

Chicago Surgical Clinic  
129 W. Rand Road



Doc#: 1311444001 Fee: \$60.00  
Affidavit Fee:  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 04/24/2013 09:36 AM Pg: 1 of 2

**AN ORDINANCE GRANTING A LAND USE VARIATION  
AND VARIATIONS FROM CHAPTER 28 OF  
THE VILLAGE OF ARLINGTON HEIGHTS**

WHEREAS, the Plan Commission of the Village of Arlington Heights, in Petition Number 12-023, pursuant to notice, has on January 9, 2013, conducted a public hearing on the application of Chicago Surgical Clinic for a land use variation to allow a care facility, ambulatory, in a B-2 General Business District and certain variations from Chapter 28 of the Arlington Heights Municipal Code; and

WHEREAS, the Plan Commission has recommended the granting of a land use variation and variations from the Zoning Ordinance for the subject property; and

WHEREAS, the President and Board of Trustees have considered the report and recommendation of the Plan Commission and have determined that authorizing and granting said request, subject to certain conditions hereinafter described, would be in the best interests of the Village of Arlington Heights; and

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ARLINGTON HEIGHTS:

SECTION ONE: That a land use variation is hereby granted to allow a care facility, ambulatory, in a B-2 General Business District, at the property legally described as:

Lot 2 in Stanley W. Minsky's Subdivision, being a subdivision of part of the West ½ of the Southwest ¼ of Section 17, Township 42 North, Range 11 East of the Third Principal Meridian and part of the East ½ of the Southeast ¼ of Section 18, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

PIN: 03-18-401-167-1001

and commonly described as 129 W. Rand Road, Arlington Heights, Illinois. Said approval shall be in substantial compliance with the First Floor Use Square Footage Plan prepared by Group A Architecture, dated October 5, 2012 with revisions through January 6, 2013, consisting of one sheet, a copy of which is on file with the Village Clerk and available for public inspection.

SECTION TWO: That the following variations from certain provisions of Chapter 28 of the Arlington Heights Municipal Code are hereby granted:

1. A variation from Section 6.12, Traffic Engineering Approval, waiving the requirement for a traffic and parking study from a Certified Traffic Engineer.

2. A variation from Section 11.4, Schedule of Parking Requirements, to allow a reduction to the minimum number of parking stalls from 132 stalls to 107 stalls.

SECTION THREE: That the land use variation and variations from Chapter 28 of the Arlington Heights Municipal Code granted by this Ordinance, are subject to the following conditions, to which the Petitioner has agreed:

1. Approval of the land use variation granted by this Ordinance shall only apply to Chicago Surgical Clinic.

2. The maximum business hours shall be between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday. There shall be no 24-hour emergency care allowed.

3. The Petitioner shall comply with all applicable Federal, State and Village codes, regulations, and policies and shall obtain all necessary permits

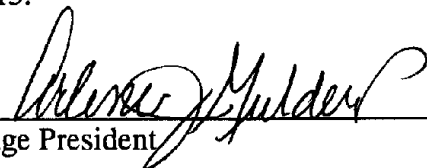
SECTION FOUR: That the Director of Building of the Village of Arlington Heights be and is hereby directed to issue permits for the facility herein approved, upon proper application and after compliance with all applicable ordinances of the Village of Arlington Heights.

SECTION FIVE: This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law and shall be recorded by the Village Clerk in the Office of the Recorder of Cook County.

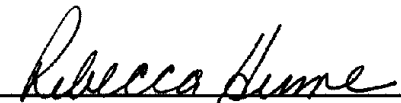
AYES: GLASGOW, BREYER, SCALETTA, HAYES, ROSENBERG, BLACKWOOD, FARWELL, SIDOR, MULDER

NAYS: NONE

PASSED AND APPROVED this 4<sup>th</sup> day of February, 2013.

  
Village President

ATTEST:

  
Village Clerk

LAND USE/Chicago Surgical Clinic



## Village of Arlington Heights

33 South Arlington Heights Road  
Arlington Heights, Illinois 60005-1499  
(847) 368-5000  
Website: [www.vah.com](http://www.vah.com)

January 22, 2013

TO THE PRESIDENT AND  
MEMBERS OF THE BOARD OF TRUSTEES  
ARLINGTON HEIGHTS, ILLINOIS

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PETITIONER: Chicago Surgical Clinic  
129 W. Rand Road  
P.C. #12-023

**REQUEST:**

1. Land Use Variation to allow a Care Facility, Ambulatory in a B-2, General Business District
2. A variation from Chapter 28, Section 6.12, Traffic Engineering to waive the requirement for a formal traffic and parking study from a Certified Traffic Engineer.
3. A variation from Chapter 28, Section 11.4, Schedule of Required Parking, to allow a reduction to the minimum number of code required parking stalls from 132 to 107 spaces.

