southern end is another instance where you have two trees that would be serviced by one tree. There are two trees internally, I can't point to it, that we believe would not in any way affect the kind of purpose of the zoning requirement, so we are seeking to have those removed or omitted from the site plan. Then there is one tree that is near the detention basin that we are seeking to have removed because of our detention basin being located at that location. The last tree is one that we simply wish to move from one location to the end of the parking lot.

In response to the intended purpose, we believe that the omitted trees will have no material effect on the noise and air pollution. It's six trees and the appearance of the Village will not be affected in any way because of the trees that we are seeking to omit from our planning are internal and not visible from public access way.

Variation number two, we are seeking the reduction of the height of the plant material screening along our public way from 36 inches to 12. The statute, again the intended purpose as we understand it is to reduce air and noise pollution and improve the appearance of the Village. This is an example of our neighbor to the east and southeast which is the Lexington of Arlington Heights. The road that is on the slide there is North Wilke. If you can look closely, there's shrubbery that they have screening their property from North Wilke Road per the statute.

This is a closer version or picture of that scenario. Then this is our attempt to give you a measurement of their shrubbery. It's between 12 and 16 inches. It's not that clear from the slide, but it's 16 inches I believe on that measurement. So, our request is simply to be in compliance, or to be consistent with our neighbor. If the intent of the zoning requirement is to maintain the essential element and character of the business district, we believe that having a one-foot to 16, or yes, 16-inch plant shrubbery would be more consistent with that development. Having one business with three-foot high shrubs whereas another business has 16-inch high shrubs we believe would be inconsistent with the essential function and look of that business district. So, we are respectfully requesting that we just be treated and zoned similarly with our neighbor and retain the look and feel of the area. We do believe that this variance in any way contravenes the purpose of the statute or the ordinance.

Variation three, this is simply a request for a waiver of the traffic and parking study. My understanding is that Sam and the Staff have recommended that this be approved and of course we in no way disagree with that recommendation. Also, our understanding is that there are two conditions. Major automobile repair shall be prohibited. That is in fact true. The repair facility that we are proposing to have at that site will not have major automobile repair capability. They won't have the machinery or the equipment in order to do any sort of heavy collision, body work, major repairs. It would just be light automotive repair. Petitioner shall comply with all federal, state, and Village codes, regulations and policies. We understand and acknowledge these conditions and we intend to comply.

Thank you very much.

CHAIRMAN ENNES: Thank you. If you will have a seat, we'll get the Staff report and then go to questions. Sam?

MR. HUBBARD: All right. So, the subject property is currently zoned M-1. It's Research Development and Light Manufacturing District. In order for the Petitioner to establish an auto repair use, they would need either a land use variation to allow that use in the M-1 District, or as is recommended by Staff, they would need to rezone the property to B-3 which allows both light and major auto repairs by right without any special use permit. So, that's

what the Petitioner has requested this evening, a rezoning from the M-1 District to the B-3 District. As you've heard, they have requested three variations as well.

So, relative to the rezoning, as I mentioned, Staff is supportive of it. There is a minimum district size for the B-3 District at four acres, but this property is not quite four acres. However, if it is rezoned to the B-3, it would make a large continuous area of B-3. The use is consistent with the neighboring property to the east which is the Bob Rohrman dealership which also does repair operations as well. So, we are supportive of the rezoning that would allow the proposed use.

Here you can see an aerial of the property. To the east and right is the Bob Rohrman dealership. To the north is the Courtyard by Marriott Hotel. To the west and south is the Route 53 highway.

The Petitioner has proposed some modifications to the site, most notably, the expansion of some of the parking areas. If you could see the aerial, the parking, there is no current parking here, and they're proposing to add parking in this area. They are also proposing to expand the parking over here and then down here as well. You will see that reflected on the site plan, and then they'd be adding a small detention area on the west of the site.

