

## **Memorandum**

**To:** Chairperson Dawson and Members of the Plan Commission

**From:** Bill Enright, Assistant Director Planning and Community Development

**Date:** June 4, 2021

**Subject:** Plan Commission Public Hearing: June 9, 2021 7:30 PM  
Arlington International Racecourse Property - Overlay Zone

### **Background**

Since the announcement of the pending closure and sale of the Arlington International Racecourse property by Churchill Downs, research and identification of some initial steps to be considered to set the stage for potential redevelopment, and/or putting future investors and purchasers on notice of the Village's desires for the property, has occurred.

On May 3, 2021 the Village Board adopted Resolution R2021-016 (see attached), directing the Plan Commission to conduct a public hearing to consider recommendations to the Village Board relating to an Overlay Zoning District for the 326 acre Arlington International Racecourse. The first step in the process to amend Chapter 28 Zoning Regulations, and Chapter 29 Subdivision Control Regulations, is a public meeting of the Ordinance Review Committee, which is a subcommittee of the Plan Commission. The ORC met on May 26, 2021 and recommended approval of the amendments to the Plan Commission. The second step in the process is for the Plan Commission to hold a public hearing to consider the amendments. The Plan Commission's recommendation is then forwarded to the Village Board for consideration of approval. The proposed Overlay Zoning District is included in this memo as Exhibit A, and the proposed Subdivision Control Regulations amendment is also included as Exhibit B.

### **Chapter 28 Zoning Regulations: Overlay Zone**

The primary purpose of the Overlay Zone is to require that the racecourse site totaling 326 acres is developed as part of a comprehensive master plan, rather than subdivided into smaller parcels for independent piecemeal development. In addition, the Overlay would expressly prohibit certain uses that are not conducive to the type of development the Village wants to see at this important site. A second phase to be considered at a later date to be determined, would expand upon the Overlay Zone to develop zoning bulk standards for height, density, building setbacks, floor area, among other zoning requirements. This phase in the process would take into consideration potential future uses of the site and development concepts. It is

important to recognize that the proposed Overlay Zone does not preclude the horse racing track from remaining and continuing to operate under current or new ownership.

#### *Current Zoning and Comprehensive Plan*

The racecourse property is currently zoned B-3 General Service, Wholesale, and Motor Vehicle District, and designated as Mixed Use on the Village's Comprehensive Plan. The B-3 district permits uses such as motor vehicle sales and repair, wholesale sales, retail and service uses, among others. Certain current permitted uses and the current zoning bulk standards are not conducive to a mixed use, high quality one of a kind type redevelopment opportunity that the racetrack presents. Therefore as first step, the proposed overlay zone would address some of these issues and prohibit certain uses that would normally be allowed in the B-3 zoning district. As mentioned, subdivision would only be allowed as part of a master Planned Unit Development, which requires the public hearing process and Village Board approval.

#### *Proposed Overlay Zone*

The Overlay Zone proposed is outlined below as Exhibit A. New verbiage to be considered is underlined in bold face. It is important to note that the overlay zone supplements the current underlining zoning, and where differences exist, the overlay zone supersedes the underlying zoning. The overlay zone addresses the following:

General Purpose. This section describes the general purpose of the overlay zone.

Conditions of Use:

- a. Requirement for a Planned Unit Development;
- b. Prohibited Uses;
- c. Preservation and inclusion of natural site features and development of Transit Oriented Development (TOD) within 1,300 lineal feet of the existing Metra train station.
- d. Requirement that the division of land shall only be permitted as part of a master planned development.
- e. That impact fees and land dedication for public services will be required as part of the Planned Unit Development.
- f. Requirement that sustainable development features are provided including bicycle access.

Regarding section 'c' above, the overlay encourages Transit Oriented Development near the Metra station, which could include higher density residential, mixed use development. Allowing for a mix of uses such as residential and commercial within walking distance of the train station will provide an opportunity for future development unique to the area that could

complement the remainder of the racecourse site including if the racetrack is preserved and remains operational.

Below is the proposed overlay zone:

## **Exhibit A**

### **Proposed Overlay Zoning District: Arlington International Racecourse**

#### **Chapter 28 Zoning. Section 5.1-22 Overlay Zoning District - Arlington International Racecourse Property**

The purpose of the overlay zoning district is to implement redevelopment of the Arlington International Racecourse property by establishing guidelines specific to the property, which consists of approximately 326 acres. The following conditions of use shall supplement the underlying zoning of the area, but supersede the underlying zoning where different. The intent of these regulations is to promote mixed use redevelopment of the property in a master planned and coordinated manner. Map A in this section illustrates the boundaries of this Overlay Zone.

