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PLAN

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

COMMISSION

RE: 7-ELEVEN GAS STATION - 1650 WEST ALGONQUIN ROAD - PC# 18-026
SPECIAL USE PERMIT FOR AUTO SERVICE (GAS) STATION, 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 13th day of February, 2019 at the hour of 7:30 p.m.

MEMBERS PRESENT:

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

ALSO PRESENT:

SAM HUBBARD, Development Planner

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CHAIRMAN ENNES: The meeting of the Arlington Heights Plan Commission is called to order. If you would all please rise and join us in the pledge of allegiance, I'd appreciate it.

(Pledge of allegiance.)

CHAIRMAN ENNES: Thank you. Please be seated. Sam, could you take the roll?

MR. HUBBARD: Commissioner Cherwin.

COMMISSIONER CHERWIN: Here.

MR. HUBBARD: Commissioner Dawson.

(No response.)

MR. HUBBARD: Commissioner Drost.

COMMISSIONER DROST: Here.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Here.

MR. HUBBARD: Commissioner Jensen.

(No response.)

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. Thank you. We have minutes from our last meeting, the Westgate Park & Shop from our last hearing on January 23rd. I assume everybody got the minutes. Is there a motion to approve those?

COMMISSIONER WARSKOW: I'll make such motion.

CHAIRMAN ENNES: And a second?

COMMISSIONER SIGALOS: I'll second.

CHAIRMAN ENNES: Does anybody need to abstain? All in favor?

(Chorus of ayes.)

CHAIRMAN ENNES: Any opposed?

COMMISSIONER GREEN: I have to abstain from that.

CHAIRMAN ENNES: You do, okay. You weren't here?

COMMISSIONER GREEN: I don't think so.

CHAIRMAN ENNES: Okay, so that passes. We have a hearing tonight, I guess before we get into that, have all notices been sent out, Sam?

MR. HUBBARD: They have.

CHAIRMAN ENNES: For our hearing and for this petition. So, is the Petitioner here this evening? Can I ask you to please come forward? You, whoever is going to speak to tell us about the project. You're going to be the only one to speak?

MR. COHEN: There might be a few others if there's any questions.

CHAIRMAN ENNES: Okay, well, then let's start this way. I'd like to swear you in.

MR. COHEN: Sure.

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(Witness sworn.)

CHAIRMAN ENNES: Would you please spell your name and state what capacity you're in for the court reporter?

MR. COHEN: Yes. I am Andrew Cohen with Vequity. We are the developers on the project.

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

MR. COHEN: So, the proposed project is at 1650 West Algonquin Road in Arlington Heights. That is the northeast corner of New Wilke and Algonquin Road. It was previously a Citgo which has now been demolished, the tanks had been pulled, and we plan on building a new construction 7-Eleven. This will be a 7-Eleven with fuel. It will be their new nationwide, new and improved prototype which they're rolling out all over the Chicagoland area.

MR. HUBBARD: There's a laser pointer or there's a device up there, you can go through the slideshow right up there. Yes, if you press the slide, you can move through the slideshow. To the right, there you go, yes.

MR. COHEN: So, there is a site plan I could probably use.

(Short pause.)

MR. COHEN: So, as you can see, the C store is tucked in the back. There's I believe 12 spaces, parking spaces which is what code requires and what's provided. As you can see, there's now two access points. The existing current access has four, so we're consolidating four and the two which is what the road wants, the vision for the roads.

So, these are the elevations which is, they're new prototypes. They re-added the spandrel windows as per the city's request, and we've been working together with the city on the building design. We've gone back and forth on a couple rounds of comments. So, we've incorporated a lot of their suggestions and this is what we've come up with.

Here's another picture with the rendering with the canopy elevations. Landscape plan. This shows that there's some landscaping in between the back of the parcel and the adjacent parcel which is owned by the grocery store to the east. There's actually two parcels that are owned by them.

CHAIRMAN ENNES: It's the drive behind your property?

MR. COHEN: Correct. So, we've added landscaping and a six-foot fence to block out any noise or traffic and trash or whatever it may be. So, we've done that to kind of separate it from the residential.

CHAIRMAN ENNES: You've already done that?

MR. COHEN: No, we will do that, sorry. We will do that.

CHAIRMAN ENNES: Oh, okay.

MR. COHEN: The photometrics show that and just how it's blocking that off. That's it for the presentation.

