

ARLINGTON 425 – PC # 21-002
PETITIONER RESPONSES TO ROUND 2 COMMENTS
MARCH 11, 2021

RESPONSES TO DEPARTMENT OF BUILDING & LIFE SAFETY
FIRE SAFETY DIVISION COMMENTS

1. High-rise buildings shall be provided with an automatic smoke detection system, a fire department communication system, and an emergency voice/alarm communication as required by the International Fire Code.

Response: Understood and agreed.

2. Fire Safety permits shall be obtained for the following: Fire suppression systems, fire alarm systems, generators for emergency backup systems.

Response: Understood and agreed.

3. Overhead utilities shall not interfere with tower/aerial fire operations.

Response: There will be no overhead utilities located or constructed on the Property.

4. The fire command center is not indicated on the submitted drawings. For confirmation, a fire command center shall be located on the first floor with the location to be approved.

Response: Confirmed and agreed

5. Plans show the roof has a proposed fireplace. The fire code prohibits open flame on a combustible deck unless the deck is protected by fire sprinkler. The fireplace would not be permitted.

Response: If any fireplace is placed on any roof will be fully compliant with all fire codes, or will not be provided.

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RESPONSES TO ENGINEERING DEPARTMENT COMMENTS

40. The petitioner's response to Comment No. 14 is unacceptable. 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: Acknowledged by Petitioner

41. The petitioner's response to Comment No. 24 is unacceptable. The AutoTurn exhibit showing the inbound and outbound turning movements for a tower engine entering from Campbell St. shall be provided at final engineering. The prior Plan Commission approval for the PUD and preliminary plat does not exempt the Engineering Division from requiring additional information for final engineering. The petitioner shall acknowledge that they accept this understanding.

Response: There will be no inbound or outbound tower engine access from or to Campbell Street

42. The petitioner's response to Comment No. 28 is unacceptable. The parking spaces in question would be problematic for residents attempting to leave the parking space. Alternative layouts should be considered. This can be addressed at final engineering.

Response: This will be addressed at final engineering.

43. The petitioner's response to Comment No. 32 is noted. Fiber optic is not included in the requests for JULIE as it is a private utility. The conduit must be shown on the site plan. Details on how the conduit will be lowered can be addressed at final engineering.

Response: This will be addressed at final engineering.

44. The petitioner's response to Comment No. 35 is noted. Prior to final plat and final engineering, the petitioner shall be responsible for acquiring the as-built conditions from the developer of Sigwalt 16. This can be addressed at final engineering.

Response: Petitioner has no way of obtaining "

45. The petitioner's response to Comment No. 38 is noted. An agreement addressing the snow removal in the parking area of the bump outs along Chestnut Ave. shall be provided. The petitioner shall acknowledge that they accept this understanding.

Response: Petitioner acknowledges and accepts this understanding as to snow plowing in the parking area of the bump outs along Chestnut, so long as all other property owners similarly situated (i.e. Sigwalt 16) are also required to do the same.

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RESPONSES TO HEALTH SERVICES DEPARTMENT COMMENTS

1. At the time of building permit petitioner shall supply a unit by unit listing of the 20 percent Adaptable/Accessible dwelling units distributed throughout each building to provide a variety of sizes and locations as required by Illinois Accessibility Code Section 233.6 Multi-story thru 233.6.5.7.

Response: Understood and agreed

2. It is recommended that the above citation be added to the ordinance when amended.

Response: Petitioner has no objection.

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

45. The response to comment #7 is noted. Based on the revised plans, 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.

Response: Understood and agreed.

46. The response to comment #13 is noted. Please ensure that the notice will be sent to the current property owners/taxpayers of record at time of mailing, not the property owner/taxpayer of record that were of record prior to the application being submitted. Please submit a draft of the notification letter as soon as possible to allow sufficient time to review to ensure that the necessary language is included within the letter.

Response: Understood and agreed. The notification letter As approved by the Village has been sent as directed. Firsel Ross, attorneys for Petitioner, manually verified the taxpayer of record for each individual permanent index number on March 15, 2021.

47. The response to comment #14 is noted. As no preliminary construction schedule and phasing plan was submitted, staff is recommending a condition of approval that would require a construction schedule and phasing plan be submitted at time of Final Plat of Subdivision, for review and approval by staff. Said phasing plan shall include details on all infrastructure that will be constructed in each phase of development, as well as a phased landscape plan.

Response: Understood and agreed.

48. The response to comment #19 is noted. These items shall still be required per Ordinance 19-019, although many of them have now been shown on the plans. Please note that the 1-year extension granted by the Village Board for Preliminary Plat of Subdivision approval is set to expire on June 3, 2021. Any future request to extend the Preliminary Plat approval must first be discussed by the Plan Commission. As such, please acknowledge that, along with the proposed PUD amendment, you wish to request another 1-year extension to the Preliminary Plat of Subdivision approval for expiration on June 3rd of 2022.

Response: Along with the proposed PUD amendment, Petitioner hereby requests an additional 1-year extension to the Preliminary Plat of Subdivision approval for expiration on June 3rd of 2022.

49. The response to comment #20 is noted. Since no details were provided on the retaining walls, fences, or loading zone (dumpster) enclosure walls, staff is recommending a condition of approval that would require these details be submitted at time of Final Plat of Subdivision, for review and approval by staff.

Response: These details will be submitted at time of Final Plat of Subdivision for review and approval by staff.

50. The response to comment #23 is not sufficient. Trash collection at the base of the ramp does not appear viable as it would require the refuse truck to stop and stage on the public street for reversal into ramp, and collection on the ramp may not be possible due to grade differentials. Furthermore, the Chestnut Building does not contain a screened “loading area” for trash collection. Please clarify, specifically, where trash collection would occur, and how the dumpsters would be relocated to the loading area on collection days.

