



MINUTES

President and Board of Trustees
Village of Arlington Heights
Virtual Meeting

Arlington Heights Village Hall
33 S. Arlington Heights Road
Arlington Heights, IL 60005

April 19, 2021

7:30 PM

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL OF MEMBERS

President Hayes and the following Trustees responded to roll: Tinaglia, Baldino, Canty, Rosenberg, LaBedz, Schwingbeck, Scaletta, and Padovani.

Also present were: Randy Recklaus, Charles Perkins, and Becky Hume.

IV. APPROVAL OF MINUTES

A. Village Board 04/05/2021 Approved

Trustee Bert Rosenberg moved to approve. Trustee Tom Schwingbeck
Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Canty, Hayes, LaBedz, Padovani, Rosenberg, Scaletta,
Schwingbeck, Tinaglia

V. APPROVAL OF ACCOUNTS PAYABLE

A. Warrant Register 04/15/2021 Approved

Trustee Bert Rosenberg moved to approve in the amount of \$843,749.09.
Trustee Greg Padovani Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Canty, Hayes, LaBedz, Padovani, Rosenberg, Scaletta, Schwingbeck, Tinaglia

VI. RECOGNITIONS AND PRESENTATIONS

- A. Recognition of Outgoing Trustee Greg Padovani and Trustee Bert Rosenberg

President Hayes read the proclamations for outgoing Trustees Rosenberg and Padovani. Their service and commitment were recognized. April 19, 2021 was named Bert Rosenberg Day honoring his 34 years of service to the Village of Arlington Heights. He served as Trustee for 21 of those years.

VII. PUBLIC HEARINGS

VIII. CITIZENS TO BE HEARD

Stephen Hogan spoke on behalf of his parents. Their trees were gutted and they now have a clear view of Route 12 Rental and Rand Road. The former tree buffer on public property was cleared. There was no input from residents. No thought was given to the neighbors. There was a request in December to clean up the area, but trees were taken out more than 10 feet from the property line. The Public Works staff member on site said all the trees were dead and needed to be removed because the Village didn't want to be liable for the falling branches. The workers did not follow the agreed upon limits with the townhome management. Mr. Hogan asked for better notification, for the land to be replanted, and for the project lead to be disciplined. He said he does not want this to be allowed to happen again.

Jane Born said the development asked for dead trees to be removed, but what happened was a clear cut. It has traditionally been a natural wood area. They no longer have a pleasant view or hear the birds sing. She asked what the plans were to beautify the area. She offered to work with staff.

Stephan Divitkov said people are upset about this. It was a busy walking area. He said he would like to remedy the situation. Mr. Divitkov suggested a prairie pocket to beautify the area rather than planting new trees. He offered to help. He suggested a local high school might like it for a reclamation project.

Sheryl Hogan disagreed with Mr. Divitkov saying grass will not do the job. She could never even see the buildings before. Now there is nothing. She said they asked for a cleanup, but it was wholesale cleaned out. She said she has a lovely town house, but she can't stay there now. She sees nothing but big buildings, and has no shade. This was a detestable action and she will not stay in the Village. Over 100 trees were taken down.

President Hayes said whatever action was taken was not spiteful. The Board was apprised of the facts. Mr. Recklaus said he was very aware of their feelings and visited the site himself. After getting the history from the Village's Forester, there were multiple requests for some clean out. There were a number of dead and dying trees and the area was not maintained. The Police Department asked for clean out as well. The Forestry unit intended to cut a perimeter so the dead/dying trees were no longer a threat however, it was difficult to access the dead trees and they had to cut additional trees to get to the area. The forestry unit is planning on replacing the dead trees that were removed and the Village will continue to stay in correspondence with the HOA and the homeowners. Selection of trees will be based on what species will do well in that environment. The goal is to create a space that can easily be maintained and that the residents can come to enjoy.

President Hayes thanked the residents for bringing this to the Board's attention. The Village Manager will continue to follow up in this issue.