I've also brought with me here Mark Bettenhausen from 7-Eleven, I should have done the intros first, Artur from Ileki & Associates, the architect, Scott Preston from Vequity, and Bill Perry from Watermark Engineering. So, at this point, we could open it up for questions.

CHAIRMAN ENNES: So, the issues that you're looking for, changes in variances?

MR. COHEN: So, we are getting a special use permit. The zoning does not change, so we are seeking a special use permit because it's a new construction gas station.

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CHAIRMAN ENNES: Is that all you have at this point? Okay, we're going to move on to have the Staff report, so if you want to be seated? I should ask you, are you familiar with the conditions that the Village has placed on the approval? I think there's either five or six?

MR. HUBBARD: Six.

CHAIRMAN ENNES: Six conditions.

MR. COHEN: Yes.

CHAIRMAN ENNES: Are those all acceptable to you?

MR. PERRY: My name is Bill Perry, I'm with Watermark Engineering. I'm the civil engineer for the property.

CHAIRMAN ENNES: Were you here last time?

MR. PERRY: I was not.

CHAIRMAN ENNES: Okay, would you please spell your name? And your position?

MR. PERRY: Sure. William Perry, P-e-r-r-y. I'm a vice president at Watermark Engineering.

I just wanted to say, yes, we are familiar with the conditions that they have asked for. There really are two. One is, or two main pieces, one is the request to take the access point on New Wilke Road and, at our cost in the future, to possibly limit the access to it if it's deemed necessary by staff. That there's problems with it I assume is the idea behind that, if there's a lot of crashes at that intersection in the future.

We object to it only that we need that access point for viability of the site, specifically for the truck access. As long as we continue to have our full truck access that we need in order to get the truck in and out to deliver the fuel to the site, we would be amenable to doing something if it is necessary because there are problems on the site.

CHAIRMAN ENNES: So, that would preclude you from having the ingress and egress out of the Wilke Street side of the property?

MR. PERRY: Right. We want to make sure that we are able to get our trucks in and out of that access point. So, I guess we just would like that stipulation added to that condition.

MR. HUBBARD: You know, we can certainly be flexible. I think, you know, you have a right-in/right-out at the southern portion.

MR. PERRY: Yes.

MR. HUBBARD: The way that it's designed is it's a mountable pork chop.

MR. PERRY: Yes.

MR. HUBBARD: So, I'm sure that would be something that we'd be open to considering if it were to move forward, closure there.

MR. PERRY: Okay, that is what the concern is.

CHAIRMAN ENNES: So, you have an issue with that point. The other five conditions are acceptable?

MR. PERRY: Correct.

CHAIRMAN ENNES: Okay, thank you. Please be seated. Sam, would you please provide the Staff report?

MR. HUBBARD: Absolutely. So, the subject property is located at 1650 West Algonquin Road. It's the northeast corner of Algonquin and New Wilke. It's a B-2 General

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Business Zoning District, and in the B-2 District, all automobile service stations are required to receive a special use permit approval which is the reason the Petitioner is before you this evening. The Comprehensive Plan for this property designates it as commercial, so the proposed service station is compatible with that Comprehensive Plan designation.

Petitioner is requesting two variations this evening. The first one is a variation to increase the maximum allowable driveway entrance from 36 feet to 37 feet, and that would apply to both the New Wilke and Algonquin Road access points. The second variation is to reduce the minimum required driveway width for a two-way drive aisle from 24 feet to 23 feet. That's in relation to the drive aisle connection to the Taco Bell site to the east.

So, here you can see an aerial of the property. The subject property is bounded in red. To the south and bottom is Algonquin Road. On the left side and to the west is New Wilke Road. To the east is Taco Bell. You'll notice to the north, there's a small strip of land 50 feet wide before you get to that drive aisle that connects to the grocery store and to Taco Bell. That is owned by the grocery store property located to the east. It's not a part of this development site and will be left as open in green space at this time.

Then you get the drive aisle a little bit farther north of that, and then there's the single family homes along Russell Court farther north of that. To the west is New Wilke and then there's a Mobil Gas Station a little bit farther which is a 24-hour gas station to the west. To the south is the city of Rolling Meadows, and there is a Fifth Third Bank and a Burger King to the southwest which is 24 hours as well.

