



# Firsell Ross

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February 26, 2021

Mr. Charles Witherington-Perkins  
Director of Planning and Community Development  
Village of Arlington Heights  
33 S. Arlington Heights Road  
Arlington Heights, Illinois 60005

**Re: Response to Staff comments - Proposed Amendment to Arlington 425 Planned  
Unit Development Ordinance 19-019 (the "Ordinance")**

Dear Charles,

Submitted herewith are the responses and additional revised materials based on the staff comments received earlier this month. I am pleased to report that we have made many significant adjustments based on the staff comments. I want to highlight some of the more significant ones here.

1. The Petitioner will not be constructing the Highland Garage in phases. Petitioner is proposing to construct a 4-story parking garage containing 345 total parking stalls.
2. Petitioner will include an underground garage containing 44 parking stalls as part of the Chestnut Building. No parking, temporary or otherwise, is being proposed on the west side of Chestnut.
3. The pergola and firepits have been removed from the plans. As these may require variations and would not be constructed until Phase II is built, should Petitioner choose to include these amenities, Petitioner will seek approval of the required variations at that time.
4. There will be no underground connections between buildings. Petitioner is proposing a walkway between the Campbell Building and the Highland Garage as shown on the revised plans.
5. No portion of the basement level of the Campbell Building will be used for any residential or commercial occupancy. This level will be used strictly for building amenities, storage, and building mechanical, electric, plumbing, elevator and other systems.

Petitioner believes that it has gone the extra mile to satisfy and alleviate many of the various staff concerns. In light of our major compliance to Staff's comments and requests, we urge you to



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include this matter on the March 31, 2021 agenda for public hearing. We have all of our mail notices ready to go and our sign installer is simply waiting to insert the date on the signs for posting.

Should you have any questions, please do not hesitate to contact the undersigned.

Thank you in advance for your cooperation and consideration in this matter.

Very Truly Yours,

Michael D. Firsell

**ARLINGTON 425 – PC # 21-002**  
**PETITIONER RESPONSES TO ROUND 1 COMMENTS**  
**FEBRUARY 26, 2021**

**RESPONSES TO BUILDING & LIFE SAFETY DEPARTMENT COMMENTS**

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The following comments apply to **225 W. Campbell**:

1. Compliance with the current village adopted codes, as well as 2015 NFPA 101-Life Safety Code, and the 2018 Illinois Accessibility Code is required.

Response: Petitioner will comply.

2. Each building shall be classified as high-rise, and meet all the requirements in 2018 IBC Section 403 and 420.

Response: Petitioner will comply.

3. Based on the number of stories above grade (10) the construction type shall be I-B with sprinklers per 2018 IBC Table 504.4.

Response: Petitioner will comply.

4. Exterior wall ratings shall meet the requirements of 2018 IBC Table 602 for I-B.

Response: Petitioner will comply.

5. Indicate if the buildings will be separated or non-separated mixed use of M (retail spaces), and R-2.

Response: Separated.

6. Separation for incidental use areas shall follow the requirements of 2018 IBC Table 509.

Response: Petitioner will comply.

7. Provide a height and area calculation for each building.

Response: Then height to the top of the roof deck is 111'. The height to the top of the parapet is 117'. The total area is 270,362 square feet.

8. A Fire Command Center shall be provided for each building per 2018 IBC Sections 403.4.6 and 911.

Response: A Fire Command Center will be provided on the east side on the ground floor and shown at Final Engineering.

9. The elevated pedestrian walk way and underground tunnel shall comply with 2018 IBC Section 3104.

Response: Underground walkway is no longer a part of the project, and any references will be removed from the plans. The elevated pedestrian walkway will comply.

10. At least one elevator in each building shall be provided for the fire department emergency access to all floors. The elevator car shall be of such a size and arrangement to accommodate an ambulance stretcher in its horizontal, open position, provided the interior cab size shall not be less than **60 inches by 85 inches**, and shall be identified by the International Symbol for emergency medical services (Star of Life). The Symbol shall be not less than 3 inches high and shall be placed inside on both sides of the hoist-way door frame.

Response: Petitioner will comply.

11. One elevator in each building shall be part of the accessible means of egress. 2018 IAC 506.2.1. Stand-by power is required per 2018 IAC 506.4.

Response: Petitioner will comply.

12. The trash termination rooms shall comply with the requirements of 2018 IBC Table 509 and Section 713.

Response: Petitioner will comply.

13. Each building shall have a fire command Center that complies with 2018 IBC Sections 403.4.5 and 911.

Response: Comment #8 above references 2018 IBC Sections **403.4.6** and 911. Petitioner will comply.

14. Each building shall have a protected fire pump room that complies with 2018 IBC 913 and NFPA 20.

Response: Petitioner will comply.

Note: This is not a complete and all-inclusive list.

Response: Please provide additional items as soon as possible.

The following comments apply to 33 S. Chestnut:

1. Compliance with the current village adopted codes, as well as 2015 NFPA 101-Life Safety code, and the 2018 Illinois Accessibility Code is required.

Response: Petitioner will comply.

2. Indicate if the buildings will be separated or non-separated mixed use of S-2 and R-2.

Response: Not applicable; building is all residential. Floor area between underground parking and residential units above will be fire rated per code

3. Separation for incidental use areas shall follow the requirements of 2018 IBC Table 509.

Response: Petitioner will comply.

