

PLAN

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

COMMISSION

RE: SOUTHPOINT SHOPPING CENTER OUTLOT - 600 EAST RAND ROAD - PC# 18-020
SUBDIVISION, 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 12th day of December, 2018 at the hour of 8:05 p.m.

MEMBERS PRESENT:

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

ALSO PRESENT:

SAM HUBBARD, Development Planner

CHAIRMAN ENNES: Okay, we're going to move on to our next petition.

COMMISSIONER CHERWIN: Mr. Chairman, I'm sorry to just interrupt. I regrettably must leave you now; I'm going to recuse myself. Mr. Bauer is my esteemed partner so I have a conflict here.

CHAIRMAN ENNES: Okay, thanks for being here. Okay, our next petition is the Southpoint Shopping Center and the outlot subdivision request. Is the Petitioner here? Can I swear you in?

(Witness sworn.)

CHAIRMAN ENNES: Would you please state your name and spell it for the reporter?

MR. BAUER: Absolutely. Good evening, Mr. Chairman and members of the Commission. My name is Steve Bauer, last name is spelled B-a-u-e-r. I'm an attorney with Meltzer, Purtill & Stelle, here this evening on behalf of 600 Rand Road, LLC as the owner of the portion of Lots 1 and 3 in the subdivision which is commonly known as 600 East Rand Road and is a part of the Southpoint Shopping Center. I am joined this evening by a couple of Petitioner representatives, specifically Adi Mor as the manager of 600 Rand Road, LLC, and Rich Kahan of KB Real Estate, Inc. as the real estate broker.

Before proceeding, Mr. Chairman, I just would like to ask respectfully as a matter of housekeeping that, to the extent that they have not already been, I would ask that the petitioned-for subdivision approval inclusive of the proposed plat and all the items linked on the Village's website for the meeting this evening be incorporated into the record.

CHAIRMAN ENNES: Sam, can we include that before approval from us in the Village?

MR. HUBBARD: I think our standard practice is to approve the Staff report as part of the record. I think the, you know, the drawings online are, you know, not part of the formal record but are publicly accessible online. It's not been our standard procedure to make those part of the official record.

MR. BAUER: So, the submittal components that we've provided relative to correspondence with comments and questions that have been answered, those are not part of the record?

MR. HUBBARD: They are part of the application which is part of the record for this application.

MR. BAUER: Then we're on the same page, perfect.

CHAIRMAN ENNES: Okay, and I have one question, too, before we get started. There are three conditions.

MR. BAUER: Yes.

CHAIRMAN ENNES: And are you agreeable to those conditions?

MR. BAUER: We are.

CHAIRMAN ENNES: Okay, thank you.

MR. BAUER: Thank you.

CHAIRMAN ENNES: So, tell us about your project.

MR. BAUER: Absolutely. So, as you're probably well aware and certainly for those of you who are on the Concept Plan Review Committee may recall from our appearance earlier this year, the Southpoint Shopping Center is generally located at the southeast corner of Palatine and Rand Roads. It's approximately 30 years old from the date of

its initial development. It's generally triangular in shape, as you can see. It consists of approximately 23 acres and includes various stand-alone and inline retail buildings for establishments such as Olive Garden, Chili's, Floor & Decor, and a Bif Furniture store.

The Floor & Decor property is actually the subject of the request this evening. As you can see, it's generally located in the northeast corner, the northeasternmost portion of the subject property. The request before you this evening, as I think you all understand, is for preliminary and final plat of subdivision approval to subdivide the Floor & Decor property into two lots of record, and for two associated variations which concern deferred submittal of plan specifications for required improvements, and the other is for deferred submittal of an approving opinion of a qualified traffic professional. The reason for those requests relative to, or the reason for the variations relative to those requests is because of the fact that there is no development proposal for the proposed outlot at this time.

The Floor & Decor property is composed of approximately nine acres. As you can see from the survey, the building improvements are all located on the eastern portion of the site. The central and westernmost portions of the site consist of an expansive and frankly under-utilized parking field. At present, there are 560 total parking spaces on the site which is significantly more than double the 255 code-required parking spaces that are required to serve the existing retail uses on the site. There's also a sizeable landscape island to the south of the proposed outlot which I can describe in further detail later in the presentation. But I just want to call to your attention the existence of that outlot. Exactly, thank you.