So, here's a copy of the site plan. I just want to point out a few items here. First of all, the Village is planning in conjunction with IDOT and the city of Rolling Meadows for an additional right turn lane on Algonquin Road. That turn lane would roughly be added in this area and then continue up here onto New Wilke. That's going to involve likely some acquisition from the 7-Eleven Gas Station site in this area.

So, we've asked the Petitioner to design their site, you know, given this future improvement in mind, and they have done so, creating this larger than normal buffer of green space area to accommodate for any future right-of-way acquisition for that turn lane. Consequently, it's kind of pushed and squeezed the site a little bit to the north here and, you know, this future improvement has not yet been fully designed yet. It's still in the planning stages, but we fully expect this turn lane to move forward at some point in the future. I will mention the Petitioner has been very flexible in trying to design their site to accommodate for that.

So, there are two variations being requested by the Petitioner. The first one is the driveway width and the connection to the Taco Bell site. Staff is supportive of that variation for a few reasons. First of all, a similar variation was granted to Taco Bell to allow this drive aisle to be 23 feet. So, 23 feet here would allow both of those drive aisles to align. Given the future acquisition for this turn lane, we think it creates a unique circumstance on this property. It allows for a reduced drive aisle width to create a little bit more room for some perimeter landscaping once that turn lane is added to Algonquin Road. So, we are supportive of this variation.

Second variation is to increase the maximum driveway entrance from 36 feet to 37 feet that would be both along Algonquin and New Wilke. Staff is supportive of this variation as well for several reasons. It provides a little bit more width and space to enhance the maneuverability of fire trucks and fuel trucks accessing the site. It's the minimum necessary

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variance to allow for reasonable use of property. A one-foot increase is very insignificant in this case, and the unique situation of the extra turn lane that's going to be added along Algonquin Road creates, you know, something unique on this property that's not necessarily characteristic of every other property in the vicinity. So, for these reasons, we believe the variations are justified.

Here's the landscape plan for the site. Again, you can see the increased landscape area added along the south and west sides of the property for that future turn lane. There will be again some acquisition here for that turn lane, but they've added enough room so that likely there will be enough space for a turn lane, a parkway, sidewalk, and then still a little bit of room left over for landscaping on the property to screen the parking area.

I would want to mention that the Petitioner has added, at the request of Staff, a solid fence along this portion of the property line to help reduce impact on the single family homes to the north. In the areas where that fence stops, at the request of Staff, they have added a dense evergreen screen here to help provide for that buffer to the north which would reduce headlight glare, blowing trash, and so forth.

They've made some other improvements to the site at the request of Staff. We asked them to bump out this little area here to create a little bit more of a landscape island. They bumped back the dumpster enclosure to comply with code here as well.

Relative to traffic and parking, the site meets all parking regulations. 14 spaces are required per code. There's actually, it's a typo here, there's going to be 20 spaces on the site, so there is a surplus and we don't believe parking to be a problem. 20 spaces, this relates to both the on-site spaces, and then we consider spaces at pumps to constitute a space as well, so that equates to 20 total spaces on site.

Relative to traffic, the traffic study that was provided by the Petitioner concluded that the majority of traffic patronizing the site is going to be passerby traffic, meaning that these cars are already going past Algonquin and New Wilke and are just utilizing the site as part of their route and aren't necessarily being generated specifically on these roads to patronize these businesses. Additionally, the site plan closes two curb cuts on the property which is going to improve vehicular movements within the vicinity. Then of course the location of the site being on a major arterial and secondary arterial means that there is adequate capacity to accommodate for the expected traffic generation for the site.

So, that being said, the Staff Development Committee is recommending approval of the application subject to six conditions as outlined here. You know, the Petitioner has said that they are a little bit concerned about the restriction for full access on New Wilke Road. I think, you know, Staff will certainly be flexible if and when that's determined to be a problem. You know, we certainly understand that fuel trucks need to come in and out of the site, and I don't think the condition needs to be amended. I think that, you know, certainly it can be designed as a restricted right-in/right-out access point just like the southern point. That will allow fuel trucks to move in and out of the site.

So, that being said, I'm happy to answer any questions.

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

COMMISSIONER GREEN: I'll make that motion.

COMMISSIONER DAWSON: Second.

CHAIRMAN ENNES: And a second. Commissioner Dawson has arrived, a

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while ago.

COMMISSIONER DAWSON: A while ago.

CHAIRMAN ENNES: So, if we could add her to the roster? So, we have a motion and a second. All in favor?

