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

COMMISSION

RE: SHIRLEY RYAN ABILITY LAB - 3215 NORTH WILKE ROAD - PC# 20-003
LAND USE VARIATION, PARKING VARIATION, ACCESSORY STRUCTURE
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 26th day of February, 2020 at the hour of 7:45 p.m.

MEMBERS PRESENT:

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

ALSO PRESENT:

SAM HUBBARD, Development Planner

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CHAIRMAN ENNES: Okay, our second petition for the evening is PC# 20-003. Is the Petitioner here?

MS. DUNCAN: Yes, Mr. Chairman.

CHAIRMAN ENNES: Are you Kathleen?

MS. DUNCAN: I'm Kate Duncan, yes.

CHAIRMAN ENNES: Will anybody else be talking with you?

MS. DUNCAN: Yes. I'm going to have everyone stand up and be sworn in please.

CHAIRMAN ENNES: So, please raise your right hand.

(Witnesses sworn.)

CHAIRMAN ENNES: You all do, okay.

MS. DUNCAN: Thank you.

CHAIRMAN ENNES: Tell us about your project.

MS. DUNCAN: Yes.

CHAIRMAN ENNES: But first, as you speak, please state your name and spell it for the court reporter.

MS. DUNCAN: Yes, thank you. Good evening, Mr. Chairman and members of the Commission. My name is Kate Duncan, which is D-u-n-c-a-n. I'm an attorney with Akerman, LLP in Chicago. I'm appearing this evening on behalf of the Applicant, the Shirley Ryan Ability Lab in connection with the proposed application before you for the property located at 3215 North Wilke Road.

The Applicant is here before you seeking several approvals actually. The first is a land use variation to allow a physical rehabilitation center within the M-1 zoning district. The second is a variation to reduce the required number of off-street parking spaces for the office park overall from 370 to 361 spaces. We are also seeking a variation to waive the requirement for a formal traffic study that we have submitted a formal parking study. We are also seeking a variation to allow an accessory structure to be 1,250 square feet rather than the 300 square feet required by code, and a variation to allow that same accessory structure to be 16.6 feet instead of 15 feet which is allowed by code. That's for a canopy that we'll show you in a minute.

So, here this evening with me are Laurie Tenzer who is the deputy general counsel for Shirley Ryan Ability Lab; I also have Todd Eicken who is our architect from Cannon Design; and we have Monica Santilli who is a clinical manager and will be one of the staff people at the new facility.

So, the subject property at 3215 North Wilke Road is a part of an office park with multiple buildings and tenants within it, and the Shirley Ryan Ability Lab is leasing approximately 14,786 square feet of office in the office park. That's at the southeast corner which is at the rear of the office park if you're looking at it from Wilke Road. The property is located in the M-1 zoning district, and while medical offices are permitted in that district, physical rehabilitation centers are not which is why the Applicant is here seeking a land use variation.

Applicant is proposing to use the property for a day rehabilitation service which is actually different than your typical physical therapy center or doctor's office. This is for people who require intensive rehabilitation in order to get back to normal independent living, who have either had some sort of serious medical condition or some type of a traumatic accident

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or brain injuries, that sort of thing.

We have provided you with a comprehensive narrative regarding the operations for the facility and the type of patients who we will be serving, and we are happy to go into further detail if you have questions about that. Monica is here with us tonight and can answer any of those types of questions for you.

We're also seeking variations from the parking requirement for the office park which we have substantiated, we believe, with a parking study that was performed by KLOA traffic engineering. As further referenced in our narrative, most patients will arrive at the site and depart from the site by a Medivan, and so they will not require parking themselves. Further, the Medivan will not even be staying on the property after it drops off patients. It will leave the property and then come back to pick them up.

So, Applicant is also seeking this canopy that's going to go over the main entrance to their unit so that they can shelter patients who have serious accessibility limitations from weather conditions. The canopy is a separate structure and not attached to the building, and the reason for that is that we need to make sure that emergency vehicles can fit underneath it. So, it had to be a certain size and dimension and height in order to accommodate ambulances and other emergency type vehicles. If the canopy itself was actually attached to the building, no variations would be required. It would just be permitted as of right.

So, we have provided comprehensive written explanation as to why we believe we meet the standards of all of the approval and criteria for each of the variations, and we're happy to go through any of those if you have questions about that. We've also reviewed the Staff report that was prepared and submitted for our review and your review, and we do understand and accept the conditions that have been recommended by Staff which I know Sam will go through in a minute with you, including the installation of trees at the end of all parking rows as well as the installation of bike parking.

We have a short PowerPoint presentation that I'd like to ask Todd to go through if you'd like. We don't have to do that if you're not, if you don't want that.

CHAIRMAN ENNES: No, we will --

MS. DUNCAN: Okay, very good.

CHAIRMAN ENNES: Sure.