4. Provide a height and area calculation for each building.

Response: Then height to the top of the roof deck is 58'2". The height to the top of the parapet is 61'8". The total area is 111,665 square feet.

5. At least one elevator in the building shall be provided for the fire department emergency access to all floors. The elevator car shall be of such a size and arrangement to accommodate an ambulance stretcher in its horizontal, open position, provided the interior cab size shall not be less than **60 inches by 85 inches**, and shall be identified by the International Symbol for emergency medical services (Star of Life). The Symbol shall be not less than 3 inches high and shall be placed inside on both sides of the hoist-way door frame.

Response: Petitioner will comply.

6. One elevator in each building shall be part of the accessible means of egress. 2018 IAC 506.21. Stand-by power is required per 2018 IAC 506.4.

Response: Petitioner will comply.

7. The trash termination rooms shall comply with the requirements of 2018 IBC Table 509 and Section 713.

Response: Petitioner will comply.

Note: This is not a complete and all-inclusive list.

Response: Please provide additional items as soon as possible.

The following comments apply to the **Highland Parking Garage**:

1. The parking garage shall have a stand pipe system per 2018 IBC 406.5.

Response: Petitioner will comply.

2. At least one elevator in the building shall be provided for the fire department emergency access to all floors. The elevator car shall be of such a size and arrangement to accommodate an ambulance stretcher in its horizontal, open position, provided the interior cab size shall not be less than **60 inches by 85 inches**, and shall be identified by the International Symbol for emergency medical services (Star of Life). The Symbol shall be not less than 3 inches high and shall be placed inside on both sides of the hoist-way door frame.

Response: Petitioner will comply.

Note: This is not a complete and all-inclusive list.

Response: Please provide additional items as soon as possible.

**ARLINGTON 425 – PC # 21-002**  
**PETITIONER RESPONSES TO ROUND 1 COMMENTS**  
**FEBRUARY 26, 2021**  
**RESPONSES TO FIRE SAFETY DIVISION COMMENTS**

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Some comments below were listed on the original review; however, the items are not indicated on the submitted drawings.

1. Where required and in all buildings classified as high-rise buildings by the International Building Code, a fire command center for fire department operations shall be provided.

Response: Petitioner will comply.

2. Indicate the proposed location of the fire command center and the fire pump room.

Response: To be provided during Construction Documents. Will meet all code requirements and coordinate with the Fire Chief, as necessary.

3. The location and accessibility of the fire command center shall be located on the first floor and approved by the fire chief. The fire command center shall be separated from the remainder of the building by not less than a 1 hour fire barrier or horizontal assembly or both.

Response: Petitioner will comply.

4. The fire command center shall be a minimum of 200 square feet in area with a minimum dimension of 10 feet. A layout of the fire command center and all features required by this section to be contained therein shall be submitted for approval prior to installation.

Response: Petitioner will comply.

5. The fire command center shall comply with NFPA 72 and shall contain the following features:
  - a. The emergency voice/alarm communication system control unit.
  - b. The fire department communication system.
  - c. Fire detection and alarm system annunciator.
  - d. Annunciator unit visually indicating the location of the elevators and whether they are operational.
  - e. Status indicators and controls for air distribution systems.
  - f. The fire-fighter's control panel required for smoke control systems installed in the building.
  - g. Controls for unlocking stairway doors simultaneously.
  - h. Sprinkler valve and water-flow detector display panels.
  - i. Emergency and standby power status indicators.
  - j. A telephone for fire department use with controlled access to the public telephone system.
  - k. Fire pump status indicators.
  - l. Schematic building plans indicating the typical floor plan and detailing the building core, means of egress, fire protection systems, fire-fighting equipment and fire department access,

- and the location of fire walls, fire barriers, fire partitions, smoke barriers and smoke partitions.
- m. Work table.
  - n. Generator supervision devices, annual start and transfer features.
  - o. Public address system, where specifically required.
  - p. Elevator fire recall switch in accordance with ASMEA17.1.
  - q. Elevator emergency or standby power selector switch(es), where emergency or standby power is provided.

Response: Petitioner will comply.

- 6. All new fire alarm systems shall be capable of sending a wireless signal and shall be monitored by Northwest Central Dispatch.

Response: Petitioner will comply.

- 7. The parking garage shall have a full fire sprinkler system installed.

Response: The parking garage will comply with all Code requirements relating to sprinkler system in parking garages.

**ARLINGTON 425 – PC # 21-002**  
**PETITIONER RESPONSES TO ROUND 1 COMMENTS**  
**FEBRUARY 26, 2021**

**RESPONSES TO ENGINEERING DEPARTMENT COMMENTS**

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1-10. No response required. Part of Engineering Department form.

11. The petitioner is notified that these comments are being provided to ensure that the project meets the requirements for submittal to the Plan Commission. Approval by the Plan Commission is not an endorsement or approval of these documents to obtain the required building permits, engineering approval, or permits required by other government or permitting agencies for construction. Detailed plan review with associated comments will be provided upon submittal of plans for a building permit. The petitioner shall acknowledge that they accept this understanding.

Response: Understood and agreed.

