

PLAN

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

COMMISSION

RE: TAILCHASERS - 213 SOUTH ARLINGTON HEIGHTS ROAD - PC #21-013
AMENDMENT TO LAND USE VARIATION ORDINANCES 16-013 AND 10-027

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Plan Commission Meeting held virtually which permits the public to fully
participate via the computers or using their phones, on the 9th day of June, 2021
at the hour of 9:31 p.m.

MEMBERS PRESENT:

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

ALSO PRESENT:

SAM HUBBARD, Development Planner
BILL ENRIGHT, Assistant Deputy Director
HART PASSMAN, Village Attorney

ACTING CHAIRPERSON WARSKOW: All right, so now we can move on to the second petition, PC #21-013, Tailchasers, at 213 South Arlington Heights Road.

COMMISSIONER ENNES: Gee, are we still going to have Mr. Passman here? That was helpful.

ACTING CHAIRPERSON WARSKOW: Very.

MR. PASSMAN: I'll be here. I'll turn my camera off, but I'll stick around. So, I'm happy to help and thank you on that.

ACTING CHAIRPERSON WARSKOW: Thank you.

MR. HUBBARD: So, I am bringing in the Petitioner for Tailchasers, Matt and Randa Clark. Matt and Randa, you can now unmute yourself and activate your camera. If there's anyone else that will be testifying in front of the Commission relative to this matter, would they also raise their hand and I can bring them in on the Petitioner's side?

ACTING CHAIRPERSON WARSKOW: While you're doing that, Sam, can I ask if all public notices were given for this petition? You're on mute.

MR. HUBBARD: Yes, they were.

I see only Matt and Randa Clark on the Petitioner's side, so we do have the complete side here on Zoom.

ACTING CHAIRPERSON WARSKOW: Okay, Matt and Randa, can I ask you to swear that you will tell the truth on all matters discussed during the public hearing this evening? I think you're on mute, or I couldn't hear you. Still can't hear you.

MR. HUBBARD: If you connect to audio, you enable connection to audio on the bottom left-hand corner, does it say connect to audio?

You know, you could dial in on the phone and we could allow you to connect that way if you have the phone connection and you can speak from your telephone. I can enable the presentation for you on my end and we can work around it that way while you try and figure out the technical difficulties.

COMMISSIONER JENSEN: Sam, can't they just go into settings and pick connect audio? I mean, I'm looking at my settings and it says there's an option for disconnect audio since I'm connected.

MR. HUBBARD: Yes, I mean, usually they are connected. It's always automatically done it, so if there's a way to do it --

MR. CLARK: Can you hear me now?

MR. HUBBARD: Yes.

ACTING CHAIRPERSON WARSKOW: Yes. Now we can hear you.

MR. CLARK: All right. Sorry.

(Witnesses sworn.)

ACTING CHAIRPERSON WARSKOW: Okay, go ahead and start your presentation then.

MRS. CLARK: Sam has our presentation.

MR. CLARK: Yes, Sam, do you have it? We can run it from here, too, as well.

ACTING CHAIRPERSON WARSKOW: Yes, Sam is on mute.

MRS. CLARK: Yes, he's muted.

MR. CLARK: Okay, we'll share our screen then.

MRS. CLARK: No, I don't know if we can share our screen.

MR. HUBBARD: So, yes, it's usually easiest when the Petitioner is able to share the screen because you can control the slides as you're talking rather than having to wait on me. But if you're unable to do so, I can certainly on my end.

MR. CLARK: We'll get it. Thank you so much for your time.

ACTING CHAIRPERSON WARSKOW: Usually there's a menu that pops up if you're hovering your mouse over the bottom section of the Zoom.

MR. CLARK: I'm sorry, can you hear that?

ACTING CHAIRPERSON WARSKOW: I don't know if you're connecting from a browser or actual Zoom meeting, but if you hover your mouse over the bottom of the window, does a menu options pop up?

MR. CLARK: Yes.

ACTING CHAIRPERSON WARSKOW: Okay, is one of them share screen?

MR. CLARK: It is, yes.

ACTING CHAIRPERSON WARSKOW: Okay, do that and then select which screen you would like to share.

MR. HUBBARD: You know, if you're just going to do the video and you're not going to have --

MRS. CLARK: Yes, that's all we're going to do, Sam.

MR. CLARK: We've got it. Are you ready? Here we go.

(Video played for a few seconds.)

COMMISSIONER LORENZINI: I lost audio.

ACTING CHAIRPERSON WARSKOW: Yes, I'm not hearing it any longer. Matt and Randa, you're on mute again, so maybe you accidentally muted yourself. So, that's not why --

MRS. CLARK: Have Sam play it because they're just hearing it from here.

MR. CLARK: Yes.

MRS. CLARK: Sam, can you play the one that we sent you please?

MR. CLARK: Yes, Sam, are you able to play?

MRS. CLARK: Yes, we don't need to talk over it. We included the audio on it to make it easier.

MR. CLARK: We thought it was working. Our apologies.

ACTING CHAIRPERSON WARSKOW: No, no problem.

MR. HUBBARD: All right, so do you want me to share your slideshow or the video?

MR. CLARK: The video please.

MRS. CLARK: The video, yes.

MR. HUBBARD: Yes, we've had problems --

ACTING CHAIRPERSON WARSKOW: Oh, you went on to mute.

MR. HUBBARD: Sorry. We've had problems with videos in the past occasionally, but let me give you a try. Hold on.

MRS. CLARK: I've got this --

ACTING CHAIRPERSON WARSKOW: I'm not hearing it. I'm still not hearing it. I don't know if anybody else is.

MR. HUBBARD: Okay, so you are seeing it, but you're not hearing it?

MRS. CLARK: Yes, it was muting you as you turned it on it seems like.

MR. CLARK: It was muting us as well. So, we might have to --

MR. HUBBARD: All right, yes, I don't think our volume is working on video.

MRS. CLARK: Do you want to share screen and do that?

MR. CLARK: We had a presentation that we can just talk over. Our apologies. We thought we had it all prepared for you. Give us just a moment. We'll share the screen.

ACTING CHAIRPERSON WARSKOW: Yes, absolutely.

MR. CLARK: Are we sharing screen now?

ACTING CHAIRPERSON WARSKOW: Yes.

MRS. CLARK: All right, I'm going to read it.

Tailchasers Pet Care is proud to have been a part of Arlington Heights since 2004. We were active members of the Chamber of Commerce and a local BNI chapter and participated in many community events including the Main Event. We continue to support the local pet rescue groups and community organizations with their fund raisers and volunteer opportunities, and we own and moderate the Arlington Heights Dog Lovers Community page on Facebook.

We have made several appearances at local schools to teach children about careers in the pet industry and how to interact safely with pets. We have weekly obedience classes at Pet Supplies Plus in Arlington Heights for several years and at Loving Care Animal Hospital based in Palatine.

We have a loyal client base and are recommended by many local veterinarians and local pet businesses as reflected in our reviews on Yelp, Google, Facebook and Angie's List. We purchased Barrington Pet Resort in September of 2018 and have gained valuable experience managing dog play groups and maintaining sanitation and safety for our employees and the pets in our care.

In November of 2020, we purchased the franchise Pet Wants Arlington Heights that provide fresh, small pet food and healthy treats, chews, and spa products with free home delivery to Arlington Heights residents, and we are a current vendor in the 2021 Arlington Heights Farmers Market.

Tailchasers Arlington Dog Resort is excited to offer dog daycare, training, boarding, spa services, and pet supplies to the families of Arlington Heights. Our revolutionary dog day school program incorporates training and range of activities in our dog daycare structured to enhance the lives of dogs in our care and help improve the relationship between the dogs and their owners at home. We have been testing and tweaking the dog day school model at Barrington Pet Resort for two years and are ready to bring a higher-level dog daycare experience to the people of Arlington Heights.

Our floor plan includes four separate play areas that each hold 10 dogs. The dogs will be rotated between playtime and regimen nap time and training during their day with a max capacity of 45 dogs during daycare hours. There will be a receptionist, two enrichment counselors, and one manager during each shift. Our floor plan places the playtime and training play groups in the front of the building facing Arlington Heights Road to make sure all noise will be facing away from the residents within the area. Our enrichment and nap time rooms are placed in the middle of the building so any noise from those two rooms will be dampened by the break room, hallway, and restroom. All walking and potty breaks will happen

inside the building. All play areas will have epoxy flooring for easy sanitation and we use Wysiwash to eliminate odors.

