



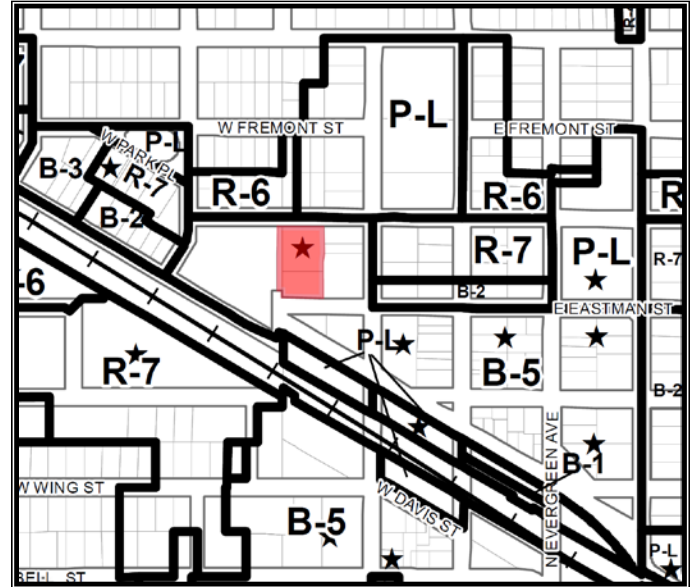
VILLAGE OF ARLINGTON HEIGHTS STAFF DEVELOPMENT COMMITTEE REPORT

Project Number: PC 23-002 **REVISED PROPOSAL**
Project Title: 116-120 W Eastman Redevelopment
Address: 116-120 W. Eastman Street
PIN's: 03-29-316-001, 03-29-316-008

To: Plan Commission
Prepared By: Sam Hubbard, Development Planner
Meeting Date: October 11, 2023
Date Prepared: October 6, 2023

Petitioner: Mylo Residential Arlington Heights
Property, LLC
Joe Taylor
Address: 202 S. Cook Street – Suite 210
Barrington, IL 60010

Existing Zoning: B-5 Downtown District
Comprehensive Plan: Mixed-Use



SURROUNDING LAND USES

Direction	Existing Zoning	Existing Use	Comprehensive Plan
North	R-6: Multiple-Family Dwelling District P-L: Public Lands District	Single-family homes, at-grade parking lot.	Single-Family Attached
South	B-5: Downtown District	Single-story retail sales building	Mixed-Use
East	B-5: Downtown District	Two-story office building	Mixed-Use
West	B-5: Downtown District	Village Bank & Trust	Mixed-Use

Requested Action:

1. Planned Unit Development to allow a 136-unit multi-family residential development on the subject property.
2. Land Use Variation to allow a predominately multi-family residential development in the B-5 District.
3. Conceptual Special Use Permit approval for a restaurant on the subject property.

Variations Required:

- Chapter 28 of the Municipal Code, Section 10.2-8, to allow a 22.1' wide drive aisle where code requires a minimum of 24' in width.
- Chapter 28 of the Municipal Code, Section 10.2-9, to allow tandem parking spaces.

Project History:

On May 24, 2023, the petitioner appeared before the Plan Commission requesting approval of a 7-story multi-family residential development including 150 units and limited ground floor commercial space. The Plan Commission voted 2-4 in favor of a recommendation of approval, meaning the motion failed and the project would move forward to the Village Board without a recommendation from the Plan Commission. The Plan Commission meeting minutes from the hearing are provided, along with the previous Staff Development Committee report for reference and further details.

The petitioner opted not to move forward with the project as originally proposed. In the weeks subsequent to the Plan Commission hearing, the petitioner met with staff and the neighbors and has made significant modifications to their plans, which have changed many of the primary development attributes and warrant a re-review by the Plan Commission. The primary areas of change are summarized below:

- **Reduced Building Height:** The size of the building was shortened from 7-story to 6-story.
- **Reduced Number of Units:** Reduction of 14 units from 150 to 136.
- **Revised Building Architecture:** Building architecture was switched from a more contemporary design to a more traditional design.
- **Increased 1st Floor Building Setback (north):** Increased setback from less than 1-foot to 10 feet.
- **Introduced Additional Upper Story Setbacks (north):** Building is now setback 20-feet from the northern property line at the 2nd level. Previously this 20-foot setback did not occur until the 3rd level.
- **Top Floor Setback (north):** Added a 50-foot upper story setback to the 6th floor. The top floor of the previous proposal did not include a top floor setback.
- **Revised Garage Access:** Ingress to the garage now comes via Eastman, egress discharges to Highland.