The proposed subdivision would create two new lots of record, one of which being approximately 1.25 acres and generally located in the northwesternmost corner of the site. That is the proposed outlot for which future development would be contemplated. The other lot of course would be the balance of the Floor & Decor property and would receive parking lot modifications if and when the proposed outlot is developed in the manner that is contemplated.

This slide presents the proposed plat of subdivision and reflects that the site is approximately nine acres as I indicated, most specifically 8.88 acres, composed of two proposed lots of record, Lot 1 being the majority of the Floor & Decor site, and Lot 2 being the proposed, approximately 1.25 acre proposed outlot for future development. The outlot as you can see and perhaps notice from the aerial and which I presented earlier is really quite ideally suited for future retail development given its visibility from Palatine Road which is along the top of the slide, the adjacency to the existing stand-alone buildings to the immediate west and southwest, specifically the Olive Garden and Chili's buildings, also the proximity of the proposed outlot to the internal spine road which provides for vehicular traffic circulation throughout the shopping center, and lastly, the fact that this proposed outlot is again a portion of a parking field that is very remotely located from the Floor & Decor building that it is intended to serve.

The proposed outlot is intended to afford renewed development opportunity and investment in the shopping center which, for any of you who have general familiarity with the shopping center, I have to imagine you would universally agree is sorely in need of additional attention and revitalization. The fact of the matter is that that is significant because in the approximately 14 years that had elapsed since the Village created the TIF district that encompasses the subject property, there has not been any redevelopment or substantial investment of the magnitude that I'm referring to relative to the proposed outlot. In an effort to demonstrate the viability of the future development of the proposed outlot, the Applicant

provided a concept site plan as is shown on this slide which illustrates the manner in which the proposed outlot could be developed and how exactly that will be integrated with the existing development, specifically the drive aisles for means of site circulation that already exist on the subject property.

As this concept site plan indicates, although you may not necessarily be able to read based on its size, the proposed or contemplated building on the outlot is approximately 10,200 square feet. It includes a drive aisle with an escape lane as well as some associated parking. Due to the reduction in the parking that would occur on this outlot if and when redeveloped as contemplated, and despite the significant surplus of parking that exists on the subject property, the Applicant understands the importance of adding additional parking on the Floor & Decor property outside of the proposed outlot, immediately south of the proposed outlot for the purpose of accommodating parking needs for not only patrons of the proposed outlot and the Floor & Decor building itself but also for any type of overflow parking associated with the restaurant uses to the immediate west.

Staff, Mr. Chairman, to your point earlier regarding the conditions of approval, Staff has included a condition relative to the Petitioner's obligation or the developer's obligation for the proposed outlot to have to improve the landscape island to the immediate south of the proposed outlot if and when the proposed outlot is developed. The Applicant has no objection or concern with that obligation.

As I mentioned earlier, there's a significant surplus of parking supply on the subject property. Obviously, that is quite relevant when we're talking about creating an outlot for the potential development for a use, specifically a building that would consume available parking on that proposed outlot. As I think I said earlier, there's a total of 560 parking spaces on the site today. If and when the proposed outlot and the parking island to the immediate south that I referred to earlier were approved in a manner consistent with the concept site plan that was presented, a total of 484 spaces would still exist on the combined Lots 1 and 2. By contrast, the Village code based requirement for the parking needed to satisfy the uses on the site even when redevelopment occurs for the proposed outlot is only 327 spaces. So, the resulting surplus is 157 spaces beyond that requirement code.

Importantly, the entire shopping center, beyond the Floor & Decor parcel but the entire shopping center as a whole, is subject to a reciprocal easement agreement which provides for shared parking throughout the shopping center among other things. That is relevant to the statement I made earlier regarding the parking needs of the restaurant uses to the immediate west. It's a known fact that the restaurant parcels, the Olive Garden and Chili's parcels, have a parking deficit of 55 spaces. As a result of that, it's not uncommon for parking for those uses to overflow onto the Floor & Decor site as a whole, and specifically that portion that is proposed to be subdivided for the new outlot. But even factoring in that 55-space deficit and applying it to the surplus amount of parking that would remain on the Floor & Decor site, even after subdivision, even after redevelopment of this proposed outlot, as you can see there's still a surplus of an extra some hundred spaces, specifically 102.