We plan to keep the current operating hours of 6:30 a.m. to 6:30 p.m. on weekdays to accommodate customers who travel to work by train, and our weekend hours will be 9:00 a.m. to 4:00 p.m. to serve dogs who need care while their pet parents enjoy time with family or attend church services. Dog owners will be able to pull up to the drive-through entrance and a team member will retrieve their dogs from their car. Our canine guests will be walked inside directly to the indoor potty area and then escorted to their assigned group of friends for the day. When the owners pull up to the drive-through door at the end of the day, our team will bring the pup to the pet parent's car. An occasional customer may choose to park and walk their dog in when a new dog is coming in for behavior evaluation, but that customer will not need to park for more than 15 minutes to walk their dog in the back entrance from the parking lot.

We have been running our dog day school program at Barrington Pet Resort for two years in addition to the 68-suite boarding operation and full grooming salon with only four parking spots without customers having to wait for a parking spot. Our peak times for drop-off and pickup are between 7:00 and 9:00 a.m. and 4:00 to 6:00 p.m. Our overnight guests will enjoy our dog day school program during the day as well as dinner time with additional playtime and a potty break before bed. A team member will give our guest time to enjoy breakfast before their playmates arrive for the day. One of our team members will spend the night with a pup staying in Arlington Dog Resort and our overnight services will be limited to 25 dogs.

Arlington Dog Resort will also offer grooming services including baths, nail trims and de-shedding service to dogs enrolled in our dog day school program and as well as dog training services added onto their stay. Our retail area will include fresh, small pet food, healthy treats, chews, and natural small products.

Tailchasers Pet Care has been providing the highest level of pet care to Arlington Heights since 2004, and we just won the 2021 Daily Herald's Reader's Choice Top Pick in four categories: daycare, pet boarding, dog training, and pet grooming. Randa brings 21 years experience as a dog trainer, and Matt brings 25 years experience in marketing, sales, and customer service. We pride ourselves in providing the highest level of care, staff training, and an outstanding customer experience.

We are excited to finally move into a brick and mortar location in the Arlington Heights area where Tailchasers began to continue chasing a better world one tail at a time.

ACTING CHAIRPERSON WARSKOW: Thank you very much for the presentation.

MRS. CLARK: Sorry, it wasn't the one we planned.

ACTING CHAIRPERSON WARSKOW: That's okay.

COMMISSIONER GREEN: You did a great job anyway.

ACTING CHAIRPERSON WARSKOW: You can do a personal approach, and yes, I agree with Commissioner Green, you did a wonderful job. Have you had a chance to read the Staff report and do you agree to all the conditions in that report?

MRS. CLARK: Yes, we do.

ACTING CHAIRPERSON WARSKOW: Okay, Sam, would you like to give

the Staff report?

MR. HUBBARD: Absolutely.

So, the subject property is about 17,750 square feet in size. It's occupied by a two-tenant commercial building of about 6,500 square feet. The current tenants in that building include Grand Frame, about 1,750 square feet on the first floor, and Arlington Dog House which leases approximately 4,900 square feet of space, but only occupies approximately 3,100 square feet of space. There was a land use variation granted in 2010 to the Arlington Dog House to allow them to occupy that 3,100 square-foot space because the dog house facility is classified as a commercial kennel, and commercial kennels are not allowed in the B-2 district where the subject property is located.

In 2016, the land use variation was amended to allow a small expansion to the dog house that would yield a total floor area of approximately 4,900 square feet. As part of the 2010 original land use variation approval, the land use variation was restricted to the Arlington Dog House only. The 2016 amendment to allow that small expansion into a vacant unit next door was approved, but the petitioner never fully occupied that space and left it mostly vacant as the previous tenant there was a karate studio and had generated a lot of parking demand at peak times that coincided with the parking demands for the Arlington Dog House. So, in order to prevent another tenant from leasing it, they secured the lease which ameliorated the parking problem that existed.

The existing zoning entitlements limit the overall number of dogs during the day to no more than 45 and 25 overnight. Since opening in 2010, Staff is not aware of any complaints about the existing facility on the subject property coming from residential neighbors regarding the operations of the existing kennel.

So, Tailchasers is the current Petitioner and they operate Tailchasers in Barrington as you've heard. They want to locate to this site because Arlington Dog House is vacating. The landlord has identified Tailchasers as their new tenant and they've signed a lease for both of the spaces that Arlington Dog House had previously had a lease for, both the 3,100 square-foot space and then the smaller auxiliary addition bringing their total leased area to that approximately 4,900 square-foot size.

Hours of operation for the Tailchasers will be 6:30 a.m. to 6:30 p.m. on Monday through Friday, and 9:30 a.m. to 4:00 p.m. on Saturdays and Sundays.

Because of the original condition that restricted the land use variation to Arlington Dog House, the Petitioner is requesting an amendment to the land use variation to remove that restriction. Additionally, there were some restrictions on the hours of operation for Arlington Dog House. The hours of operation for Tailchasers is slightly different only over the weekends where they're open a little bit earlier than the hours for the current Arlington Dog House.

Here is the site plan showing the site. Let me activate my laser for you here. So, you can see, here is the subject property. It shares a drive aisle with the neighboring property to the south which is also owned by the property owner and landlord of the subject property.

As part of this process, Staff evaluated the on-site screening and buffer to the east which consists of wood fence, and we've found that it is in acceptable condition and is not in need of any improvement. So, we're not recommending any additional landscaping as part of this project.

Here's the floor plan for Tailchasers. The Petitioner has indicated that there are only going to be minor changes to the interior of the building such as painting and removal of the rubber flooring for the epoxy to provide for better sanitation. All work is going to be required to conform to the Building Code and it will be the Petitioner's responsibility to determine if any of the work does require a building permit. There is no exterior change proposed to the site, so no Design Commission review is required, and any new signage will need to conform to code requirements.

So, this brings me to traffic and parking. Parking is also the key issue with this project. Per code, a traffic and parking study is required for land use variations and amendments that are over 5,000 square feet of floor area, so this particular development did not require a formal traffic and parking study. I would note that there is a full basement inside of the building which is auxiliary to the primary ground floor space and it's not generally open to the public. That basement space is considered non-conforming, but there's no change or expansion of that space proposed as part of this petition, and therefore, that space will continue as non-conforming relative to parking requirements. The Staff Development Committee does not believe that this basement space has an impact on parking given that it's, you know, mostly ancillary and used primarily as storage although there is a portion that's used as a workshop for the Grand Frame tenant.

When the Arlington Dog House obtained their initial zoning approvals in 2010, a variation was granted to allow the existing on-site parking as is, which allowed for a 14-space parking deficit on the property. There was a full traffic study submitted at that time, and then when there was an amendment in 2016 to allow for the expansion, there were seven days of parking counts submitted which showed peak usage of nine spaces out of the nine spaces that exist on the subject property. So, it was experiencing peak usage back in 2016 according to the parking survey back then, although I would note that parking survey did not include the neighboring property just to the south which is also owned by the property owner. So, that's this site here which is rented to Enterprise Rent-A-Car. The property owner that owns both sites established in 2010 a shared parking agreement that allowed the tenants from the subject property to park on the Enterprise spaces should there be any vacant spaces there.

So, getting back to parking, there is a deficit relative to code requirements. It's a 12-space deficit. The variation granted in 2010 allowed a 14-space deficit, so the current parking deficit conforms to the previous variation. However, on Friday afternoon last week, the Village was made aware of a complaint relative to a parking shortage on the subject property. Since then we've been out to the site on a few occasions to observe what type of parking occupancy exists during peak times for the facility. Based on our limited observations on Friday of last week and then again on Monday and Tuesday and Wednesday morning, this morning, we did not observe a parking shortage on the site. We also asked the Petitioner to do their own parking survey during similar times and they found, you know, similar vacancies as reflected in the survey from Staff. So, you know, we don't see evidence of a parking shortage at this time based on our limited surveys, so we're not necessarily super concerned of a parking shortage.

I would note I have heard from a few of the customers from the Arlington Dog House, and I'm happy to read in their comments to the public record. They do make the case that there is a parking shortage on the site. I think from our observations, you know, the solution is to continue to reinforce the shared parking that exists on the property to the

south. None of the surveys that we've seen have indicated that the Enterprise lot is occupied during peak times for the kennel. So, if shared parking can be used, then that should help any parking shortage on the actual subject property.

That being said, we are recommending approval of the application subject to three conditions. First condition allows the Petitioner to assume the special use and alter the, I'm sorry, the land use variation and alter the hours of operation, and the remaining conditions just state that the Petitioner will need to comply with all of the other conditions of approval from the previous ordinances.

