

DRAFT

PLAN

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

COMMISSION

RE: BOY SCOUTS OF AMERICA - PC #14-015

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
27th day of August, 2014, at the hour of 7:32 o'clock p.m.

MEMBERS PRESENT:

BRUCE GREEN, Acting Chair
LYNN JENSEN
MARY JO WARSKOW
JOHN SIGALOS
JAY CHERWIN

ALSO PRESENT:

LATIKA BHIDE, Development Planner

DRAFT

ACTING CHAIR GREEN: I would like to call this meeting to order. And our first agenda item is to rise and repeat the pledge of allegiance along with me.

(Pledge of allegiance.)

ACTING CHAIR GREEN: Thank you. So, Latika, if you would take the roll?

MS. BHIDE: Commissioner Cherwin.

COMMISSIONER CHERWIN: Here.

MS. BHIDE: Commissioner Dawson.

(No response.)

MS. BHIDE: Commissioner Drost.

(No response.)

MS. BHIDE: Commissioner Ennes.

(No response.)

MS. BHIDE: Commissioner Green.

ACTING CHAIR GREEN: Here.

MS. BHIDE: Commissioner Jensen.

COMMISSIONER JENSEN: Here.

MS. BHIDE: Commissioner Sigalos.

COMMISSIONER SIGALOS: Here.

MS. BHIDE: Commissioner Warskow.

COMMISSIONER WARSKOW: Here.

MS. BHIDE: Chairman Lorenzini.

(No response.)

ACTING CHAIR GREEN: And I think our first agenda item here is --

COMMISSIONER SIGALOS: I'd like to make a motion to approve Bruce Green as our Chairman for tonight's Plan Commission hearing.

COMMISSIONER CHERWIN: I'll second.

ACTING CHAIR GREEN: Do we need a verbal vote?

MS. BHIDE: Voice vote is fine.

ACTING CHAIR GREEN: All those in favor?

(Chorus of ayes.)

ACTING CHAIR GREEN: I guess I'm it. Let's see. Our first item tonight and our only, oh, I'm sorry, we have a different arrangement from when I used to do this, approval of the minutes of Orchard Evangelical Free Church and the Parkview Apartments.

COMMISSIONER SIGALOS: I'd like to make a motion to approve the minutes for the Orchard Evangelical Free Church and the Parkview Apartments.

ACTING CHAIR GREEN: Is there a second?

COMMISSIONER JENSEN: Second.

ACTING CHAIR GREEN: Lynn seconds that?

COMMISSIONER JENSEN: Yes, I'll second.

ACTING CHAIR GREEN: All those in favor say aye.

(Chorus of ayes.)

ACTING CHAIR GREEN: Motion carries. Our first and only public hearing tonight is the Boy Scouts of America, PC #14-015. Is the Petitioner here tonight? Why don't you step up? And as you're walking up to the podium, Latika, have all the legal notifications been made on this project?

MS. BHIDE: Yes.

ACTING CHAIR GREEN: Thank you. Are you the only one that's going to testify tonight?

MR. OKIGAWA: I think so, unless you want anyone else to.

ACTING CHAIR GREEN: Okay. Otherwise, I'll swear whoever is going to testify in. So, if you'd raise your right hand?

(Witness sworn.)

ACTING CHAIR GREEN: You're sworn in. The way we do this is you would state your name, spell your last name for the court reporter, and your address, and then just tell us what you would like to do.

MR. OKIGAWA: My name is Ray Okigawa, I'm with the Chicagoland Commercial Real Estate. Last name is spelled O-k-i-g-a-w-a. The address is 1240 West Northwest Highway in Palatine.

ACTING CHAIR GREEN: Great. Tell us what you'd like to do.

MR. OKIGAWA: So, we're working with the Boy Scouts. They have a council office that also includes a scout shop where we sell products for members, uniforms and their manuals, that kind of thing, badges. And zoning in the O-T Zoning does not allow that, so we're asking for a variance so they can do that. Specifically, that's, everything else kind of came off of that request.

ACTING CHAIR GREEN: Okay. All right, great. Latika, would you like to add to that?

MS. BHIDE: Sure. So, as you know, the Boy Scouts, the Northwest Suburban Council of the Boy Scouts are before you this evening for a land use variation, and the land use variation is to allow some general merchandise sales for the scout shop. The remaining portion of this tenant space will be used as offices which is permitted in the O-T Office Transitional District. Along with the land use variation, they will be seeking three variations, and those are listed here and I'll go through them in a minute.