The property currently conforms to all requirements in both M-1 and B-3 District and there are no variations to setbacks requested, or height or lot coverage or floor area ratio. I would point out that the condition Staff has recommended to restrict any major auto repair functions is a direct result of the rezoning. While the Petitioner is not proposing any major auto repair functions at the site, if the site was sold to another user, that user could initiate those functions, and that could have kind of unsightly characteristics that are associated with major auto repair. So, in light of this possibility, Staff has recommended a condition of approval to prohibit major auto repair at this location.

Petitioner has requested three variations, two relative to landscaping and one relative to the traffic and parking study. Staff is supportive of the variation to waive the traffic and parking study. Relative to the variation requested to the landscape islands, Staff is not supportive of this request. There are six landscape islands that the Petitioner has not proposed a tree within, and those six islands are located here. I think perhaps the landscape consultant maybe misunderstood the regulations of the Village, but the code-required shade trees within landscape islands are required in the six areas indicated here.

We believe that, you know, trees in landscape islands are an aesthetic issue, but also they help to reduce the effect. The six trees that are requested to be omitted would help mitigate this process. They are making islands, so we think they are necessary. We do not believe that a unique hardship has been presented and the standards for variation approval have been met.

We have occasionally granted variations for this requirement in the past. Mostly, it's when there's landscape island on top of say an underground storm retention vault and a tree really wouldn't fit there, or if there's some other infrastructure in the way that would prevent the planting of a tree here. In this case, we don't see that situation present, so we are recommending denial of this variation.

Relative to the parking lot screening, it's required to be 36 inches of height and the Petitioner is asking for 12 inches of height. These areas are indicated here where the 36-inch height screening is required. Again, we do not believe there is a unique hardship on the site to justify the variation. As the Petitioner has mentioned, the Bob Rohrman

site to the east has a smaller landscape screen. A variation was granted to that property, and the rationale was that they're selling cars from that site so they need visibility into their parking area for their products being sold.

On this site, there will be no car sales, it's just strictly auto repair. So, we don't believe that the criteria for variation approval has been met. Furthermore, this is just up the street north, Courtyard by Marriott Hotel, you'll see they have elaborate landscape screening over 36 inches of height. So, we do not believe that the variation would be consistent with the surrounding neighborhood.

Finally, this is a picture of the existing parking lot on the site. You can see that it actually does have currently, although not well maintained, it does currently have over 36-inch tall landscape screen around the parking area. So, to allow a less tall landscape screen we believe would be not an enhancement for the existing condition.

So, that being said, we are recommending approval of the rezoning and approval of the variation to waive the traffic and parking study, but denial of the two requested landscape variations, and subject to that one condition that I outlined this evening. Thank you.

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

COMMISSIONER JENSEN: So moved.

CHAIRMAN ENNES: And a second?

COMMISSIONER GREEN: Second.

CHAIRMAN ENNES: All in favor?

(Chorus of ayes.)

CHAIRMAN ENNES: Anyone opposed?

(No response.)

CHAIRMAN ENNES: Thank you. Commissioner Jensen, would you like to start with questions?

CHAIRMAN ENNES: Sure.

CHAIRMAN ENNES: For the Petitioner and/or Staff?

COMMISSIONER JENSEN: Sure. Actually, this will be, I think some of this will be, most of this will be directed toward Staff. In the Rohrman facility, are they able to do major repair or are they also restricted to do only minor repair?

MR. HUBBARD: I don't believe a condition of approval was incorporated in that approval. Let me double check.

No, I don't see a condition of approval restricting that in that case.

COMMISSIONER JENSEN: This is more out of curiosity. Why would we want to, they don't want to do major repair, but why would we want to restrict that going forward for anybody if we're going to allow it for a fairly large dealership across the street?

MR. HUBBARD: Well, I don't think that they do major repair there. I think the likelihood that someone is going to purchase a major dealership just to operate major repair there is pretty slim. But a small site like this, I think there is a potential, if for example it was on the market, that somebody would want to do that here, but not as likely at the Bob Rohrman dealership.

COMMISSIONER JENSEN: Okay. With the trees, there were a couple of points made by the Petitioner. He said there were a couple of areas where there were double trees, there were two trees real close together. I didn't quite see that in your diagram but it is in

theirs. Is that true? We've got a couple of areas where we have trees and it could be fairly good size that are right next to each other?