#### **Section 5.1-22.1 – Conditions of Use:**

**a. To create a unique regional “one of a kind” redevelopment to be master planned in a unified manner. A Planned Unit Development (PUD) is required. The existing racetrack may continue as a permitted use.**

#### **b. Prohibited Uses:**

Adult Business;

Agricultural Implement Sales and Service;

Antenna Commercial;

Antenna Non Commercial;

Auto Car Wash;

Auto Service Station;

Building Material Sales;

Contractor Office & Design Showroom;

Currency Exchanges;

Electrical Equipment Sales;

Fairgrounds Kiddie Parks;

Funeral Parlor, Mortuary;

Laundry Dry Cleaning up to 5,000 sf;

Machinery Sales and Service;

Monuments Sales;

Motor Vehicle Repair Major and Minor;

Pawn Shop Cash Converter;

Recreational Vehicles and Boats, Sales/Supplies;

Repair, Minor

Secondhand Store;

Sign Painting Shop;

Tool and Die Shop;

Wholesale Offices (including warehouses and storerooms);

c. Development shall include preservation of natural site features such as Salt Creek linear park along with creating a central park amenity. Transit Oriented Development (TOD) and uses are encouraged within 1,300 lineal feet of the Metra Train Station and re-use and preservation of landmark site elements should be considered.

d. The division of land per Chapter 29 shall only be permitted as part of approval of a master Planned Unit Development for the entire property. Exempt subdivisions per 29-104 (c) are prohibited.

e. Impact fees, land dedication, extension and provision of utilities and accommodation of services for the property shall be provided for in a master Planned Unit Development application.

f. Development should include sustainable development features such as but not limited to, permeable pavers, green rooftops, energy efficient building design, electric vehicle charging stations, bioswales, solar energy, bicycle access.

Map A – Arlington International Racecourse Overlay Zone Boundary

(next page)



# Arlington International Racecourse Overlay Zone





## **Proposed Amendment to Chapter 29 - Subdivision Control Regulations**

In addition to the proposed Overlay Zone, it is recommended that the subdivision control regulations are amended to require that subdivision of the racecourse property only be permitted as part of approval of a master Planned Unit Development. This will prevent the piecemeal subdivision of the site, which could result in more haphazard redevelopment of the 326 acre site.

Therefore, the following amendment is proposed to Chapter 29 - Subdivision Control Regulations:

### **Exhibit B**

## **Proposed Amendment to Chapter 29 Subdivision Control Regulations**

### **Section 29-104 Scope of Regulations**

d. Arlington International Racecourse Property: The division of any of the 326-acre Arlington International Racecourse property shall only be permitted as part of approval of a master Planned Unit Development for the entire property. Exempt subdivisions per 29-104 (c) are prohibited.

### **Summary**

The recommended amendments to Chapter 28 and Chapter 29 of the Municipal Code are initial, important steps in guiding possible future development at Arlington International Racecourse, and would not preclude the track from operating as a horse racing facility in the future. However, if additional development or redevelopment of the 326 acre site is proposed, the Village will be better prepared with these amendments to ensure that the property is developed in a master planned, high quality development benefitting the Village and region.

### **Recommendation**

The Plan Commission recommends to the Village Board approval of the following:

- a. An amendment to Chapter 28 Zoning Regulations creating an Overlay Zoning District for Arlington International Racecourse.
- b. An amendment to Chapter 29 Subdivision control regulations related to future subdivision of Arlington International Racecourse
- c:     Randy Recklaus, Village Manager  
         Charles Witherington Perkins, Director Planning and Community Development  
         Hart Passman, Village Legal Counsel

VILLAGE OF ARLINGTON HEIGHTS

RESOLUTION NO. R2021-016

A RESOLUTION REGARDING ZONING REGULATIONS  
APPLICABLE TO THE ARLINGTON INTERNATIONAL RACECOURSE PROPERTY

WHEREAS, Arlington Park Racecourse is located on 326 acres of property located generally in that portion of the Village bounded by Wilke Road on the east, Euclid Avenue on the south, the Salt Creek and Rohlwing Road on the west, and the Union Pacific railroad right-of-way on the north, all as depicted in Exhibit A to this Resolution ("*Racecourse Property*"); and

