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

COMMISSION

RE: ORCHARD EVANGELICAL FREE CHURCH -  
1330 NORTH DOUGLAS AVENUE - PC #22-007  
PLAT OF SUBDIVISION TO CONSOLIDATE

REPORT OF PROCEEDINGS had before the Village of  
Arlington Heights Plan Commission Meeting taken at the Arlington Heights Village  
Hall, 33 South Arlington Heights Road, 3rd Floor Board Room, Arlington Heights,  
Illinois on the 26th day of October, 2022 at the hour of 7:30 p.m.

MEMBERS PRESENT:

SUSAN DAWSON, Chairperson  
LYNN JENSEN  
JOE LORENZINI  
BRUCE GREEN  
GEORGE DROST  
TERRY ENNES  
JOHN SIGALOS  
JAY CHERWIN

ALSO PRESENT:

SAM HUBBARD, Development Planner

CHAIRPERSON DAWSON: Good evening, everyone.

All right, so let's rise for the pledge everybody.

(Pledge of Allegiance recited.)

CHAIRPERSON DAWSON: All right, roll call.

MR. HUBBARD: Commissioner Cherwin.

COMMISSIONER CHERWIN: Here.

MR. HUBBARD: Commissioner Drost.

COMMISSIONER DROST: Here.

MR. HUBBARD: Commissioner Ennes.

COMMISSIONER ENNES: Here.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Here.

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Here.

MR. HUBBARD: Commissioner Lorenzini.

COMMISSIONER LORENZINI: Here.

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Here.

MR. HUBBARD: Commissioner Warskow.

(No response.)

MR. HUBBARD: Chair Dawson.

CHAIRPERSON DAWSON: Here.

All right, well, we will start off with approval of the minutes. If everyone had a chance to read it, do I have a motion for approval?

COMMISSIONER GREEN: I'll make a motion for approval.

COMMISSIONER CHERWIN: I'll second.

CHAIRPERSON DAWSON: All right, all in favor?

COMMISSIONER JENSEN: Sue, do I need to indicate I wasn't here? I don't know if you do when you --

CHAIRPERSON DAWSON: Everyone says yes and then you say I wasn't here and we'll make a note.

COMMISSIONER JENSEN: I wasn't here.

CHAIRPERSON DAWSON: You're ahead of the game tonight.

COMMISSIONER JENSEN: Okay.

CHAIRPERSON DAWSON: Okay, so we have a motion and a second.

All in favor?

(Chorus of ayes.)

CHAIRPERSON DAWSON: Any abstaining?

COMMISSIONER JENSEN: I wasn't here.

CHAIRPERSON DAWSON: That would be you.

COMMISSIONER DROST: And George Drost.

CHAIRPERSON DAWSON: Any opposed?

(No response.)

CHAIRPERSON DAWSON: Okay, great.

All right, so that moves us on to the first item on the agenda which is the Orchard -- I'm sorry, someone help me out here.

COMMISSIONER GREEN: Evangelical.

CHAIRPERSON DAWSON: Thank you, it's been a long day. Evangelical Free Church.

Do we have Petitioner here?

MR. CSUK: Yes.

CHAIRPERSON DAWSON: Great, and then have all public notices been given?

MR. HUBBARD: They have.

CHAIRPERSON DAWSON: Okay, will you be the only one testifying or presenting on behalf tonight?

MS. CSUK: Yes.

CHAIRPERSON DAWSON: All right.

(Witness sworn.)

CHAIRPERSON DAWSON: Terrific. All right, go ahead and start your presentation.

MS. CSUK: Good evening. My name is Caitlin Csuk from the law firm Rosanova & Whitaker. Is this on? Do I need to turn it on?

MR. HUBBARD: It's on.

CHAIRPERSON DAWSON: You're good.

MS. CSUK: All right, and I'm on behalf of the Orchard Church. As you may already know, the Applicant is the owner and operator of Orchard Church located at 1330 North Douglas Avenue in Arlington Heights. This is generally located east of Arlington Heights Road, south of Thomas Street, and located between Belmont Avenue and Douglas Avenue. The Arlington Heights campus is one of six campuses in the Chicago land suburbs.