MR. HUBBARD: No, I believe that their landscape consultant was maybe misinterpreting our regulations.

COMMISSIONER JENSEN: Okay. I would like to hear from the Petitioner. What is the damage you envision these extra trees are going to do to the cars?

MR. PARK: Well, trees attract birds and birds defecate. They attract squirrels, other small animals, and those animals defecate. When we park cars at that facility, we don't want animal excrement to be on our customer's vehicle. We believe that that is a harm.

Also, with regard to four-inch caliper trees and the branches that emanate from them, in severe weather, in windy weather, those trees have a tendency to fall over and trees break off, and that can damage vehicles. As an automobile repair facility and a garage and an automobile dealership, the preservation of our customers' vehicles is paramount. Those are our major concerns.

COMMISSIONER JENSEN: Sure. Then I guess I go back to Staff. Using Rohrman as sort of a reference point, are they totally in compliance with the landscaping that, you know, the patterned landscaping that we would be imposing on Napleton? Because it seems to me that Rohrman would have the same set of problems that had been outlined here in terms of damage to the cars. So, are they fully in compliance with the landscaping we require, or did they get some variances taking into account they don't want damage to their cars either?

MR. HUBBARD: They did get a variation to waive certain of the landscape requirements relative to the parking lot screening, but it was more for their storage areas. So, I don't know if, you know, their concerns at that time were relative to damage from trees because it was specifically in their storage areas.

COMMISSIONER DAWSON: Can I just, just really quick? Can I just interject? Could you, you have a slide that's a picture of Rohrman's parking lot?

MR. PARK: Yes.

COMMISSIONER DAWSON: I had the same thought that you did when I was looking at that picture, it turns out looking at it might be helpful.

COMMISSIONER DROST: That area or ones looking from --

COMMISSIONER DAWSON: Not this, but the Rohrman's, it was on Mr. Park's presentation, Sam.

COMMISSIONER JENSEN: Yes, the preview maybe.

COMMISSIONER CHERWIN: Yes, I was looking at the same thing. I noticed there are a number of trees out at Rohrman at the end of their parking lot. I don't know if there's exactly the amount of the landscape required but they do have some.

COMMISSIONER JENSEN: So, are we talking about trees that are similar to what the Rohrman's have in their dealership in their property?

MR. HUBBARD: Yes, these are examples of trees within landscape islands.

COMMISSIONER JENSEN: So, we would be asking them to do something roughly comparable to what Rohrman is doing?

MR. HUBBARD: Right.

COMMISSIONER JENSEN: Okay, and the screen, I do understand why Mr. Rohrman wanted to, as explained, wouldn't be able to sell their cars. But why is it so important for us to have the three-foot screening around this repair facility and, you know, not be

in keeping with the screening that's done across the street?

MR. HUBBARD: Well, I mean I think the rationale for not having it across the street is to sell vehicles, and they're not selling vehicles on the site. So, you know, we believe that the screening enhances the appearance of parking lots, softens the appearance of parking lots. We believe it's necessary here as well.

COMMISSIONER JENSEN: The traffic that will be going by is either on 53 or on the same, it almost verges on being a service road though. It goes to the hotel and it goes to these two dealerships.

MR. HUBBARD: Right. Our code doesn't distinguish between where a 36-inch tall landscape is required relative to if it's on a major arterial or not.

COMMISSIONER JENSEN: Sure. But I'm going to the issue of the aesthetic for whom is the question. You know, I mean if we've got very few people who are actually, it's not like you have something in the middle of a highly-trafficked area that's, you know, that's well developed with residential and so forth. So, it seems like I mean a little bit of overkill or overreach to say we want to have these standards met in this case and not across the street when we're really not going to have that many people who are going to notice the difference between a one-foot or a 1.5-foot tree and a three-foot tree.

MR. HUBBARD: I don't know if I agree with you but I respect your opinion.

COMMISSIONER JENSEN: Just an observation. At this point, I don't have anything further.