Needless to say, the proposed subdivision will present an opportunity for sorely needed redevelopment and revitalization of the Southpoint Shopping Center which, as I said and I don't think can be emphasized enough, hasn't been achieved in the nearly 14 years since the Village adopted the TIF district. If approved, it's likely that the contract purchaser of this proposed outlot would submit plans for Village consideration in the first quarter

of next year. As I mentioned earlier, I do want to note that the Applicant has reviewed the proposed conditions and doesn't have any concerns with those conditions. We're very pleased to have Staff's recommendation of approval.

With that, Mr. Chairman, I'm happy to address any questions the Commission may have.

CHAIRMAN ENNES: Okay, thank you, and we're going to go into the Staff report and then we'll have you back up for any questions.

MR. BAUER: Absolutely.

CHAIRMAN ENNES: Thank you. Sam, can we have the Staff report?

MR. HUBBARD: Absolutely. So, the subject property consists of the Floor & Decor site which is part of the overall Southpoint Shopping Center PUD that was approved in the early 1980's. The Petitioner is requesting this evening a preliminary and final plat of subdivision approval to subdivide the Floor & Decor site into two lots, one lot containing an outlot below the one acre size, and the second lot would be the remaining balance of the Floor & Decor site. Usually, when we get an application for a subdivision, it's accompanied by detailed development plans showing what the resulting lots of the subdivision would yield as far as development. We did not in this case, we only got a request for plat of subdivision. Traditionally, we wouldn't want to process a request like this because it's not practical to subdivide land without knowing what that ultimate subdivision is going to yield and if that development that it will yield is viable on the lot that is being created as the subdivision.

In light of this, the Petitioner has provided the conceptual plans showing the proposed development that could theoretically be located on the outlot. I would mention that the proposed development is roughly a 10,000 square-foot multi-tenant retail commercial building with space for a drive-through lane. This hypothetical development is consistent with the Comprehensive Plan which designates the site as appropriate for commercial uses. However, because the detailed development plans are not submitted as part of the application and only a conceptual development plan is provided, the first variation identified on the site was required which is to defer the requirement for detailed plans and specifications with all improvements required to be constructed and installed if any until a development proposal on the subject property is presented.

Additionally, the subdivision code requires that for any subdivision that's over, that has commercial spaces over 10,000 square feet, the Petitioner must submit a traffic and parking study. Although again there is no actual development proposal included within this request, the Floor & Decor site has an existing development on there that's approximately 72,000 square feet and, therefore, kicks in the requirement for a traffic and parking study. Staff is supportive of the variation waiving this requirement because essentially we're just putting new lot lines on the property and no actual development is proposed at this time. When that development moves forward, an amendment to the PUD will be required, at which point the necessary parking and traffic study would be submitted.

So, here is an aerial of the Southpoint PUD property. The boundaries of the Southpoint PUD are indicated by the dashed red line. The blue line is the Floor & Decor lot, and the yellow line that you'll see here represents the proposed outlot. I would mention that the entire Southpoint PUD is governed by a reciprocal easement agreement that allows for shared parking and shared access throughout the entire PUD which is the red dashed line. So, you know, anyone parking on the Chili's or Olive Garden outlots have the right to park

here, here, or even here if they so choose, and vice versa. Anyone shopping at the Bif Furniture site could park here or here or here if they so choose.

So, there were three primary considerations the Village took into account when reviewing this development. First was stormwater management. The site is already served by an existing stormwater detention basin located on the eastern end of the shopping center. However, any time a subdivision goes through, stormwater requirements have to be updated to conform to current regulations. Again, without any detailed development plans, we weren't able to verify that the existing Floor & Decor site conforms to the current requirements of the Village and MWRD. So, in order to address this, we added the condition of approval that was referenced by the Petitioner that would require all stormwater requirements be updated to conform to current standards for both Lot 1 and Lot 2 of the proposed subdivision if and when a development is proposed for Lot 1 or the outlot, I believe that's Lot 2, of the subdivision.