IX. OLD BUSINESS

X. CONSENT AGENDA

CONSENT OLD BUSINESS

CONSENT APPROVAL OF BIDS

- A. Northwest Highway Beautification - Phase 4 Contract Award Approved

Trustee Jim Tinaglia moved to approve. Trustee Mary Beth Canty Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Canty, Hayes, LaBedz, Padovani, Rosenberg, Scaletta, Schwingbeck, Tinaglia

- B. Thermoplastic Lane Marking 2021 - Contract Award Approved

Trustee moved to approve. Trustee Seconded the Motion.

The Motion: Passed

- C. Manhole Rehabilitation - Contract Extension 2021 Approved

Trustee Jim Tinaglia moved to approve. Trustee Mary Beth Canty Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Canty, Hayes, LaBedz, Padovani, Rosenberg, Scaletta, Schwingbeck, Tinaglia

- D. Water Meter & Backflow Device Services – Contract Extensions 2021 Approved

Trustee Jim Tinaglia moved to approve. Trustee Mary Beth Canty Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Canty, Hayes, LaBedz, Padovani, Rosenberg, Scaletta, Schwingbeck, Tinaglia

- E. Resurfacing Program & Sidewalk Program 2021 - Contract Award Approved

Trustee Jim Tinaglia moved to approve. Trustee Mary Beth Canty Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Canty, Hayes, LaBedz, Padovani, Rosenberg, Scaletta, Schwingbeck, Tinaglia

CONSENT REPORT OF THE VILLAGE MANAGER

CONSENT APPOINTMENTS

- A. Boards & Commissions Reappointments Approved

Trustee Jim Tinaglia moved to approve. Trustee Mary Beth Canty Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Canty, Hayes, LaBedz, Padovani, Rosenberg, Scaletta, Schwingbeck, Tinaglia

XI. APPROVAL OF BIDS

XII. NEW BUSINESS

- A. Arlington 425 - Highland/Campbell/Chestnut - Approved
PC#21-002
Amendment to Planned Unit Development

Trustee Tingalia recused himself from the discussion and vote as his architecture firm designed the project. He left the meeting.

Mike Frisel presented the amended Arlington 425 project. It's the same as before, but they are cutting out 42 units going from 361 to 319. The office/retail/restaurant space has been greatly reduced. The tallest building will now be the Campbell building which has one story added. The Highland building is now a 4 or 5 story parking garage. They are proposing a sky bridge to the parking garage from the Campbell building. The developer has agreed to comply with the Affordable Housing Ordinance as passed. The Plan Commission passed the amendment with unanimous approval. Mr. Frisel said they agree with the Plan Commission recommendations and conditions.

Mr. Perkins said 5 variations were originally granted for the setbacks. There is also a Land Use variation and a Use variation. Mr. Perkins outlined the conditions and stipulations that the project must meet with an emphasis on parking. The Chestnut building is consistent with the Master Plan, the Campbell building is consistent with the zoning, but slightly higher than the Master Plan. The developer has agreed to comply with the Inclusionary Housing regulations and will provide 16 units on site and an additional \$25,225 per unit fee in lieu of providing an additional eight units.

Mr. Perkins said the main concern is that the Chestnut building may be under parked. Staff believes there should be more spaces, the developer disagrees. Staff would like a stipulation to review the data after Campbell has been built, so the project can be modified to include more parking if needed. Staff has also suggested the location of the garbage to be changed. The Plan Commission had no issue with what was proposed in regards to the location of the garbage.

Trustee LaBedz asked if the increased number of studio and one-bedroom apartments impacts the parking numbers. Mr. Frisel said the unit count does not impact parking ratios. They followed the Code and think there is sufficient parking based on that. They may change Chestnut into condos, which would make for more 2 bedrooms. They are proposing to build a 4-story parking garage and 44 spaces under Chestnut or build a fifth story on the garage without the spaces under Chestnut. The top deck will be open in either case. In the Campbell building, they will have 3,500 square feet of retail space and the balance will be a restaurant. Service trucks will back

down the ramp to the rear of the Chestnut building. The move in/move out space will be recessed on the street and must be reserved. Trustee LaBedz thanked them for adhering to the Affordable Housing Ordinance. She said she would be in favor of parking the cars in Vail for those tenants.

