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May 15, 2023

**VIA ELECTRONIC MAIL**

Mr. Sam Hubbard  
Development Planner  
Department of Planning and Community Development  
Village of Arlington Heights  
33 S. Arlington Heights Road  
Arlington Heights, IL 60005

Re: 116-120 Eastman  
Review Letter Response

Dear Mr. Hubbard:

Thank you for the staff comments from May 1, 2023. We have submitted under separate cover revised plans for the project at 116-120 Eastman. These include Architectural Plans, Engineering Plans, Traffic and Parking Study, Market Study and Landscape Plans.

Below are our responses to Staff Comments:

Engineering Comments

55. The petitioners response to comment numbers 40-41, 43-46, 49-54 are acceptable.

**RESPONSE: ACCEPTED**

56. The petitioners response to comment no. 42 is noted. The photometric lighting diagram shows five F04 BK Yosemite lighting fixtures along the west side of the building. Provide additional information on where the lights will be mounted, what direction lights will be rotated and where the light will be aimed. This can be addressed at final engineering.

**RESPONSE: WE WILL SUBMIT ADDITIONAL INFORMATION IN THIS SUBMITTAL AND THE REVISIONS WILL BE SUBMITTED AT THE TIME OF PERMIT SUBMITTAL.**

57. The petitioner's response to comment no. 47 is noted. With the addition of the tree grates on Eastman St. the accessible route is less than 4 feet wide and is non-compliant. The fire connection and the door located at the southeast corner of the building also encroaches into the public right of way and accessible route. Provide a minimum of 5 ft. for accessible route. This can be addressed at final engineering.

**RESPONSE: WE WILL PROVIDE FOR ADDITIONAL SIDEWALK WIDTH ON OUR PROPERTY AND WILL AGREE TO PROVIDE A PUBLIC SIDEWALK EASEMENT. THIS**

**WILL BE SHOWN ON FINAL ENGINEERING PLANS. FIRE CONNECTION FIXTURES WILL BE RECESSED TO AVOID CONFLICT WITH THE SIDEWALK. IT IS NOTED THAT TREE GRATES ARE CONSIDERED COMPLIANT WITH CURRENT ADA STANDARDS.**

58. The petitioner's response to comment no. 48 is noted.

a) The sidewalk along the west side of the building, southwest section is less than 4 ft. wide, with three doors opening out to the sidewalk within a span of 65 ft. Pedestrians could also potentially have difficulty at the corner in the transition from the public walkway along Eastman Street to the private sidewalk. It is recommended that the sidewalk along the west side of the building, southwest section, be widened as much as possible while still maintaining the 26 ft. fire lane. This can be addressed at final engineering.

**RESPONSE: WE WILL SLIGHTLY REDUCE THE WIDTH OF THE FIRE LANE TO THE REQUIRED 26 FT AND WIDEN THE PRIVATE SIDEWALK TO A WIDTH OF 3.98 FT. (AT ITS NARROWEST). SINCE THE SIDEWALK IS PRIVATE, IT IS ALLOWED TO BE A MINIMUM OF 3 FT. IN WIDTH. WE HAVE REVISED THE FIRST LEVEL OF THE BUILDING SO THAT THE EXIT DOORS ARE RECESSED AND DO NOT IMPINGE ON THE SIDEWALK.**

b) An accessible route shall be provided across the entrance to the underground parking garage. The proposed column location south of the parking garage provides less than 2 ft. of concrete which would place the accessible route to the east of the column creating a site obstruction for vehicles entering the garage. Modifications should be made to the location of the columns and or shift the entrance to provide a compliant accessible route. This can be addressed at Final Engineering.