The second consideration was that the outlot location currently provides overflow parking for the Chili's and Olive Garden restaurants, and I'll get into a little more detail about that later on.

The third item that we took into consideration was whether or not the overall PUD had enough parking capacity to conform to code requirements given the reduction in parking, or the potential development of the outlot and the increase in parking requirements needed to accommodate for development on that outlot. So, based on our analysis, we determined that given all of the uses within the Southpoint PUD, 924 parking spaces were required. Given the existing parking spaces and reduction of parking spaces that would take place if development happens according with the Petitioner's conceptual site plan, 1,331 parking spaces would be the final result on the property resulting in a 407 space parking surplus, well above requirements. We felt comfortable that given development of this outlot, the overall PUD would still function well with regards to parking.

So, the Petitioner did provide the conceptual plans for development of the outlot that showed a three-tenant commercial space approximately 10,000 square feet with a drive-through lane. Staff did provide preliminary comments on this conceptual development proposal, and the Petitioner is aware of those comments and I believe has forwarded them along to the contract purchaser of the potential outlot. The details of the development resulting on the outlot will be reviewed when an actual development is proposed there which would entail an amendment to the PUD. So, we're still, you know, this concept we believe is viable. We reviewed it on a preliminary basis and we believe it's viable, but it's certainly not finalized and there is no formal approval of this actual development this evening. That will come at a future date when the Petitioner moves forward with an amendment to the PUD.

Finally, I just want to touch on the overflow parking. Here is kind of a zoom in. You can see the Olive Garden and Chili's restaurants here. Currently, they do not provide enough parking in their adjacent parking areas. So, employee and patron parking overflows in the area outlined in red here. You can see already in this aerial some overflow parking was occurring there. I believe currently they have most of their employees park in that area to keep the spaces adjacent to the restaurants free for patrons. However, sometimes the lots here are full and so patrons also have to park in the overflow area which of course is going to be the new outlot and will be developed, and so this overflow capacity here will no longer be

available.

So, to accommodate for this, we have asked the Petitioner to design a future improvement in the area bounded in yellow that would create new overflow parking areas. Essentially, it would shift these overflow parking areas from close to the Olive Garden to now closer to the Chili's Restaurant. I would mention that this area is part of the overall subdivision lot. It is under ownership by the owner of Floor & Decor.

So, there are currently 82 parking spaces in the area where the outlot will be developed that provide this overflow capacity, and there will be 40 spaces in the yellow area. There are 11 spaces existing there, so the net increase of parking in this area will be 29 spaces. Additionally, the development concept shows two new pedestrian crossings in the development that would facilitate the overflow parking and pedestrian access to the restaurants from those parking areas.

I would mention that when an actual development is proposed for the outlot, the traffic and parking study will be required, and that traffic and parking study will be required to study any overflow parking that's occurring in this area to determine if the 29 spaces will be suitable to accommodate for whatever overflow parking occurs here. If it's determined that there's much larger capacity than the 29 new spaces proposed in the yellow area, then the Village certainly has the right to ask any developer to scale down what's being proposed here or create additional areas for parking to serve the Olive Garden and Chili's restaurants.

That concludes my Staff report this evening. We are recommending approval of the application subject to the conditions as outlined here and identified in the Staff report.

CHAIRMAN ENNES: Sam, thank you for your report. Is there any motion to approve?

COMMISSIONER GREEN: So moved.

CHAIRMAN ENNES: Is there a second?

COMMISSIONER DROST: I'll second it.

CHAIRMAN ENNES: Is everyone in favor?

(Chorus of ayes.)

CHAIRMAN ENNES: Anyone opposed?

(No response.)

CHAIRMAN ENNES: So, let's start with the questions. John, do you want to start? If we can ask the attorney for the Petitioner to come up, Mr. Bauer?

COMMISSIONER SIGALOS: Do I understand it, you currently do not have a purchaser for this proposed lot that you would want us --

MR. BAUER: No, that's not correct. There is a contract purchaser.

COMMISSIONER SIGALOS: Oh, there is. Oh, I'm sorry, okay, there is. There would be accessible parking beyond this because again it doesn't really, I'm not sure if this is showing it, because there's 48 parking spaces in this new --

MR. BAUER: That's correct. In the blue area.