I'm going to conclude my Staff report at this point. Happy to answer any questions. When we do open the floor for public comment, I would like the opportunity to read in five e-mails that I've received about this petition. Thank you.

ACTING CHAIRPERSON WARSKOW: Okay, thank you, Sam. I know I have to make a motion, or ask someone to make a motion to put the Staff report into the public record, but I just want to make sure, are we supposed to be making a motion to extend the meeting? Is it at 10:00 o'clock or 11:00 o'clock? Where do we need to make the motion?

MR. HUBBARD: I believe it's 10:00 o'clock.

ACTING CHAIRPERSON WARSKOW: I mean, it's 9:57 right now, so I don't know what happens.

COMMISSIONER CHERWIN: This is Jay, I move to extend the meeting for a half hour, to 10:30.

COMMISSIONER SIGALOS: I'll second.

ACTING CHAIRPERSON WARSKOW: Okay, thank you.

Do we need a roll call vote for that, Sam?

MR. HUBBARD: To stay on the up and up, I think we should.

Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes.

MR. HUBBARD: Commissioner Ennes.

COMMISSIONER ENNES: Yes.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Yes.

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.

MR. HUBBARD: Commissioner Lorenzini.

COMMISSIONER LORENZINI: Yes.

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MR. HUBBARD: Chair Warskow.

ACTING CHAIRPERSON WARSKOW: Yes.

Okay, now that we're extended until 10:30, can I have a motion to enter the Staff report into the public record?

COMMISSIONER GREEN: I'll make that motion.

COMMISSIONER CHERWIN: I'll second.

ACTING CHAIRPERSON WARSKOW: Okay, can we have roll call for that, please?

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Yes.
 MR. HUBBARD: Commissioner Cherwin.
 COMMISSIONER CHERWIN: Yes.
 MR. HUBBARD: Commissioner Ennes.
 COMMISSIONER LORENZINI: You're muted.
 MR. HUBBARD: Commissioner Ennes, I think you're muted.
 COMMISSIONER ENNES: Yes.
 MR. HUBBARD: Commissioner Jensen.
 COMMISSIONER JENSEN: Yes.
 MR. HUBBARD: Commissioner Lorenzini.
 COMMISSIONER LORENZINI: Yes.
 MR. HUBBARD: Commissioner Sigalos.
 COMMISSIONER SIGALOS: Yes.
 MR. HUBBARD: Chair Warskow.
 ACTING CHAIRPERSON WARSKOW: Yes.

All right, so we will start off with initial questions from
 Commissioners.
 Does any Commissioner wish to make a comment or ask questions?
 Anyone?

COMMISSIONER LORENZINI: I have a quick question. So, is the cost going to be the same as the Arlington Dog House, or what are your costs going to be for the boarding and night boarding?

MRS. CLARK: The price for the dogs, is that what you're asking?

COMMISSIONER LORENZINI: Yes.

MRS. CLARK: It's \$44 for day school if you just come for the day, and then the 10 package, 10 times a month, I think it's \$40. Then 20 times a month is \$38.

COMMISSIONER LORENZINI: When do you expect to start operation?

MRS. CLARK: August 1st.

COMMISSIONER LORENZINI: Okay, thank you.

ACTING CHAIRPERSON WARSKOW: Any other Commissioners with questions?

(No response.)

ACTING CHAIRPERSON WARSKOW: All right, seeing none, Sam, can we open it to the public? Is there anyone in the public with questions or comments?

MR. HUBBARD: I do see three hands raised. I'm going to allow a phone number to speak first. I do have someone that's called in over the phone. If they would like to state their name for the record and provide public comment, they're able to unmute themselves.

I'm seeing they're having technical difficulties. I'm going to lower their hand, I'm going to ask them if they would like to make a comment, again please dial *9. Otherwise, I'm going to move on to our next individual that wishes to speak.

Okay, I do see their hand raised again. I'm going to --

ACTING CHAIRPERSON WARSKOW: Press *9 on the phone in order to be able to make your comment.

MR. HUBBARD: So, they need to unmute themselves over the phone. Zoom should be -- there you go.

ACTING CHAIRPERSON WARSKOW: There we go.

QUESTIONS FROM AUDIENCE

MR. LEERS: Hi, Sam. This is Mark, the current owner of Arlington Dog House.

MR. HUBBARD: Thank you. Can you state your name, first and last name, and spell it for the court reporter, and provide your public comment.

MR. LEERS: Sure. My name is Mark Leers. I am the current owner of Arlington Dog House, 213 South Arlington Heights Road in Arlington Heights.

So, I just want to make it clear that I am leaving 213 due specifically to the parking issue. We have had several incidents, accidents over the last few years. That facility is a danger to the dogs, people, cars coming in. I'm sure there's comment that Sam has received from customers about, you know, actual accidents that have happened in the last couple of months. Due to that fact, we decided not to re-lease our facility and we are vacating at the end of June for the fact that when something does happen, that we are not part of that.

So, in short, that is the main reason why we're leaving our facility that we've been in for 11 years. It was a hard decision to do, but we decided that we cannot be around here when an accident or an injury happens to a person, dog or car in the near future. So, that's my comment on the situation.

COMMISSIONER JENSEN: Mark, are you the owner of the facility or are you just leasing?

MR. LEERS: I am the owner of Arlington Dog House.

COMMISSIONER JENSEN: And the property? I'm talking about the property where you have it.

MR. LEERS: The property is owned by Top Deck Property, I lease it.

COMMISSIONER JENSEN: Okay.

ACTING CHAIRPERSON WARSKOW: Hey, Mark, did you offer the, you know, drive-up service where someone would come out and get the dog? Or were you requiring your customers to park and walk their dogs into the facility?

MR. LEERS: Oh, no. I mean, we offered our doggie drive-through service since we've opened back in 2010. There are approximately 40 percent of the people use that currently, but it still does not lessen the parking problems that we've been having in our lot, you know.

ACTING CHAIRPERSON WARSKOW: Okay, thank you.

MR. LEERS: Sure.

MR. HUBBARD: Okay, I'm going to bring the next individual over. Looks like we have a Beth Heldman. You should be moving over to the panelist side here. You can now unmute yourself and activate your video if you'd like. Please state your name and spell it for the court reporter, and then you can give your comment.

MS. HELDMAN: Can you hear me?

ACTING CHAIRPERSON WARSKOW: Yes.

MS. HELDMAN: Awesome. My name is Beth Heldman. I'm a current customer for the Barrington Pet Resort. I just wanted to let you know that it doesn't take longer

than a few minutes to drop off. So, I just wanted to share that. My experience has been that drop-off and pickup has been pretty quick.

ACTING CHAIRPERSON WARSKOW: Okay, thank you. We appreciate that input.

MR. HUBBARD: Okay, I see two telephone numbers, well, one. Let's see. I'm bringing in another telephone number to give their public comment. I can't recall if this was the current property owner's phone number or if this is a different one. But please, Zoom should be asking you to unmute so that you can give your public comment.

MR. KOI: Hello, this is Rich Koi, a former customer of Arlington Dog House. There's been two incidences that I've had, and I know, you know, I listened to the whole presentation about using spaces with Enterprise. There's two incidents I had there where, when you had the doggie drop-off, the line is stacked up with people trying to drop off their dogs and people park and run their dogs in. One instance was I did park my car in the Enterprise parking lot and went in, came out, the manager of the Enterprise was screaming and yelling at me saying that I can't park there. I was in there probably 15 minutes because he had four or five cars lined up in the line to take the dogs out.

Another instance, we had to park because I was running late for the train and it was actually my wife had to get the dog out and another dog was coming out from a night visit. Someone from Enterprise was flying in the parking lot and it almost hit my wife and the dog. So, I have two incidents, and I no longer go there because of the incidents that I had there. I had to go to a place in Palatine called Biscuits and Bows. So, those are two contentions I've had.

The service there is outstanding. Mark the owner, I think he's the owner, upstanding person, great service. But I had to go somewhere else because of safety. So, that's, I'm voicing my concerns on that.

ACTING CHAIRPERSON WARSKOW: Okay, thank you very much for your input.

MR. HUBBARD: Okay, I'm going to bring in Barbara Watts.

MS. WATTS: Hi. There we go. So, I'm a current customer of the Dog House. I'm actually a current customer of Tailchasers, too, so I guess I'm in both worlds.

I do want to call and talk about the parking situation though because I've tried the drive-through, but if you look at the map of the way the parking lot is arranged, the drive-through is not a legitimate solution for the Dog House or anyone who would be there including Tailchasers, because you can't actually do a loop to drive up and get your dog. You end up driving up, trying to go into a parking space, backing out of the parking space, then trying to drive to the drive-through window/door.