On January 9, 2013 the Plan Commission held a public hearing. The recommendation of the Plan Commission during the hearing was as follows:

**PLAN COMMISSION / MOTION**

Commissioner LaBedz moved and Commissioner Sigalos seconded:

A motion to recommend to the Village Board of Trustees, approval of PC #12-023, a Land Use Variation to allow a Care Facility, Ambulatory in a B-2, General Business District; a variation from Chapter 28, Section 6.12, Traffic Engineering, to waive the requirement for a formal traffic and parking study from a Certified Traffic Engineer; and a variation from Chapter 28, Section 11.4, Schedule of Required Parking, to allow a reduction to the minimum number of code required parking stalls from 132 to 107 spaces.

This approval is contingent upon compliance with the recommendation of the Plan Commission and the following recommendations detailed in the Staff Development Committee report dated January 3, 2013:

1. Approval of the Land Use Variation shall only apply to Chicago Surgical Clinic.
2. No 24-hour emergency care shall be allowed and the maximum business hours shall be restricted from 7:00 am to 7:00 pm, Monday through Saturday.
3. The petitioner shall comply with all Federal, State, and Village codes, regulations and policies.

**Roll Call Vote:**

Commissioner LaBedz, Sigalos, Drost, Ennes, Green, Jensen, Lorenzini, and Chairman Wolfe voted in favor. Motion carried.

Michael Wolfe, Chair  
Arlington Heights Plan Commission  
Recorded by LeGrand Services

## **STAFF DEVELOPMENT COMMITTEE REPORT**

To: Plan Commission  
Prepared By: Matthew S. Dabrowski, Development Planner  
Meeting Date: January 9, 2013  
Date Prepared: January 3, 2013  
Project Title: Chicago Surgical Clinic  
Address: 129 W. Rand Road

### **BACKGROUND INFORMATION**

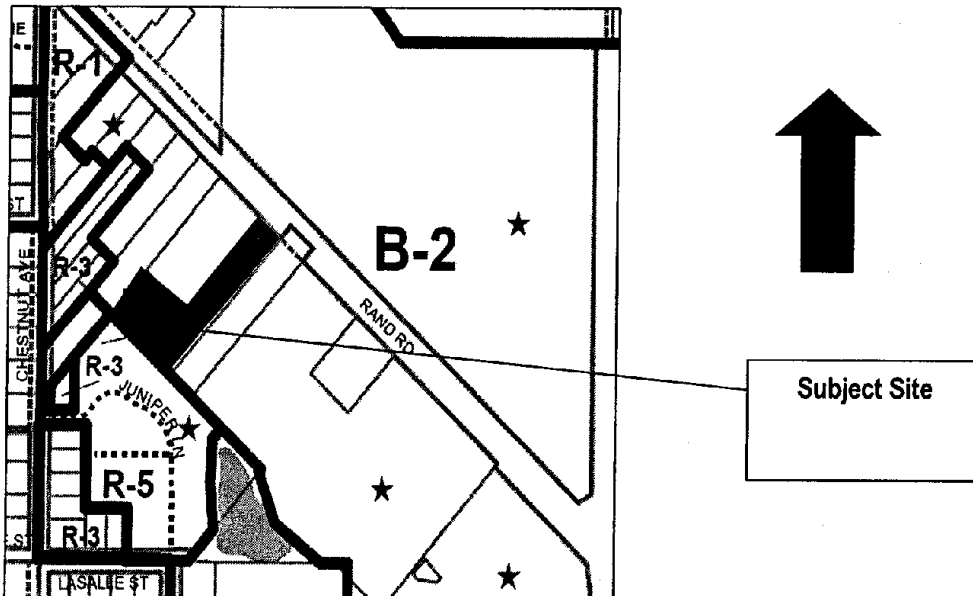
Petitioner: Robert Kirk  
Address: Group A Architects  
1100 Landmeier Road, Suite 202  
Elk Grove, Illinois 60007  
Existing Zoning: B-2, General Business District

#### **Requested Action:**

- Land Use Variation to allow a Care Facility, Ambulatory in a B-2, General Business District

#### **Variations Identified:**

1. A variation from Chapter 28, Section 6.12, Traffic Engineering to waive the requirement for a formal traffic and parking study from a Certified Traffic Engineer.
2. A variation from Chapter 28, Section 11.4, Schedule of Required Parking, to allow a reduction to the minimum number of code required parking stalls from 132 to 107 spaces.