COMMISSIONER SIGALOS: So, they would still have that, be able to park in these other areas adjacent, that's all very good.

MR. BAUER: That's right, as well as in the green area immediately to the south with 40 new stalls.

COMMISSIONER SIGALOS: Right. I understand that green area would be

more designed for overflow parking for the Chili's and Olive Garden. Personally, I like to see more green space that currently exists there, but I understand the need for overflow parking because I've been to both the Chili's and the Olive Garden. They don't have sufficient parking as it is now. I don't have any other questions. Thank you.

CHAIRMAN ENNES: Commissioner Dawson?

COMMISSIONER DAWSON: I don't have necessarily any questions other than that confuses me, too. I thought you didn't have a proposed use and that was kind of the whole --

MR. HUBBARD: We have a concept but we don't have an actual, you know, formal plans for development of that outlot.

MR. BAUER: I can explain.

COMMISSIONER DAWSON: Okay, thank you.

MR. BAUER: If that would be helpful. So, the reason that the Applicant as the property owner is seeking subdivision approval is because contractually between it and the contract purchaser, that's a seller obligation. So, you know, only if and when the Village grants subdivision approval would the contract purchaser then pursue the entitlements necessary, specifically the PUD amendment, to be able to develop the property in the general manner depicted by the concept plan that you saw tonight.

COMMISSIONER DAWSON: Okay, so we're going to be approving the subdivision, and then later we'll be talking about the use potentially if a PUD is required.

MR. BAUER: The use and the plan, everything related to the request, yes.

COMMISSIONER DAWSON: Sure, sure. Okay, that clarifies it. That wasn't clear I don't think necessarily in the description.

MR. BAUER: Sorry for the confusion.

COMMISSIONER DAWSON: No, no, no, don't apologize. It just wasn't clear.

COMMISSIONER SIGALOS: Just a further question. At this point in time, you can't divulge who the proposed purchaser may be or what that particular use would be for that property?

MR. BAUER: So, the contract purchaser is MJK Development which actually owns large portions of the shopping center today.

COMMISSIONER DAWSON: It's on the plan, yes.

COMMISSIONER SIGALOS: Okay.

COMMISSIONER DAWSON: Oh, okay, are you back to me? You're done?

COMMISSIONER SIGALOS: Yes, I'm done.

COMMISSIONER DAWSON: Okay, I don't have any other questions.

CHAIRMAN ENNES: Commissioner Drost?

COMMISSIONER DROST: I don't have any questions. I like the concept. I think it's a great idea to kind of flip out and kind of stay with the scene, the commercial scene. I like the project and I also like the little bit of flexibility in it to be able to make the adjustments as the conceptual plan becomes reality.

CHAIRMAN ENNES: Commissioner Jensen?

COMMISSIONER JENSEN: I don't have any questions.

CHAIRMAN ENNES: Commissioner Warskow?

COMMISSIONER WARSKOW: I don't have any questions. I'm supportive. I think there's just way too much parking and not enough anything else going on right now in that shopping center. I am sad that potentially green space would have to be lost for parking and that there will be 407 actual parking spaces. You know, is there a chance we can put some green space back in where we have extra parking spaces? That would be my only request, but otherwise, I'm very supportive.

CHAIRMAN ENNES: Commissioner Lorenzini?

COMMISSIONER LORENZINI: Sam, a little history. So, why are they obligated to provide overflow parking for Olive Garden and Chili's? How many spots are they obligated to supply?

MR. HUBBARD: They are not obligated to provide any, but it's a situation we know occurs and we want to make sure, by allowing the subdivision and resulting development, that it's not handicapping the success of Chili's and Olive Garden.

COMMISSIONER LORENZINI: So, they're doing it out of the goodness of their heart and being a good neighbor?

MR. HUBBARD: Sure.

COMMISSIONER LORENZINI: Okay, well, but the way this development is going, Chili's, the overflow for Chili's is right across the street. But if you're putting a building there and a lot of the people using that building will probably be taking those spots closest to Chili's, we're going to be pushing the Chili's people even farther east I would think.

MR. HUBBARD: That's why we're having them create this new overflow parking area right here which would, because this area is the outlot and most of it would be used assumingly for parking for the outlot, the now the overflow parking area would be shifted here.