The chart below displays a side-by-side comparison of key development attributes:

	Original Proposal	Revised Proposal
Total Number of Units	150	136
Studio	22	47
1-Bdrm	113	67
2-Bdrm	15	22
Commercial (sq. ft.)	2,000 SF	1,875 SF
Height (Story's and Feet)	7-story (82')	6-story (76.8')
Overall Number of Bedrooms	165	158
Bedrooms Per Unit	1.1	1.16
Setback - North	0.6'	10'
Setback - South	0.9'	0.7'
Setback - East	0'	0'
Setback - West	6.1'	6.1'
Upper Story Setbacks to North	3rd floor 20' setback	2nd floor 20' setback, 6th floor 50' setback
Underground Parking	1 level (partial)	1 level (full)
Total Number of Parking Stalls	215	175
Residential Parking Stalls	201	167
Commercial Parking Stalls	14	8
Res. Parking Stalls Per Unit	1.34	1.23
Res. Parking Stalls Per Bedroom	1.22	1.06

As noted, the petitioner revised the circulation into/out of the garage so that vehicles can only enter the garage from Eastman and only exit on Highland (this exit movement will be restricted to left-turn only), which addresses vehicle light glare towards the neighborhood to the north. The reduction to the overall number of units has eliminated the need for the density variation originally requested. The Staff Development Committee acknowledges that the revised plans represent a substantial effort on the part of the developer to address concerns raised at the Plan Commission and neighborhood to the north. There are many areas of this project where staff's analysis remains the same as originally outlined within the Staff Report from the May 24th hearing. The goal of this report is to highlight and discuss the areas of difference between the current and previous proposal, while also affirming areas of previous analysis and outlining a modified recommendation.

Project Background:

The existing site attributes are summarized within the original staff report. The petitioner is now proposing a six story multi-family rental building with 136 residential units and ground floor commercial space. The development would consist of 22 two-bedroom units (16%), 67 one-bedroom units (49%), and 47 studio units (35%). The ground floor includes approximately 1,875 square feet of commercial space for a proposed restaurant user. No commercial space is contemplated along the northern side of the building. On the 2nd floor, the building would be recessed on the western elevation to create a west facing pool deck including lounge chairs and a barbeque station. Additional building setbacks would be located on the north side of the site, where the structure would taper back above the 1st floor so that floors two through five are setback no less than 20' from the northern property line. Additionally, the 6th floor would be further setback to provide a 50' upper story setback from the northern property line.

A full basement has been added for 106 below grade parking stalls and the first floor of the building would include 61 parking stalls for a total of 175 interior garage spaces to be used by the residential tenants. Along Highland Avenue, the streetscape would be altered to include 8 surface parking stalls, which would be for customers/employees of the restaurant and guests of the residential tenants. In sum, the development would include 183 private parking stalls.

The entrance into the garage would come from Eastman Street, and the garage exit would be onto the shared private street (Highland Avenue). Exit movements would be limited to left-turns only. Access into/out of the garage would be controlled by a garage door and sound/light pedestrian warning system. There would be one curb cut along Eastman located at the southeast which would provide access to the garage and also to a 10' x 35' loading zone at the southeast corner of the building. Fifteen bike parking spaces would be located within a storage room inside the garage.

Downtown Master Plan and Building Height:

The modified development is still compatible with the Downtown Master Plan. Please refer to the analysis within the original Staff Report for specificity.