**RESPONSE: WE WILL REVIEW RECESSING THE GARAGE DOOR AT TIME OF PERMIT SUBMITTAL, CHANGE THE PAVEMENT (IF VILLAGE DECIDES IS NECESSARY) ACROSS THE GARAGE APRON IN ORDER TO PROVIDE AN ACCESSIBLE ROUTE. THE APRON WILL BE STRIPPED TO FURTHER SET OUT THE GARAGE ENTRANCE. APPROPRIATE ALARMS AND LIGHTS WILL BE ADDED THAT WILL BE TRIGGERED BY THE GARAGE DOOR OPENING.**

#### Planning and Community Development Department Review

55. The response to the following comments is acceptable: 32, 34-37, 39,44, and 52.

**RESPONSE: ACCEPTED**

56. The response to comment no. 37 is noted. Based on review of the revised plans, the final list of required approvals is:

- a) Planned Unit Development to allow a 150 unit multi-family residential development.
- b) Land Use variation to allow a predominately multi-family residential development in the B-5 District.
- c) A variation from Chapter 28, Section 5.1014.1 to allow 150 units on a 43438 square foot lot where code requires a minimum lot size of 46,500 square feet (10 unit density increase)
- d) Conceptual Special Use Permit approval for a restaurant on the subject property.

e) A variation from Chapter 28, Section 6.1-5.1 to allow for tandem parking stalls.

**RESPONSE. WE ACCEPT THE REQUIRED APPROVALS. IN RESPONSE TO C) WE ARE PROVIDING 10 INCLUSIONARY DWELLING UNITS ON SITE IN ORDER TO JUSTIFY THE INCREASE IN DWELLING UNIT DENSITY.**

57. The response to comment no. 40 is noted. Please provide a diagram showing the path for restaurant loading and restaurant trash removal (to the trash room). The pathway should be designed to keep these activities outside of the lobby/common spaces and should occur in separate corridors or through the garage. Can additional doors be added to allow these operations outside of the lobby area and through the garage?

**RESPONSE: WE HAVE PROVIDED A DRAWING SHOWING THE CHANGES TO THE FIRST FLOOR PLAN SHOWING AN APPROPRIATE ROUTE FROM THE LOADING BERTH AND THE TRASH ROOM THAT ALLOWS FOR THESE ACTIVITIES TO BE SEPARATED FROM PUBLIC SPACES.**

58. The response to comment no.41 is noted. The walkway along the southwest corner of the building should be increased in width to the maximum extent feasible (and minimum of 4ft.) while also maintaining adequate width for the fire lane (26ft.) along the west side of the building. Please explore recessing the doors along this elevation so that they do not open directly into the walkway. Additionally please explore recessing the door from Stairway 2 so that it does not open directly onto the public sidewalk.

**RESPONSE: WE HAVE SLIGHTLY REDUCED THE PRIVATE DRIVE WIDTH TO ITS MINIMUM OF 26 FT. AND WIDENED THE PRIVATE WALK TO 3.98 FT. WE HAVE SUBMITTED A PLAN SHOWING THAT THE DOORS ARE NOW RECESSED.**

59. The response to comment no. 42 is noted. Please clarify that the height of the fence will not exceed 6 ft and that it will completely screen the transformers within. Additionally, the wall openings, fins to screen the generator should be revised to be a solid building material without openings for enhanced sound buffering. If venting/air flow is required for the generator, it should discharge into the garage.

**RESPONSE: WE DO NOT YET HAVE THE SPECIFICATIONS FOR THE GENERATORS OR TRANSFORMERS. THE HEIGHT OF THE FENCE WILL BE DEPENDENT ON THE HEIGHT OF THE TRANSFORMERS. WE DO NOT EXPECT THE HEIGHT TO EXCEED 10 FT. THE GENERATOR REQUIRES FRESH AIR INTAKES VIA LOUVERS ON THE FACADE. THE GENERATOR IS ONLY RUN ONCE PER MONTH FOR 15 MINUTES. IT HAS BEEN LOCATED AS FAR FROM THE NORTH ELEVATIONS AS IS POSSIBLE.**

60. The response to comment no. 43 is noted. Please be aware that 7 ADA accessible spaces are required for the garage given the 201 space capacity. You should explore locations to incorporate an ADA space without dropping the overall stall count.

**RESPONSE: WE HAVE PROVIDED A REVISED PLAN SHOWING THE REQUIRED MINIMUM 7 ADA COMPLIANT PARKING SPACES.**

61. The response to comments no. 45 is noted. Based on the final design and location of the rooftop chillers, additional sound attenuation may be required.