The proposed site is at the southeast corner of Golf and Goebbert Roads. It's a development with three multi-tenant buildings. The Boy Scouts will be leasing the space in the building to

the far west, which is 617 East Golf Road. The portion highlighted in the yellow is the space they will be leasing, approximately 7,800 square feet of tenant space, out of which 2,000 square-foot will be the scout shop.

These are the three variations they will be requesting. The first one is from the Conditions of Use of the Office-Transitional District to allow delivery and storage of goods, merchandise or wares for sale. The Petitioner has indicated that, you know, deliveries will happen once a day but they will be by FedEx trucks just like all the other offices, so there's no semis delivering items here. So, that's consistent with the deliveries in this district.

The second variation is from the requirement for a traffic and parking study by a certified traffic engineer. And in lieu of the study, they did provide parking counts, which I will go to in a minute.

And the last one is we looked at all the tenants in this location and did a parking calculation. They would need a variation to reduce the required number of parking spaces from 135 to 131, which is the number of parking spaces on site.

If you look at the parking counts that were provided, you know, the most, there are 131 parking spaces at this location, the most at any time they noticed was 60 parking spaces on a weekday afternoon. The Scout, the facility itself would require about 27 parking spaces, so even adding the 27 to the 60 would be under what's available at this location. They also provided us with vehicle counts at their existing location in Mount Prospect, and as you can see the maximum number of vehicles there on a week morning was 19.

I know this is a little bit small font to see, but it's just a calculation, you have this in your Staff reports, it's basically a listing of the uses at the site and the parking requirement and how we come up with the deficit of the 4 spaces. You know, Staff supports this variation. We just would like to point out that the ratios at which this parking is calculation is 1 in 300, which is what any other user would require. So, no matter what use goes in here would require a parking variation, I want to say that.

Just a couple of pictures of the site. This is looking at the entrance. And then as you can see, the day I went out there, there was one car in the parking lot.

Conditions of recommendation, that the land use variation is applicable just to the Northwest Suburban Council of Boy Scouts of America, so it will not go forward if they leave the space; that after an item is sold here, the point of sale will be noted as Arlington Heights; and then they will comply with all federal, state and any applicable Village codes.

ACTING CHAIR GREEN: Ray, do you agree to all three of those conditions?

MR. OKIGAWA: Can I make a clarification on the first item?

ACTING CHAIR GREEN: Yes.

MR. OKIGAWA: The Boy Scouts right now are in the process of merging four councils into one larger council, Northwest Suburban out of Mount Prospect right now, Des Plaines Valley out of Broadview, Chicago area out of downtown, and Calumet out of Calumet, Indiana. They're going to merge into once council. So, they're going to maintain this, basically just the ownership entity will be different, everything else, the use, the activities, everything else that's going on is going to be the same. It will be a new to-be-named council.

ACTING CHAIR GREEN: Okay. Do we need to change this from, no, we don't.

MS. BHIDE: No. And what it meant was that if they went away, another retail store couldn't go there.

ACTING CHAIR GREEN: Wouldn't be able to do it, okay. Okay, great, thank you.

MR. OKIGAWA: I have a question I guess about the second item. Point of sale of items, I guess that's obvious. Is there another reason for that?

MS. BHIDE: No, we just want to make sure that, you know, for items sold in Arlington Heights, sometimes if entities are registered elsewhere or have their main offices elsewhere, the sales get registered elsewhere. We just want to be sure that you register it as Arlington.

MR. OKIGAWA: Oh, okay, because as a not-for-profit organization, they're not going to be collecting sales tax.

MS. BHIDE: Okay, all right.

MR. OKIGAWA: I just want to be up front, just for full disclosure.

ACTING CHAIR GREEN: Thank you. Latika, is that it on the Staff report?

MS. BHIDE: Yes, thank you.

ACTING CHAIR GREEN: Is there a motion to enter the Staff report into the record?

COMMISSIONER WARSKOW: I'll make such motion.

COMMISSIONER JENSEN: Second.

ACTING CHAIR GREEN: All those in favor say aye.

(Chorus of ayes.)

ACTING CHAIR GREEN: So moved and so entered. Who would like to start? Lynn, would you like to start at that end?

COMMISSIONER JENSEN: Well, we had a fairly thorough

discussion in Plat and Sub, so really most of my concerns, or all of my concerns have been met I guess, so I really don't have any additional questions. I'll let some of the other folks who weren't there ask questions.