Zoning and Comprehensive Plan

The reduction in proposed units, from 150 to 136, eliminates the need for the previously requested density variation. However, in revising the partial below grade parking level to be a full below grade level of parking, it has created the need for the following variation:

- **Chapter 28 of the Municipal Code, Section 10.2-8, to allow a 22.1' wide drive aisle where code requires a minimum of 24' in width.**

With regards to this variation, the petitioner has submitted written responses to the four criteria necessary for variation approval, which has been transmitted to the Plan Commission and are included within their response to Round 4 comments. The four standards for approval are:

- **The proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property.**
- **The plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned.**
- **The proposed variation is in harmony with the spirit and intent of this Chapter.**
- **The variance requested is the minimum variance necessary to allow reasonable use of the property.**

With regards to the proposed variation, the Staff Development Committee concurs with the petitioner that the necessary criteria for approval have been met and notes the following:

- The garage will not be open to the public will be restricted to residential tenants and their guests.
- Reductions to the minimum required width of drive aisles within multi-family garage structures can be found at several other locations within in the vicinity.
- The area where the drive aisle reduces below code requirements is at the end of a dead-end parking row and would only impact a small percentage of parking stalls.

The previous analysis as contained within the original Staff Report relative to the Comprehensive Plan, compatibility of the PUD, tandem parking stall variation, and conceptual Special Use Permit for a restaurant remains unchanged. The Staff Development Committee is supportive of this application.

Market Study

The conclusions within the original Staff Report are still applicable to the revised project at 136-units.

Neighborhood Meeting

On August 6, 2023, the petitioner met with members of HANA (Historic Arlington Heights Neighborhood Association) to present their proposed modifications. According to the petitioner, many of the individuals who attended were supportive of the changes to the building, although some residents were still seeking further changes.

Design Commission

The petitioner appeared before the Design Commission on August 22, 2023 to discuss the complete redesign of the building architecture. The Design Commission voted 5-0 in favor of a recommendation of approval of the building architecture, subject to five required modifications. Details on these modifications can be found within the minutes of the Design Commission, which are included in this transmittal. The petitioner has provided conceptual elevations showing how they intend to modify the building to address the Design Commission motion. On a preliminary basis, it appears that the proposed building modifications will comply with the Design Commission requirements.

Housing Commission & Affordable Housing

Per the Village's Inclusionary Housing Ordinance, 7.5% of the units within the development must be on-site units meeting the provisions of the Inclusionary Housing Ordinance (IHO) relative to affordability. The

developer has two options to comply with this requirement; 1) provide all 7.5% of units as on-site affordable units, or 2) provide a minimum of 5% of the units as onsite affordable units and pay a fee for the remaining 2.5% of affordable units required-but-not-provided onsite.

On September 20, 2023, the petitioner re-appeared before the Housing Commission, which resulted in a recommendation of approval of the project as noted in the recommendation.

Impact on School Districts

Given the decrease to the overall number of units and bedrooms proposed, the previous analysis on the anticipated impact to School District #25 and #214 remains unchanged; the proposed development will not create a substantial undue burden on the local school system.

Construction Staging

The increased building setback along St. James allows more construction elements to be managed onsite, allowing the construction fence at the north side of the site to be slightly shifted southwards. Construction details and a staging plan will need to be finalized and provided for review and approval by the Village, prior to building permit issuance.

Site & Building Analysis:

The most notable changes are the increased setback along the north side of the site and the additional upper-story building setbacks. With regards to many of the site elements, such as usage of the rooftop pool, streetscape along Eastman, pedestrian warning at the garage exit, and building mounted infrastructure/mechanical, the original staff report remains unchanged.

The Staff Development Committee has concerns regarding the garage egress which discharges at an angle, potentially creating a conflict with northbound traffic on Highland. This configuration is meant to discourage northbound egress from the garage, however, the configuration does not align with best practices for intersection engineering. A traditional 90-degree alignment with Highland Avenue would eliminate this concern and right-hand turns can be restricted via signage. The Staff Development Committee has recommended a condition of approval below to modify the proposed intersection to a standard 90-degree alignment.

Infrastructure

Stormwater detention will be required to comply with applicable Village and MWRD standards, and an underground detention vault has been proposed underneath the private portion of Highland Avenue. As part of building permit issuance, the Village will verify that the structural design of the vault will be sufficient to carry the load of anticipated trucks and fire engines.

In order to provide water to the site, an 8-inch watermain will need to be extended along St. James Street from Vail Avenue west to the development, which expense shall be borne by the developer and shall require an Illinois Environmental Protection Agency (IEPA) permit.