COMMISSIONER LORENZINI: I was meaning the Olive Garden, the Olive Garden people.

MR. HUBBARD: Right. Well, the overflow parking will be a little bit farther from the Olive Garden Restaurant than it currently is. It will be closer to the Chili's Restaurant than it currently is so it's going to be a tradeoff.

COMMISSIONER LORENZINI: Okay, well, and as long as there's no, you're saying there's no legal obligation there to provide parking in a certain location and so many spots so close to the Olive Garden.

MR. HUBBARD: Right. No, there is nothing specific like that.

COMMISSIONER LORENZINI: Okay, all right. Other than that, I think it's a good idea.

COMMISSIONER GREEN: No questions.

CHAIRMAN ENNES: No questions? Yes, my biggest concern was how does it impact the other businesses that are part of this PUD. The biggest issue is that it takes away current parking that is being utilized either by employees of both restaurants which they can go over to the, let me call it the triangle, they can go over there, but if it's going to affect anybody, it's I think from a patron standpoint, it's going to be Olive Garden.

So, within the, Sam, and I don't know if you can answer this, but within the PUD agreement, there is no, the various owners that are part of this who, in some PUDs the common area parking taxes, maintenance, expenses spread out to all of the participants in the PUD. Mr. Bauer, do you know if that's the case?

MR. BAUER: So, to be clear, I think you're referring to the reciprocal

easement agreement of the declaration that includes the shared parking arrangement?

CHAIRMAN ENNES: Probably.

MR. BAUER: Not a PUD agreement. I can't answer how common area maintenance is handled. But I can tell you is that there are specific provisions in the document that contemplate shared parking, and also the right for one property owner to make modifications to its lot without the consent of another property owner so long as there's still in the end at least code-based or a sufficient amount of parking provided to comply with what's required by code based on the uses that are provided on the site.

CHAIRMAN ENNES: Okay, one of the gentlemen I think back here in the audience kind of raised his hand. Are you able to answer that question? if you are, can we have you come up and swear you in and get your name?

(Witness sworn.)

CHAIRMAN ENNES: Could you state your name and spell it for the reporter?

MR. MOR: My name is Adi Mor, A-d-i, and the last name Mor, M-o-r.

CHAIRMAN ENNES: Okay, and you're the owner of the Floor?

MR. MOR: I'm the owner of the Floor & Decor.

CHAIRMAN ENNES: Good business.

MR. MOR: Thank you. By the way, we just remodeled the store and we put a lot of money to remodel for them. They signed another 15-year lease so they're there to stay.

First thing, there is no designated area in the PUD. That means anyone can park anywhere they want in the partnership. We call it a partnership. I think it's going to be better for Chili's with the new situation with the parking lot.

Just one more thing that nobody raised. When this proposed building will take place, of course some of the traffic in the parking for the new tenants can move over to the sides, so there's really plenty parking. If you look at the 82, that's what the proposed building will have. To the east of it, there is plenty parking for everyone.

The original agreement was that employees for both restaurants will have a designated parking area for the employees, so that's going to save a lot of headache for the tenants.

CHAIRMAN ENNES: Okay, so is what you're saying that the new developer, the businesses that will move into the subdivided parcel, the proposed subdivided parcel, the parking around that building is no different than the parking throughout the rest of the PUD?

MR. MOR: Yes, that's part of the agreement.

CHAIRMAN ENNES: So, the Olive Garden people could potentially still park there?

MR. MOR: Exactly.

CHAIRMAN ENNES: Then I don't have a problem there. I do agree the property is underdeveloped and under-utilized. Although it still has a lot of vacancy, I don't know if it's gotten better within the whole complex.

MR. MOR: Well, we proposed CVS 10 years ago and it was rejected.

CHAIRMAN ENNES: Okay.

MR. MOR: Thank you for approving the project. I think it's 10 years

overdue.

CHAIRMAN ENNES: We haven't done it yet.

COMMISSIONER GREEN: But we're close.

COMMISSIONER DAWSON: We're not there yet.

COMMISSIONER DROST: I can make a motion.

CHAIRMAN ENNES: Would you please?