ACTING CHAIR GREEN: Thank you. Mary Jo?

COMMISSIONER WARSKOW: Yes, I have a boy who was in Cub Scouts, so I have visited the Mount Prospect location. I thoroughly understand what it would look like. It's not a typical retail space. It doesn't get typical traffic. So, I think this is a very good use of the space for both the tenant and for the owner of the building, so I'm very favorable.

MR. OKIGAWA: Thank you.

ACTING CHAIR GREEN: Thank you.

MR. OKIGAWA: This space will be nicer than the old one, by the way.

ACTING CHAIR GREEN: John?

COMMISSIONER SIGALOS: No, I also am fully supportive of this, of the use of the space. I'm glad to see you moving from Mount Prospect to Arlington Heights.

MR. OKIGAWA: Arlington Heights is a great place to do business.

COMMISSIONER SIGALOS: So, again I have no other questions. We discussed it at Plat and Sub and I think it's great.

ACTING CHAIR GREEN: Thank you, John. Jay?

COMMISSIONER CHERWIN: I would just ask, you mentioned about consolidating several of the councils. Does that change any of the presumptions you made about the, you know, when you talked to the development staff, does that bring more people to the site at all or is that just a legal entity type of thing?

MR. OKIGAWA: It's a legal entity type thing, you know. There's room to grow maybe four more staff.

COMMISSIONER CHERWIN: It's not going to significantly change what the Staff expected in your discussions on the Northwest Council?

MR. OKIGAWA: Maybe by four.

COMMISSIONER CHERWIN: Yes. No, my only comment would just be make sure legal staff is okay with the naming of the entity to whom this approval is provided so that there is enough flexibility. But other than that, I'm fine.

ACTING CHAIR GREEN: Thank you, Jay. I, too, have really nothing bad to say about the Boy Scouts. I was a Boy Scout. So, I think it's a great use for that site and I can't say enough good things about what you do.

MR. OKIGAWA: Thank you.

ACTING CHAIR GREEN: So, at this point, we're going to

open it up to the audience. If anybody in the audience would like to speak on this issue, please raise your hand, step forward. I guess they're all happy with what they heard, so we're going to close the public portion of this hearing and get back to the Commission for additional deliberation or a motion.

COMMISSIONER WARSKOW: I'll make a motion.

A motion to recommend to the Village Board of Trustees approval of PC #14-015, a Land Use Variation to allow general merchandise sales in the O-T District to allow a "Scout Shop"; a variation from Chapter 28, Section 5.1-9.2 B. *Conditions of Use*, to allow delivery and storage of goods, merchandise or wares for sale; a variation from Chapter 28, Section 6.12-1 *Traffic Engineering Approval*, to waive the requirement for a traffic and parking study from a certified traffic engineer; and a variation from Chapter 28, Section 11.4 *Schedule of Parking Requirements*, to allow a reduction in parking from the required 135 to 131, a variation of 4 parking 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 August 22, 2014:

- 1. This Land Use Variation shall apply to the Northwest Suburban Council of Boy Scouts of America.**
- 2. The point of sale for retail items shall be from the Arlington Heights location for items sold at this location.**
- 3. The Petitioner shall comply with all federal, state and Village codes, regulations and policies.**

ACTING CHAIR GREEN: Is there a second?

COMMISSIONER SIGALOS: I'll second that.

ACTING CHAIR GREEN: Any discussion? Would you take a roll call vote please?

MS. BHIDE: Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes.

MS. BHIDE: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.

MS. BHIDE: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MS. BHIDE: Commissioner Warskow.

COMMISSIONER WARSKOW: Yes.

MS. BHIDE: Chair Green.

ACTING CHAIR GREEN: Yes. Congratulations, Boy Scouts of America.

MR. OKIGAWA: Thank you. We appreciate it.

ACTING CHAIR GREEN: You have a unanimous approval, and this will be passed on to the Board of Trustees at the next date. And do you know what that date is?

MS. BHIDE: September meeting, I'm not quite which one.

ACTING CHAIR GREEN: It will be in September. If you check with Latika, she'll give you the date.

MR. OKIGAWA: We've been very good at communication, that helps us a lot.

ACTING CHAIR GREEN: Well, good project, and thank you.

MR. OKIGAWA: Thank you for your time.

ACTING CHAIR GREEN: Thank you all for coming in.

Latika, is there anything else?

MS. BHIDE: That's it tonight.

ACTING CHAIR GREEN: Is there a motion to close?