#### **Surrounding Properties**

Direction	Zoning	Use	Comprehensive Plan
North	B-2, General Business	Sun Shui Restaurant and Arlington Plaza	Commercial
South	R-5, Multi-Family Dwelling	Juniper Townhomes	Moderate Density Multi-Family
East	B-2, General Business	Helena Plaza	Commercial
West	B-2, General Business	Kinko's	Commercial

#### **Background**

The subject site is 1.83 acres (79,715 square feet) and zoned B-2, General Business District. The property is developed with a multi-tenant office building that is one story tall (except for the northernmost unit, which is two stories) and has a total floor area of

32,589 square feet. The subject site also has a total of 88 parking stalls, as well as access via a shared parking agreement to 19 parking stalls that are located on the adjoining restaurant property. When combined, the existing office center is served by a total of 107 parking stalls that are accessible via two driveways along Rand Road.

The proposed action, if approved would allow Chicago Surgical Clinic (CSC) to occupy the northernmost 7,217 square feet and convert said space into a medical clinic and surgical center. CSC is currently located in the Wheeling, Illinois. This existing facility, is approximately 3,000 square feet, and operates as a medical clinic only as all surgical procedures are performed at an affiliated hospital. Moreover, this is a specialized facility with all examinations and procedures by appointment only and with a referral from the patient's general physician. The first floor of the new facility is 3,681 square feet, and includes the main entry lobby, 3 examination rooms, and three surgical rooms for minimally invasive, out-patient procedures. The second floor, which is 3,536 square feet, includes 4 additional examination rooms and an administrative office component for billing, and clerical support. The hours of operation are Monday through Saturday from 7:00 AM to 7:00 PM. Clinical hours will be scheduled between 11:00 AM to 2:00 PM, while surgical hours are between 7:00 AM and 11:00 AM and 2:00 PM and 7:00 PM.

According to CSC's business plan, the facility will have a maximum of 13 employees (3 physicians + 10 full time/part-time staff) during surgical procedures and up to 7 employees (3 physicians + 4 full time/part time staff) during clinical hours. On average, CSC has a total of 55 appointments per day (clinical = 27 appointments + surgical = 28 appointments). This number is not expected to change as CSC's plan to relocate to the Arlington Heights facility is to consolidate the clinical and surgical functions under one roof. Moreover, approximately 90% (22 appointments) of the surgical procedures occur during the morning hours, while 40% (11 appointments) of the clinical examinations occur at 1:00 PM. Furthermore, in December of 2012, CSC received approval of their Certificate of Need through the Illinois State Health Board.

#### **Zoning and Comprehensive Plan**

While a medical clinic is an allowed use within the underlying B-2 district, the surgical component is considered a Care Facility, Ambulatory, which is defined as a "... facility to provide care to a patient without hospitalization or other institutionalization", and is only allowed within the I, Institutional District. Therefore, the Plan Commission must review and the Village Board must approve a Land Use Variation. As part of the formal review process, the Petitioner provided a written justification based upon the following hardship criteria:

- The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations of that zone.
- The plight of the owner is due to unique circumstances.
- The variation, if granted, will not alter the essential character of the locality.

Staff reviewed the Petitioner's justification letter (see attached) and supports the proposed land use variation for the following reasons. One, the proposed request will allow a viable business to occupy a vacant office space within a building that is currently 75% vacant. By way of comparison, the existing office vacancy rate within the Northwest Suburban market is 27%, while the office vacancy rate for the north side of Arlington Heights is 17% and 23% for the Village as a whole. Therefore, the granting of said variation will allow a viable business to occupy approximately 22% of the existing building, thereby strengthening the office center and reducing vacancy rates. Two, CSC's request to allow a surgical component represents a unique situation as said use is complimentary to the medical clinic, which is allowed within the underlying B-2 district. Lastly, the proposed request will not alter the essential character of the locality, since the proposed request is compatible with surrounding land uses, which consists of residential, commercial, and office.

#### **Building, Site, and Landscape Related Issues**

The existing development was constructed in 2009 as an allowed use and complies with all applicable accessibility, building, life safety and zoning code requirements.

#### **Traffic & Parking Issues**

According to Village Code, a Land Use Variation request adjacent to a major arterial street such as Rand Road must provide a detailed traffic and parking study from a Certified Traffic Engineer. In conjunction with said land use variation, the following variation has been identified:

- A variation from Chapter 28, Section 6.12, *Traffic Engineering Approval*, to waive the requirement for a traffic and parking study from a Certified Traffic Engineer

In lieu of a full study, the Petitioner has provided a limited scope assessment that focuses on parking as said request will not impact site access or on-site circulation patterns. With respect to parking Village Code requires 1 parking stall for every 200 square feet of floor area for medical and dental related uses. Pursuant to Table 1 below, CSC require 36 parking stalls, while the office facility as a whole requires a total of 132 parking stalls.