12. Since a subdivision is being proposed the plans must meet all subdivision requirements. Final engineering plans for all public improvements must be approved prior to the final plat of subdivision approval. An Engineers estimate of construction cost for full site improvements is required to complete the calculation for plan review, inspection, and other fees. An Engineers estimate of construction cost for public improvements is also required to complete the calculation for the required public improvement guarantee deposit. The public improvements for this development would be sidewalk, brick sidewalk, curb and gutter, widening of Chestnut Ave for parking, street lighting, bump outs at Highland Ave and Campbell St, bump outs at Chestnut Ave and Campbell St, installation of a 3 way stop control at Highland Ave and Campbell St, and all way stop control at Highland Ave and Sigwalt St. These estimates should be submitted at least three weeks prior to the final Plan Commission meeting to allow us time to generate the fee letter and for the petitioner to assemble the proper documents.

Response: Comment duly noted. The requested engineer's opinions of probable construction cost will be provided as part of the final engineering submittal.

13. Final engineering plans shall be georeferenced by using State Plane Coordinate System - Illinois East. Below are details about projection:

Projected Coordinate System:	NAD_1983_StatePlane_Illinois_East_FIPS_1201_Feet
Projection:	Transverse Mercator
False_Easting:	984250.00000000
False_Northing:	0.00000000
Central Meridian:	-88.33333333
Scale Factor:	0.99997500
Latitude_Of_Origin:	36.66666667
Linear Unit:	Foot_US
Geographic Coordinate System:	GCS_North_American_1983
Datum:	D_North_American_1983
	Prime Meridian: Greenwich



Angular Unit: Degree

Response: Understood and agreed.

14. The Final Plat of Subdivision must be reviewed and approved by Engineering prior to final Plan Commission approval. The original signed mylar Final Plat of Subdivision, containing all non-Village signatures, shall be submitted one week before the scheduled date of the final Plan Commission meeting. Village Code Section 29-209 also requires a digital copy of the plat to be provided on disk to the Village. The petitioner shall acknowledge that they accept this understanding.

Response: Petitioner agrees with the first sentence. The Petitioner does not agree with the second sentence as the executed plat as requested will be submitted with Petitioner's final engineering. A digital copy of the plat will be provided on disk to the Village.

15. The site storm water management summary and volume control summary appear acceptable.
- a. The storm water management report, detention calculations and restrictor calculations shall be updated at final engineering.
  - b. The detention storage system under the garage must be designed to AASHTO HS-25 loading standard.
  - c. In the event the project is constructed in phases, the underground detention must be installed during Phase I.
  - d. A maintenance plan shall be provided for the permeable pavers and underground detention.

Response: Understood and agreed.

16. Final subdivision approval will require final engineering plans.

Response: Understood and agreed.

17. A site photometric lighting diagram indicating lighting intensities and associated catalog cut sheets for all site and building mounted luminaires must be provided. All fixtures must be flat bottom, sharp cut-off, and no wall pack style fixtures will be permitted. This can be provided at final engineering.

Response: This comment has been noted and the requested lighting information will be provided at final engineering.

18. An existing street light on Campbell St just west of the entrance may need to be relocated. This can be addressed at final engineering.

Response: This comment has been noted and the requested lighting information will be provided at final engineering.

19. There are concerns with the current layout of the median under the porte cochere:

- a. The median should be extended south, stopping just short the outer radius of the roundabout to help guide entering and exiting vehicles, and prevent prohibited movements.
- b. The north end of the median may encroach into the pedestrian access route along Campbell St. The median should be shifted south such that the pedestrian access route is maintained through the driveway.

- c. These items can be addressed at final engineering.

Response: These comments have been noted and will be addressed at final engineering.

20. Per the original approval, crosswalks are required to be installed on all legs at the intersections of Highland Ave. and Campbell St., and Highland Ave. and Sigwalt St. The original approval also required bump outs to be constructed on Campbell St. between Highland Ave. and Chestnut Ave., and on the western side of Highland Ave. between Campbell St. and the access drive. Revise the plans to include the conditions as noted in the previous approval. This can be addressed at final engineering.

Response: These comments have been noted and will be addressed at final engineering.

21. The all-way stop control at the intersections of Highland Ave. and Campbell St., and Highland Ave. and Sigwalt shall be completed. This can be addressed at final engineering.

Response: This comment has been noted and will be addressed at final engineering.

22. Sidewalk shall carry through all driveways, curb shall stop on either side of the sidewalk. For driveways that are under stop control, detectable warning panels are required.

Response: This comment has been noted and will be addressed at final engineering.

23. The fire lanes are to be constructed of permeable pavers. The structural number of the proposed cross section of the fire lane shall meet or exceed the Village's heavy-duty asphalt pavement cross section consisting of: 2" Surface, 2-1/4" N-50 Binder, 5" N-50 Binder, and 4" CA-6 Stone Subbase. Concrete driveway apron to be 8" thick. This can be addressed at final engineering.

Response: These comments have been noted and will be addressed at final engineering.

24. The AutoTurn exhibits submitted do not include turning movements for an inbound tower engine entering from the Campbell St. driveway. Submit AutoTurn exhibit showing the inbound and outbound turning movements for a tower engine entering from Campbell St. This can be addressed at final engineering.

Response: Tower engine entering from the Campbell Street Drive is not included, and was not included in original approval.