MS. DUNCAN: Todd, you want to come up? Thanks.

CHAIRMAN ENNES: Todd, you went through the effort to do all of this.

MR. EICKEN: They pay me.

CHAIRMAN ENNES: I'm sure it's important.

MR. EICKEN: My name is Todd Eicken, E-i-c-k-e-n, architect with Cannon Design from Chicago, working with the ability lab for the project.

The slide that's up in front of you right now is our floor plan. North would be to the right on the drawing. So, the space is, as Kate mentioned, for day rehabilitation. It's mostly open gym space for the rehab patients and administrative and conference space. Nothing too extraordinary in that regard. It's very simple, a very simple space inside the building.

This is a partial site plan. Again, we're showing our new canopy, showing the new parking islands to either side of the canopy that form the drop-off driveway we'll have underneath the canopy. One of the reasons that the ability lab was I think attracted to this complex is you can see how it has a circular flow of traffic. You can kind of make a circle around the buildings, and that, with the drop-off of the Medivans, that makes for an easy flow for them to

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come in, drop off and get out again back to Wilke.

Landscape drawings. Our drawings have been in for permit now. We've met, as far as we know, all of the requirements for the landscape ordinance.

The site plan also showed the six handicap parking stalls that are being proposed. Our parking study indicated the need for 24, 25 parking spots. So, six is a little more than 20 percent. That's what the Illinois Accessibility Code requires for a rehabilitation facility. It's a little higher percentage of handicap stalls you might normally see for other building types.

The rendering in front of you is our canopy, again reviewed with the Building Department here, Steve Hautzinger, to make sure that it was, you know, built out of materials that were compatible in appearance and quality to the existing building. So, a very simple canopy. Again, it was sized to not only allow the Medivans but also a fire truck to go underneath the structure.

So, that is it.

CHAIRMAN ENNES: Thank you.

MS. DUNCAN: That concludes our presentation. We're happy to answer any questions you have.

CHAIRMAN ENNES: Okay, we'll go on to the Staff report.

MR. HUBBARD: Sure, thank you. So, as you've heard, the subject property is at 3215 North Wilke Road. It's in an M-1 zoning district and classified as suitable for research development, manufacturing, and warehouse uses on our Comprehensive Plan.

The proposed use is most similar to a medical office use which is a permitted use in the M-1 district, so the proposed use we feel is generally comparable with the Comprehensive Plan. However, physical rehabilitation centers are not allowed in the M-1 zoning district; therefore, the Petitioner is seeking this evening a land use variation to allow the proposed use within the M-1 district. Then you've heard the four variations that are needed; two relative to parking and traffic, and two relative to the canopy area.

The Petitioner did appear in front of the Conceptual Plan Review Committee on October 23rd of last year. I would characterize it as generally supportive of the use. There weren't any major issues that I recall being identified at that meeting.

Here's the aerial again. You can see on the left-hand side is Wilke Road, to the north is Cellular Drive, and the subject property is bounded in red with the unit in blue at the southeast corner of the site. So, it's kind of off of the main roads there.

Here's the site plan. Again, you can see the unit here, and the canopy is going to be constructed approximately in that area shown by the blue. There are variations to the height at 16.6 feet, the maximum height allowed is 15, and to the size at 1,250 square feet where maximum size is limited to 300 square feet. So, the Petitioner has demonstrated that they comply with the criteria necessary for variation approvals. Staff concurs that the necessary criteria have been met, and so we're supportive of both variations to the accessory structure regulations.

Here's the floor plan. As the Staff report touched on, there is a small area about 2,600 square feet of the unit that will be under the lease but won't be used at this point. Our parking calculations have been done assuming that that portion is in use, so when they are ready to move forward with build-out there, it should be accommodated already in the parking calculations.

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Here's the landscape plan. In order to accommodate for the canopy area, they had to remove some parking rows, and then they're putting in some new landscape islands. There were certain landscape islands in the overall complex that were missing the code-required shade tree, and the Petitioner has agreed to work with the landlord to get those installed and compliant with code.

Finally, relative to parking, 370 spaces are required. Once they remove certain spaces on the site to accommodate for the canopy, there will be only 361 spaces, so a variation is required. They did have KLOA do four days of parking survey, and they found that the peak was 242 cars. When you accommodate for the cars expected to be generated by Shirley Ryan, we estimated a peak of 286 usage overall for the building, and then the building is about 10 percent vacant. So, when you kick in the remaining occupancy, assuming it's at 100 percent occupancy, the peak parking demand is probably a little over 300 again. Again, there will be 361 parking spaces on the site, so we're okay with the variation and supportive of the variation to reduce the requirement for on-site parking.