COMMISSIONER JENSEN: Well, before you do that, I do have one question that I want to ask. I'm still a little perplexed on the minutes for this Plan Commission. We send sort of unedited, unreviewed, unapproved minutes to the Board because we want to expedite things. I don't know what good it does us to actually even bother to approve them because, you know, the only principal use for the minutes would be for the Board. I find the transcriptions are generally good, but sometimes there's areas where they're not very good, the words are the wrong words, the meaning is changed. There's a lot of stuttering and stammering that could be, you know, edited out so they actually make sense. So, I'm just a little perplexed about this process. If we can get it out to the Board on Thursday or Friday or whatever it is, it seems like there ought to be an opportunity to get us to at least look at it, not approve them because I don't think we would approve it by e-mail, but at least give you some suggestions of making clarifying changes in the minutes. And that's troubled me since I've been on the board because I've looked at some things, most of it comes out okay, but there are some where it's totally changed the meaning because the word was the wrong word or the phraseology was wrong.

COMMISSIONER SIGALOS: Can I ask? Don't the minutes go to the Board after we approve them? Or before we approve them?

MS. BHIDE: It depends. There are occasions when they have gone before they have come to you for approval because of the way the meetings are and we are trying to get projects onto the Board agenda. They do go as draft minutes, not approved minutes obviously. But there are occasions when they go to the Board before you.

COMMISSIONER JENSEN: Latika, I think it's more than occasions. I think the rule, I mean I think the general, I've been watching it over a number of meetings if not years, and I think more often than not unapproved minutes go to the Board. And the only purpose of our, in my opinion, having these minutes other than for a

public record is to clarify and elucidate the discussion of the Board. And the one, we had some very important Board meetings on Parkview, actually those minutes were pretty good, I didn't have any really major problems with that. But there have been other minutes that I would have preferred to at least have some of my remarks just clarified the meaning because a couple of wrong words were used and it changed the whole sense of what I was trying to say. And not wrong words that I said, it's just they didn't transcribe them correctly.

So, it's a little disturbing to me that the unapproved minutes, unreviewed minutes go to the Board, and it's what they use as the basis for their discussions. And I would say I think that happens more often than approved minutes going to the Board. I don't know if there is anything specifically to be done about it and whether that's something that we had more, you know, more of the Commission there but I think it's an issue. It would be good if we could at least, you know, have a day or so to look at it and give some comments back. As I said, no one is going to change their testimony and we're not asking to rewrite paragraphs and stuff. But just for clarification purposes.

ACTING CHAIR GREEN: Well, I think part of it is, just not to defend it or, you know, in any way positive or negative is the timing of things. Because for us to approve the minutes before they get to the Board, we might have to have a meeting just to approve the minutes.

COMMISSIONER JENSEN: I wouldn't approve the minutes, I think they should be reviewed at least.

ACTING CHAIR GREEN: Okay.

COMMISSIONER JENSEN: And that would be what I would like us to consider is even if you gave us a couple of days, you know, as you're getting ready to distribute stuff to the Board, if we had a day or two to just read them over to see if we have any input we might want to give. Because I realize you can't approve that but some of these things may come down to a fairly close vote, like the one on the Orchard Church. And I don't know that they're going to see anything that was wrong with those minutes but those minutes went to the Board without our having looked at it, and we had some division in the Plan Commission and we had, you know, some different views. And the Board really took kind of a minority position, I mean I had the minority position on the Plan Commission that time and that was where they ended up and I was ecstatic. I don't know how the rest of the people feel about it.

So, what I'm saying is I'm not sure we're doing the best service for the Board to have unreviewed, I'm not talking about the approval process, that can be later, that's for the public record. But I'd at least like to have the Board get the clearest sense

of where the Plan Commission was via the minutes.

COMMISSIONER SIGALOS: But Lynn, what are you suggesting that the chain of events be? You get an e-mail, let's say, to review the minutes and say you have exception or want to make some corrections to something, but in the meantime they're still on their way to the Board. So, how does that help?

COMMISSIONER JENSEN: Well, I was hoping a day or so before, I don't know how rapidly they can transcribe things, but at least a day or two before they go to the Board it could be sent to us. And you know maybe we would be constrained in basically clarifying our own remarks. You know, I wouldn't go and edit all of the minutes, I'd take a look and say, hey, did this capture what I was trying to, is a badly used word one not heard quite right getting this whole thing a wrong meaning, because that's happened, seldom but it does happen. And so, I would think if I even had a, I don't know how other people are but if I had 24 to 36 hours, I could look over the sections that I felt I had some responsibility for and just suggest some modifications. It wouldn't require a vote.

