



MELTZER, PURTILL & STELLE LLC

ATTORNEYS AT LAW

1515 E. WOODFIELD RD.  
SECOND FLOOR  
SCHAUMBURG, IL 60173-5431  
PHONE (847) 330-2400  
FAX (847) 330-1231

300 S. WACKER DR.  
SUITE 3500  
CHICAGO, IL 60606-6704  
PHONE (312) 987-9900  
FAX (312) 987-9854

File Number: 34175-001  
Direct Dial: (312) 461-4302  
E-mail: [sbauer@mpslaw.com](mailto:sbauer@mpslaw.com)

## VIA EMAIL

August 23, 2019

Sam Hubbard  
Development Planner  
Village of Arlington Heights  
33 S. Arlington Heights Road  
Arlington Heights, Illinois 60005-1499

Re: 1501 W. Shure Drive | Proposed PUD Amendment and Variations

Dear Mr. Hubbard:

On behalf of Torburn Partners, Inc. (“Torburn”) as the sole Manager of TNC Lot 1, LLC (“TNC”), which is the owner of Lot 1 of Northwest Crossings and commonly known as 1501 W. Shure Drive (“Subject Property”), we are pleased to present this request for approval of an amendment to the planned unit development ordinances governing the development and use of the Subject Property in conjunction with certain proposed variations in furtherance of the approvals previously granted by Village Ordinances 15-016 and 15-040. More specifically, Torburn seeks the following approvals on behalf of TNC and TNC’s future tenant for the Subject Property, which tenant respectfully requires anonymity during the public review process due to its sensitive security protocols in the interest of public safety (“Tenant”), in connection with the Tenant’s intent to establish a Backup Network Operations Center and Business Resumption Training Suite at the Subject Property:

- 1) An amendment to the planned unit development for the Subject Property, as previously amended, which was granted by Ordinances 88-60, 15-016 and 15-040, to now allow (a) modifications to the approved off-street parking facility and associated exterior mechanical equipment areas, landscape plantings and parking lot lighting for the Subject Property in the manner illustrated and depicted by the plans submitted on August 9, which will result in the initial establishment of 559 parking spaces (“Phase 1 Spaces”) west and south of the existing building on the Subject Property (“Subject Building”) and (b) the subsequent construction of an additional 342 parking spaces (“Phase 2 Spaces”) on the Subject Property to be located north of the Subject Building if and when needed to accommodate additional occupancy of the Subject Building by the Tenant. The net total number of parking spaces for which TNC now seeks authorization to be established on the Subject Property in accordance with its current request for a planned unit development amendment is 898 spaces, inclusive of the Phase 1 Spaces, the Phase 2

Spaces and the removal of three Phase 1 Spaces as necessary to provide vehicular connectivity between the Phase 1 Spaces and the Phase 2 Spaces, all in accordance with the most recent plan set submitted today by Kimley-Horn and Associates, Inc. as project engineer (“August 23 Plan Set”).