I would mention that any time a new use comes in that has a higher parking requirement than the previous use, it kicks in the bike parking regulations. A medical office use, which is how we classify a physical rehabilitation center, has a higher parking requirement than just a standard office use. So, it kicks in the bike parking requirement compliance for the entire office complex that translates to 19 spaces. We felt, as a more practical approach, the Petitioner should install four spaces which is what they contribute to the overall requirement. Then we'll work with the landlord to install the remaining 15 spaces for the other users within the facility. The Petitioner has agreed to do that, and Staff is recommending approval of the application subject to the conditions outlined in the Staff report. Thank you.

CHAIRMAN ENNES: Sam, I have one quick question in regard to your report. How many employees does the operation there have?

MR. HUBBARD: I would defer to the Petitioner. I believe it's --

MS. SANTILLI: I would say about 20.

MR. HUBBARD: 20.

CHAIRMAN ENNES: How many, 20?

MS. DUNCAN: Monica, can you come up and answer?

CHAIRMAN ENNES: Okay, thank you.

MS. SANTILLI: My name is Monica Santilli, S-a-n-t-i-l-l-i. Yes, I'm the clinical manager; I will be the clinical manager in this building. I would approximate around 20 employees.

CHAIRMAN ENNES: Okay, so they might be, it sounds like most of your patients are not real mobile. They wouldn't be riding bikes, so it might be your employees.

MS. SANTILLI: Correct, they would not be riding bikes. Some employees might.

CHAIRMAN ENNES: You think your employees might take advantage of that?

MS. SANTILLI: I would probably be the most likely one because I live the closest. But there may be a few.

CHAIRMAN ENNES: Okay, thanks. Okay, so Staff report, can we have a motion to approve?

COMMISSIONER GREEN: I'll make the motion.

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CHAIRMAN ENNES: Is there a second?

COMMISSIONER SIGALOS: I'll second.

CHAIRMAN ENNES: Okay, all in favor?

(Chorus of ayes.)

CHAIRMAN ENNES: Anyone opposed?

(No response.)

CHAIRMAN ENNES: Okay, so thank you for the Staff report.

Commissioners, do you have questions on the proposed development?

COMMISSIONER JENSEN: Well, I should indicate that, in the name of transparency, my wife was a patient at your facility in Elk Grove Village. I have no other connection with the Shirley Ryan Ability Lab, but I think it's a wonderful facility and operation. At this point, I don't have any further questions.

COMMISSIONER WARSKOW: I don't have any questions. I'd just like to put my support on the record. I think it's a great project.

COMMISSIONER LORENZINI: Sam, a question. On the parking, it says based on other tenants within the complex, a total of 370 parking spots are required. So, are all the other buildings filled?

MR. HUBBARD: No, there are some vacancies.

COMMISSIONER LORENZINI: So, when those other buildings are filled, would there be a possible problem for parking then?

MR. HUBBARD: We don't anticipate it. It's about 90 percent -- I'm sorry, where are my notes? I think it's 10 percent vacant, so 90 percent full. Even with peak usage, the parking lot would be only 80 percent full. So, there's still surplus capacity to accommodate for those tenancies.

COMMISSIONER LORENZINI: And the gentleman from the Petitioner, did you mention there are six handicap spots proposed?

MR. EICKEN: Yes, Todd Eicken. There are six spaces proposed out of the 26 that are attributable to the ability lab.

COMMISSIONER LORENZINI: It's just I don't see six on any of the drawings.

MR. EICKEN: Can I get the site plan?

MS. DUNCAN: The site plan.

MR. HUBBARD: They're on there, yes. Here, let me go back.

COMMISSIONER LORENZINI: Okay, I'll take your word for it, that's fine.

MR. HUBBARD: Okay.

COMMISSIONER LORENZINI: Okay, thank you. That's all.

CHAIRMAN ENNES: Commissioner Green?

COMMISSIONER GREEN: I have no questions, but I would just like to say that I have a son-in-law who has used your facility and it's really a fantastic operation you guys have there. So, I'm totally in favor of what you're doing.

CHAIRMAN ENNES: Commissioner Cherwin?

COMMISSIONER CHERWIN: Yes. I saw the project in the Committee, and the Petitioners I think answered a lot of questions there. I agree, it's a fantastic project, and we were supportive then and still supportive of it. Happy to have them there.

CHAIRMAN ENNES: Commissioner Sigalos?

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COMMISSIONER SIGALOS: I, again, think it's a great project, very supportive of it. I just had one question on the height of the canopy. You said that it would be to facilitate a fire truck. I mean, this is for a fire emergency? I mean, they're not transporting anybody there. But it seems like when I look at the site plan, it looks like the canopy is aligned with the row of parking adjacent to the building. So, wouldn't the fire truck be able to go past there without having this additional height?

MR. EICKEN: Yes, it's purely, you know, an emergency situation if they would choose to go under. They don't have to, no. They probably won't actually.