Parking and Traffic:

The petitioner has provided a revised traffic and parking study by a certified traffic engineer. With regards to traffic, the analysis within the original Staff Report remains unchanged as the number of proposed units has decreased. The revised traffic study contemplated the potential change in traffic movements given the modified site ingress/egress points and found that this would not result in a significant change to the Level

of Service at the intersections analyzed within the study. Staff concurs with the conclusion that the street network can accommodate the traffic from the proposed project and future traffic growth.

The development will include 167 garage parking spaces (includes 22 tandem style spaces) which will be used for residential and guest parking. Eight exterior parking stalls are proposed on the eastern side of private Highland Avenue. The site also has access to nine additional stalls on the western side of private Highland Avenue via a perpetual easement. The eight spaces on the exterior of the site will be used by employees and customers of the commercial tenant, as well as for guest parking for the residential tenants. A surplus of off-street parking spaces is proposed relative to code requirements and no parking variation is necessary.

Parking At B-5 Requirements			
Use	Square Footage / # of Units	Parking Ratio	Required Parking
Residential	136		
Studio/1 Bedroom	114	1 per unit	114
2 Bedroom	22	1.25 per unit	27.5
Commercial	1,967		
Restaurant - 1st Flr. (seating area)	1,171	1 Space per 200 sq. ft. of seating area	6
Total Required			148
Standard Garage Spaces Provided (Residential)			145
Tandem Garage Spaces Provided (Residential)			22
Total Garage Spaces Provided (Residential)			167
Total Exterior Surface Parking Stalls Provided (Commercial)			8
Total Provided On-site			175
Surplus / (Deficit)			27

The Village has found demand for multi-family residential rental properties within the downtown core to be around 1.3 parking spaces per residential unit. This is consistent with the most recent approval for the Arlington 425 project, which is a 319-unit multi-family rental project in downtown Arlington Heights. Additionally, the 4 N. Douglas apartment project, which is in the R-7, Multi-Family Dwelling District and currently under construction just outside of the downtown fringe (but walkable to downtown), is providing parking at a rate of 1.5 parking spaces per residential unit. As originally proposed, the Eastman development would have provided 1.34 parking stalls per residential unit and 1.22 parking stalls per bedroom. The revised concept proposes 1.23 parking stalls per unit and 1.06 parking stalls per bedroom. In order to ensure that adequate onsite parking is present, the Staff Development Committee is recommending the following conditions of approval relative to operation and management of the garage:

1. **Residential parking spaces within the garage shall be leased separately from units and shall not automatically be included within any residential lease.** Parking spaces should not be assigned to specific units, it would not be prudent to automatically assign a parking space to a tenant who does not have a car as this would preclude that space from being available to other tenants.
2. **Any tenant desiring two parking spaces within the garage must lease tandem spaces (with first priority going to two-bedroom units). Once all tandem spaces have been leased, no other unit shall be allowed two parking stalls.** This will ensure that the second space within a tandem parking space is utilized, which is necessary to accommodate for expected residential parking demand. Restricting

the total number of units that can lease two parking stalls will help to ensure that there is two guest parking stalls.

3. **No more than 23 units shall lease two spaces within the garage.** This restriction will ensure that every residential unit has access to at least one parking space.
4. **Studio units shall be prohibited from leasing more than 1 parking space.** This will help to preserve the parking supply to ensure each unit has access to a parking space.
5. **No residential unit shall lease more than two parking spaces within the garage.** This restriction will ensure that every residential unit has access to at least one parking space.
6. **Residential guest parking within the garage shall be made available and at no time shall there be less than 2 stalls assigned as guest parking stalls (ADA stalls cannot count as a guest stall). Garage spaces that are unleased by residential tenants shall be made available for guests and added to the guest parking pool.** This restriction will open up the garage for residential guest parking, and at a minimum, will permit at least 2 guest parking stalls within the garage will be available. Unleased residential spaces will be made available for residential guest parking.

At the request of the Village, the petitioner must provide details and data on the operation, management, and usage of the parking within the residential garage and on-street parking space usage. If parking issues arise, the petitioner must work with the Village to modify the parking plan to address any such issues, to the satisfaction of the Village. The petitioner must use good faith efforts to implement and enforce the parking conditions and restrictions outlined above.

A total of 17 on-street private parking stalls are provided for the approximately 1,875 square foot restaurant space and for residential guest parking. In addition to the 17 off-street parking spaces, there are 20 on-street spaces along Highland and Eastman, which are not heavily used. The Staff Development Committee continues to believe that the proposed development will not have a detrimental commercial parking impact.