- 2) Variations from Sections 6.13-3(a), 6.13-3(b) and 6.13-3(c) of *The 2002 Comprehensive Amendment of the Zoning Ordinance of the Village of Arlington Heights* (“Zoning Ordinance”) to allow installation of (i) an 8’-0” tall wrought-iron style security fence with decorative top points to be located (a) around the perimeter of the existing and proposed improvements on the Subject Property and (b) less than five feet from the south and east lot lines of the Subject Property, (ii) a 17’-4” tall mechanical equipment (generator) screen wall to be located adjacent to the north and south façades of the Subject Building, (iii) a 6’-0” tall mechanical equipment (gas meter) screen wall to be located adjacent to the north façade of the Subject Building and (iv) an 8’-0” tall chain-link fence with slats as a mechanical equipment (transformer) screen to be located adjacent to the north and south façades of the Subject Building, all in accordance with the plans submitted today by Kimley-Horn and Associates, Inc. as project engineer (“August 23 Plan Set”).
- 3) A variation from Section 6.6-5.1 of the Zoning Ordinance to allow a generator, gas meter and condenser units to be located 8’-6” from the eastern lot line of the Subject Property or within a distance of less than 10% of the Subject Property’s lot width, all in accordance with the August 23 Plan Set.
- 4) A variation from Section 6.5-2 of the Zoning Ordinance to allow an increase in the permitted maximum number of accessory structures on the Subject Property from four to five and placement thereof in a front yard for the establishment of guard houses, all in accordance with the August 23 Plan Set.
- 5) A variation from Section 10.2-9 of the Zoning Ordinance to allow an increase in the permitted maximum driveway width from 36 feet to 77 feet in accordance with the August 23 Plan Set.
- 6) A variation from the otherwise applicable requirements of Sections 6.12 and 9.8(k) of the Zoning Ordinance to provide a traffic study and parking analysis in connection with the foregoing planned unit development amendment and variation requests given that the net 898 parking spaces Torburn now seeks authorization to establish on the Subject Property if and when needed to accommodate the Tenant’s occupancy of the Subject Building represents (a) less than a 12% increase above the 802 parking spaces previously authorized for establishment on the Subject Property and (b) a total of 247 more parking spaces than the 651 parking spaces required by the “Offices - Business, Professional & Governmental” parking standard of the Zoning Ordinance for the 195,300 square-foot area of the Subject Building based on a parking ratio of one space for every 300 square feet of floor area under Section 10.4-2 of the Zoning Ordinance.

Similar to the approvals granted by Ordinance 15-040, which pertained to the property located immediately east of the Subject Property, the approvals now requested are necessary for TNC to reasonably satisfy the unique needs of its future tenant for the Subject Property, which are driven by the Tenant's critical security protocols in the interest of public health and safety and in accordance with applicable federal regulations. Of equal importance, the approvals now requested will not (a) detrimentally alter the essential character of the locality in which the Subject Property is located, (b) be incompatible with existing uses and zoning of nearby property or (c) be inharmonious with the spirit and intent of the Zoning Ordinance. Moreover, the site improvements proposed for the Subject Property for which the foregoing approvals are requested will include environmentally sustainable design elements in the form of eight bioretention facilities, three of which will be located adjacent to or within the offstreet parking area for the Phase 1 Spaces as illustrated by the August 23 Plan Set, and five of which will be located within the offstreet parking area for the Phase 2 Spaces as illustrated by that plan set. The proposed bioretention facilities will filter and improve the quality of stormwater that will drain from those parking areas before being released to the storm sewer system, which will serve as a benefit to the quality of stormwater discharged from the Subject Property.

Given the purpose and function of the proposed Backup Network Operations Center as a means of ensuring that the Tenant is able to continuously operate its critical business functions in the event of a disaster that precludes it from conducting those operations at its primary Network Operations Center, the hope is that the Backup Network Operations Center is never put to use and staffed accordingly. If, however, it is necessary for the Tenant to operate the Backup Network Operations Center due to a catastrophic event, it will be staffed with approximately 450-500 employees at any given time, 24 hours per day and seven days per week to operate in the same manner as that tenant's regular Network Operations Center. Regardless of whether the Backup Network Operations Center is ever put to use, the Tenant anticipates that approximately 75-100 employees will utilize its proposed Business Resumption Training Suite three to five days per week from 8:00 a.m. to 5:00 p.m. Needless to say, the resulting anticipated 600 maximum number of employees is well below the net total of 898 parking spaces that will exist on the Subject Property following construction of the Phase 1 Spaces and the Phase 2 Spaces. The proposed parking supply at the Subject Property will easily accommodate the parking demand of the Tenant as a result.

We look forward to presenting the requested approvals and related project details to the Plan Commission on August 28. In the interim, please contact me at (312) 461-4302 if you would like to discuss this matter in further detail.

Sincerely,

**MELTZER, PURTILL & STELLE LLC**



Steven C. Bauer