COMMISSIONER SIGALOS: I'm just looking at the, when I look at the elevation, it just kind of looks kind of out of scale to the height of the building. That's why I'm just questioning why it had to be so high.

MR. EICKEN: Well, there's also ambulances that go under. Ambulances can get pretty tall these days.

COMMISSIONER SIGALOS: Well, not 16 feet.

MR. EICKEN: No, but also we wanted the building, we wanted the height of the canopy to overlap the existing building so that we provide continuous cover into the building.

COMMISSIONER SIGALOS: Okay, I get it. Again, this is not Design Commission, so I was just curious.

MR. EICKEN: Okay.

COMMISSIONER SIGALOS: So, I'm very supportive of the project.

CHAIRMAN ENNES: Ms. Duncan, one quick question. I believe you said in your presentation that the Petitioner has reviewed the conditions placed on it by Staff?

MS. DUNCAN: Yes, sir.

CHAIRMAN ENNES: And you're in agreement with all of those?

MS. DUNCAN: Yes, Mr. Chairman. We agree with all the conditions.

CHAIRMAN ENNES: I have no questions. I read your package in extreme detail. I'm not familiar with the facility. So, if there aren't any other questions, can we get a motion?

COMMISSIONER CHERWIN: Sure, I'll move. I'll make a motion to recommend to the Village Board --

MR. HUBBARD: Do you want to open up -- is there anyone in the audience? Should we open it up to the audience? No.

CHAIRMAN ENNES: Oh, I'm sorry, I didn't, I missed it, okay.

COMMISSIONER CHERWIN: Is there anyone in the audience?

(No response.)

CHAIRMAN ENNES: Thanks.

COMMISSIONER CHERWIN: I'll make a motion.

A motion to recommend to the Village Board of Trustees approval of PC# 20-003, a Land Use Variation to allow a physical rehabilitation center within the M-1 Zoning District; and the following variations:

- 1. A variation from Chapter 28 of the Municipal Code, Section 10.4, to reduce the required number of off-street parking spaces from 370 to 361 spaces.**
- 2. A variation from Chapter 28 of the Municipal Code, Section 6.12-1(2)b, to waive the requirement for a traffic and parking study by a certified traffic engineer.**

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3. A variation from Chapter 28 of the Municipal Code, Section 6.5-7b, to allow an accessory structure to be 1,250 square feet where code limits the maximum size to 300 square feet.
4. A variation from Chapter 28 of the Municipal Code, Section 6.5-6, to allow an accessory structure to be 16.6 feet tall where code limits the maximum height to 15 feet.

This recommendation shall be subject to the following conditions:

1. The Petitioner shall work with the landlord to ensure that the ends of all parking rows contain a four-inch caliper shade tree when weather permits the planting of trees. The installation of all code-required shade trees within the existing landscape islands on the subject property must occur within eight months of land use variation approval.
2. The Petitioner shall install the four required bicycle parking spaces associated with their use, and the Village shall work with the property owner to install the remaining 15 required bicycle parking spaces.
3. The Petitioner shall comply with all federal, state, and Village codes, regulations, and policies.

CHAIRMAN ENNES: Is there a second?

COMMISSIONER SIGALOS: I'll second.

CHAIRMAN ENNES: Any questions? Okay, could we have roll call vote?

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Yes.

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.

MR. HUBBARD: Commissioner Lorenzini.

COMMISSIONER LORENZINI: Yes.

MR. HUBBARD: Commissioner Warskow.

COMMISSIONER WARSKOW: Yes.

MR. HUBBARD: Chairman Ennes.

CHAIRMAN ENNES: Yes.

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MR. HUBBARD: Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes.

MS. DUNCAN: Thank you very much.

CHAIRMAN ENNES: This is a record. Two petitions in the same night shot both right through.

MS. DUNCAN: Thank you very much.

CHAIRMAN ENNES: And that's really a sign of good presentations to the initial review committee and all the detail that you provided.

MS. DUNCAN: Great, thank you very much.

CHAIRMAN ENNES: So, congratulations going forward to all of you.

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MS. DUNCAN: Thank you.

CHAIRMAN ENNES: Thank you. So, we have plans I think to sign.

MR. HUBBARD: You do, yes, you and --

CHAIRMAN ENNES: Yes, do I have my secretary here?

COMMISSIONER WARSKOW: Yes.

CHAIRMAN ENNES: Yes, she is.

COMMISSIONER JENSEN: Do you need a motion to adjourn?

CHAIRMAN ENNES: Good evening, good luck.

COMMISSIONER GREEN: Should we adjourn and do that?

COMMISSIONER JENSEN: Motion to adjourn.

CHAIRMAN ENNES: We'll do that, you guys can leave. This meeting is
adjourned.

(Whereupon, the hearing on the above-mentioned petition was
concluded at 8:05 p.m.)