So, it's super inconvenient. It's also super dangerous. I definitely have had my dog almost hit on more than one occasion because you're walking out of that back door. People are in a rush because they're trying to get to work or they're trying to get home or wherever they are, and they speed through there very quickly. I've had Enterprise people stack multiple cars up right across that drive-through line, so then it becomes a one-car each way, trying to navigate in and out of there.

So, I love the Dog House. Mark has been great to our family. He's a great owner and takes good care of our pup which as all pet parents know is the big end game. But it is very hard to go there to deal with the parking situation. So, I will attest that when I look

at the map, and I've never seen the numbers on how many parking spaces you're supposed to have, but 10 doesn't feel like enough for that area. For sure, I don't go into the Enterprise area. They're not friendly or receptive to people going over there. Even when I did, it would be very hard to walk my dog across that many cars coming in and going at them while you try to get to and from the daycare area.

So, I just wanted to throw that out there because it is a big concern from my side.

ACTING CHAIRPERSON WARSKOW: All right, thank you very much for your comment.

MR. HUBBARD: Okay, I'm going to bring in another phone number here, 312-221-9402.

MR. NEWSOM: Hello, can everybody hear me now?

ACTING CHAIRPERSON WARSKOW: Yes. Can you state your name and spell it for the court reporter please?

MR. NEWSOM: Bill Newsom from Arlington Heights. I was a former client of Arlington Dog House, a long-time client. The parking issue was what kind of drew us away. We had some issues, ongoing issues that had happened. The one I'm talking especially, it was very tough there, and we kind of had a last straw incident that happened when we almost were struck, my dog and myself were almost struck walking out by the Enterprise people. That's what kind of ended our relationships there. It is definitely a problem that I saw. That's what caused us to no longer do business there.

ACTING CHAIRPERSON WARSKOW: Okay, thank you for your comment, sir.

MR. HUBBARD: Okay, I'm going to bring in another phone number, let's see.

COMMISSIONER GREEN: You're on mute, Sam.

MR. HUBBARD: Okay, I believe the phone number is now activated. If you'd like to give your name and spell it for the court reporter and provide your public comment?

Is the caller able to give their public comment? I see that you're unmuted on Zoom. I'm going to go ahead and put you back on the attendee side and then I'm going to lower your hand. If you would like to make a comment, I can try and bring you back in. But since we can't hear you, I'm not sure we'll be able to receive your comment. But press *9 once you're back on the attendee side and we'll raise your hand, and we'll try again if you want to give a public comment.

Okay, I'm now bringing in Matt Grana.

ACTING CHAIRPERSON WARSKOW: Are you able to unmute yourself, Mr. Grana?

MR. GRANA: Oh, okay, can you hear me?

ACTING CHAIRPERSON WARSKOW: Yes, now we can.

MR. GRANA: Okay, thank you. My name is Matt Grana, and I am the owner of Grand Frame in Arlington Heights. I have managed the business since roughly 2005. I purchased it in 2017. As far as anything I'm hearing about parking, I have not received any type of comments from any of my clients about parking issues during the day there. The lot seems to be pretty clear.

This is really kind of the first I'm hearing anything in regards to parking issues from Mr. Leers. I have a good relationship with him as a neighbor, and we talk kind of on a regular basis through text about different things that, you know, go on on the property. So, my clients have had no issues. So, I just wanted to make that comment. Thank you.

ACTING CHAIRPERSON WARSKOW: Thank you.

MR. HUBBARD: Okay, I have one more individual I'm going to bring in.

Okay, the last person should be coming in. Okay, it's not showing it's working here. Is there a Dionne Pignataro? I see that you have your hand raised.

ACTING CHAIRPERSON WARSKOW: Yes, I see two entries with that name. Now we're down to one.

MR. HUBBARD: I think we now see you.

MS. PIGNATARO: Hi, can you hear me?

MR. HUBBARD: Yes.

ACTING CHAIRPERSON WARSKOW: Yes, we can.

MS. PIGNATARO: Sorry, I was having some connection issues. It kept dropping. I just wanted to say something and then also ask a question to the Tailchasers group.

I've been a customer for the Dog House since they began 10 years ago or so. I've also been a customer of the Tailchasers. Happy with both companies, so this is not about the company. It's about the safety of the parking lot.

So, I've had very similar experiences taking my dog in and out of the building as other people who have spoken. So, I don't know if it's appropriate to ask a question to Mark and Randa if they have ideas or plans for how to make it a safer environment for the people and the dogs coming out. If you park to take your dog, walk your dog in, and then you come back and walk your dog out, you are literally backing out almost into the building if you don't turn correctly. It's a very awkward space.

I think the other lady, I think her name is Barbara, mentioned about the drive-through. You actually have to go in, turn around in the space, and then try and get to the drive-through. So, it's not really a drive-through. It's a U-turn in a very tight space.

So, I guess I would ask the question, do you have plans or ideas for how to make it a safer space for your clients?

ACTING CHAIRPERSON WARSKOW: Okay, thank you, Dionne. We'll let the Petitioner address your question.

MRS. CLARK: Our understanding is that you can pull into that drive and then do a big U and exit on the other side of Enterprise. Our plan is to come out the door and take the dogs from the car with their leash and collar already on in the car and walk them into the building, having our staff walk them there.

MS. PIGNATARO: So, there wouldn't be any parking and walking in to the building? It would be all drop off?

MRS. CLARK: There's the parking spots in the back. If people chose to park in the back, they would be able to park in those spots in the back.

MR. CLARK: If they pulled up to the drive-through door on the side, they'd be able to have one of our Tailchaser's members meet them, bring their dog inside, and then they could immediately drive around Enterprise on the other side and back up onto Arlington Heights that way, Arlington Heights Road.

COMMISSIONER ENNES: Is there a turnaround in your property and the Grana property? Because the car rental place is --

MS. PIGNATARO: Right. I think I've gone through the, I've tried to go around the other side of the building, and there are signs telling you don't.

COMMISSIONER ENNES: So, is there a public access around Enterprise?

MS. PIGNATARO: So, that's actually an in, that side is like they want you to come in instead of go out. So, I mean, I think it's maybe workable, but it would have to be reworked with the Enterprise business to make sure that they --

MRS. CLARK: Yes, there is an agreement with Enterprise to use that driveway.

MR. CLARK: The landlord owns the property, so we've been working with them to try to figure out a better solution with that. We would also try to make an agreement with Enterprise to allow something like that.

MRS. CLARK: There is a current agreement with Enterprise.

COMMISSIONER ENNES: That's just really unusual for the customers of the former business, so many of them to call with this problem. Strange.

ACTING CHAIRPERSON WARSKOW: Ms. Pignataro, the way that this works is you make a comment, and then after you've made the comment, the Petitioner can address that or the Commissioners can make comments. But it's not really intended to be a back and forth question and answer discussion. So, thank you very much for your comment, and we will, you know, further discuss this.

Do we have anybody else, Sam? Was that the last?

MR. HUBBARD: I do see two more hands raised. I see the individual phone who we had trouble hearing before. I'm going to try to bring them back in. Let's see if Zoom can unmute them.

So, I brought the phone number in that ends with 7509. I have asked Zoom to ask you to unmute yourself, so you should be getting prompted on the phone on how to unmute yourself and provide your public comment.

ACTING CHAIRPERSON WARSKOW: We're not hearing you. It's indicating you're still muted.

MR. HUBBARD: All right, I'm going to bring in another individual with their hand raised. I'll keep the phone number in here if they can figure out a way to unmute themselves, then they can give their public comment. Otherwise, I do see a Karen Stephanie in who has unmuted themselves. If you would provide your name and spell it for the court reporter?

MS. STEPHANIE: Yes, my name is Karen Stephanie, K-a-r-e-n S-t-e-p-h-a-n-i-e. I've been a customer of Tailchasers and Barrington Pet Resort for a number of years. I just wanted to speak to the efficiency of the drop-off process at Barrington Pet Resort. During this time of COVID, you know, they had to change their operating procedures, and rather than owners bringing the dogs into the building, their staff members were coming outside to get them directly from the cars. They really have streamlined that process. It's very quick and very easy.

So, I just wanted to attest to how quickly the drop-off and turnaround process is that they've worked out at their other property. I have lots of confidence in them that they'll manage to do the same in the new location.

ACTING CHAIRPERSON WARSKOW: All right, thank you very much for

your comment, Ms. Stephanie.

MS. STEPHANIE: Thank you.

ACTING CHAIRPERSON WARSKOW: Looks like we have 7509.

