

REPORT OF THE PROCEEDINGS OF
The ORDINANCE REVIEW COMMITTEE
OF THE VILLAGE OF ARLINGTON HEIGHTS PLAN COMMISSION
HELD AT VILLAGE HALL ON:

September 28, 2022

Project Title: Amendments to Chapter 28
Arlington International Race Course Overlay Zoning District

Petitioner: Village of Arlington Heights
33 S. Arlington Heights Road
Arlington Heights, IL

Requested Action:

Chapter 28 Text Amendment: Arlington International Race Course Overlay Zoning District
– to add a Sports Wagering Facility as a Special Use

Attendees: Susan Dawson, Plan Commissioner
Bruce Green, Plan Commissioner
Lynn Jensen, Plan Commissioner
Terry Ennes, Plan Commissioner
Charles Witherington Perkins, Director Planning and Community
Development
Bill Enright, Assistant Director Planning and Community Development
Braeden Lord, Village Counsel

Background

Chairman Green called roll call with Commissioners Green, Jensen and Ennes present.
Commissioner Dawson was present soon after roll call.

B. Enright provided a background on the Arlington International Race Course Overlay Zoning District, which was approved in 2021. The Overlay Zone required that future development at the former race course be developed as part of a Planned Unit Development and that transit oriented development is encouraged near the Metra train station.

The proposed amendment is to add to the Overlay Zone a Sports Wagering Facility as a Special Use. This amendment would not approve a sports wagering facility but merely allow for this use to be considered as part of the Special Use approval process.

Meeting Discussion:

Commissioner Ennes asked about the off track betting facility at the former Ditkas and how was that use approved?

B. Enright answered that in 1969 when the Village annexed the track the Village also approved a Special Use for the track and ancillary to the track includes betting facilities. When the track burned down in 1985, the Village allowed the off track betting to occur at the building as it was not

impacted by the fire. Approved under the laws governing horse racing.

Commissioner Ennes asked if the State law requires community approval for a sports wagering facility?

B. Enright responded that the State approved the sports wagering act in 2019 which set forth certain requirements including that they can be in conjunction with a licensed horse racing facility, casinos, licensed on line betting and sports facilities with over 17,000 seating capacity, or 10,000 within the City of Chicago. The law is silent on zoning so it's up to the local municipality to regulate zoning.

Commissioner Dawson asked that when looking at the conditions of use it talks about only as part of an approved development that includes a stadium- stadium not being capitalized and therefore not defined, is that correct?

B. Enright indicated that the State law requires a license with criteria, one of which is a sports facility with at least 17,000 capacity. In the proposed Ordinance, in order to get approval of a sports wagering facility there would have to be an approval in place for a stadium either concurrent or after a stadium is approved.

Commissioner Dawson indicated that she is in favor of doing this, but wants to be sure that we are specific as to what a stadium is because there are high school stadiums, and then there's the Bears stadium, so if there's no definition of a stadium...

B. Enright added that there is no current definition of a stadium in Village code but the Village will likely be looking at subsequent changes to the zoning ordinance to address redevelopment of the race track. We may want to define a stadium if needed. Having said that the State requires a minimum of 17,000 seating capacity so that would rule out high school stadia. Also I think the term stadium is commonly known as well.

Commissioner Dawson added that this may come up at Plan Commission so maybe say stadium over 17,000 capacity or as defined by future code just in anticipation of this question. And if not just explain why we are leaving stadium as an undefined term.

C. Perkins added that we review that before the PC meeting and report back and make any adjustments. Probably don't want to link to State law as it may change at State level.

Commissioner Ennes thinks maybe we link to the State definition.

Commissioner Green agrees and is supportive of the Ordinance.

Motion by Commissioner Dawson to recommend approval with consideration to the commentary that staff consider defining stadium deferring to staff. Seconded by Commissioner Ennes.

Roll Call vote:

Commissioner Green: Yes
Commissioner Ennes: Yes
Commissioner Jensen: Yes
Commissioner Dawson: Yes

Motion passed 4 to 0.

Public Comment was opened and Melissa Cayer stated that 'Im not in favor of a sports book and as I recall the owner of the race track made a stipulation they would not sell the property for another betting facility. And also the Bears can use the grandstand and don't vote for a TIF District as they cause school district to forgo property tax money for pet projects that may fail.

Motion to adjourn by Commissioner Jensen seconded by Commissioner Dawson. All in favor motion passed 4 to 0.

Meeting adjourned at 6:50 pm.

Bruce Green, Chairman
Ordinance Review Committee
Bill Enright, Recorder