(Chorus of ayes.)

CHAIRMAN ENNES: Any opposed?

(No response.)

CHAIRMAN ENNES: So, the Staff report is approved. Thank you, Sam, for that report. I would like to open the hearing up to any questions from the Commissioners. Commissioner Warskow, would you like to start?

COMMISSIONER WARSKOW: Sure, I can start. I don't really have many questions. It looks like a good use. I mean, it's what the existing use is and it will definitely improve over the Citgo that was there before. I appreciate all of the extra landscaping and the fence buffer for the neighbors.

My only question is for Sam in terms of the timing of that right turn, that dedicated right turn lane. Do you have any idea, are we talking months, years? Because you're asking them to plant two substantial trees there that then they're just going to have to take out again. Is there any way that they could wait until you hear on that particular decision before planting and spending the money on two trees?

MR. HUBBARD: Unfortunately, I don't have a timeline for that project. You know, it's in the planning stage. I would guess that it's at least a year or two or more out from even having, you know, construction drawings ready. It's going to be an IDOT project as well, so that's probably going to add some significant time to the design and implementation.

COMMISSIONER WARSKOW: Okay, that's my only question is we're asking them to spend the money and plant something that they're just going to wind up taking right back out again. So, that's all I have.

CHAIRMAN ENNES: Maybe there's another place we could have them put those two trees.

MR. HUBBARD: Or perhaps they could be transplanted. They don't have to be cut down and destroyed.

CHAIRMAN ENNES: Is that it?

COMMISSIONER WARSKOW: Yes.

CHAIRMAN ENNES: Okay, Commissioner Green?

COMMISSIONER GREEN: I really have no questions. I remember seeing this in the Conceptual Plan Review. I think it's a good use of the property. I really have no questions.

CHAIRMAN ENNES: Commissioner Cherwin?

COMMISSIONER CHERWIN: I concur with my colleagues. I saw it at the Conceptual Review. I think it's a good project. I would just say I think the developer and 7-Eleven have done a nice job of accommodating some of the requests that have come through. I know at the Conceptual Review one of the issues I had was with the westerly elevation being a little bit, you know, monotonous I guess, and asked them to take a look at that. I think even though that's not really our, you know, that's really Design Committee stuff, but I had mentioned it. I know that they, it looks like they had put a few more features on the westerly elevation with the windows and stuff. I think that goes a long way, you know, looking at some of the

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improvements that have been made in the Rolling Meadows side and everything. I think it's important to make sure we're improving.

So, I appreciate the work the developer and 7-Eleven have done to make the site, you know, as good as can be for this type of use. I guess the one thing I'd ask is a little bit on this question with the westerly access on Wilke. You know, if they're concerned about it from a business perspective, and I'm thinking about this just because I've, you know, lived in that area for, you know, over 30 years, and maybe thousands of times through this intersection when using multiple times a day, I use that gas station site. I will use it if this one goes in. A lot of times we're coming southbound on Wilke, and so, you know, the entrance here will be a westerly turn and I think there's probably a considerable amount of traffic that they're trying to capture on that southbound Wilke run westerly into that site. I think that's your concern as a developer is that traffic pattern.

So, is it realistic I guess the way the connection with Taco Bell is, would you expect southbound traffic then to come in to that service drive, circle that around through the front of Taco Bell and come in? Would that be kind of how Staff visualizes that?

MR. HUBBARD: Yes, it could certainly function that way. You know, there's a condition of approval and the Taco Bell is required to provide that reciprocal access.

COMMISSIONER CHERWIN: Right.

MR. HUBBARD: I will say the traffic engineer's main concern was left-hand turns out of the site, and not as much with left-hand turns into the site.

COMMISSIONER CHERWIN: Yes.

MR. HUBBARD: So, I think if anything, at first it would be a restriction to make it limited to right-out only. If, you know, left-hand turns coming into the site was also a problem, that could be restricted as well, but I don't think that's --

COMMISSIONER CHERWIN: So, would it be like a half, so you would have, you're not saying it would just be a right-in/right-out. You would still have a left in? You would still have full access inbound?

MR. HUBBARD: That would be our first option and, you know, if it's determined that that's viable, I think we would certainly be amenable to that.

COMMISSIONER CHERWIN: So, the only movement you'd be restricting is southbound exit from there?

MR. HUBBARD: At first, yes.