**RESPONSE: ONCE THE MECHANICAL HVAC DESIGN IS PREPARED WE WILL PROVIDE THE REQUIRED INFORMATION TO THE VILLAGE AT TIME OF BUILDING PERMIT. APPROPRIATE SOUND ATTENUATION MEASURES WILL BE PROVIDED ONCE THE EQUIPMENT IS SPECIFIED.**

62. The response to comment no. 46 is noted. Specific restrictions on speaker usage and usage of the outdoor amenity area shall be established as part of any Plan Commission approval.

**RESPONSE: THE DEVELOPER WILL NOT INSTALL ANY SPEAKERS OR SOUND SYSTEM AS PART OF THE EXTERIOR AMENITY DECK. IF REQUIRED THE BUILDING MANAGEMENT WILL CONTROL THE VOLUME OF PRIVATE (RESIDENT) SOUND SYSTEMS.**

63. The response to comment no. 47 is noted, however, the photometric plan has not been revised to reflect the current site design. Please revise the photometric plan to reflect the current site layout.

**RESPONSE: A REVISED PHOTOMETRIC PLAN HAS BEEN PROVIDED.**

64. The response to comment no. 48 is noted. The parking garage light/sound alert system must be equipped with a means to reduce volume during overnight times to restrict impacts on neighboring properties.

**RESPONSE? THE SYSTEM SPECIFIED HAS THE CAPABILITY TO REDUCE ITS VOLUME DURING NIGHT TIME HOURS.**

65. The response to comment no. 49 is noted. Details within the response to Round 2 comments in comparison to the Parking Management plan were slightly different. Please revise the Parking Management Plan to acknowledge and agree to the following, which will be recommended conditions by the Village:

- a) Residential parking spaces within the garage shall be leased separately from units and shall not be automatically be included within any residential lease.
- b) Any residential unit desiring 2 parking stalls with the garage must lease tandem stalls, with first priority going to two bedroom units, if tandem stalls are available. If all tandem stalls are leased, a unit desiring two parking stalls may lease two single (non-tandem) stalls.
- c) No more than 51 residential units shall lease two stall within the garage.
- d) No residential units shall lease more than two parking stalls within the garage.
- e) Residential parking spaces within the garage shall be assigned and shall not operate on a first come first serve open to all residents basis.
- f) Access to the garage shall be controlled via a garage door.
- g) Residential guest parking within the garage shall be available

**RESPONSE: WE WILL REVISE THE PARKING MANAGEMENT PLAN TO REFLECT THESE CONDITIONS.**

66. The response to comment no. 51, a, b, c, e and f is noted. With regards to 51 d, you are strongly encouraged to pursue re-establishment of the parking easement for the 19 stalls on the bank property due to projected commercial demand exceeding private supply of commercial parking stalls. If commercial and guest parking demand exceeds supply, what is the contingency plan?

**RESPONSE: WE HAVE EXHAUSTED ALL ATTEMPTS AT EXTENDING THE CURRENT PARKING EASEMENT ON THE BANK BUILDING PROPERTY. IF ADDITIONAL PARKING SPACES ARE REQUIRED DURING NON-PEAK HOURS WE WILL ENCOURAGE GUESTS AND PATRONS OF THE RESTAURANT TO UTILIZE THE NEARBY VILLAGE PUBLIC PARKING LOTS.**

67. The response to comment no. 53 is noted. Please see no. 66 above.

**RESPONSE: PLEASE SEE RESPONSE TO NO. 66 ABOVE.**

68. The response to comment no. 54 is not acceptable. No preliminary construction staging plan was provided. Identifying construction site entrances, anticipated number of construction workers and where they will park during each phase of construction, the type and amount of construction vehicles per phase and where they will be staged, the location of material storage, and information on any anticipated land closures, including info on where the closures will take place and the general timeframe for each closure. Heavy vehicle construction traffic shall be directed to Eastman and limited on St. James, and construction entrances should be located on the south side of the site. Pedestrian access with the ROW, including ADA, must be preserved during construction. Said plan must be provided within your Round 4 Submission.