WHEREAS, Arlington Park Racecourse has hosted horse racing since 1927, and is among the most famous horse racing facilities around the world; and

WHEREAS, the owner of the Racecourse Property has publicly stated that it intends to close Arlington Park Racecourse after the 2021 racing season, and to sell the Racecourse Property; and

WHEREAS, the Racecourse Property is currently located within the B-3 General Service, Wholesale and Motor Vehicle District of the Village ("*B-3 District*"); and

WHEREAS, Section 5.1-12 of "The 2002 Comprehensive Amendment of the Zoning Ordinance of the Village of Arlington Heights," as amended ("*Zoning Ordinance*"), provides that the B-3 District is intended "primarily for motor vehicle oriented uses, wholesale/retail and service establishments"; and

WHEREAS, the Village has determined that the existing regulations of the B-3 District may not be appropriate for the future redevelopment or re-use of the Racecourse Property; and

WHEREAS, the Village President and Board of Trustees desire that the Racecourse Property be zoned and regulated so as to encourage and facilitate the development and use of the Racecourse Property in a manner that reflects the historic importance and value of the Racecourse Property to the Village, promotes the Village's tax base, complements existing and potential development in the surrounding neighborhoods and the Village as a whole, and protects the public health, safety, and welfare; and

WHEREAS, the President and Board of Trustees have determined that it is in the best interest of the Village and its residents to direct the Village's Plan Commission to evaluate the current zoning and subdivision regulations applicable to the Racecourse Property, and to recommend to the Board of Trustees whether to adopt any amendments to the Zoning Ordinance, the official Zoning Map of the Village, and the Village's subdivision control regulations in order to ensure proper and appropriate redevelopment or re-use of the Racecourse Property, which amendments may include, without limitation, the establishment of an overlay zoning district with specific use and bulk regulations applicable to the Racecourse Property, the prohibition of certain uses of the Racecourse Property, and the prohibition of subdivision of the Racecourse Property;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ARLINGTON HEIGHTS, COOK COUNTY, ILLINOIS, as follows:

SECTION 1: RECITALS. The facts and statements contained in the preamble to this Resolution are found to be true and correct and are hereby adopted as part of this Resolution.

**SECTION 2: DIRECTION TO PLAN COMMISSION; NOTICE TO PUBLIC.** The Plan Commission is hereby directed to hold a public hearing concerning possible amendments to the Zoning Ordinance, the official Zoning Map of the Village, and the Village's subdivision control regulations in order to ensure proper and appropriate redevelopment or re-use of the Racecourse Property, which amendments may include, without limitation:

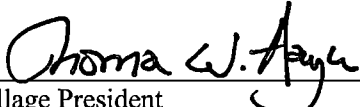
- A. The establishment of an overlay zoning district with specific use and bulk regulations applicable to the Racecourse Property;
- B. The prohibition on any portion of the Racecourse Property of those specific uses set forth in Exhibit B to this Resolution, all of which are otherwise permitted in the B-3 District; and
- C. The prohibition of any subdivision of the Racecourse Property except as part of a master planned unit development for the entire Racecourse Property.

The notice of such hearing must be given as required by law within 90 days after the effective date of this Resolution. The public is to be deemed to have notice that the Village is considering Zoning Code, Zoning Map, and subdivision amendments regarding the Racecourse Property as of the effective date of this Resolution.

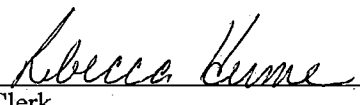
**SECTION 3: EFFECTIVE DATE.** This Resolution will be in full force and effect upon its passage and approval as provided by law.

AYES: LABEDZ, TINGALIA, SCALETTA, GRASSE, CANTY, BALDINO, BERTUCCI,  
SCHWINGBECK, HAYES  
NAYS: NONE

PASSED AND APPROVED THIS 3rd day of May, 2021

  
\_\_\_\_\_  
Village President

ATTEST:

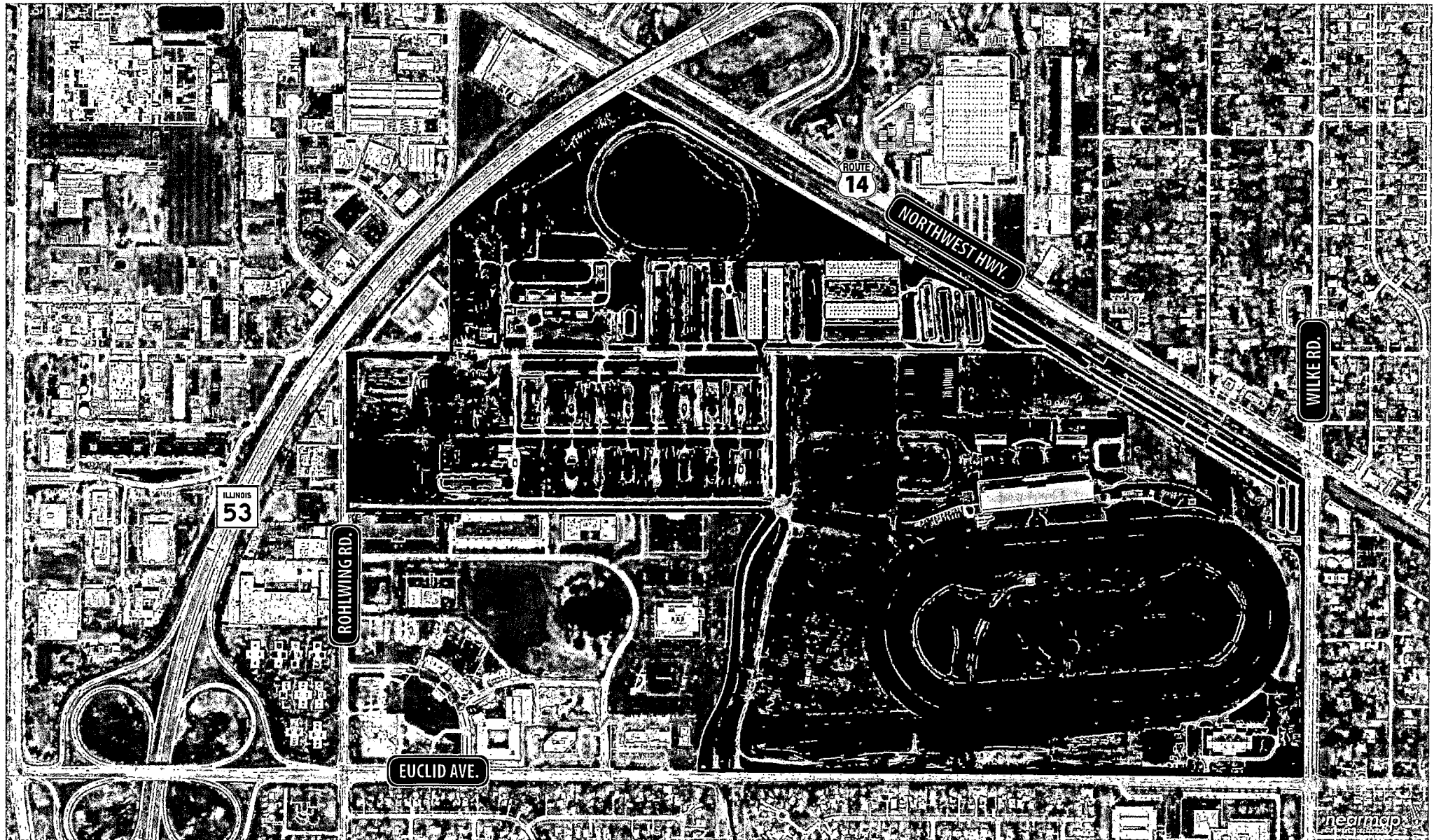
  
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Village Clerk



# EXHIBIT A

## Arlington International Racecourse Overlay Zone

The Village of  
Arlington Heights  
Illinois  
Planning & Community Development



## EXHIBIT B

### LIST OF PROPOSED PROHIBITED USES OF RACECOURSE PROPERTY

Adult Business;  
Agricultural Implement Sales and Service;  
Antenna Commercial;  
Antenna Non Commercial;  
Auto Car Wash;  
Auto Service Station;  
Building Material Sales;  
Contractor Office & Design Showroom;  
Currency Exchanges;  
Electrical Equipment Sales;  
Fairgrounds Kiddie Parks;  
Funeral Parlor, Mortuary;  
Laundry Dry Cleaning up to 5,000 sf;  
Machinery Sales and Service;  
Monuments Sales;  
Motor Vehicle Repair Major and Minor;  
Pawn Shop Cash Converter;  
Recreational Vehicles and Boats, Sales/Supplies;  
Repair, Minor  
Secondhand Store;  
Sign Painting Shop;  
Tool and Die Shop;  
Wholesale Offices (including warehouses and storerooms);