COMMISSIONER CHERWIN: At first.

MR. HUBBARD: Yes, that was the chief concern from the traffic engineer.

COMMISSIONER CHERWIN: And had there been incidents at that site? Because that site has been open full access as long as I can remember. I mean is there, if they're concerned about it, is the concern based on, I don't ever remember seeing an accident at that site in all my years. I'm wondering if the traffic engineer, if they've seen something or is it a problem that's just hypothetical or what?

MR. HUBBARD: I think it's more in relation to when that second, the new turn lane is added.

COMMISSIONER CHERWIN: The new turn lane?

MR. HUBBARD: How that's going to affect the geometry of the intersection and, you know, is it going to be two dual left-hand turn lanes southbound on Wilke going to Algonquin? Is it going to be just one? I mean, there's just so many unknowns at this point that

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it's just kind of, you know, we want to make sure all of our bases are covered.

COMMISSIONER CHERWIN: Is another potential step to maybe halfway or accommodate the developer is maybe a time restriction on that? So, you know, if you can come to an agreement on full access, maybe something that's, you know, 7:00 to 9:00 and 4:00 to 6:00 kind of thing so that, you know, we're eliminating that heavy traffic volume where we're making that movement?

MR. HUBBARD: I think we'd be flexible in exploring all options and what makes the most sense. I mean, I don't want to, you know, limit us to say that that's the only thing we would require. But, you know, I think we would be as flexible as possible realizing we don't want to handicap a business, you know, but we want to make sure our movements are safe.

COMMISSIONER CHERWIN: All right, no further questions. Thanks, Sam.

CHAIRMAN ENNES: If I could just clarify? There will be a curb cut on Wilke?

MR. HUBBARD: Correct. Yes, there's two now and they're going to be reducing it to only one.

CHAIRMAN ENNES: Okay, okay. So, a truck should still be able to use that, right?

MR. HUBBARD: Right, yes.

CHAIRMAN ENNES: Okay, and is that required for the Fire Department also?

MR. HUBBARD: Yes, it does help with the maneuverability of a fire truck.

CHAIRMAN ENNES: Because I don't know how a fire truck could get in there and out if there wasn't at Wilke.

MR. HUBBARD: Right.

CHAIRMAN ENNES: So, there would be one, not two, that's the change?

MR. HUBBARD: The change would be to limit the use of the entrance on Wilke to a right-in/right-out only as opposed to full access.

COMMISSIONER CHERWIN: Just for clarification, if we looked at the comparison of where the proposed curb cut is for that compared to where it is now, I didn't see an overlay but is it shifting south a little bit or is it on the site?

MR. HUBBARD: I mean, generally it's in the same place, there's one farther south and then there's one, you know, generally in the location that they're proposing. This one, it may be shifting a little bit north, but the whole site is pushing back a little bit on, you know, on this property.

COMMISSIONER CHERWIN: Okay, all right, yes. My biggest concern is obviously being too restrictive on the developer with that condition. That's my concern right now is if that condition is, you know, the right thing to do. I'm sorry, go ahead.

CHAIRMAN ENNES: Thanks for raising that, Jay. Commissioner Sigalos?

COMMISSIONER SIGALOS: Yes. I was also at the Conceptual Plan Review Committee meeting. At that time, I voiced a concern with the location of the trash enclosure. I think at that time it was a little bit farther south and projected beyond the face of the building. It looks now like it's been moved where it seems like it aligns with the front of the building. Is that correct?

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MR. HUBBARD: Yes.

COMMISSIONER SIGALOS: I'm assuming that meets code? I mean --

MR. HUBBARD: Yes.

COMMISSIONER SIGALOS: They have a trash enclosure right there as you pull into the 7-Eleven and staring in the face, and so many times you see these gates are left open and it's not the most desirable place to put it. But I'm assuming you've looked and there's really no other place you can have that trash enclosure instead of back any farther because of the property line, am I correct?

MR. HUBBARD: Well, there are certain restrictions for how far away a trash enclosure has to be from a property line. So, the farther they push it back, the closure they're getting to needing a variation on that setback from the property line on the side. So, it meets code in its current location; you know, if they were to push it back, it may require a variation.

COMMISSIONER SIGALOS: No, I understand, as long as it meets code where it is now. I think before it was projected further beyond the face of the building.

MR. HUBBARD: Correct.