COMMISSIONER LORENZINI: So, Mr. Park, a few of us have been around a lot longer than you have on this issue. I remember we had this lively discussion with Mr. Rohrman himself about the 12-inch shrubbery. It was in the old city hall, that's how long ago it was.

MR. PARK: I've heard rumors about that.

COMMISSIONER LORENZINI: So, he let somebody give the presentation and then he couldn't hold back any longer and he was there. But he had made the argument for 12-inch bushes and we agreed it is for selling at least for selling their cars. But you know, Commissioner Jensen, I tend to disagree. I think --

COMMISSIONER JENSEN: It was just a question. It wasn't a statement.

COMMISSIONER LORENZINI: Okay, well, I think we need to stick to the code and go with the 36-inch bushes because you've got the hotel right next door and really it's just a matter of making the neighborhoods look better. Rohrman does have trees in his property, so I think we have to stick with the trees and the bushes as required by the code. That's all I have.

CHAIRMAN ENNES: Commissioner Green?

COMMISSIONER GREEN: I have a much better memory of what happened that night. We actually approved it with 36-inch shrubs there. The Village Trustees gave them the variation. So, we did not reinterpret the code because there was no good reason that Rohrman had or, I'm sorry, Mr. Park, but your reasoning doesn't hold a lot of water with me. It just is kind of a weak argument.

So, I would say stick with the code. Let's not reinterpret the code, and you can make the presentation to the Trustees. So, I would agree with Staff.

CHAIRMAN ENNES: Commissioner Cherwin?

COMMISSIONER CHERWIN: Yes, I was at the Conceptual Review Plan, so I've seen this early on. I mean I think it's a nice and good use of the property. But I agree

with my fellow Commissioners that, you know, I would stick with the Staff's recommendation about the landscaping. I don't think that we really need to deviate, I don't think there's sufficient justification. That's all.

CHAIRMAN ENNES: Commissioner Dawson?

COMMISSIONER DAWSON: Could you put up the slide of the trees? The one that has the green and the yellow, the very colorful one? Okay, and now, Sam, could you explain? So, it's the yellow and the green that's up at the top, and the yellow and the green that's down at the bottom that I believe you're saying could go down to one tree?

MR. PARK: Yes. Based on our understanding of the tree location from our landscaping architect, the consultant that we hired, we believe that the yellow locations where we were required to put a tree, and then the green locations are where we intend to put a tree.

COMMISSIONER DAWSON: Okay, so, but I thought that you were saying that the original plan, okay, so I guess could you go back to the all yellow one so I can see the difference? Okay, so see the two yellows? So, I believe what I said is correct, that there's two close to each and those two are the ones that you think could go down to one?

MR. PARK: Correct.

COMMISSIONER DAWSON: Sam, could you clarify? Perhaps you don't have that off the top of your head and that's okay. I know that you might not have a landscaping plan. But do you have any idea of, you were saying that you believe they misinterpreted it, where you feel that the trees would go?

MR. HUBBARD: This tree is not required. This tree is not required. This tree is not required. They haven't proposed a tree there or here or here or here or here or here or there where there are trees required.

COMMISSIONER DAWSON: Okay, does that clarify anything for you? So, it seems that there's areas where there should be trees per the code that aren't marked on your map.

MR. PARK: That is correct, and that is my understanding as well from Sam's representation.

COMMISSIONER DAWSON: Okay, and I wish Commissioner Warskow was here because she would talk to you about -- I'm sorry?

CHAIRMAN ENNES: She's our tree hugger.

COMMISSIONER DAWSON: She'd talk to you about our -- thank you, it's okay, about the air pollution and the benefits of trees. Believe me, if she was here, you'd get an education on that. She's not here and I am not the environmentalist on the board, but I'm a big fan of trees.

That being said, I think we should follow the code. But I could see that there might be some leeway in positioning, to some degree, so I'd be open to that. But I'd prefer if we had had an exact representation of where they should have gone and, from you, some suggestions on if we remove this one tree and this one tree, that would do a lot for us, thank you very much. But the way that it's presented, it's not, there's nothing I could support in your argument because you haven't presented it accurately in my opinion, and without specifics as to why certain trees being removed might be beneficial to your business.