MR. LEERS: Yes, Sam. This is Mark Leers. I was just wondering when you were going to read the e-mail comments that were sent to you today.

MR. HUBBARD: As soon as we're done with everyone here who has raised their hand. So, now that you've given your final comment, Mr. Leers, I'm going to lower your hand and I'm going to bring you back to the attendee side, and I will read the e-mails out.

COMMISSIONER JENSEN: Before you take him to the other side, I'd like to ask him a question if that's possible.

MR. LEERS: Okay.

COMMISSIONER JENSEN: My question is this. So, you leased the space for 10 years, and we have a new group of people who are going to run a very similar facility to what you have been running. Why is it that they would be able to work something out to solve this problem that has caused you to do decide you don't want to renew your lease? What were you missing that you can't find to fix and they can?

MR. LEERS: There is nothing. I mean, we've tried with the landlord, we've tried with Enterprise, and there's no resolution to the parking problem that we've had. So, like I stated before, I mean, we've been in this business for over 10 years, and that is the reason why we're leaving is the parking lot. The parking situation is unsafe for the people and the dogs, and we are not going to be a part of that here at 213 more so. Although it's hard to move to another location within Arlington Heights, we will do that. Although it's an inconvenience to our customers, it's the safest thing, and we're not going to be here when something bad happens at 213 South Arlington Heights Road.

COMMISSIONER JENSEN: Thank you, Mark. Now, a question to the Clarks. So, what is it that you're going to be able to do that they weren't able to do, and you had all of these people attest to how dangerous the situation is and how difficult it is to do it? It's hard for me as a Commissioner to understand what magic you're going to work that the other fellow who ran that facility similar to yours for 10 years was not able to stumble on the right --

MRS. CLARK: Our plan is to do a more quick process. We're also going to have a lower number of dogs there. We do have a bus service that we currently use, too. A lot of our daycare clients here at Barrington Pet Resort get picked up on the dog bus and dropped off. So, that bus would park in the back and wouldn't be clogging up the drive-through.

COMMISSIONER JENSEN: Thank you. My final question is really to Sam in this regard. Are the issues around safety in this parking, is that part of our purview for this particular petition at this point?

MR. HUBBARD: Sure. I mean, yes, you know, well, in theory, these issues were determined and deliberated and discussed back when the original, you know, approval was granted. You know, the amendment is really just to remove the restriction. However, any approval of an amendment to a land use variation still, you know, a land use variation should comply to the existing, you know, criteria for approval.

So, if the Commission believes that the existing new facility and the proposed facility under the amendment would not continue to conform to the criteria necessary for a land use variation approval, then they could deny the petition.

COMMISSIONER JENSEN: Okay, thank you.

COMMISSIONER SIGALOS: I have a question for Mark. Am I understanding that you're leaving but you are going to open another dog care facility in Arlington Heights?

MR. LEERS: Yes, that's correct. We have a couple of locations identified in the Arlington Heights area. We're expecting to kind of leave soon and then move to that location within the next few months.

COMMISSIONER SIGALOS: Okay, so basically then what you're saying is Matt and Randa Clark will be competing with you then, correct?

MR. LEERS: Well, sure. I mean, they're going to be competition, but I'm not going to be here because of the safety. We're leaving because of safety issues. We're not leaving because of the competition, we're leaving because of safety issues.

COMMISSIONER SIGALOS: Okay, thank you.

COMMISSIONER LORENZINI: A few comments if I may make. You know, kind of like where you're going to, John, this does seem unusual. I've never seen a situation like this before that I can remember.

So, Sam, you know, they've been operating there for 10 years or more. Is there any concern, have you heard any issues from the Police Department, or any issues of safety that you know of?

MR. HUBBARD: No, we did ask for police accident reports over the last year in this area. There were none on record for this intersection entering and leaving the site. There were no on-site record of reported accidents or crashes for the site over the last year.

COMMISSIONER LORENZINI: I know the site is pretty restrictive. I've been through there, but as long as the Village thinks it's okay, Sam thinks it's okay, and the Department thinks it's okay, I'm probably okay with it, too.

COMMISSIONER JENSEN: Well, Sam, I've got to ask you. If you have an accident on a private parking lot, it doesn't necessarily get reported to the police, does it?

MR. HUBBARD: Well, if they call it in, it would, yes.

COMMISSIONER JENSEN: Right, but there's no requirement to do that?

MR. HUBBARD: Right. Yes, I mean, it's, they can have --

COMMISSIONER JENSEN: So, there could be something happening and it's not reported is the only point I want to make for Joe's --

MR. HUBBARD: Yes, and I would say before we close the public comment, I do have five e-mails to read in.

COMMISSIONER CHERWIN: Sam, should we extend the meeting?

ACTING CHAIRPERSON WARSKOW: Yes, we're also at 10:29.

COMMISSIONER CHERWIN: I'll make the motion to extend the meeting to 11:00 o'clock. This is Jay.

ACTING CHAIRPERSON WARSKOW: Do I have a second?

COMMISSIONER GREEN: I'll second it.

ACTING CHAIRPERSON WARSKOW: Okay, thank you.

MR. HUBBARD: Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes.

MR. HUBBARD: Commissioner Ennes.

COMMISSIONER ENNES: Yes.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Yes.

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.

MR. HUBBARD: Commissioner Lorenzini.

COMMISSIONER LORENZINI: Yes.

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MR. HUBBARD: Chair Warskow.

ACTING CHAIRPERSON WARSKOW: Yes.

MR. HUBBARD: Okay, Chair Warskow, would you like me to read in the e-mails?

ACTING CHAIRPERSON WARSKOW: Yes, Sam, please read in the e-mails to the public record.

MR. HUBBARD: To whom it may concern: I'm not sure who I need to address this to, but I understand there is maybe a hearing to discuss the Arlington Dog House. For what it's worth, as a former long-time customer of Arlington Dog House, I just wanted to share my two cents. I have been taking my dog Cooper to Arlington Dog House since it opened back in 2010-2011 timeframe. My dog got to be so accustomed to the kind staff and people who work there that he ran in without me often and never knew I was there. It was a great facility inside. The problem, especially in the winter, piles of snow build up. There are over 80 dogs sometimes inside there and also 80 cars in and out of the parking lot, and with only one way in and out and often really no available spots. People were parking all over the place so they can quick run in and grab their dog. There is absolutely no room back there as they got more popular and got busier. It's at a point now that I don't want to take my dog there anymore because it is such a pain to get in and out. It's literally a traffic jam. Unfortunate because it is so close and the facility is great. I'm not sure if anything can be done about it but wanted to voice my concern. Thank you. Michael Steiner.

New e-mail: As a customer of Arlington Dog House at 213 South Arlington Heights Road, I wanted to make you aware of the parking issues they have. The couple of spots they do have are so close together that it's difficult to get in and out of your vehicle if another car is in the spot next to you. I worry about door dings every time I drop my dog off because they're so close together. The amount of space between the building and designated spots is so close that running into the building is a constant concern. I was told there is a planning meeting tonight and I wanted these concerns to be addressed. To any questions, feel free to contact me, Chris Layton.

E-mail number three: Hello, my name is Linda Kuda and I have been taking our dog to Arlington Dog House for many years. We and our dog love it here. Our only complaint is the parking situation. It is a very small area, dangerous for pets and people alike. I have had a few close calls and I know others who have as well. We're hoping you can help to remedy the situation. We would like to continue bringing our dog here. Thank you for your consideration. Linda and Mike Kuda.

E-mail number four: Hello, I'm sending in regards to the Arlington Dog House. I have frequented there with my dog and the parking lot is quite unsafe. You have to be hyper-vigilant to ensure your dog is safe getting in and out of the car, and it does not really accommodate much space to avoid car dings, et cetera, especially also given that it shares

space with Grand Frame. I hope there is an ask of the landlord for improvements going forward. Thanks, Allison Whitehouse, Arlington Heights resident.

E-mail number five: To whom it may concern. I'm reaching out regarding the 213 South Arlington Heights Road location where Arlington Dog House is located. I'm a longstanding customer of Arlington Dog House. The staff is amazing but the parking situation is unsafe. My family drives a Suburban and the parking lot is practically inadequate to handle a vehicle of that size. I have a routine where I park my car in the farthest spot from the building to avoid parking spots where I could practically not pull out due to how close the spots are to the building. Unfortunately, on May 6th, the landlord of the building was doing construction, left the construction dumpster/green bag which was low to the ground and overflowed into the parking lot. That green bag caused extensive damage to my car as I was pulling out of the parking lot. It was a sloppy and inconsiderate place to dump construction garbage which disrupted the customers' ability to park. I'd also like to note that I reported this to the Village and that this construction work did not have a permit. The location is not safe to have such a vibrant business with so much car, dog and foot traffic, and the landlord's overall lack of civic responsibility is to be noted. If the Arlington Dog House is leaving the location due to dangerous conditions, why would the Village allow another business of the same type to move in? Regards, Hope Towley, Arlington Heights.