COMMISSIONER SIGALOS: Again, that was my only concern. I think the rest of the project is great, so I'm in favor of it.

CHAIRMAN ENNES: Thank you. Commissioner Dawson?

COMMISSIONER DAWSON: I don't have any questions. The only comment is regarding the condition number one. Perhaps it's just the use of the word 'full' in that line that might be somewhat intimidating to the Petitioner because it makes it sound as if you're just going to get rid of it all together. But now that you've explained the step-in process, so just a thought that it might be something between now and the full Village Board to maybe discuss the wording of that to make it a little bit more clear to the Petitioner what you're envisioning. But that's it.

CHAIRMAN ENNES: That it?

COMMISSIONER DAWSON: That's it.

CHAIRMAN ENNES: Commissioner Drost?

COMMISSIONER DROST: Yes. Do we know who the gas retailer is going to be?

MR. BETTENHAUSEN: 7-Eleven.

COMMISSIONER DROST: 7-Eleven is actually, they don't distribute or manufacture processed --

MR. BETTENHAUSEN: 7-Eleven distributes fuel.

COMMISSIONER DROST: Does it really? What's the, sort of the ratio between the gas sale versus the convenience food volume?

MR. HUBBARD: Please step up to the podium.

MR. BETTENHAUSEN: Mark Bettenhausen, M-a-r-k B-e-t-t-e-n-h-a-u-s-e-n, 7-Eleven.

CHAIRMAN ENNES: Thank you.

MR. BETTENHAUSEN: Can you repeat the question please?

COMMISSIONER DROST: Yes, the ratio or the percentages of fuel versus the, whatever you sell at 7-Eleven. I know you sell a lot of stuff.

MR. BETTENHAUSEN: So, 7-Eleven will brand it 7-Eleven fuel. We are a

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C store first company. The majority of where we put the emphasis on our business is in the C store. But in terms of sales, obviously it depends on, excuse me, it depends on the price per gallon and in terms of how many gallons --

COMMISSIONER DROST: Oh, no, I know that's going to be fluctuating.

MR. BETTENHAUSEN: Yes.

COMMISSIONER DROST: But you obviously have some historical data that show that 30 percent comes from fuel and 70 from the retail side of the business, or you know 30.

MR. BETTENHAUSEN: Dollars to fuel will be high.

COMMISSIONER DROST: But the attraction is, it's sort of the model is to get them to buy stuff in the store, correct? It's not the fuel.

MR. BETTENHAUSEN: Yes, the trick is bring in the customer from the pump when they use their card in to buy a bottle of water or something else, a bag of chips or sandwich. But it's usually a 50-50 split with how high gas prices are.

COMMISSIONER DROST: I mean, and that's the model that you guys have been using. How long has 7-Eleven been in the fuel business?

MR. BETTENHAUSEN: Well, we've been a company for 90 years, and we've been in the fuel business here in Chicago for over 30 years.

COMMISSIONER DROST: Wasn't it automotive? I mean, that was automotive and logistics?

MR. BETTENHAUSEN: 7-Eleven? No, they started originally way back when as always a convenience store.

COMMISSIONER DROST: Yes, but I meant, you know, from the standpoint of Bettenhausen and that name.

MR. BETTENHAUSEN: Oh, that's just me, yes.

COMMISSIONER DROST: Right.

CHAIRMAN ENNES: Okay, got you.

MR. BETTENHAUSEN: Yes.

COMMISSIONER DROST: Okay, and the other question, and this is more a tongue-in-cheek, have you heard about the Green Deal?

MR. BETTENHAUSEN: Yes. No.

COMMISSIONER DROST: Yes, no, there's certain individuals in Congress that want to eliminate fossil fuel. So, what's plan B?

MR. BETTENHAUSEN: Well, right now, obviously we see gas stations and cars being extremely, they're not going away. I mean we have not seen it where, our company is based out of Texas where fuel is pretty big.

COMMISSIONER DROST: Yes, I've heard about that. Kind of like Houston maybe is an area, Galveston.

MR. BETTENHAUSEN: We're in Dallas.

COMMISSIONER DROST: Dallas, well, that's getting away from all the swampy stuff. But that's interesting. I just, you know, find the fact that fossil fuel is maybe here to stay.

MR. BETTENHAUSEN: Yes, it is.

COMMISSIONER DROST: Okay, well, I'm not going to work you over too much. But I just find it interesting, and you're not a surrogate for the Venezuelan Citgo, so all

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right. Good, I had my fun. All right.