Loading:

Per code, one loading zone is required for the proposed development which will be located at the southeast side of the building. This loading zone shall be utilized for residential move-ins/move-outs, loading/unloading for the commercial space, and trash collection. These activities shall be prohibited from occurring on-street. All residential move-ins/outs and commercial deliveries must occur between the hours stipulated in the recommendation. As mentioned in the original staff report, the Village is analyzing the possibility of an on-street drop-off/pick-up zone in front of the building, which could be used for residential deliveries/parcel services.

RECOMMENDATION

The Staff Development Committee has reviewed the requested Planned Unit Development to allow a 136-unit multi-family residential development on the subject property, Land Use Variation to allow a predominately multi-family residential development in the B-5 District, and Conceptual Special Use Permit approval for a restaurant on the subject property, along with the following variations from Chapter 28 of the Municipal Code:

1. Section 10.2-8, to allow a 22.1' wide drive aisle where code requires a minimum of 24' in width.
2. Section 10.2-9, to allow tandem parking stalls.

The Staff Development Committee recommends **APPROVAL** of the application subject to the following conditions:

General

1. The outdoor roof deck area along the western side of the building shall be restricted from use between the hours of 10 pm to 10 am Sunday through Thursday and from 11 pm to 10 am on Friday and Saturday. There shall be no building-mounted or permanent speakers/audio system installed on the outdoor pool deck. All personal music and speaker usage on the outdoor deck must end by 9pm on any night. Usage of the outdoor deck area must abide by these restrictions and the Applicant must take any action necessary should the Village notify them of complaints of excessive noise emanating from the outdoor deck usage on the subject property. The Village reserves the right to establish additional restrictions on the general usage times and music/sound from said outdoor deck should the occupants of the subject property fail to abide by these restrictions or cause excessive nuisances.
2. All restaurants that desire to operate within the PUD must obtain a special use permit or receive a waiver of the special use permit requirement if deemed acceptable by the Village.
3. At time of application for building permit, the Applicant must provide a detailed final construction schedule and logistics plan that identifies staging areas, material storage, lane closures and construction worker parking for review and approval by the Village. Any work taking place within the right-of-way must be scheduled to minimize disruption to other businesses, residential neighbors, and patrons of the downtown and nearby vicinity. Construction traffic must be limited to pre-approved lanes and locations to be determined by the Village. The petitioner shall provide a truck parking and truck access plan for review and approval by the Village. Emergency access must be maintained at all times during each phase.
4. Conversion of the building from rental to condominium units will require an amendment to the Planned Unit Development and the provision of sufficient parking for such change as determined necessary by the Village.
5. The Applicant must provide all required impact fees in accordance with the requirements of Chapter 29 of the Village Code.
6. The Applicant is responsible to ensure that the Planned Development is and remains in full compliance with the requirements of Article XVII of Chapter 7 of Village Code, being the Village's Inclusionary Housing Ordinance, and the Village's Inclusionary Housing Guidelines, including, without limitations, the following:
 - a. Providing, at a minimum, 7 actual on-site units (a minimum of 5% of the total units) in the Planned Development and fee-in-lieu for 3.2 units (a maximum of 2.5% of the total number of units) or a total of 10.2 units (7.5% of the total number of units) in compliance with Section 7-1707(b)(1) of the Village Code.
 - b. Ensuring compliance with all other provision of the Inclusionary Housing Ordinance and the Inclusionary Housing Guidelines as applicable.
7. The Applicant must comply with all Federal, State, and Village codes, regulations, and policies.

Parking Related

8. Parking within the garage shall be operated as per the below:
 - a. Residential parking spaces within the garage shall be leased separately from units and must not automatically be included within any residential lease.
 - b. Any tenant desiring 2 parking spaces within the garage must lease tandem spaces (with first priority going to two-bedroom units). Once all tandem spaces have been leased, no other unit shall be allowed two parking stalls.
 - c. No more than 23 units shall lease two spaces within the garage.