25. The existing conditions survey is from the year 2002 and does not show the existing Vail Garage structure over Highland Avenue. Other surface and/or underground improvements have been made in the interim. The existing conditions must be checked and updated to enable cogent comments.

Response: This comment has been noted. An updated existing conditions survey will be prepared and included in the final engineering documents for Village review and comment.

26. Currently, westbound vehicles from Highland Ave. are aligned with vehicles attempting to enter the parking garage from the roundabout. Additional striping, signage or other modifications that help delineate turning movements are required near the Highland parking garage's northwest access in order to reduce potential conflicts. This can be addressed at final engineering.

Response: This comment has been noted and will be addressed at final engineering.

27. A "no right turn" sign is needed for the Highland Parking garage exit to direct vehicles to the traffic circle. This can be addressed at final engineering.

Response: This comment has been noted and will be addressed at final engineering.

28. Both the Highland Ave. Parking Garage and the underground parking for the Chestnut Ave. building have parking stalls located in areas that could be problematic to the residents. The two parking spaces that flank the storage/refuse/loading area on the ground level of the Highland St. parking garage will face sight obstructions when attempting to leave their parking spaces, while also being in close proximity to both entrances and exits where traffic may be more frequent. The northern most spaces in the Chestnut Ave. building abut a wall and restrict turning movements for vehicles attempting to leave these parking spaces. Alternative layouts should be considered for these locations.

Response: The parking spaces in question are no different than parking next to a large vehicle. Parking layout in those areas to remain as submitted.

29. A maintenance plan for the underground parking for the Chestnut Ave building shall be provided. This can be addressed at final engineering.

Response: This comment has been noted and will be addressed at final engineering.

30. A snow removal plan for the top deck of the parking garage shall be provided. This can be addressed at final engineering.

Response: This comment has been noted and will be addressed at final engineering.

31. Regarding the proposed use of the surface lot located at the southwest corner of Chestnut Ave and Campbell St, additional information shall be provided at final engineering on the parking lot and on the phasing of construction on when the use of the lot would be eliminated.

Response: The use of the referenced surface lot is no longer being proposed.

32. The Village has an underground conduit for fiber optic and copper cable located in the east parkway of Chestnut Ave between the sidewalk and curb. The bump outs will not leave the minimum 30" cover over the conduit, which will require lowering the conduit from Sigwalt St. to Campbell St. The conduit must be shown on the site plan. Details on how the conduit will be lowered can be addressed at final engineering.

Response: The existing fiber optic and copper cable locations based on JULIE markings will be shown on the updated existing conditions survey that will be included in the final engineering documents. The requested lowering details will be addressed at final engineering.

33. Regarding the proposed pressure connections:

- a. All pressure connections must utilize an epoxy coated full circumference tapping sleeve with stainless steel bolts.
- b. The size of the pressure connection for PC- I should show 8"x8", not 8'x8'.
- c. This can be addressed at final engineering.

Response: These comments have been noted and will be addressed at final engineering.

34. The Village completed an extensive combined sewer project in the downtown in 2019. The plans must be updated to reflect the new utilities. This can be addressed at final engineering.

Response: This comment has been noted. These new utilities will be shown on the updated existing conditions survey that will be included in the final engineering documents.

35. The Sigwalt 16 development located in the southern portion of Block 425 is currently under construction. The final engineering plans for Arlington 425 shall be updated to reflect the as-built conditions along the south property line and along Chestnut Ave.

Response: This comment has been noted. Please provide Petitioner with the approved Sigwalt development plans. The Sigwalt 16 existing conditions along the south property line of the Arlington 425 project will be shown on the updated existing conditions survey that will be included in the final engineering documents.

36. A structural review and field verification of the existing Vail Garage footings is to be included in the design of the Highland Ave. garage. This can be addressed at final engineering.

Response: This was addressed in the original approved plans, but will be updated and included as part of the final design for the Highland Avenue garage.

37. The Village needs plans and structural approval of all modifications needed to existing garage. It appears that changes are needed to accommodate the loading bays and south entrance onto Highland. This can be addressed at final engineering.

Response: This comment has been noted and will be addressed as part of the final design drawings for the Highland Avenue parking garage.

38. The proposed bump out parking located on Chestnut will not be maintained by the Village. This shall be in the maintenance agreement.

Response: Chestnut is a Village street and is the Village's responsibility to maintain. Due to the difficulty removing snow from the parking areas, the Petitioner will be responsible for the removal of snow from the bump out parking areas. The balance of the maintenance shall be the responsibility of the Village.

**ARLINGTON 425 – PC # 21-002**  
**PETITIONER RESPONSES TO ROUND 1 COMMENTS**  
**FEBRUARY 26, 2021**

**RESPONSES TO FIRE DEPARTMENT COMMENTS**

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1. The apartment buildings are to be fully sprinkled. The Parking garage is to have a standpipe system with two FDC connections. One at the main front entrance and the second on the southeast corner of the parking garage near the Highland Ave hydrant.

*Response:* Petitioner will comply.

2. A Knox Box containing keys to access necessary parts of the building shall be at the main front entrance of the buildings and for each commercial/office space. Another Knox Box by the Chestnut underground garage with keys or key card to open garage door.

*Response:* Petitioner will Comply

3. The Fire Department Connections shall be located at the main front entrance of the buildings, be fully visible, and accessible. It shall be located within a maximum travel distance of 100 feet to the nearest accessible fire hydrant capable of delivering the required fire flows. See above for parking garage.