Response: Trash removal at the base of the ramp is definitely viable. The refuse truck will not “stage” on Chestnut, but simply stopping in order to back down the ramp in order to empty the refuse containers that will be kept inside the Chestnut Building, except at the time of trash removal when building management will insure that the refuse containers are moved to and from the base of the ramp.

51. The response to comment #27 is noted. There appear to be well over 50 bike storage stalls within the Highland garage for the 85 units within the Chestnut building. Bike parking regulations would only recommend around 1 stall per 10 multi-family units. A reduction in the number of bike stalls within the Highland garage may allow an additional parking space.

Response: Bicycle storage will be moved to the Campbell Building. There will be no less than 32 bicycle storage stalls, and possibly more based on demand and usage.

52. The response to comments #32 and #37 is not acceptable. Since no hourly parking data was provided, staff has prepared an hour by hour parking analysis. Please see the attached charts and revise the allocation plan as indicated below:

- a) Phase 1 appears to contain an adequate number of overall parking spaces, however, the allocation of those spaces needs some adjustments based on the modeling:
 - i. The 277 allocated spaces for “Restricted Residential” can remain as is.
 - ii. The 32 “Restaurant/Retail & Residential Guest” parking spaces should be allocated as “Non- Residential Only”.
 - iii. 24 of the 36 “Residential & Resident Guest” parking spaces should be allocated as “Non-Residential Only”. This would bring the total number of “Non-Residential Only” spaces to 56, which should be viable to capture anticipated non-residential parking demand.
 - iv. The remaining 12 spaces can remain as “Resident & Resident Guest” spaces.

Response: The updated hour by hour parking analysis Kenig, Lundgren, O’Hara and Aboona is being submitted herewith. The revised parking allocation plan complying with the above requests is being submitted herewith.

- b) Based on the modeling, parking for Phase 2 does not appear to be sufficient. In order to move forward with construction of the Phase 2 Chestnut building, the developer would have to demonstrate that there is sufficient capacity within the Highland Garage to accommodate for the expected demand from the Chestnut building. Alternatively, at time of construction, the number of units could be decreased or the onsite parking supply could be increased.

Response: At the time of construction of Phase 2, Petitioner will provide 25% more parking than current Code requires, by: (i) adding more parking stalls below the Chestnut Building, or (ii) increasing the size of the parking garage, or (iii) a reduction of the number of units, and thereby reducing the number of parking stalls required, or (iv) providing a real time parking study of the Highland garage showing that such additional parking space ratio is not needed, or (v) a combination of any of the foregoing, all of which shall be subject to the review and approval of the Village.

53. The response to comment #33 does not address include enough detail. Please provide an updated Management and Allocation description similar to what was provided within the 2019 PUD. Please ensure that the plan include details on the following:

- a) How spaces and access will be restricted/identified/assigned/segregated to each use type.
- b) Rates and time limits for commercial usage.
- c) Valet parking for restaurant.
- d) How will shared parking spaces function?
- e) Will residential spaces be assigned or on a first come first served basis? Will commercial employee spaces be assigned or on a first come first served basis?

Response: A revised Management and Allocation Plan description is attached.

54. The response to comment #36 is noted, however, it is unclear how the study arrived at the 1.14 parking spaces per residential unit figure.

Response: Based on Petitioner's response to #52 above, this number is no longer relevant.

55. The response to comment #39 is not acceptable. There has been no demonstrated need to have an additional tenant/commercial loading zone within the garage, and refuse can be accommodated within a loading zone on the north side of the garage with access from the internal courtyard, or potentially elsewhere on the site. Parking spaces are key to the success of this project, both internal and external along Highland, and staff is recommending a condition of approval that the loading/storage area within the Highland garage be eliminated and replaced with parking spaces or relocated to the north side of the garage with access from the internal courtyard.

Response: Petitioner respectfully disagrees with staff. The loading zone and storage areas are essential to the operation of the project. The demonstrated need is that of the Petitioner and its management consultant. The construction of the Vail Street garage all the way on the property line of the Petitioner has posed significant financial and developmental challenges, limitations and consequences for Petitioner. The attempt to preserve three 90 degree parking spaces along Highland Avenue, where, but for the construction of the Vail Street garage, would be parallel parking and driveways, and forsake the efficient and necessary operations of the development, is not agreeable to the Petitioner.

56. The response to comments #40 and #41 is noted. Staff notes that Figures G and F were not updated. Per comment #55, if the Highland loading/storage area is necessary, it should be relocated to the north side of the of the garage building with access from the internal motorcourt.

Response: Petitioner believes that the storage area as indicated is the best place for it.

Landscaping Comments

- 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.
It is recommended that the space be further evaluated.

Response: Petitioner agrees that this space should be further evaluated and included in the Final Engineering plan.

- 3) Provide an interim landscape plan for each phase.
It is understood that the area will be used for staging; however, a plan must be provided for the interim between phases.

Response: Petitioner will work with staff to accommodate interim landscaping plans, possibly by the use of movable planters or other methodology. In the event that Petitioner will be required to maintain a fully cut and maintained lawn area, that such area will likely be fenced and unavailable to the public for dog waking or any other purpose.

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

Response: A final landscaping plan for the east side of Chestnut will be provided at such time as final plans for the Chestnut Building are submitted for approval.

- 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.
Please show the pavers on the plans.

Response: Petitioner agrees and pavers will be included on the final plans.

- 8) Please evaluate the sign location. The sign should be located on the corner where it is more prominent and should include landscaping. Consider including the sign as part of a raised planter located outside of the vision triangle.

Response: Petitioner will evaluate the sign location and work out its exact location and accompanying landscaping with staff.