So, I would suggest if you're going to go forward to the Trustees and ask for that, maybe go back and look at this a little bit more with the little specifics as to why certain trees removed might be better for your business or something to that extent. But right now, I don't have any grounds in which to support or agree with your argument, though I'm open

to hearing it. I can understand that there might be some leeway here. Some, not complete but some.

On the bushes, the 36-inch bushes, I'm just not understanding really the need on your end to go down to 12. Is it, I understand these are new cars primarily or cars that are being sold. Are you foreseeing this as another avenue of displaying to customers potential cars?

MR. PARK: That is an ancillary benefit of having the lower trees, just like it would be for Rohrman next door, because some of the people that we would be servicing would be new vehicles. Being able to display a new vehicle at this location, it's similar to the justification for Rohrman having to display vehicles at their location and having the lower screen. Now, granted, we're not a dealership at that location so we're not going to have new cars presented the way Rohrman does along the public way, but we are going to have Chrysler, Dodge, Jeep, RAM vehicles there and we would like to present them. People can see the Chrysler, Dodge, Jeep, RAM vehicles like they would see a Lexus, and our request is to just be similar to Rohrman's lot there.

I might add that their property extends pretty extensively, not just from southeast, the pictures that I presented in my slide, but farther north and directly east of the property of Lexington.

COMMISSIONER DAWSON: Do we have that? Maybe that was on yours, Sam, I just want to like to understand.

MR. PARK: In this aerial view that Sam would be putting up, you'll see that not all the property is used to display cars, and they're still allowed to have a 12-inch to 16-inch screen there. Some of their property is vacant, not all of their cars are brand new, beautiful new cars.

COMMISSIONER DAWSON: Okay, so, thank you. Where, can you point it out? This is all Rohrman, right, here? Sam, can you show me Rohrman? Can't follow my fingers, George?

COMMISSIONER DROST: I can't follow your fingers but I think you're right. It looks --

CHAIRMAN ENNES: Actually, those at the top and the left, those are two parcels of land that they intend to sell off to other car dealers. He just happens to be parking cars on those properties.

COMMISSIONER DAWSON: So, they don't have --

COMMISSIONER JENSEN: In terms of, you're talking about, probably the darker colored building is probably what you're talking about. The Rohrman stuff is sort of white.

CHAIRMAN ENNES: The Rohrman, right, the Rohrman property if you move back in that --

COMMISSIONER JENSEN: Can we go back to the aerial?

COMMISSIONER DAWSON: I guess what I'm trying to get at is I can see what you're saying though I don't know if that's enough justification for me to alter the code. But I do think that there is something to be said for aesthetics along the roadway, if it appears more of a nice continuum of the same height of bushes it will have a more aesthetic viewpoint. So, I could agree, I can understand that, but again I'd probably need to see more photos of it along that line.

But the justification otherwise, I understand, too, that it would be nice to display but it's not the purpose of your business there, so it's hard to justify it based on that.

You are doing auto repairs, so a little bit more screening would generally be preferable. But I can understand that along the roadway you're probably going to be displaying nicer looking cars.

So, again, tonight I don't know that I have enough to truly vary from the code. But going forward to the next step, I would suggest again maybe just more pictures to show the aesthetic viewpoint. Does that make any sense?

MR. PARK: That's making perfect sense, I totally understand. If I may, Commissioner, if I could address your other point with regard to the trees on the record, you are absolutely correct that my presentation was inaccurate based on the inaccurate information that we had. So, our goal here, my goal here was in fact to meet whatever your suggestion was, to have an accurate representation of where the zoning requires the trees to be and where we propose the trees to be.

COMMISSIONER DAWSON: Sure.

MR. PARK: So, my apologies to the entire Commission.

COMMISSIONER DAWSON: Sure, I don't mean to imply that you were trying to misinterpret or misrepresent. I just, I understand what you're saying, absolutely.