*Response:* Petitioner will comply.

4. Install a fully operational annunciator panel or alarm panel at the main front entrance of each building.

*Response:* Petitioner will comply.

5. Please provide status of current hydrant on Campbell near the northwest corner of the lot. It does not show up on current plans like the others on the property.

*Response:* Will be clarified and more clearly shown as part of the final engineering

**ARLINGTON 425 – PC # 21-002**  
**PETITIONER RESPONSES TO ROUND 1 COMMENTS**  
**FEBRUARY 26, 2021**

**RESPONSES TO POLICE DEPARTMENT  
COMMUNITY SERVICES BUREAU COMMENTS**

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1. **Character of use:**

The character of use is consistent with the area. It will be necessary to limit access to the grounds, especially the pergola / firepit / courtyard. This is recommended to limit access and loitering. The addition of trespass signs is recommended.

Response: Agreed and Petitioner will comply.

2. **Are lighting requirements adequate?**

Lighting should be up to Village of Arlington Heights Code. Special attention should be given to those outside common areas- i.e. courtyard and parking garage. Landscaping must not create hiding locations and should provide for natural surveillance.

Response: Willy comply.

3. **Present traffic problems?**

A new parking impact study is recommended for this project due to the amended site plans.

Response: A revised parking impact study has been completed and is included in the current information being provided

4. **Traffic accidents at particular location?**

This is not a problem area in relation to traffic accidents.

Response: No response required.

5. **Traffic problems that may be created by the development.**

The area around the vehicle entrance/exit should be clear of obstructions. Vehicle traffic entering and exiting the available covered parking must be able to view other vehicles and pedestrians. Street parking adjacent to the entrances/exits should be prohibited. Warning lights/audible signals could be used to signal that vehicles are exiting.

Response: Will comply as part of final engineering.

6. **General comments:**

- Please ensure that there is an emergency information/contact card on file with the Arlington Heights Police Department and that it is up-to-date. Agent contact information must be provided to the Arlington Heights Police Department during all construction phases. The form is attached. Please complete and return. This allows police department personnel to contact an agent during emergency situations or for suspicious/criminal activity on the property during all hours.

- Emergency telephones and call boxes should be installed in the parking area for added safety.

- The storage area, lower level, should be secure and accessible only to residents. There should be signage to encourage users to lock their storage lockers and video surveillance of the area to deter theft and help identify potential offenders.

Response: Petitioner will comply.

**ARLINGTON 425 – PC # 21-002**  
**PETITIONER RESPONSES TO ROUND 1 COMMENTS**  
**FEBRUARY 26, 2021**

**RESPONSES TO HEALTH SERVICES DEPARTMENT COMMENTS**

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General Comment:

1. All owners of multi-family properties shall make recycling services available to all residents residing in the property. The owners must develop and implement a recycling plan with adequate procedures and management in order to stimulate participation. The recycling plan shall be submitted for approval to the Villages Health Department prior to residents moving in.

Response: Petitioner will comply.

Sheet HI1 Parking Garage:

1. A minimum of 8 Reserved Accessible parking Spaces are required in parking facilities with more than 301 parking spaces per IAC Section 208.2 and in accordance with 208.3 Location.

Response: Petitioner will comply.

2. For every six or fraction of six parking spaces required by 208.2 to comply with 502 at least one shall have a vertical clearance complying with 502.5 (98-inches).

Response: Petitioner will comply.

3. Comments from P.C. 19-001 Round 1 still apply.

Response: Petitioner will comply with those comments to P.C. 19-001 that form a part of Village Ordinance 19-019.



**ARLINGTON 425 – PC # 21-002**  
**PETITIONER RESPONSES TO ROUND 1 COMMENTS**  
**FEBRUARY 26, 2021**

**RESPONSES TO PLANNING & COMMUNITY  
DEVELOPMENT DEPARTMENT COMMENTS**

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7. The Plan Commission must review and approve the following actions:

- a) Amendment to Planned Unit Development Ordinance #19-019 to allow modifications to the approved development plan.
- b) Special Use Permit to allow a “Private Garage, Customer/Employee” for the Highland garage.
- c) Variation to Chapter 28, Section 6.5-2, to allow accessory structures (pergola and fire pits) within a side yard where accessory structures are only allowed within a rear yard.
- d) A variation may be required for the proposed pergola size, height, and setback.

Response: a) Agreed.  
b) Agreed. Petitioner will submit written justification for this Special Use.  
c) Accessory structures have been removed from the plan.  
d) Pergola has been eliminated

8. The proposed amendment to the PUD involves several different development alternatives and plans showing these alternatives must be provided:

- a) Floorplans and elevations for the Highland garage at 3 stories with 273 parking spaces. Elevations must show details on the east side appearance of the Highland garage.
- b) Floorplans and elevations for the Highland garage at 4.5 stories with 388 parking spaces. Elevations must show details on the east side appearance of the Highland garage.
- c) Floorplans for the Chestnut building if no basement/garage is built, which is necessary to understand where refuse and building structural/mechanical elements would be located.

Response: Petitioner has decided to show only one plan. That plan is a 4-story garage containing 345 spaces, and 44 spaces under the Chestnut building for a total of 389 parking spaces for the project.