**Table 1: Parking Analysis per Village Code**

Use	SF	Parking Ratio	Required Parking
Chicago Surgical Clinic	7,217	1 space / 200 square feet	36
Existing Medical Office	6,540	1 space / 200 square feet	33
Existing Professional Office	1,756	1 space / 300 square feet	6
Vacant Office	17,076	1 space / 300 square feet	57
Total Required			132
Total Provided			107
Surplus/(Deficit)			(25)

As previously mentioned, a total of 107 parking spaces are provided, thereby resulting in deficit of 25 parking stalls and the following variation:

- A variation from Chapter 28, Section 11.4, *Schedule of Required Parking*, to allow a reduction to the minimum number of code required parking stalls from 132 to 107 spaces.

To support the aforementioned variation, the Petitioner first conducted a parking survey of the existing parking lots on site to ascertain the peak parking demand of the existing office building and restaurant. This survey was conducted on Monday November 5, 2012, Wednesday November 7, 2012, Thursday November 8, 2012, and Saturday November 10, 2012 at 10:00 AM, 12:30 PM, 3:00 PM, and 5:30 PM. It is important to note that these hours correspond to the morning and evening surgical procedures and the mid-day clinical examinations. Table 2 below outlines the peak number of parking spaces occupied during said hours.

**Table 2: Parking Survey Findings**

	Office Development		Sun Shui Restaurant	
	Occupied	Total	Occupied	Total
Morning Peak Time (10:00 AM)	15	107	6	68
Mid-day Peak Time (12:30 PM)	29	107	37	68
Evening Peak Time (5:30 PM)	21	107	23	68

The Petitioner also conducted parking counts at CSC's existing facility in Wheeling, Illinois, which is approximately 62% smaller in floor area than the proposed facility in Arlington Heights. The peak parking demand observed was 7 parking stalls at 1:00 PM. When extrapolating for the difference in size, CSC anticipates a peak parking demand of 19 spaces during the mid-day peak hour.

As previously mentioned, approximately 90% (24 appointments) of the surgical procedures occur between 7:00 AM and 11:00 AM, which equates to 6 procedures per hour or one patient per surgical room, plus 3 patients in the waiting room. During that time, the observed number of parking spaces occupied and the projected number of parking spaces required for the vacant office space is 72 parking stalls. When combined, the peak parking demand during the morning surgical hours is expected to be 91 parking stalls or a parking surplus of 16 spaces. With respect to the evening surgical times, the number of appointments reduces to approximately 1 per hour. However, the number of observed parking spaces occupied increases, thereby generating a projected parking demand of 92 parking stalls or an anticipated surplus of 15 parking spaces. Lastly, the clinical component has an average of 27 appointments per day, with approximately 41% (11 appointments or one per exam room + 4 people in the waiting room) occurring at 1:00 PM. During that time, the observed number of parking spaces occupied and the projected number of parking stalls required for the vacant office space equates to 86 parking stalls. When combined, the projected mid-day parking demand is 95 parking spaces, or an anticipated parking surplus of 12 parking stalls.

Table 3: Projected Parking Demand Analysis

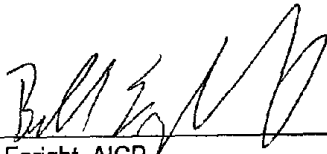
	Medical Staff	Average # of appointments per hour	Observed Parking Counts	Projected Parking for Vacant Office per Code	Parking Required	Parking Provided	Surplus / (Deficit)
AM Surgical	13	6	15	57	91	107	16
Mid-Day Clinical	7	11	29	57	95	107	12
PM Surgical	13	1	21	57	92	107	15

Based on this information the Staff Development Committee concurs with the Petitioner that there is sufficient parking on site to accommodate the proposed use.

**RECOMMENDATION**

The Staff Development Committee reviewed the Petitioner's request and recommends approval of a Land Use Variation to allow a Care Facility, Ambulatory in a B-2, General Business District, a variation from Chapter 28, Section 6.12, Traffic Engineering to waive the requirement for a formal traffic and parking study from a Certified Traffic Engineer, and a variation from Chapter 28, Section 11.4, Schedule of Required Parking, to allow a reduction to the minimum number of code required parking stalls from 132 to 107 spaces. This approval shall be subject to the following conditions:

1. Approval of the Land Use Variation shall only apply to Chicago Surgical Clinic
2. No 24 hour emergency care shall be allowed and the maximum business hours shall be restricted from 7:00 AM to 7:00 PM, Monday through Saturday.
3. The Petitioner shall comply with all Federal, State, and Village codes, regulations and policies.



January 3, 2013

Bill Enright, AICP  
Deputy Director of Planning and Community Development

C: William C. Dixon, Village Manager  
All Department Heads  
Afshan Hamid, Design Planner