MR. PARK: Right. In that regard, with regard to the trees, we want to be as compliant with the zoning requirements as possible in the most minimal fashion possible. By that I mean, we want zero trees. No trees is better for a car dealership or a car automobile repair facility. To the extent that a zoning requires some trees, we perfectly intend to comply with that. If there's any room within that to where we can come to an agreement on the location of certain trees, we would be more than open to that.

So, instead of having an all or nothing from the 11 versus the five, if there are certain trees that we can come to an agreement between the Board and Napleton, we are open to that possibility as well. Napleton will comply with whatever the Commission and the Board ultimately approves.

COMMISSIONER DAWSON: You'll have some time between now and the Board, and so you can work with Staff and talk to them about that and come up with, you may not even agree when you get to the Village Trustee level, but you may have a better, or reach a closer agreement. So, my opinion would be that I'd be open to some leeway in here but I don't have enough right now to be even have that discussion.

MR. PARK: Well, thank you very much.

CHAIRMAN ENNES: Commissioner Drost?

COMMISSIONER DROST: Yes. I'm looking at consistency here. Actually, the lower level of the shrubbery makes much more sense. I think it helps the Village, too, to sort of attract customers to auto dealerships. There's consistency there and it's a B-3. Make it all kind of the same, don't pick and choose, and I'd be in favor of the lower level.

Then to take out some of the redundancy, Commissioner Dawson has -- work it out. I mean, we're not arborists; trees that have poop. You know, somebody's got to do that.

MR. PARK: Right.

COMMISSIONER DROST: But make it business sense and make it good for your enterprise.

MR. PARK: Absolutely, thank you.

CHAIRMAN ENNES: Thank you. I can appreciate your concern about animals and trees. You get the squirrels chewing through wires. You've got the birds. You got some sap, although I think if you pick the right trees, unlike there in my office parking lot, that

don't get sap. But I think that can be worked out. I also think it's very important to have the trees.

Is this lot going to have any fencing at all?

MR. PARK: I don't believe so. I think it's going to be all landscaping.

CHAIRMAN ENNES: I believe in consistency, and I do a lot of work with auto dealerships. The Village has granted variances for dealership sales lots where they have their cars presented. Arlington Heights Ford is a good example. Your store in Dundee is an example. Rohrman is an example. However, the higher screening bush, the 36, if you go and measure the bushes along, I forget what the name of the street is, Arlington Heights Ford, there's a north-south street there right at the light there, when you go back to their auto repair area, those bushes are actually like five feet tall. They also have an auto storage, I asked you before about the fact that would you be doing new car prep here. So, I'm thinking you might also use this lot for inventory storage when you have more cars than you can put on the dealership lot. It sounds like that might be a possibility?

MR. PARK: That is not our intention to have inventory vehicles stored there.

CHAIRMAN ENNES: Right, your intention is to have it for repair, and that's what we're considering this for.

MR. PARK: Yes.

CHAIRMAN ENNES: But like Arlington Heights Ford, they have a service lot a couple of streets behind the dealership where they own land, and that's all fenced. That again has three to five-foot bushes around that. So, I think if you go around and you look at not auto dealership retail sales lots but repair and/or storage, you'll see that a lot of those dealers have the higher bushes. That's been my experience.

So, I think that's warranted and I think that if, and earlier we were talking about the other businesses here, if you do drive down that road, there are a lot of nicely landscaped businesses back there. I think we would want to keep this facility and property in line with that.

I agree with Commissioner Drost that, you know, putting the right number of trees, if you can locate them in a way that you're not going to get damaged from branches falling, from storms and that type of thing, I'm fine with it. We sure don't want you to have higher expenses from that. But I'm a big supporter of trees because, not that they harm any of your inventory, but they help keep the climate cool.

My reference to my tree-hugging friend is not derogatory at all. She and I talked about this a number of times. It's important to have the trees. So, if you can locate them away from the cars, I would be okay with it. But work with the department and I think it's important to fulfill that. That's all I have. Are there any others?

COMMISSIONER JENSEN: Actually, Commissioner Green may have given you probably the best approach. You'd probably get a vote from this group that says you need to stay with code. But you can always appeal to a more political body of the Board which was where Mr. William was successful and you may be successful there. So, that's kind of where I come down. I try to see what I can do to force some issues that would make me want to change my mind and disagree with Staff on this because I think you made some little arguments, but quite frankly I'm at the point where I think we should stay with the code and that you should try to see what you can do at the Board level.