9. There are several conditions of approval from Ordinance #19-019 that will need to be amended or eliminated as a result of this proposal. Please note that all conditions not amended or eliminated will remain applicable.

Response: Understood.

10. Submitted paper plansets show Highland garage at 4 stories with 344 parking stalls, submitted PDF plansets show Highland garage at 5 stories with 431 parking stalls. Please coordinate plans on forthcoming resubmission.

Response: Only one 4-story garage is being proposed which now contains 345 parking stalls. Revised plans submitted herewith reflects the foregoing.

11. Please ensure that all plans and/or studies to be resubmitted as a result of the Round 1 review comments include a revision date. Additionally, all revised plans must incorporate any changes as recommended by the Design Commission.

Response: Understood and Petitioner will comply.

12. Impact Fee's will be required for the residential portion of the development, in accordance with Village Code.

Response: Understood.

13. To identify all PIN's within 250' (with all ROW's omitted), will you be working with a title company to compile the PIN list, or are you expecting to work through a PIN list provided by the Township Assessor?

Response: Obtained PINs from Title Company and searched each PIN individually within 250' (with all ROW's omitted) for changes in ownership since original approval.

14. Section 9.8(i) of the Zoning Code requires that all PUD's include a preliminary construction schedule and phasing plan. Please outline, specifically, all infrastructure (both onsite and off-site) and site improvements that would be constructed in Phase 1 and full buildout.

Response: Will be provided with final engineering for Phase I.

15. A photometric plan shall be required at time of building permit. All photometric levels shall conform to code requirements.

Response: Will be provided as part of final engineering. All photometric levels will conform to code requirements.

16. Design Commission review and Housing Commission review shall be completed prior to appearing before the Plan Commission. Please provide an update on the status of the Design Commission applications and required Inclusionary Housing Plan necessary for Housing Commission appearance.

Response: Design Commission and Housing Commission applications are being contemporaneously submitted.

17. Please note that all future restaurants will be required to receive a Special Use Permit or will be required to obtain a Special Use Permit Waiver, if eligible.

Response: Understood.

18. Please ensure that all plans are coordinated. Engineering plans do not appear to match Landscape and Architectural plans with regards to paving at the southern end of the Highland garage.

Response: Petitioner will coordinate as part of final engineering.

19. There were several public improvements required by Ordinance 19-019 (bumped-out crosswalk at the eastern leg of Campbell/Highland, parking bump-outs on Campbell and Highland, crosswalks, modifications to the Chestnut egress curb, Village gateway sign, etc.). Please revise the plans to reflect

these required improvements. Additionally, please provide final details on the proposed Chestnut building garage ramp wall (materials, height, etc.) as was required in Ordinance 19-019.

Response: Will comply per previously approved plans. Plans submitted herewith have been revised to show these items. Final detail on materials for Chestnut Building garage ramp wall will be submitted with final engineering plans for Chestnut Building.

20. Details are needed on all proposed fences, retaining walls, dumpster enclosure walls (height, material, etc.). Dumpster enclosure walls are required to be masonry to match the building materials. The southern retaining wall is required to be reduced/eliminated and if determined necessary, shall be setback 1' minimum from the southern property line.

Response: There are no dumpster enclosures. All details on southern retaining wall, if necessary, will be provided as part of final engineering.

21. Please provide details on the connection to the Highland garage in a Highland garage basement floorplan.

Response: Highland basement connection to parking garage is being eliminated. Connection will be via overhead walkway shown on revised plans.

22. If parking for the Chestnut Building is contained entirely in the Highland garage, will an underground connection be proposed?

Response: Parking for Chestnut Building is no longer going to be contained entirely in the Highland garage. There will be no underground connection between the Chestnut Building and Highland Garage.

23. How would trash collection occur within the Chestnut Building? Will a scavenger truck access the underground garage to load trash, and if so, how would it fit/maneuver? If not, where would trash be stored on pick-up days? If the underground garage is eliminated, where would trash be stored and where would collection occur on pick-up days?

Response: Garbage truck will be back down ramp or into loading area, and trash bins will be wheeled to end of ramp or loading area on pick-up day. There will be an onsite maintenance engineer and a property manager to coordinate.

24. Architectural sheet "CS" indicates max number of spaces in Highland garage to be 344, project narrative indicates max number to be 388.

Response: Revised plans show 345 spaces.

25. Garages with 300-400 parking spaces are required to have 8 handicap accessible parking stalls.

Response: Petitioner will comply.

26. The Arlington 425 Unit Mix and Parking document does not reflect the 7,376 sq. ft. of retail space in the basement of the Campbell building.

Response: No portion of the Highland Building basement will be used for anything other than building amenities and storage. Therefore, no parking spaces are required.

27. Where will bike parking for the Chestnut building be located?

Response: Bike parking will be located on the ground level of the Highland Garage.

28. For all variations identified in these review comments, please provide a written response to the hardship criteria for variation approval, as outlined on page 2B of the zoning application and summarized below:

- The proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property; and
- The plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned; and
- The proposed variation is in harmony with the spirit and intent of this Chapter; and
- The variance requested is the minimum variance necessary to allow reasonable use of the property.

Response: No additional variations are being requested at this time.