That concludes all of the e-mails. I think, unless there's any more public comment, I think we should have a motion to close the public comment portion of the meeting.

ACTING CHAIRPERSON WARSKOW: Yes.

COMMISSIONER CHERWIN: I would move to close the public comment portion.

ACTING CHAIRPERSON WARSKOW: Second? John?

COMMISSIONER SIGALOS: I'll second.

MR. HUBBARD: Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes.

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MR. HUBBARD: Commissioner Ennes.

COMMISSIONER ENNES: Yes.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Yes.

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.

MR. HUBBARD: Commissioner Lorenzini.

COMMISSIONER LORENZINI: Yes.

MR. HUBBARD: Chairman Warskow.

ACTING CHAIRPERSON WARSKOW: Yes.

Okay, do the Commissioners have any comments or questions for the Petitioner?

COMMISSIONER SIGALOS: Yes, I just wanted to ask Matt and Randa, I mean, after you've heard all these issues, I have all the faith in the world that you would run a very good dog care facility, I really do. Have you looked into other sites in Arlington Heights that

may not have this parking problem that has been raised here by a number of customers there?

MRS. CLARK: We had not because zoning is very difficult for a kennel. We were approached specifically by this particular landlord when the space became available.

COMMISSIONER SIGALOS: Well, you say that zoning is very difficult, I mean, didn't we just approve recently a Dogtopia that was in a strip center in Arlington Heights? I think they're open successfully.

COMMISSIONER JENSEN: In Southpoint, yes.

MR. HUBBARD: Yes, we did. There was a Pet Suites also approved.

COMMISSIONER SIGALOS: So, I mean, I'm just suggesting that maybe with the safety issue, and again, I have two dogs and I know what it's like to open up a car door and all of a sudden they go bolting out the door. But I'm just wondering if, while I'd love to have you stay in there to be in Arlington Heights, I mean, it would be great to have you run a dog facility here, but if you were to see something else that might be more conducive with parking and safety of the dogs, that's all I'm asking.

MRS. CLARK: We haven't really seen, I mean, we've sat out there the past few days and several days before then to see people going in and out, and we haven't ever seen there be a backup of traffic or any issues. When people pull up, they bring their dog in and then they leave, and they can drive all the way around out through Enterprise. So, we didn't really see that there's a safety issue. Plus, we're never going to have 80 dogs in there like the one the e-mail stated. Our capacity is 45, and we also have a higher price point which is a supply and demand where, I mean, we're going to have less dogs. So, it's going to be smaller play groups and less dogs in the building. So, any issues that may have happened before may have been more traffic than what we'll be seeing.

COMMISSIONER JENSEN: What is your, have you signed the lease or what's your relationship now to both the property and to the landlord? Where are you in --

MRS. CLARK: We have a signed lease and we just signed the lease for the property next door to alleviate the parking concerns.

MR. CLARK: Correct.

COMMISSIONER LORENZINI: Question. So, you're going to have less dogs than they have now, but you'll be leasing more space?

MRS. CLARK: Same amount of space.

COMMISSIONER LORENZINI: Okay, all right.

COMMISSIONER ENNES: Have you had any discussions with the Enterprise people?

MR. CLARK: I plan to.

MRS. CLARK: We haven't yet, but there is paperwork saying that it's a shared parking arrangement.

MR. CLARK: Right.

MRS. CLARK: I know that it's somewhere in our lease with the shared parking arrangement.

MR. CLARK: And I -- I'm sorry, go ahead, Commissioner.

COMMISSIONER JENSEN: I was just going to say your lease is, there's no conditional aspect to it? I mean, you've signed it? How long is your lease for?

MRS. CLARK: There is a conditional on zoning approval.

COMMISSIONER GREEN: Right.

COMMISSIONER JENSEN: Well, I am very torn personally. There's one part of me that says, the economist that says let the market reign, and that means that you open your shop and if people think that the safety issue is too great, they stop coming and you go out of business. There's a part of me that says that. There's another part of me that says as a Commissioner, I'm having trouble disregarding this massive amount of negative testimony that says the parking is dangerous, somebody is going to get hurt, a dog, a person or both. So, I am really, really torn here as to what action to take on this.

So, if I were really worried about the dollars and cents, I would say let the market tell you whether you made a good decision or not. You're making a bet. But I think we have a responsibility to safety and I'm having a lot of trouble given all of the testimony you've just heard, especially from the previous owner who had been there for 10 years.

COMMISSIONER GREEN: If I could just give you, add a comment to that, Lynn? All of the people there were complaining about parking, yet they went there for 10 years.

MRS. CLARK: Right.

COMMISSIONER JENSEN: Hope reigns eternal. I don't know what to tell you, Bruce.

COMMISSIONER GREEN: There you go. I'm just telling you, but that's my take on it. Everybody was there for 10-11 years, and now they're complaining about the parking.

COMMISSIONER JENSEN: Yes, well, many of them stopped going. I mean, they did say, hey, I used to take my dog there. Anyway, it's a tough issue, for me anyway.

COMMISSIONER ENNES: Sam, if I can ask a question? Over the years, have you heard any problem with the parking there? I mean, this is an unbelievable number of complaints. Obviously, they were aware of the meeting tonight, and a lot of complaints about the exact same thing. I'm just wondering if the Planning Department has ever heard about this. Something like this I would think might get reported to the Police Department, to the Village. It sounds like something to look into, see if it's an actual situation. Although why would all these people call if it wasn't.

MR. HUBBARD: Sure. To answer your question, Commissioner Ennes, until this application moved forward, I was not aware of any parking issues on the site. All of the departments that reviewed this, including the Police Department, did not make any comments about, you know, their knowledge of an unsafe parking situation that exists. So, I hope that answers your question.

COMMISSIONER ENNES: Was there a traffic study done the first time, or I should say vehicle movement study in the property since you got three businesses there?

MR. HUBBARD: There was when the original Dog House was approved in 2010. There was a full traffic and parking study.

COMMISSIONER JENSEN: That was 11 years ago though.

COMMISSIONER ENNES: Yes. Were there any limitations on the number of dogs they could house?

MR. HUBBARD: Yes, back when they first got their original approval, it was limited to, I believe it was 25 dogs during the day and 10 overnight. Then when they leased that space next door in 2016 and amended their approval, they increased their capacity to a maximum of 45 dogs during the day and 25 overnight.

COMMISSIONER JENSEN: So, that's not 80 dogs; we're not hearing that

they had 80 dogs.

MR. HUBBARD: Correct.

COMMISSIONER JENSEN: So, they --

MR. HUBBARD: Correct.

ACTING CHAIRPERSON WARSKOW: Well, how do we know that they didn't have 80 dogs though?

COMMISSIONER ENNES: Well, if their customers said they didn't.

ACTING CHAIRPERSON WARSKOW: I mean, is the Village going in there and doing a headcount on dogs?

MR. HUBBARD: No. Unless there's a condition of approval that requires occupancy checks of the dogs as they enter in, you know, no, we're not checking dogs.

ACTING CHAIRPERSON WARSKOW: It would be hard to determine what the actual number of dogs are.

I appreciate, Mr. Leers, that you're trying to make additional comments; however, the public comment period is closed.

COMMISSIONER JENSEN: Sam, is there any value in requiring another traffic study that's not 11 years old before it goes to the Village Board? Because we've got some issues here that we really can't, factual issues that we really can't totally sort out. It seems to go to the parking issue and to the traffic issues which are things that we spend, we give a lot of attention to for other petitioners. So, is it possible that we request that they do such a study before it goes to the Village Board so at least the Village Board could be having a better set of facts than we have in front of us?

MR. HUBBARD: Absolutely, yes. A condition of approval could be added that would, you know, request a certain number of parking surveys prior to appearing before the Village Board, or a full-blown, you know, traffic and parking study from a licensed traffic engineer.

COMMISSIONER JENSEN: Well, I usually argue against full-blow traffic studies, but in this case I might be arguing more for one because I think there's a significant factual issue here that I think the Board needs to know before they take action on this. So, this is one of the few cases where I would take a position that I normally don't take which is they need a more comprehensive and legitimate traffic study by a certified traffic engineer.