- d. Studio units shall be prohibited from leasing more than 1 parking space.
 - e. No residential unit shall lease more than two parking spaces within the garage.
 - f. Residential guest parking within the garage shall be made available and at no time shall there be less than 2 stalls assigned as guest parking stalls (ADA stalls cannot count as a guest stall). Garage spaces that are unleased by residential tenants shall be made available for guests and added to the guest parking pool.
9. At the request of the Village, the Applicant must provide details and data on the operation, management, and usage of the parking within the residential garage and on-street parking space usage. If parking issues arise, the Applicant must work with the Village to modify the Parking Management Plan (dated as received 9/11/23) to address any such issues, to the satisfaction of the Village. The Applicant must use good faith efforts to implement and enforce the parking conditions and restrictions outlined, and may have the ability to adjust the restrictions outlined in condition #8 so long as the project remains in substantial conformance and the Planned Unit Development continues to adequately accommodate the development's parking demand to the satisfaction and approval of the Village.

Loading Conditions

10. Loading operations are restricted to the following:
- a. Commercial/Restaurants: Allowed only between the hours of 7:00am to 5:00pm.
 - b. Residential: Residents moving in/out must schedule their loading dock time in advance. Move-ins/move-outs will take place in the loading dock on Eastman and be allowed between the hours of 7:00am to 7:00pm. Loading operations will be prohibited between the hours of 7:00pm to 7:00am.
 - c. Trash: All trash must be loaded onto trucks within the loading area in compliance with loading times in 10.a.
 - d. All loading/unloading for the commercial space, move-ins/move-outs for the residential tenants, and trash collection shall occur onsite and within the dedicated loading zone. These activities shall be prohibited from occurring on-street.

Traffic/Street Infrastructure Conditions

11. The petitioner shall revise the garage exit from an angled driveway exit on to Highland Ave to a 90-degree exit/intersection with Highland with no or minimal flares, for final review and approval by the Village.
12. Right turn egress from the garage to northbound Highland Avenue shall be prohibited. Should continued right turns be observed by the Village, the petitioner shall propose and implement a solution to correct the issue, which may entail video monitoring of garage movements and fines for residents that break the rules.
13. If it is determined by the Village that there is unsatisfactory traffic circulation and congestion within and through the subject property, the Applicant must work with the Village to modify the site circulation and access as necessary to mitigate for any such issues.
14. The Applicant shall work with the Village to implement improvements to the following intersections:
- a. St. James/Highland: Stop sign shall be installed at the northbound approach.
 - b. Highland/Eastman/Bank Drive Aisle: Stop signs shall be installed at the eastbound approach and the westbound approach (as feasible) at this intersection.

Site Related

15. No later than issuance of a building permit, the petitioner shall execute a public access/sidewalk easement along the south side of the building, at the discretion of the Village and as necessary to comply with ADA pathway widths.
16. Final Streetscape along Eastman shall be consistent with Downtown standards and certain modifications may be required at time of building permit (additional sidewalk width, revised tree grates, recessed building doors, etc.) at the discretion of the Village.
17. The garage warning system shall be equipped with afterhours technology to reduce or shut off the noise during overnight times.

Building Related

18. The Applicant must comply with all of the requirements set forth in the August 22, 2023 motion of the Village's Design Commission concerning approval of the design for the building within the Planned Unit Development.
19. All building-mounted and site mechanical equipment (meters, panels, utility connections, fire department connections, transformers, utility pedestals, etc.) must be appropriately sited and screened from public view, as determined by the Village. To the fullest extent possible, these elements must be internalized within sound attenuation structures. Prior to issuance of a building permit, additional information/manufacturers specifications on sound levels and attenuation and capacity for additional sound attenuation around the units must be provided for Village review.
20. All utility service lines must be underground.
21. The petitioner shall continue to work with the Village on the design of the proposed Fire Department Connection. Said connection shall be a low-profile design, to the satisfaction of the Fire Department, and shall not encroach into the ROW.
22. The location of the northernmost Roof Top Unit (RTU) shall be shifted further south, as feasible, and screened with additional sound buffering panels as determined necessary by the Village.
23. The petitioner shall work with the Village on the proposed lights on the northern building elevation to ensure that they are located at low elevations and are angled towards the ground.

October 6, 2023

Michael Lysicatos, Assistant Director of Planning and Community Development

Cc: Randy Recklaus, Village Manager
All Department Head