**RESPONSE: THE REQUIRED PLAN WILL BE PROVIDED WITH THIS SUBMITTAL.**

69. The loading zone is labeled as 10 ft. wide but does not scale out to be that width on the plans. The doors to the trash room and lobby should be recessed to avoid opening out into the required 10 ft. loading space width.

**RESPONSE: THE LOADING BERTH IS 10 FT. IN WIDTH AS REQUIRED. THE PLANS HAVE BEEN REVISED SO AS TO AVOID ANY INTRUSION INTO THE LOADING BERTH SPACE.**

70. The exterior garage entrance must be increased from 23 ft. wide to a minimum of 24 ft. wide to accommodate for two way traffic and comply with code.

**RESPONSE: THE GARAGE ENTRANCE HAS BEEN REVISED TO THE REQUIRED 24 FT. BACK OF CURB TO BACK OF CURB.**

71. Where will delivery vehicles park (i.e., Amazon, UPS, etc)? These vehicles do not utilize the onsite loading zones.

**RESPONSE: WE WILL SEEK A 15 MINUTE LOADING ZONE ON EASTMAN TO ACCOMMODATE THESE VEHICLES.**

72. How will the garage be vented? If HVAC units will be used for ventilation where will these units be located.

**RESPONSE: THE GARAGE REQUIRES MECHANICAL VENTILATION. WE EXPECT TWO UNITS PER LEVEL TO BE REQUIRED. ONE WILL BE AT THE NORTH EAST CORNER OF THE GARAGE AS FAR FROM THE RESIDENTIAL NEIGHBORHOOD AS IS POSSIBLE. THE SECOND UNIT WILL BE APPROXIMATELY MID-WAY ALONG HIGHLAND. ONCE THE SYSTEMS ARE DESIGNED WE WILL BE ABLE TO PROVIDE SOUND LEVELS OF THESE UNITS. FINAL SPECIFICATIONS AND LOCATIONS TO BE PROVIDED AT TIME OF BUILDING PERMIT**

Landscaping

Public Property:

1. The streetscape along Eastman street must be consistent with the Downtown standards Please identify the brick pavers, street trees, grates and Stenberg light fixtures.

**RESPONSE: WE WILL REVISE THE LANDSCAPE PLANS TO COMPLY WITH THE VILLAGE STANDARDS.**

Private Property:

1. Provide landscaping and decorative pavement at the corner of St. James and Highland Avenue.

**RESPONSE: PRIOR RESPONSE NOTED.**

2. Along Highland Ave it is recommended that specialty pavement be used for the north/south walkway. In addition provide crosswalks with specialty pavement for the walkway at the drive aisle and at the loading area. Please evaluate the overall width of the walkway on the west elevation near the southwest corner of the building. IN addition it is recommended that the north/south crosswalk at the intersection of Highland and Eastman consist of brick pavers.

**RESPONSE: WE HAVE SHOWN THE EASTMAN PAVERS WRAPPING AROUND THE BUILDING UP TO THE LOCATION THAT THE ARCADE BEGINS. WE WILL COORDINATE WITH STAFF AT FINAL DESIGN AS TO THE DESIRED LOCATION AND TYPE OF PAVER USED IN ANY CROSSWALK LOCATION.**

3. Please indicate the plan for the planter boxes identified on the west elevation and provide landscape details. In addition please provide details for the planters/green space identified on the terrace on the north elevation. The updated landscape plan and response has been received and noted.

**RESPONSE: PRIOR RESPONSE WAS ACCEPTED.**

4. A tree fee of \$4 per lineal foot for frontage must be provided as part of the building permit process and a landscape compliance bond of 30% of the estimated landscape cost.

**RESPONSE: OUR RESPONSE WAS NOTED.**

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The revised plan set has been submitted with this written set of responses. We look forward to the Plan Commission hearing on May 24, 2023.

Very truly yours,

Thompson Coburn LLP

A handwritten signature in black ink, appearing to be 'B. Citron', written in a cursive style.

By  
Bernard I. Citron  
Partner

BIC/mse

cc: Joe Taylor  
Katie Lambert  
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