ACTING CHAIRPERSON WARSKOW: Is there Arlington Dog House still in operation as of right now, Sam?

MR. HUBBARD: Yes, they are. Their lease expires at the end of the month.

ACTING CHAIRPERSON WARSKOW: All right, so it would be important to have that traffic study done before you're no longer able to see the traffic as it relates to having a dog daycare business in that property.

COMMISSIONER CHERWIN: Yes, and this is Jay, I just wanted to comment, so, thanks to everybody. You know, I would say that the only challenge with that is that it sounds like the prospective new tenant is planning to operate differently, so we may have kind of an apples to oranges comparison. I'm in the same conundrum that Lynn is in as, you know, often we are. You know, I would say that I know there were some comments made about the Barrington operation which I think is again totally apples and oranges because the property in Barrington is not anything like this.

I would also say I'm extremely familiar with this property because I

used to work out at the gym next door that the Dog House expanded into. Yes, that parking lot is very tight. It's very difficult. I always had trouble envisioning how that worked, and quite frankly, I don't know if the expansion maybe exacerbated the issue. Circulation is a problem I think.

But again, to Bruce's point and Lynn's point, you know, folks continue to operate the business, and if it's not going to work, if it's not a good site for it, then the new operators are not going to be able to operate their business this way. I do not, you know, I'd say it's a land use variation and land use variations are a little bit of a gamble, right? You're trying to say, well, it's not really, you know, what the site is for but we're making exceptions under these circumstances. Well, we've kind of had a ready experiment for over 10 years, and in my opinion there are a lot of indications that it isn't appropriate at this particular site and that maybe them seeking an alternative site is in the best interest of everybody.

Again, to the point, if the landlord couldn't make it happen with the tenant that was there for 10 years, I don't see any reason why they would be able to make adjustments for a new tenant. So, I guess that's where my thoughts are at.

ACTING CHAIRPERSON WARSKOW: Anybody else have any additional comments? Because I'm kind of in the same boat, you know, I really hate to deny someone who is so well qualified and, you know, already doing business here in Arlington Heights and offering such wonderful service, but I can't in good conscience put our residents and their pets in a dangerous situation.

COMMISSIONER LORENZINI: Is the current owner of the property still on, still available?

ACTING CHAIRPERSON WARSKOW: We closed the public comment section, so I don't know how that works in terms of having somebody from the public even though they're a former business.

COMMISSIONER CHERWIN: Joe, I don't know that the owner of the property was ever on. I think it was the former operator of the business at the property.

ACTING CHAIRPERSON WARSKOW: Right.

COMMISSIONER LORENZINI: Okay.

COMMISSIONER CHERWIN: So, if there's a landlord out there somewhere that ultimately has responsibility for, you know, the site, then I don't think he was on.

COMMISSIONER LORENZINI: I guess maybe one to you, Sam. Have you ever spoken to the owner or the operator?

MRS. CLARK: The owner of the building is on, but they're unable to make a comment. They've been trying.

COMMISSIONER LORENZINI: Okay, that's okay, that's okay.

MRS. CLARK: They do have some important statements, but they don't know how to get on.

COMMISSIONER LORENZINI: Okay, I'm just going to ask Sam maybe to get in touch with the operator or owner to see if they've ever tried to negotiate anything to try to solve this situation and what their side of the story is. I think it would be good information at least to know when this goes forward to the Village Trustees.

ACTING CHAIRPERSON WARSKOW: If there's a situation where there's valuable information from the property owner and they're not able to speak because of technology issues, could we just, I forget the technical term, but hold this petition over for the

next meeting?

COMMISSIONER ENNES: The owner of Grand Frame was on.

COMMISSIONER JENSEN: Right, but she's more saying the owner of the building where Enterprise is located.

COMMISSIONER ENNES: Oh, didn't he say he bought the property? I might be wrong about that.

ACTING CHAIRPERSON WARSKOW: No, he was a lessee, he wasn't the owner.

MRS. CLARK: Yes, he has a lease.

MR. HUBBARD: We do have the owner who are watching the video. If the Plan Commission has specific questions they would like to address to the owner, they can certainly ask, you know, beyond public comment. That's fine if you're addressing specific questions.

ACTING CHAIRPERSON WARSKOW: Right, but the Clarks are saying that the owner is having technical difficulties?

MRS. CLARK: Yes, they're on the call right now; they can't get in the meeting.

MR. CLARK: They're trying to call in, but --

MRS. CLARK: They're on the phone, but I mean, I don't know if you want us to put them on.

COMMISSIONER JENSEN: Can you try again, Sam?

MR. HUBBARD: Yes, I can try and bring them over to the panelist side.

MR. GREANA: Hello? Can you hear us?

ACTING CHAIRPERSON WARSKOW: Yes.

MR. ENRIGHT: Hey, Sam? Chair, excuse me, Bill Enright here.

Chairman Warskow, I think you have to open the public comment again.

ACTING CHAIRPERSON WARSKOW: Do we --

MR. ENRIGHT: Yes.

MR. GREANA: It's important for me to talk to you guys. I'm sorry.

ACTING CHAIRPERSON WARSKOW: Yes. Okay, okay, I'm re-opening the public comment so that the owner of the property can make his comments.

COMMISSIONER LORENZINI: Do you have the name and spelling?

MR. GREANA: My name is Gary Greana, G-a-r-y G-r-e-a-n-a.

Can you hear me?

ACTING CHAIRPERSON WARSKOW: Yes, yes. We can hear you.

Go ahead and make your comment.

MR. GREANA: Okay, you know, I just would like to say that Mr. Leers canceled out his lease in, I believe March. I looked for a new tenant. I was able to work it out with Matt and Randa to take the space. Then he came back to me two months later, about a month after I signed the lease with them, and said that he wanted to stay. I said if there was any change, I'll work it out so he could stay.

I really feel that a lot of the comments tonight were untruths and fabrications. I really feel if there's been a traffic study done, a short traffic study done this week, I admit it's a tight lot. It's why I secured five spaces with the Enterprise lot that I control. They're

the five spaces closest to our lot. Those could add to the nine, I could use those five for customers, so now I'm up to 14 spaces. I have in the Enterprise lease, those are my spaces. So, that's, right away that's five more spaces.

As far as the traffic flow goes, a lot of this has been fabricated. I don't believe it's the truth. People, there's no police reports over 10 years. People do come in and out, you know, occasionally, there could have been maybe an accident, I believe there was one a few years ago at Enterprise, but nothing on this lot. It's a very, at times it's busy during the peak hours, but there's never more than two or three cars back there, and we have nine spaces back here.

So, I just want you to know, I think you're hearing some fabrications here, I really do. If you have any questions, I'd be, you know, feel free.

COMMISSIONER JENSEN: But Mr. Greana, let me ask you. Are you saying the 10, 15 or whatever the number is of people who were customers have all conspired to get together and give us the same story that there's a problem?

MR. GREANA: Honestly, I feel like we've been badmouthed by our tenant, and I feel that these are people that maybe are friends of his because, and I'm not saying they're all of them. They may have been, okay, say half are true, but I don't believe it's all true.

COMMISSIONER JENSEN: Would you be willing to entertain doing a true, not a count but actually do a traffic study by a certified traffic engineer between now and when the lease runs out of your current tenant?

MR. GREANA: I have no problem with that at all. I just want it to be so that Tailchasers could open when they want to open. I'm trying to get this done for them, also for us. If we have to wait months and months and months, this is going to be a huge hardship for us. We need this to happen as soon as possible, but it's a tight lot, there haven't been accidents. The reason I sought out Randa and Matt is because we bring our own dog to their place in Barrington and they are very efficient, the way they unload the cars, the way they are with the customers and the pets, and we feel for this building they are the right fit.

We have an apartment building behind us. We have no complaints on noise. It's a perfect facility for this type of business in Arlington Heights, it has been for 11 years. The truth of the matter is Mr. Leers wants to stay. It's too late for that. We have a new lease with new people.

COMMISSIONER SIGALOS: Mr. Greana, if I could just throw something out there?

MR. GREANA: Yes.

COMMISSIONER SIGALOS: I find it interesting that you say that Mr. Leers came to you to terminate his lease a number of months ago and now all of a sudden he wants to stay. I don't know if that had to do with a slow down in business with COVID and people staying home.

MR. GREANA: Yes, I don't think COVID helped. I believe that that was part of it, but what happened was in the last couple of months, business has sprung back.

COMMISSIONER SIGALOS: Correct, so that's why he wants to come back?