As we take a closer look at the property, you'll see that it's made up of 10 different PINs and parcels, and eight different platted lots. These properties were all acquired at different periods of time, but ultimately this made up the Arlington Heights campus for Orchard Church.

We are now seeking to consolidate those 10 parcels into a single parcel in order to provide for a single, integrated campus in order to clearly delineate the ownership of the property, plat easements, and clean up building lines, so on and so forth. This will also help us to update our underlying title policies in order to make sure that it's insured under one single title policy, basically a very administrative and legal process.

So, with that, also at the direction of Staff, we are requesting an amendment to the Comprehensive Plan in order to classify the recommended portion of the site as institutional in order to reflect the actual use of the property. So, with that, I want to thank you for your time this evening. I'm available for any questions.

CHAIRPERSON DAWSON: Great. All right, do we have conditions here? Let me make sure of the right one. Yes.

So, are you familiar with the two conditions listed here?

MS. CSUK: Yes.

CHAIRPERSON DAWSON: And you accept those?

MS. CSUK: Yes.

CHAIRPERSON DAWSON: Okay, great.

So, Sam?

MR. HUBBARD: All right, so the subject property is the Orchard Evangelical

Free Church located at 1330 North Douglas Avenue. The property is zoned R-3, that's a One-Family Dwelling District, but churches and religious institutions are permitted uses within the R-3 district. The Comprehensive Plan designates a majority of the site as institutional, suitable for institutional land uses, but there is a portion of the site to the south and actually bisects through the building and cuts through some of the parking lanes that's dedicated or classified as single-family detached on the Comprehensive Plan.

As you've heard, the Petitioner is requesting preliminary and final plat of subdivision to consolidate all of the lots of the property into one lot, and no variations are requested or required as part of this consolidation.

The Petitioner has undertaken two actions to date to get them to the point they're at this evening. On May 11th, they appeared in front of the Conceptual Plan Review Committee. There were no concerns expressed at that meeting. The minutes of that meeting were included in the items transmitted to the Plan Commission and included online.

Additionally, at the request of Staff, the Petitioner sent out a neighborhood informational letter to property owners within 250 feet back on October 10th. Typically, on projects, the Planning Department would recommend a neighborhood meeting; but because there are actually no physical changes proposed to the site as part of this project, we thought just an informational letter to nearby neighbors would be appropriate in this instance. Again, there are no changes proposed to the site, but we are aware that the surrounding neighbors have expressed interest in the past to know what's going on with the church site, especially if it relates to any changes to the land use or expansions. So, that was one of the reasons why we advocated and recommended this neighborhood informational letter to go out. My understanding is that there were no responses or inquiries as a result of that letter.

So, again, here is the aerial just showing the overall lot bounded in yellow. It's made up of I think eight and a little bit on the corner of a lot, and they will all be consolidated as part of this process.

We reviewed the plan and the plat of subdivision. Everything was code compliant. We did recommend some enhanced setbacks relative to certain portions of the site. So, there was an enhanced setback around this area of the site where code would have only mandated, I believe a 10 or 15-foot setback. Staff felt that that was not quite appropriate given the location and adjacency to neighboring residential uses. So, we asked that that be increased to what would be more standard for a rear yard setback which was 25 feet. So, again there are no changes contemplated to the parking lot or parking in this area, but if there ever were to be something proposed here, it would have to comply with those setbacks.

The final item is the recommended change to the Comprehensive Plan. As you will see, this is the existing Comprehensive Plan, this boundary between the two classifications of institutional and single-family detached that cuts right through the building and some of the drive aisles. We are recommending that that be changed to better align with the property boundaries of the site. These three portions down here, one lot, two-lot and three-lot are part of the overall church property, and we felt that it was appropriate that they stay classified as single-family in the Comprehensive Plan. The consolidation will essentially prohibit them from being sold off for single-family uses without any future subdivision in the future. But if the church for some reason in the future does decide that, you know, these parking areas are no longer necessary and is looking into selling them off, they would have to go through a resubdivision process at that time, but at least the Comprehensive Plan would designate an appropriate future use which would be single-family.