Trustee Schwingbeck asked if the panels bolted to concrete on Highland in the Parking garage are for access. Mr. Perkins said yes, those panels can be removed if needed. Trustee Schwingbeck asked for why the petitioner wanted the loading on Highland. Mr. Firsell said the location was already approved in 2019. It's a better function for the property, as they don't want garbage trucks on the interior roadways. This access point takes 3 spaces, but there is sufficient parking in the Vail garage for these lost spaces. There are 18 remaining spaces on Highland. Handicapped parking is planned for the space where staff wants the garbage to go. Trustee Schwingbeck asked for clarification on the timing of the parking issue. The Chestnut building will not be constructed until after the Campbell building is complete. The parking garage will begin construction at the midpoint of the Campbell building.

Trustee Scaletta stated the project has been reviewed many times and everyone wants to make sure this is a quality development. Mr. Adreani said until final plans and approvals are given, they will not receive financing. Mr. Adreani explained the garbage truck does not back into the deck, garbage totes are brought to the truck which waits on Highland. Deliveries will go into that space and this has been vetted. Trustee Scaletta said he thinks there will be more employees at the restaurant than what is planned for.

On the parking issue, Mr. Adreani said they have enough parking for the Chestnut Building. Many people are using one car per family now with the advent of Uber and Lyft. He suggested that after the buildings are there, they review the parking and create more spaces if it is necessary. Trustee Scaletta said many people bought cars this year, so it is yet to be seen if the trend of fewer cars holds after Covid.

As to the retail parking, Mr. Adreani explained that there will be electronic restrictions for commercial/resident spaces. Parkers will not be able to get out of the retail parking without a stamped ticket or they will have to pay. The space will be supervised to make sure parking is used appropriately. Trustee Scaletta said he hoped the Chestnut building becomes condos to limit the move in/out traffic on the street.

Mr. Recklaus said the Code requirements on parking are not relevant because this is a PUD. Under a PUD, the project is viewed holistically as to whether it meets the goals of the Village. Staff has been very clear that parking is something that we were looking at closely. Parking standards were used that reflect this development's ability to self-park. After Phase I is complete, they may not need to do anything more afterwards. All the Village is asking for is data so that a review can occur.

Debbie Smart, Property Consultant, said if Chestnut is apartments, the petitioner would consider extending the driveway entrance for a holding area to allow for small moving vans. As far as the handicapped parking in the garage, their goal was for it to be easy on people with disabilities. The developer believes the handicapped spots should be preserved as they are presented. The trash bins are on wheels and are not the same as the big bins.

Trustee Canty questioned why is there a problem with staff's recommendation for a parking review. Mr. Frisel said the developer won't build a development where the tenants and buyers don't have a place to park, the dilemma is money. The developer doesn't want to spend \$2.7 million on parking they may never need. The come-back-later idea means they could not plan to start building the Chestnut building for 3-4 years. They believe the proposed 44 spaces are adequate for that building. Mr. Frisel disagreed with the Village's parking counts.

Trustee Canty suggested it is unlikely extra spaces would go unused. She said the middle ground might be to build the 5-story garage now. Mr. Adreani said he would like to bridge the underwriting, and has ability to put the parking under Chestnut, it's costlier to do the 5th level right now. Trustee Canty said Mr. Adreani and staff seemed to be asking for similar things. She would like to make sure the parking is right. She is leaning toward the Plan Commission's recommendation.

Trustee Baldino said the developer won't make money if there is not enough parking for their site. This project is stand alone, it is not going to park the greater downtown. His support is based on the project being right sized. He is concerned about adding a 5th level onto the Chestnut building, but it's also important that Mr. Adreani is complying with the Housing Ordinance. He said he is willing to compromise on the height on Chestnut but it comes down to one question, if this is approved, what is the likelihood that the project moves forward. Bruce Adreani said the plans will get drawn, then they will work with Power to get bids and get financing from there. Covid has had a huge impact and there are increases in construction costs. Trustee Baldino said he agreed with the Plan Commission.