ACTING CHAIR GREEN: We need some of our legal counsel here. Can we review minutes --

COMMISSIONER CHERWIN: We have no legal counsel here, they're all gone.

ACTING CHAIR GREEN: I know, that's what I mean. But we do have a lawyer. Okay. If we had, can you make changes to public minutes not in a public hearing?

COMMISSIONER JENSEN: Well, I was under the assumption, when I gave Matt changes and we didn't vote on them, that my minor edits actually did creep into the public record. Now, I may have been wrong in that but Matt led me to believe that was, and it didn't require any formal action per se.

ACTING CHAIR GREEN: Okay. I'm just asking.

COMMISSIONER JENSEN: Yes, and I don't know. Maybe we need to know that.

ACTING CHAIR GREEN: I don't know either because I don't know if you can discuss changes, in other words, the minutes were wrong, I want to change this word, I think you have to say that in a public hearing. I'm not sure if --

COMMISSIONER JENSEN: Yes, when I first came on the Plan Commission, I used to say when we were voting on it, you know, with the exception of some minor edits which I have given to Staff, I approve the minutes.

ACTING CHAIR GREEN: But then the minutes go into the record because your corrections are on those minutes so that's a record of what you've done.

COMMISSIONER JENSEN: Right. But I think we've got

some competing ends here. It bothers me that there is the possibility on some fairly controversial issues that unreviewed minutes inform the discussion of the Board.

COMMISSIONER WARSKOW: Are you allowed outside of the minutes to send correspondence to the Board?

COMMISSIONER JENSEN: I don't think so, I mean I think this Plan Commission speaks as a Plan Commission in the minutes and the deliberations of this body.

COMMISSIONER CHERWIN: Yes, I wish I had looked at this answer so I could give you a better one, not that I speak on behalf of the Village, you know, or the Legal Department. But I wish I had an answer for you, I don't. I would suspect that there has to be some record of what that change is and, you know, have to be sort of a, I shouldn't say non-substantive but something that's clearly not "oh, I'm going to change this paragraph and rewrite it" but a couple words. And I think that's exactly what you're saying, Lynn, which is --

COMMISSIONER JENSEN: I'm trying to remember the word which was picked up incorrectly and changed the entire meaning to the opposite of what was intended, and it's just one word.

COMMISSIONER CHERWIN: And yes, I think there is a mechanism for that although I don't know the proper way to do it. But I think we just have to have the Village's legal staff figure out the best way to address it if that's something, Bruce.

ACTING CHAIR GREEN: Yes, I think whatever is, you know, we're trying to clarify and be as open as we can possibly be on these things. So, if there is a way to accommodate this thing, I think we should have that.

COMMISSIONER JENSEN: It would be good to get some clarification on it.

ACTING CHAIR GREEN: Yes, just to know what we can do.

COMMISSIONER JENSEN: You know, we don't want to slow the process down and I realize that on a lot of these issues they needed to go to the Board fairly quickly. But the purpose of this group is to advise the Board, and if there are some problems caused by the transcriptions, the Board is not adequately advised.

MS. BHIDE: I will take that to the Legal Department and we'll get answers for you. And you know, to your point, Staff does review the minutes before they're sent forward to the Board. So, I mean if we know that a word is clearly misspelled or was the wrong word, we will correct that. So, we do review the minutes but I will get an answer for you at the next meeting.

ACTING CHAIR GREEN: Thank you. Is there anything else?

COMMISSIONER JENSEN: Move we adjourn.

ACTING CHAIR GREEN: Is there a second?

COMMISSIONER WARSKOW: Second.

ACTING CHAIR GREEN: All those in favor say aye.

(Chorus of ayes.)

ACTING CHAIR GREEN: We're adjourned.

(Whereupon, the meeting was adjourned
at 7:54 p.m.)

STATE OF ILLINOIS)
) SS.
COUNTY OF K A N E)

I, RONALD LeGRAND, JR., depose
and say that I am a direct record court reporter
doing business in the State of Illinois; that I
reported verbatim the foregoing proceedings and
that the foregoing is a true and correct transcript
to the best of my knowledge and ability.

RONALD LeGRAND, JR.

SUBSCRIBED AND SWORN TO
BEFORE ME THIS _____ DAY OF
_____, A.D. 2014.

NOTARY PUBLIC