29. For the required Special Use Permit, please provide a response to the approval criteria as outlined on page 2B of the zoning application and summarized below:

- That said special use is deemed necessary for the public convenience at this location.
- That such case will not, under any circumstances of the particular case, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity.
- That the proposed use will comply with the regulations and conditions specified in this ordinance for such use, and with the stipulations and conditions made a part of the authorization granted by the Village Board of Trustees.

Response: Counsel for Petitioner will provide in separate a letter.

30. Please revise the plans to include details (height, size, setbacks) on the proposed pergola at the southern end of the property. Additionally, please note that pergolas are considered accessory structures, and as such must be located in a rear yard only (i.e. completely behind the rear of the building). Pergolas are also restricted to 300 square feet in size, 15' in height, and must be setback 5' from a rear lot line. Please clarify if a variation is requested and provide the necessary written justification for any such variation.

Response: The pergola has been removed from the current plans.

31. Please revise the plans to provide additional details on the proposed fireplace/firepits within the landscaped courtyard (setback, size, height, open fire pit? fireplace with chimney? outdoor grilling station? Permanent structure or moveable?).

Response: The proposed fireplace/firepits have been removed from the current plans.

**Parking and Traffic:**

32. It appears that the current plan does not provide sufficient parking. At a minimum, parking shall be provided as per the ratios within the approved PUD. Parking for both Phase 1 and full build-out fall short of the 1.3 parking spaces per unit approved within the 2019 PUD, and parking demand for commercial uses has not been factored in (see attached chart). Allocation of the affordable parking spaces in the Vail garage as noted is subject to Board approval. Per comment #37 below, provide hourly data on commercial demand, including basement space and the overall size of the restaurant space.

Response: All parking will be provided in accordance with Village Code requirements. Phase I, which includes only the Campbell Building, will be parked in the Highland garage which will contain 345 spaces. Required residential parking for the Campbell Building is now 247 spaces. Petitioner is requesting that 1 space for each of the 12 Inclusionary Housing unit be eliminated from the Parking requirements per Village's Inclusionary Housing Ordinance, leaving a required 235 residential parking space requirement. 19 spaces are required per Code for the commercial uses in the Campbell Building. Therefore that will leave 326 spaces available for residential parking of which 235 residential spaces for the Campbell Building are required. That will be an approximately 1.28:1 residential parking ratio, and an overall 1.36:1 parking ratio.

The Chestnut Building will contain 85 units requiring 90 parking stalls. The same request will be made to reduce the parking requirement for the 4 Inclusionary Housing units, leaving a requirement of 86 parking stalls. 44 parking stalls are being constructed under the Chestnut Building. The 345 spaces in the Highland garage plus the 44 spaces in the Chestnut garage total 389 total parking spaces. The total Code requirement for the project will then be 340 parking stalls (254 for the Campbell Building plus 86 parking stalls for the Chestnut Building. Since a total of 389 total parking stalls are being constructed, there will be an additional 49 parking stalls required over the Code requirement, for an overall parking ratio of 1.14:1.

No parking in the Highland Building basement is required. Petitioner will not be providing hourly data on commercial demand in addition to what was initially presented. Due to the Corona virus quarantine, current traffic and parking patterns for the last 12 months would not reflect normal conditions. The size of the restaurant space, including the seating area has not changed.

33. A detailed Parking Allocation and Management plan shall be required. This plan must provide a detailed explanation of how parking within the Highland garage will function for the commercial uses and residential tenants/guests, including details on the following:

- Where will spaces be located for commercial employees, commercial patrons, residential guests, and residential tenants and how many specifically for each use/group.
- How spaces and access will be restricted/identified/assigned/segregated to each use type.
- Rates and time limits for commercial usage.
- Valet parking for restaurant.
- Shared parking amongst the various users.
- Will residential spaces be assigned or on a first come first served basis? Please note that the Rich & Associates 2018 parking study recommended that residential parking spaces are not assigned to specific units (i.e. they are unbundled).

Response: Please see the attached proposed parking allocation plan. The Highland garage will be operated as previously proposed and approved. Petitioner is requiring that valet parking be included in any restaurant lease. As of this date, Landlord has not determined whether or not it will assign residential parking spaces or not. Since this will be a privately owned and operated garage, and restricted to use only by the tenants, their guests, and the commercial employees and customers, Petitioner reserves the right to determine whether or not it will allocate specific residential parking spaces in the Highland garage.

34. The KLOA study does not include the proposed 7,376 sq. ft. of retail space within the basement and must be revised to reflect this space. Furthermore, the project narrative indicates that the restaurant seating area size will be 3,000 sq. ft., meaning that the overall size of the restaurant will be greater than 3,000 sq. feet. A total size for the restaurant is needed for accurate parking and traffic projection purposes. Absent of this, the following assumptions were made:

- 7,962 sq. ft. retail/restaurant on 1st floor with 3,500 sq. ft. for retail, 3,000 sq. ft. for restaurant seating area, leaving 1,462 sq. ft. left for “back of house” restaurant size, all of which is consistent with and the same as in the existing Ordinance.
- 7,376 sq. ft. basement retail.

If these assumptions are incorrect, please clarify actual sizes of both restaurant space (overall size and seating area size) and retail spaces. Additionally, please clarify how the basement “auxiliary retail” space is intended to be utilized.

Response: Assumptions are correct as to the 7,962 square feet on the first floor. The basement of the Campbell Building will not be used for commercial use, and does not require any parking stalls.