So, that concludes the Staff report. We are recommending approval subject to two conditions. There was one relative to landscaping. There were some areas, very small areas on the east and west side of the site where some of the landscaping had thinned over the years, and the church has pledged that they will address these problems. We just added that as a condition of approval and to continue working with Staff on the maintenance of these landscaping areas. Happy to answer any questions.

CHAIRPERSON DAWSON: Great, thank you so much for that presentation.

Any questions? Do I have a motion to approve the Staff report?

COMMISSIONER ENNES: I'll move to approve the Staff report.

COMMISSIONER SIGALOS: I'll second.

CHAIRPERSON DAWSON: Okay, great.

All in favor?

(Chorus of ayes.)

CHAIRPERSON DAWSON: Any opposed?

(No response.)

CHAIRPERSON DAWSON: Great. So, the Staff report has been entered into the record.

Do we have any initial questions before we open up for public commentary?

(No response.)

CHAIRPERSON DAWSON: Okay, we'd like to open up for public commentary at this time. Sure, so anyone in the audience who is interested? We'll start with this side of the room. I'm not sure who is here for this or the next item on the agenda, but sir, you want to come on up please? State your name, spell your last name, and if you are willing, give us your address.

#### **PUBLIC COMMENTARY ON PC#22-007**

MR. JONES: My name is Denis Jones. Jones is easy, J-o-n-e-s. First name is tricky, D-e-n-i-s.

CHAIRPERSON DAWSON: Okay.

MR. JONES: 702 East Marion Street, Arlington Heights. So, some of the questions may be answered. We did not have access to the Staff report until my wife sent it to me just two minutes ago.

The reason I'm here is initially just some confusion. Under your actions to date, you didn't mention the October 5th letter sent to neighbors on the letterhead of Rosanova & Whitaker that basically dissuaded us from really having any concerns. It said the request is strictly for combining the lots for tax identification purposes and creating a unified campus, but you don't pay taxes, what's that all about?

Then we got the letter that you're aware of dated October 10th, and the concern there was that the Plan Commission will consider any actions or relief that may be necessary or convenient to allow development of the type described in this notice or development less dense than the type described in this notice including, without limitation, special use permits, et cetera, et cetera, et cetera. I hadn't seen anything about development being discussed, so I got pretty nervous when it said you might approve things without limitation for development and I didn't really understand what that was all about.

So, I'm still a little unsure what the value to the church is or the community for creating this unified tax, they don't pay taxes so I'm not really sure what the value is. The concern we have is, as you may remember 25 years ago when the church initially wanted to do a building expansion, the Zoning Commission was absolutely insistent that they have public hearings. They did not want to do that. The Zoning Commission insisted, they did not want to do that. What they suddenly realized was that 50 years they had had their address at the front of the property on Belmont. Oh, it turned out that was a typo; they switched the address to Douglas which is their backdoor parking lot. Suddenly with that being their front door, it shifted things around with what was the front side back, and suddenly their building could get done with no public hearings.

True story. I spoke with the then Chairman of the Zoning Commission that worked down in Schaumburg, nice guy. So, our concern and the question for you is with this unified consolidation, is there any change of front door, back door, side door, basement door or shenanigans that they suddenly can say we can do some development without limitations because it's a consolidated parcel rather than a bunch of individuals? Does that make any sense?

CHAIRPERSON DAWSON: Sure.

MR. JONES: Okay, well, that kind of is my question(s), plural.

CHAIRPERSON DAWSON: Okay, well, thank you for your commentary.

We're going to try to get all the questions and then get them all answered.

MR. JONES: Okay.

CHAIRPERSON DAWSON: I've made a note; I always make notes of the questions.

Any other questions or comments?

MR. JONES: No, that's it.

CHAIRPERSON DAWSON: All right, thank you very much.

MR. JONES: Thank you.

CHAIRPERSON DAWSON: Anybody else here on this agenda item?

(Audience member spoke outside microphone range.)

CHAIRPERSON DAWSON: Can you just come up and say that on the record? I mean, just so he has it for the record, yes, exactly. Yes, so that we have it for the record. Just state your name.