CHAIRMAN ENNES: At least in our rural areas, you might still have, you know --

COMMISSIONER DROST: Yes, right.

CHAIRMAN ENNES: Otherwise, we've got to walk to the Expressway to catch the train.

COMMISSIONER DROST: Correct.

CHAIRMAN ENNES: But while I have you up here, there is a, at the rear of your lot, there is a piece of land that abuts the drive aisle. With the bushes and the fence, you're not going to have access to that for your customers?

MR. BETTENHAUSEN: Technically, no. We've screened it completely, and then that property which is owned by the grocery store is going to remain untouched. It's theirs. So, we will be building up to it with the setback.

CHAIRMAN ENNES: Okay, so it looks like that's wider behind your property than the other two properties that utilize it, the little strip shopping center and the Taco Bell?

MR. BETTENHAUSEN: Correct. So, I don't know if you have a tax map in the presentation, but there's this rectangle.

CHAIRMAN ENNES: Right.

MR. BETTENHAUSEN: So, Taco Bell goes all the way up to the drive aisle, and we have a rectangle of a parcel that's completely separate.

CHAIRMAN ENNES: But that's not your parcel?

MR. BETTENHAUSEN: No.

CHAIRMAN ENNES: That belongs with the easement to the rear.

MR. BETTENHAUSEN: Yes. We will not have access to it, no.

CHAIRMAN ENNES: Is that something they might sell to you?

MR. BETTENHAUSEN: Well, we have talked to them in the past and it was not part of, we tried but --

CHAIRMAN ENNES: Okay, I can't see it having value to much of anybody other than you guys, which could help you with this IDOT situation in the front to allow you to move a little farther back.

MR. BETTENHAUSEN: Right, right.

CHAIRMAN ENNES: Okay, but you're aware of it.

MR. BETTENHAUSEN: Yes.

CHAIRMAN ENNES: Yes, one of my concerns about if there wasn't an access on Wilke would be how would our fire trucks get in there if they ever had to. So, knowing that there is going to be an access there, and I'm sure they've reviewed, the Fire Department has reviewed that and that that would work for them. That's all I have at this time.

Is there anyone from the audience that would like to come up and talk? I see one person out there. If you would please come forward? Spell your name for our court reporter.

MS. DANIELS: Sure.

CHAIRMAN ENNES: If you have any questions about the project or comments, please let us hear them.

MS. DANIELS: Okay, I'm Kathleen Daniels, K-a-t-h-l-e-e-n D-a-n-i-e-l-s.

APPROVED

I'm actually the homeowner just north of there, so the corner plot on New Wilke and Russell Court. Yes.

So, our question was when they were like deconstructing the previous station, there was a ton of shaking that happened in a lot of our homes that live right there, like the five homes back there. If for some reason we had some foundational issues when you guys put back in the tanks in the ground, who would we contact for that reason?

CHAIRMAN ENNES: Wait, so you had shaking issues when?

MS. DANIELS: When they were deconstructing the previous.

CHAIRMAN ENNES: Oh, when they took down that building?

MS. DANIELS: Yes, well, not just, no, it wasn't really the building part. It was digging into the ground and taking the wells out.

CHAIRMAN ENNES: You know what, we are not a legal department, we're a Plan Commission.

MS. DANIELS: Okay, yes.

CHAIRMAN ENNES: What we look at is people that want to come in and develop property, whether or not they have the right to do that under the zoning. So, that's something that if there was a problem, you'd need to --

MS. DANIELS: Would we contact Vequity or would we contact Arlington Heights?

CHAIRMAN ENNES: I think you'd call an attorney. But there's attorneys here, what would you say?

COMMISSIONER CHERWIN: I think the intermediate step I would take is probably advise the Building Department because ultimately they're in charge of the permitting process. So, if you felt there was something going on in the site that wasn't appropriate or that you questioned or, you know, that --

MS. DANIELS: I mean it's just a lot of force.

COMMISSIONER CHERWIN: Yes. Right, no, it's right. When they, you know, so there are different methods, you know, I think maybe that could be used, but I think that would be my first call would be the Building Department and maybe have somebody go out there and make sure that the site is being conducted the way it should be.

MS. DANIELS: Okay.

COMMISSIONER CHERWIN: John, as a contractor, I don't know if you have a different perspective.