MR. GREANA: That's exactly right, but --

COMMISSIONER SIGALOS: Yes, so I mean, I was kind of suspicious --

MR. GREANA: -- what he did want there is to basically sabotage it for me

because he's a little sour grapes with me.

COMMISSIONER SIGALOS: Right, right.

MR. GREANA: And making up stories.

COMMISSIONER JENSEN: Well, as for me, the solution here is to go to a fifth condition.

MR. GREANA: And his customers, I'm not saying that his customers are lying, but he's probably leaning on their shoulders.

COMMISSIONER JENSEN: I think the solution for me is to put a fifth condition that a traffic study by a certified traffic engineer be done as expeditiously as possible, and that that be done before it goes to the Board, so the Board will have some facts, because what we've got is assertions and assertions and counter-assertions. So, I don't know what to make of all that, but I think what they should do is have a certified traffic engineer do a study so that that additional information is available to the Board when they make the decision.

COMMISSIONER LORENZINI: But Lynn, what is that study going to cover? Just the traffic on Arlington Heights Road?

COMMISSIONER JENSEN: What do we always do, Joe? We ask for them to do a parking and traffic flow. The same thing we always ask.

COMMISSIONER CHERWIN: I think they're looking for an internal site flow though, not the amount of flow that's going on Arlington Heights Road.

ACTING CHAIRPERSON WARSKOW: Right.

COMMISSIONER JENSEN: Right, yes, I agree.

COMMISSIONER CHERWIN: Okay, site circulation, parking, peak load, that kind of thing.

MR. GREANA: We know we've got a tight lot, that's why we purchased the Enterprise building to alleviate some of that, and we did a cross easement agreement between the two buildings to make traffic flow better. I'd be willing to share and help with whoever does the study. I have the paperwork.

ACTING CHAIRPERSON WARSKOW: So, do we have any remaining questions for Mr. Greana, or else I will close the public comment.

COMMISSIONER ENNES: Mary Jo, I do.

ACTING CHAIRPERSON WARSKOW: Okay.

COMMISSIONER CHERWIN: Guys, we're coming up on time again, just so you know. I'd like to move to extend it to 11:30.

ACTING CHAIRPERSON WARSKOW: You're on mute, Bruce.

COMMISSIONER GREEN: I'll second that.

COMMISSIONER ENNES: Okay, this will be quick.

Mr. Greana, the ingress and the egress from the property, from what I'm understanding, traffic flows in on the north side of Enterprise and comes around and exits at the drive between your building which is the framing and the dog --

MR. GREANA: Can you hear me now?

ACTING CHAIRPERSON WARSKOW: Yes.

COMMISSIONER ENNES: Yes.

MR. GREANA: Okay, the traffic comes into the south side of the building the first lane. It exits, it's a triple wide lane before you get to the Enterprise building and it exits out the same way. Very rarely do people go through the Enterprise lot and exit on the other side

of Enterprise. We have our own in and out on the north side of Enterprise, and we have about, I would guess there's 25 feet there to 30 feet.

COMMISSIONER ENNES: Okay.

MR. GREANA: So, we at least can rely on that other lot, it's just an extra exit if somebody chooses to go through the Enterprise lot. We have our own in and out at the driveway.

ACTING CHAIRPERSON WARSKOW: Okay, can we take the roll call on the extended time?

MR. HUBBARD: So, that was Commissioner Cherwin that made the motion and Commissioner Green that seconded?

COMMISSIONER GREEN: Yes.

ACTING CHAIRPERSON WARSKOW: Correct.

MR. HUBBARD: Okay, Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Yes.

MR. HUBBARD: Commissioner Ennes.

COMMISSIONER ENNES: Yes.

MR. HUBBARD: Commissioner Jensen. Commissioner Jensen, do you vote to extend the meeting to 11:30?

COMMISSIONER JENSEN: Yes. I'm sorry.

MR. HUBBARD: Commissioner Lorenzini.

COMMISSIONER LORENZINI: Yes.

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MR. HUBBARD: Chair Warskow.

ACTING CHAIRPERSON WARSKOW: Yes.

Okay, is there anything further to discuss with Mr. Greana?

(No response.)

ACTING CHAIRPERSON WARSKOW: No? Then I am going to re-close the public comment and take it back to just the Commissioners. I myself would agree that a site flow study would be appropriate before the lease ends with Arlington Dog House and before they present to the Village Board.

COMMISSIONER JENSEN: So moved. I think we should do it as a fifth condition that they do this kind of a study as expeditiously as possible, the kind that actually Jay enumerated, most of the elements you'd need, and I think that should be done before going to the Board.

ACTING CHAIRPERSON WARSKOW: Any other Commissioner comments before someone makes a motion?

COMMISSIONER LORENZINI: Yes, I agree that that study should be done, but it should be done at a time that only the company doing the study knows about it and the Village knows about it, that it's not made public knowledge when it's going to happen.

COMMISSIONER JENSEN: Good point.

ACTING CHAIRPERSON WARSKOW: Good point.

Any other comments?

(No response.)

ACTING CHAIRPERSON WARSKOW: Would someone like to make a motion then?

COMMISSIONER JENSEN: I move we add a fifth condition that an internal traffic flow and parking study be done as expeditiously as possible and before this matter goes to the Board of Trustees for their consideration.

MR. HUBBARD: We need a formal full, like a full motion. Commissioner Jensen, if you're going to make the motion, it has to be the full motion. I recommend approval of blah-blah-blah.

COMMISSIONER JENSEN: Okay, sorry, yes. Are we going to do that? I'd like to recommend.

A motion to recommend to the Village Board of Trustees approval of PC #21-013, an Amendment to Land Use Variation Ordinances 16-013 and 10-027, to allow the Petitioner for Tailchasers to assume the Land Use Variation that was issued to Arlington Dog House and to reduce the parking variation as granted in Ordinance #10-027 to allow a 12-space parking deficit as opposed to a 14-space parking deficit, and subject to the following conditions:

1. **Ordinance 10-027 shall be amended to remove condition #1 in section three, and condition #6 in section three shall be amended to allow hours of operation between 9:00am-4:00pm on Saturday and Sunday.**
2. **Ordinance 16-013 shall be amended to remove condition #1 in section two.**
3. **Unless modified as part of application PC #21-013, all existing conditions of approval from Ordinances 16-013 and 10-027 shall remain in effect.**
4. **An internal traffic flow and parking study by a certified traffic engineer shall be done as expeditiously as possible and before going to the Village Board for further consideration.**
5. **The Petitioner shall comply with all federal, state, and Village codes, regulations, and policies.**

COMMISSIONER GREEN: I will second that.

COMMISSIONER ENNES: One comment, are we going to suggest that be made confidential when that was done?

COMMISSIONER JENSEN: I would certainly, if you would like to add that in, I have no problem with that.

MR. HUBBARD: I mean, unless they inform anyone when they're going to be doing it, the landlord, you know, I'm assuming the landlord or the future tenant would be coordinating it, so it would not be, you know, done with the knowledge of anyone beyond that. So, as a Staff representative, I don't believe it will be necessary.

ACTING CHAIRPERSON WARSKOW: Okay, so roll call?

MR. HUBBARD: So, we have Jensen --

COMMISSIONER GREEN: I seconded it, Sam.

MR. HUBBARD: Bruce seconded.

COMMISSIONER GREEN: Yes.

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Yes.

MR. HUBBARD: Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes.

MR. HUBBARD: Commissioner Ennes.

COMMISSIONER ENNES: Yes.

MR. HUBBARD: Commissioner Lorenzini.

COMMISSIONER LORENZINI: Yes.

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MR. HUBBARD: Chair Warskow.

ACTING CHAIRPERSON WARSKOW: Yes.

Well, congratulations! With that additional condition, you have unanimous recommendation to the Village Board approval of your petition.

Sam, do you have a date for the petition?

MR. HUBBARD: That's going to depend on when they provide that information.

ACTING CHAIRPERSON WARSKOW: Traffic study?

MR. HUBBARD: Traffic study, yes.

ACTING CHAIRPERSON WARSKOW: Okay, thank you very much, and we wish you the best of luck, we really do. It seems like you're, you know, doing an excellent job. Let's hope that the parking study supports the use of the building for your business.

COMMISSIONER JENSEN: I concur completely. I hope it works out the best for you.

MRS. CLARK: Thank you.

MR. CLARK: Thank you.

COMMISSIONER SIGALOS: Matt and Randa, I wish you the best in this. I think you'll do a great job there, I really do.

MRS. CLARK: Thank you again.

MR. CLARK: Thank you.

(Whereupon, at 11:05 p.m., the public hearing on the above-mentioned petition was adjourned.)