MS. PELLICAN: Del Pellican, P-e-l-l-i-c-a-n, 703 East Marion Street. Just here to support the Hickory Meadows Group that stopped the development five years ago, and we just, you know -- well, right, right. So, we're here as support for our neighborhood, and if we need to, we'll bring everyone forward because we do have quite a big group that is against that.

CHAIRPERSON DAWSON: Great, thank you very much.

MS. PELLICAN: Thank you.

CHAIRPERSON DAWSON: Okay, so with that, I see nobody else interested in public commentary on this agenda. We'll close public commentary and we'll open up for questions from the Commissioners.

Start down here with you, Commissioner Jensen?

COMMISSIONER JENSEN: No questions.

CHAIRPERSON DAWSON: Okay, Commissioner Lorenzini?

COMMISSIONER LORENZINI: Well, actually I'd like to hear Sam's side on this issue.

COMMISSIONER DROST: Yes, the point is to clarify what was said and if there is any sort of shenanigans going on to get this consolidation.

MR. HUBBARD: No, I'm not aware of any shenanigans going on. You know, from a practical standpoint, this consolidation is not required by code. This is something that they're voluntarily doing. From a zoning standpoint, their lot would be considered all one zoning lot provided that every piece of property was assembled and owned by them prior to 2003. My understanding based on past correspondence is that everything here was owned prior to 2003, so it would be considered all one zoning lot from a zoning perspective relative to any future addition there.

The front yard from a zoning perspective is a little tricky here because it has different points of frontage, but all of the points of frontage have been treated from the setback purposes during the consolidation as a front yard. It doesn't matter where the door is, it doesn't matter how it's addressed. The front yards from a zoning perspective are determined by where the property fronts on a public street.

COMMISSIONER LORENZINI: Mr. Jones' concern was further development, and I think you said earlier they'd still, if they wanted to develop more homes or something on part of the parking lot, they'd have to come back before the Commission, right, and get permission?

MR. HUBBARD: For sure, yes. These three areas here, anything that would be cut out at this point for a, you know, separate home or development would need to be subdivided out. If they were talking about expanding the church, again from a zoning standpoint, it's already considered, because I believe everything was already under common ownership prior to 2003, it's considered one lot from a zoning perspective. The consolidation was not required anyways to be counted as eligible all as one lot in development.

COMMISSIONER DROST: Yes, and for sort of the corporate history, there was the United Methodist Church on Euclid that actually went through a process, too, when they wanted to divide their property to create some single-family homes. So, there is some precedent in the community for those types of actions and they had to come before the Board.

COMMISSIONER LORENZINI: That's all I had, thank you.

CHAIRPERSON DAWSON: Commissioner Green?

COMMISSIONER GREEN: Yes, my question is I just want to build on Mr. Jones here. Was the front yard changed at that time? In other words, it was along one street and moved to the other because of the configuration of the lot? In other words, Sam, that one lot, what would be the front yard?

MR. HUBBARD: I guess which lot are you talking about?

COMMISSIONER GREEN: The church lot and the parking lot.

MR. HUBBARD: The overall, just --

COMMISSIONER GREEN: The overall, what's the front yard, side yard, and what's the backyard of that piece of property?

MR. HUBBARD: It's tricky. So, this would technically be the front yard because it's the area of shortest frontage on a public right-of-way.

COMMISSIONER GREEN: Okay.

MR. HUBBARD: This would be an exterior side yard which also requires a generous setback. Same with this area here, and then the frontage on Haddow would also be considered an exterior side frontage, kind of like a front yard. So, and all four of these areas, you know, a generous setback would be required if there's ever going to be a building addition on the

site.

COMMISSIONER GREEN: Okay, that's what I think they were getting at is that possibly, by that explanation, you wouldn't have to deal with a side yard setback variation at the time the church was doing the addition.

MR. HUBBARD: I guess it's possible. I don't know the history of that.

COMMISSIONER GREEN: I think that's what it was. I'm just trying to answer your question.

CHAIRPERSON DAWSON: No, public commentary is closed.

COMMISSIONER GREEN: So, okay, that's enough. I'm an architect; I deal with this and I'm trying to figure out what could have happened, a side yard became a front yard which would change the setback on a property. Anyway, that's all I have.

CHAIRPERSON DAWSON: Would you have any further commentary, Commissioner Drost?