Trustee Rosenberg asked about the parking ratio of residents to guests. Twelve guests are expected and 289 spaces are allocated for residential. Mr. Perkins said he agreed that building the 5th floor now is hard and staff is trying to be flexible. Staff is not convinced that 85 units will need only 44 spaces in the Chestnut building.

Guest cars in the Campbell building will have an electronic system that the management company will work out. The roof top restaurant is no longer part of the plans. Staff will get permits to park on the property. Trash pick up will be 5 days a week. Ms. Smart said 5 day a week pick up is standard

in the downtown buildings already. Trustee Rosenberg said there seems to be a worry that parking will overflow to the Vail garage. Mr. Frisel said the project has to park itself. No where else in the Village has that been required before. They feel like they are not being treated the same.

Trustee Padovani noted that parking for Phase 1 is more than adequate. It will take 30 months to discern the success of the Campbell building. When it is 80% built, the next phase should begin. A wait and see attitude makes sense in a pandemic world. Giving the project the flexibility gives them the best chance to get the financing.

Resident Keith Moens expressed disappointment that due to conflict of interest a Trustee had to recuse himself on a vital vote.

President Hayes said every Board member may have to recuse themselves on something, there is no way to ensure all 9 votes on every issue.

After much discussion, Trustee Canty made the motion.

Trustee Mary Beth Canty moved to concur with the Plan Commission's recommendation, with the following exceptions: with respect to Condition #12, the Director of Community Development will have the authority to determine whether, in connection with the construction of Phase Two (the Chestnut Building) of the development, the developer must construct either the fifth floor of the Highland parking lot, the 44 off-street parking spaces below the Chestnut Building, or both. The Director will make that determination upon review of parking data to be submitted by the developer. If the developer is aggrieved by the determination of the Director, it may appeal that determination to the Village Manager, and, following the Manager's determination, to the Village Board. Trustee John Scaletta Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Canty, Hayes, LaBedz, Padovani, Rosenberg, Scaletta, Schwingbeck

Absent: Tinaglia

XIII. LEGAL

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| A. | An Ordinance Amending Chapter 13 of the Municipal Code of the Village of Arlington Heights Regarding Class J Alcoholic Liquor Licensees and a Resolution Authorizing the use of Village Right-of-Way by a Class J Alcoholic Liquor Licensee During the 2021 Calendar Year. | Approved |
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In order for Metropolis to sell liquor at its outdoor tent this season, the Liquor Code needed to be amended and approval given.

Trustee John Scaletta moved to approve 2021-12. Trustee Richard Baldino Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Canty, Hayes, LaBedz, Padovani, Rosenberg, Scaletta, Schwingbeck

Absent: Tinaglia

Trustee Mary Beth Canty moved to approve R2021-15. Trustee Robin LaBedz Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Canty, Hayes, LaBedz, Padovani, Rosenberg, Scaletta, Schwingbeck

Absent: Tinaglia

XIV. REPORT OF THE VILLAGE MANAGER

XV. APPOINTMENTS

XVI. PETITIONS AND COMMUNICATIONS

A. Closed Session -

Request for Closed Session per 5 ILCA 120/2(c) (21): Discussion of minutes lawfully closed, whether for purposes of approval of the minutes or the semi-annual review of the minutes

-and-

5 ILCS 120/2 (c)(1): Appointment, employment, compensation, discipline, performance or dismissal of specific employees of the public body or legal counsel

XVII. ADJOURNMENT

Trustee Richard Baldino moved to adjourn to Closed Session at 10:42. Trustee Greg Padovani Seconded the Motion.

The Motion: Passed

Ayes: Baldino, Canty, Hayes, LaBedz, Padovani, Rosenberg, Scaletta, Schwingbeck

Absent: Tinaglia