COMMISSIONER JENSEN: Mr. Chairman, I do have a question.

CHAIRMAN ENNES: Are there any other questions?

COMMISSIONER JENSEN: Yes, I have a question. Given what's just been said, is there any reason we would actually want to create those parking spaces, the 29? Why not bank them? In that people might have to, I mean it sounds like people could park wherever they wanted to, for the Olive Garden and even Chili's. So, why do we take that green space away when we've got all those excess parking?

MR. HUBBARD: That parking that's currently in the overflow parking area is going to be much, it currently exists as much larger overflow parking for Olive Garden and Chili's. When an actual development comes here, it's reducing that overflow capacity significantly. So, that's the thought behind adding new overflow capacity here.

COMMISSIONER JENSEN: Do we have any idea what the overflow typically is that's created by Olive Garden and Chili's in that area?

MR. HUBBARD: No, but as part of any development proposal, we're going to require that to be studied so that we can understand that.

COMMISSIONER JENSEN: Well, it seems like you ought to at least, I mean we've had several people say, gee, wouldn't it be nice to have some green space. Do we need to turn everything into a parking lot before we really need it?

MR. HUBBARD: Sure, I mean that's, again that's something we can analyze when an actual development is brought forth.

COMMISSIONER JENSEN: I don't have anything further.

COMMISSIONER DROST: Yes, I'll make the motion then if there's no other comment.

A motion to recommend to the Village Board of Trustees approval of PC# 18-020, the Preliminary and Final Plat of Subdivision to subdivide the subject property into two lots, and approval of the following variations to Chapter 29 of the Municipal Code:

1. **Section 29-206, to defer the requirement for detailed plans and specifications of all improvements required to be constructed and installed, if any, until a development proposal for the subject property is presented to the Village Board for approval.**
2. **Section 29-201(a)(5), to waive the requirement for an approving opinion of a qualified professional traffic engineer as part of subdivision.**

Approval shall be subject to the following conditions:

1. **Any development of the proposed outlot will require an amendment to the underlying PUD.**

2. **Any development of the proposed outlot will require:**
 - a. **The provision of additional parking areas to accommodate the Chili's and Olive Garden Restaurant parking overflow, to be substantially compliant with the conceptual plan (Sheet A-02a) prepared by Soos & Associates, Inc., dated 12/4/18.**
 - b. **The correction of any deficiencies to the stormwater capacity necessary for Lot 1 and Lot 2 of the proposed subdivision, as per applicable Village and MWRD regulations.**
3. **The Petitioner shall comply with all applicable federal, state, and Village codes, regulations, and policies.**

CHAIRMAN ENNES: Is there a second?

COMMISSIONER WARSKOW: I'll second.

CHAIRMAN ENNES: Can we have a roll call, Sam?

MR. HUBBARD: Commissioner Dawson.

COMMISSIONER DAWSON: Yes.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Yes.

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Yes, with comment.

MR. HUBBARD: Commissioner Lorenzini.

COMMISSIONER LORENZINI: Yes.

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MR. HUBBARD: Chairman Ennes.

CHAIRMAN ENNES: Yes.

MR. HUBBARD: Commissioner Drost.

COMMISSIONER DROST: Aye.

MR. HUBBARD: Commissioner Warskow.

COMMISSIONER WARSKOW: Yes.

CHAIRMAN ENNES: Lynn? Commissioner Jensen?

COMMISSIONER JENSEN: Yes, just I would hope that the condition that we have, I guess it's in two, would allow the study of whether we really need overflow parking before we convert all that green space into parking. I'd like to have some basis for that being needed and not just make that a condition that they have to fulfill without serious consideration. So, just an observation.

CHAIRMAN ENNES: Well, that will be in the record to go up to the Village Board. So, you have unanimous approval. Good luck with your project and hope everything proceeds well.

MR. BAUER: Thank you.

CHAIRMAN ENNES: Thank you. Is there a motion to, do we have any other business? I don't think so.

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

COMMISSIONER JENSEN: Second.

CHAIRMAN ENNES: All in favor?

(Chorus of ayes.)
CHAIRMAN ENNES: Anybody opposed?
(No response.)
(Whereupon, the above-mentioned petition was adjourned
at 8:45 p.m.)