COMMISSIONER DROST: Yes. What are, I'll ask the Petitioner to the issue of real estate taxes, are there any real estate taxes or other taxes that are generated by this property? Maybe you can put that into the record.

MS. CSUK: Absolutely. So, a majority of the property is currently tax exempt for religious institution. There is one small sliver parcel, it's about five feet wide, that property still receives a tax bill every year. So, as part of that cleanup, they were going to go ahead and request the exemption on that parcel because ultimately it makes up their whole property, but as part of the consolidation, that will be lumped into the exemption. So, they've been exempt for 96 percent of the entire property, or probably even more. Like I said, it's one small five-foot wide parcel.

COMMISSIONER DROST: So, there is a benefit that's going to be conferred to the church and to the community in a way.

MS. CSUK: Absolutely.

CHAIRPERSON DAWSON: Any other comment?

COMMISSIONER DROST: No.

CHAIRPERSON DAWSON: Commissioner Ennes?

COMMISSIONER ENNES: So, from the Petitioner's standpoint, your understanding of this application is merely for consolidation of the lots and there is no current planned expansion or building?

MS. CSUK: That is correct. There is absolutely no plan for expansion or development or anything. Like I said, this was merely to cleanup the building lines. There was an easement running through the building, so just to cleanup that stuff from an administrative standpoint and to update their title policies so that they have a record of ownership in one place, so that they're not pulling, you know, deeds from all these different places, and just to have this one unified campus. So, that is the only motive for this consolidation.

COMMISSIONER ENNES: Okay, thank you.

MS. CSUK: Absolutely.

COMMISSIONER SIGALOS: So, just to clarify, there is no other advantage to the church to have this all consolidated into one lot other than this little five-foot parcel that they're currently paying property tax on?

MS. CSUK: That and from a legal standpoint, it makes sense to consolidate all these parcels just, you know, from an ownership standpoint.

COMMISSIONER SIGALOS: Okay, no, I have no other questions.



MS. CSUK: Thank you.

COMMISSIONER CHERWIN: So, then just to clarify, Sam, you said, like let's just talk about like bulk restrictions, FAR, stuff like that, if they were to put some kind of addition on. By doing this, it wouldn't change what they can do by right because the timeframe in which they've owned these properties, they would either be able to do something or not be able to do something regardless of this change in plat; is that correct?

MR. HUBBARD: Yes, that's how we understand it. Yes.

COMMISSIONER CHERWIN: Thanks.

MS. CSUK: I would also like to make one comment about the landscaping condition. The Orchard Church did make those changes to the landscaping the week of September 20th.

COMMISSIONER CHERWIN: Good.

CHAIRPERSON DAWSON: Okay, great.

All set? No more questions?

(No response.)

CHAIRPERSON DAWSON: All right, I think we have addressed the public commentary. That would have been the only follow-up I would have had. So, at this time, I have no further comments or questions.

COMMISSIONER DROST: So, I'll make the motion.

**A motion to recommend to the Village Board of Trustees approval of PC #22-007, Preliminary and Final Plat of Subdivision to consolidate the subject property into one lot; and an Amendment to the Comprehensive Plan to reclassify portions of the site from "*Single-Family Detached*" to the "*Institutional*" Land Use Classification.**

**This recommendation is subject to the following:**

- 1. The property owner shall continue to work with the Village on maintenance of their required landscaping.**
- 2. The Petitioner shall comply with all federal, state, and Village codes, regulations, and policies.**

COMMISSIONER CHERWIN: I'll second.

CHAIRPERSON DAWSON: Great.

Roll call?

MR. HUBBARD: Commissioner Drost.

COMMISSIONER DROST: Aye.

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 Dawson.  
CHAIRPERSON DAWSON: Yes.

Okay, great, you've had a unanimous approval of the lot consolidation. Just again remember we are just an advisory board. You'll be moving forward to the Trustee vote. You're all welcome to attend and provide the same commentary there as well.

Any other questions before we move on? Sam, anything else to say on this one?

MR. HUBBARD: No.

(Whereupon, at 7:54 p.m., the public hearing on the above-mentioned petition was adjourned.)