35. Staff does not support the use of the southwest corner of Chestnut/Campbell for parking, either on a temporary basis or permanent basis. As such, the usage of parking here was not factored into our analysis of onsite parking. This property would need to have certain zoning approvals for offsite parking and no detailed plans have been submitted.

Response: Petitioner concurs. This request has been withdrawn.

36. Page 40 of the KLOA study concludes that parking is provided at a ratio of 1.22 spaces per unit, however, this does not factor in parking assigned to non-residential uses. Will all parking be shared? A similar ratio is provided for parking per bedroom. These ratio's must be revised to reflect parking assigned to non-residential uses.

Response: See response to question #32 above.

37. Similar to pages 37-43 in the 2019 KLOA study, a shared parking/hourly parking analysis must be provided. Please use the correct size for non-residential uses based on the utilization of the basement space and overall size of the restaurant space.

Response: Due to the very small amount of commercial usage, and the impact of the Corona virus, Petitioner will not be providing an updated shared parking/hourly parking analysis. Parking analysis has been done according to Village Code. Petitioner will provide parking for the commercial space required by Village Code.

38. The parking study does not match the plans submitted. The study references 390 spaces within the garage, whereas the project narrative references 388 spaces. The study also references the Chestnut Building as including two levels of underground parking.

Response: To clarify, the revised plans show 345 parking stalls in the Highland garage and only one level of underground parking containing 44 parking stalls in the Chestnut Building.

39. The proposed two-bay loading zone within the Highland garage is too far removed from the residential portions of the development and negatively impacts public parking given the loss of spaces along Highland. It shall be relocated to the north side of the garage to be closer to the buildings it serves with access from the internal motorcourt.

Response: This area will not be used for tenant or commercial loading. It will primarily be used for refuse and storage for the Highland garage.

40. Figure G within the Appendix should be updated to coordinate with the civil/architectural plans.

Response: This is reflected in the updated traffic study concurrently submitted.

41. Ordinance 19-019 required infrastructure improvements that are not reflected in the commentary of the study, such as curbed parking bump-outs, a crosswalk bump-out on

Campbell east of Highland, and curbed bump- outs on Highland. These improvements should be referenced in the study and included within Figures G and F in the appendix.

- Page 29: No reference to Campbell crosswalk east of Highland.
- Page 31 & 32: Provide number of spaces that will be lost on Campbell and Highland.
- Take into consideration required curbed bump-outs, crosswalks, and Highland garage access modifications.
- Page 34: Per comment #39, Highland loading zone should be relocated to the north side of the building with access from the internal motorcourt.
- Figure F and G should be revised to show curbed bump-outs, number of street parking spaces, and removal of Highland loading zone.

Response: All of the above items are reflected in the revised traffic study concurrently submitted

42. Should the Chestnut Building be proposed as a condominium, a PUD amendment shall be required. Alternatively, if a viable plan showing parking provided at a minimum ratio of 1.7 parking spaces per unit for this building, staff will evaluate the ability for administrative review for this request.

Response: Understood. At the present time, Petitioner is not proposing condominiums in the Chestnut Building.

43. It is not cost effective to construct the Highland garage in phases and phased construction will impact the ability to provide the necessary parking during construction. It is encouraged to construct the entire garage as one phase/buildout to avoid future costs and disruptions to parking.

Response: Petitioner concurs. A full four-story Highland garage will be constructed as a part of Phase I.

### **Landscaping Comments**

- 1) Along Campbell and Highland incorporate bump outs at the corners and adjacent to each drive aisle.

Response: Petitioner concurs. This is now shown on the revised landscape plan concurrently submitted.

- 2) It is recommended that the corner space at Campbell and Highland be evaluated. This is a focal point and the space should be further developed. The proposed planters appear small and insignificant.

Response: This will remain as previously approved.

- 3) Provide an interim landscape plan for each phase.

Response: The Landscape Plan for both phases is attached. A landscape plan for Phase I comply with Code and will be submitted for approval prior to the completion of the Highland garage. Due to the use of the courtyard area west of the Highland garage being used for excavation and staging for the construction of the Chestnut



building, any landscaping done in that area will be destroyed. It is currently the Petitioner's intention to plant grass in the Phase II area.

- 4) The streetscape along Campbell and Highland must be consistent with the Downtown details/streetscape. Please provide a site furnishings package.

Response: Petitioner will comply with approved plans. The streetscape along Campbell and Highland will be consistent with the Downtown details/streetscape.

- 5) Provide additional landscaping on the east elevation of 33 S. Chestnut.

Response: This will be a part of the courtyard plan that will be submitted for approval for Phase II.

- 6) Along the south property line adjacent to the parking garage provide a decorative metal fence. This may require a variation and staff is supportive of the variation. Provide a detail of the fence and the retaining wall.

Response: Petitioner will comply. A detail of the fence was included in the original landscape drawings. It will be an ornamental fence, four feet high, with vertical pickets four inches apart, a double rail on the top, and a single rail on the bottom.

- 7) Along Campbell Street please include pavers within the drive aisle for the portion that is part of the pedestrian walkway. The pavers should match the downtown streetscape.

Response: Petitioner will comply.

- 8) As more detailed plans are provided additional comments may be forthcoming.

Response: Understood. Please submit as soon as possible.