COMMISSIONER SIGALOS: No, I agree. I mean that's the first call you'd make would be to the Building Department.

MS. DANIELS: Okay.

COMMISSIONER CHERWIN: Sam can probably give you that information before you leave here.

MS. DANIELS: Okay, yes, thanks. I appreciate it.

MR. HUBBARD: Absolutely.

MS. DANIELS: Otherwise, we're appreciative that you guys are bringing in a nicer building.

CHAIRMAN ENNES: It should improve the area.

MS. DANIELS: Yes, definitely, it should improve it. So, thank you for that. That's all.

APPROVED

CHAIRMAN ENNES: Okay, someone else just walked into the room. We are in the public section of our hearing. Did you have a comment about the petition? No? Okay, then I'm going to close the public portion of the hearing and ask the Commissioners if they have any further deliberations or if they wanted to make a motion.

COMMISSIONER DAWSON: I can make a motion. I'd like to make a motion.

A motion to recommend to the Village Board of Trustees approval of PC#18-026, a Special Use permit to allow an automobile service station with convenience store, and the following variations:

- 1. Chapter 28, Section 10.2-9, Access, to allow a 37-foot wide driveway entrance where code limits driveway entrances to 36 feet in width.**
- 2. Chapter 28, Section 10.2-8, to reduce the required driveway width from 24 feet to 23 feet.**

Approval shall be subject to the following conditions:

- 1. At the request of the Village, the Petitioner shall implement improvements to the ingress/egress along New Wilke Road to restrict full access to and from the subject property along this street.**
- 2. At the request of the Village, the Petitioner shall grant, and cause to be recorded, an access easement that provides two-way cross access to the property to the east, which shall only be required if and when the Taco Bell property provides reciprocal access to the subject property.**
- 3. Deliveries and trash collection shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m.**
- 4. Compliance with the January 8, 2019 motion from the Design Commission shall be required.**
- 5. IDOT review and approval shall be required.**
- 6. The Petitioner shall comply with all federal, state, and Village codes, regulations, and policies.**

COMMISSIONER CHERWIN: I second.

CHAIRMAN ENNES: Can we have a roll call vote?

MR. HUBBARD: Commissioner Drost.

COMMISSIONER DROST: Aye.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Yes.

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MR. HUBBARD: Commissioner Warskow.

COMMISSIONER WARSKOW: Yes.

MR. HUBBARD: Chairman Ennes.

CHAIRMAN ENNES: Yes.

APPROVED

MR. HUBBARD: Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes, with comment.

MR. HUBBARD: Commissioner Dawson.

COMMISSIONER DAWSON: Yes, with comment.

CHAIRMAN ENNES: Okay, can we have your comments?

COMMISSIONER CHERWIN: Yes, I would just echo I think what

Commissioner Dawson was referring to earlier which is maybe in the interim here build out a little more detail around the westerly access and make sure that there's some, you know, accommodation for the stepped evaluation of how we're going to restrict that site. That's all, thank you.

CHAIRMAN ENNES: As far as the ingress and egress?

COMMISSIONER CHERWIN: Yes.

CHAIRMAN ENNES: Yes.

COMMISSIONER DAWSON: And I have the same comment.

CHAIRMAN ENNES: Okay, so we have a unanimous approval. You can proceed on to the Village Board once you got the rest of your details wrapped up. So, congratulations and good luck with your new business venture. Thank you very much.

Sam, do we have anything else on the agenda that I might not be aware of?

MR. HUBBARD: We do not.

CHAIRMAN ENNES: Nothing. So, I would entertain a motion to adjourn the meeting.

COMMISSIONER DROST: I'll make that motion.

COMMISSIONER GREEN: I'll second it.

CHAIRMAN ENNES: Fighting for it. Okay, we have a first and a second. All in favor?

(Chorus of ayes.)

CHAIRMAN ENNES: So moved.

MR. HUBBARD: I will mention that next month, our next meeting, we may have kind of a heavy agenda. We have three projects plus one plat. So, one of them is the Goddard School on North Arlington Heights Road in the former Silvia's Flower site. The other is a subdivision on Thomas. The third is a new cell tower by the Cross and Crown Church on Rand Road. So, it may be kind of a lengthy meeting, I just want to give you guys a heads up on that.

(Whereupon, the above-mentioned meeting was adjourned at 8:10 p.m.)