CHAIRMAN ENNES: Do I have a motion?

COMMISSIONER DROST: I wouldn't follow your recommendation, I'd modify it with two contingencies. I could make a motion like that, but you're probably --

COMMISSIONER JENSEN: Okay, sure. Well, I'd like to stay with the motion that Staff has written. Yes, I'll make a motion.

A motion to recommend to the Village Board of Trustees approval of PC# 18-019, a Rezoning from the M-1 District to the B-3 District and the following variation:

- **A variation to Chapter 28, Section 6.12-1, to waive the requirement for a traffic and parking study by a qualified professional engineer;**

and denial of the other variations requested in PC# 18-019 (which are outlined below), due to the fact that the Petitioner has not justified the variations based on the criteria for granting said variations:

1. **Chapter 28, Section 6.15-1.2(B), to waive the requirement for four-inch shade trees within certain parking lot landscape islands.**
2. **Chapter 28, Section 6.15-1.2(A), to reduce the required height for parking lot landscape screening adjacent to a public way from 36 inches to 12 inches.**

Approval shall be subject to the following conditions:

1. **Outdoor storage of automobiles receiving any "major automobile repair" shall be prohibited.**
2. **The Petitioner shall comply with all federal, state, and Village codes, regulations, and policies.**

COMMISSIONER CHERWIN: Second.

CHAIRMAN ENNES: Is there a second? We got a second, okay. Can we have a roll call vote?

MR. HUBBARD: Who had the second?

CHAIRMAN ENNES: Jay Cherwin.

MR. HUBBARD: Commissioner Dawson.

COMMISSIONER DAWSON: Yes, with comment.

MR. HUBBARD: Commissioner Drost.

COMMISSIONER DROST: No, with comment.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Yes, with comment.

MR. HUBBARD: Commissioner Lorenzini.

COMMISSIONER LORENZINI: Yes.

MR. HUBBARD: Chairman Ennes.

CHAIRMAN ENNES: Yes.

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.

CHAIRMAN ENNES: Okay, any comments?

COMMISSIONER DAWSON: Yes.

CHAIRMAN ENNES: Let's start left to right.

COMMISSIONER DAWSON: Just to reiterate what we talked about, I would be supportive of an adjustment in the number of trees and location if you have the, you know, the information here. Also, I am also supportive of the 12-inch, variance to the 12-inch. If we could have a better view which is to see the aesthetic line, I would have probably been a no with comment as opposed to a yes.

COMMISSIONER DROST: My comments echo Commissioner Dawson's comments, that you need to modify the trees and be consistent with the shrubbery, and essentially consistent with the neighborhood within the B-3.

COMMISSIONER GREEN: My comment is just an observation. I think if you had a bunch of broken down Chryslers, you'd want to hide them behind 36-inch bushes. So, good luck with that.

MR. PARK: Thank you.

CHAIRMAN ENNES: Is that it?

COMMISSIONER GREEN: That's it.

CHAIRMAN ENNES: Okay, you had unanimous approval.

COMMISSIONER DROST: No, you don't. I voted no.

CHAIRMAN ENNES: You've got almost a unanimous approval. Is there a date set with the Village Board?

MR. HUBBARD: Tentatively, we're looking at November 5th but that's a heavy agenda, so it may be November 19th. But we'll be in touch.

CHAIRMAN ENNES: Thank you.

MR. PARK: Great, thank you very much.

CHAIRMAN ENNES: Good luck with your project.

MR. PARK: Thank you.

COMMISSIONER DROST: I'll make that motion to adjourn.

CHAIRMAN ENNES: To close.

COMMISSIONER GREEN: Second.

CHAIRMAN ENNES: And a second. All in favor?

(Chorus of ayes.)

CHAIRMAN ENNES: Any opposed?

(No response.)

(Whereupon, the above-mentioned petition was adjourned at 9:14 p.m.)