

APPROVED

PLAN

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

COMMISSION

RE: 116-120 WEST EASTMAN DEVELOPMENT - PC #23-002
PLANNED UNIT DEVELOPMENT, LAND USE VARIATION FOR MULTI-FAMILY
IN B-5, CONCEPTUAL RESTAURANT SPECIAL USE PERMIT, VARIATIONS

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 11th day of OCTOBER, 2023 at the hour of 7:30 p.m.

MEMBERS PRESENT:

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

ALSO PRESENT:

SAM HUBBARD, Development Planner
MICHAEL LYSICATOS, Assistant Director of Planning and Community Development

APPROVED

CHAIRPERSON DAWSON: All right, well, let's just go ahead and get started then. Call to order.

Bruce, you want to do the honors of banging the gavel for me?

(Gavel pounded.)

COMMISSIONER GREEN: Oh, yes. Here we go.

CHAIRPERSON DAWSON: Thank you.

Stand for the Pledge of Allegiance please.

(Pledge of Allegiance recited.)

CHAIRPERSON DAWSON: All right, we have, our first order of business is roll call, thank you.

MR. HUBBARD: Commissioner Cherwin.

COMMISSIONER CHERWIN: Here.

MR. HUBBARD: Commissioner Drost.

COMMISSIONER DROST: Here.

MR. HUBBARD: Commissioner Ennes.

(No response.)

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, we have minutes from the last meeting on the agenda. Do we have any questions, comments, a motion for approval?

COMMISSIONER GREEN: I'll make that motion.

COMMISSIONER DROST: And I'll second it.

CHAIRPERSON DAWSON: All right, all in favor?

(Chorus of ayes.)

CHAIRPERSON DAWSON: Any abstentions? Opposed?

COMMISSIONER JENSEN: Yes, I wasn't here that night.

CHAIRPERSON DAWSON: All right, great.

All right, so then with that, we have the first item on our agenda. Have all the public notices been given?

MR. HUBBARD: Yes, they have.

CHAIRPERSON DAWSON: All right, and who is presenting this evening? Everyone who's going to speak and present, I'm going to swear you all in at once. So, come on up.

(Witnesses sworn.)

CHAIRPERSON DAWSON: Terrific, all right. Whoever will be giving the first presentation, if you want to stand up and state your name and spell your last name for the

APPROVED

record and go ahead?

MR. CITRON: Thank you. My name is Bernard Citron, I'm with the law firm of Thompson Coburn. I represent Joe Taylor/Mylo who is the Applicant here today. We're happy to be back in front of you. We hope that you are equally as happy as you see the project as it has evolved. We've tried to meet with Staff, we have met with the neighbors. We believe we've gone a very, very long way in terms of bringing this project to a point where it addressed a lot of the concerns if not all the concerns that were raised at the prior hearing.

So, I'm going to stop talking and call Katie Lambert up from OKW who's going to walk through our presentation today if it's okay, and we can go into a much longer one, but our presentation today since we've given you the project, you understand it's a mixed-use, highly-amenitized building in Downtown Arlington Heights, I'm not going to go through a lot of that again. What we are here to emphasize is where this project has ended up today, the reduction in height, the reduction in density and all those things that we've done.

So, with that, Katie?

CHAIRPERSON DAWSON: Great, and then again, state your name and spell your last name for the record.

MS. LAMBERT: Hi there. Katie Lambert, L-a-m-b-e-r-t, and I'm a partner at OKW Architects. Again, excited to be back in front of you all and we're looking forward to talking some more about the changes to this project.

(Slight pause for some technical difficulties.)

MS. LAMBERT: All right, so again, project site, we won't bore you with this, but again, we are basically between Eastman and St. James on Highland, part of the B-5 zoning district.

These are existing conditions on the site, and I think that we have all agreed that we can really exceed the look of everything that is there today.

This slide is really pretty important. This identifies all of the changes that we've been working as a team and in collaborating with the neighbors association to implement. So, just to kind of run through this summary, we've reduced the unit count from 150 to 136, so our unit count is well below the density that's allowable on site. We've reduced the building height by one level throughout and actually be two levels along St. James Street. Parking, we have submerged a full level of parking below grade, so there is only one level of parking at grade.

We are implementing various setbacks along the north. None of these are required, there's a zero-foot setback allowable in the B-5, but we have chosen based on kind of communication with the neighbors to implement a 10-foot setback at level 1, 20-foot setback levels 2 through 5, and then a full 50-foot setback at the sixth floor. Then the last point is really that we have changed the aesthetic of the building dramatically, looking at using brick as the primary facade material in order to really better complement the rest of the Downtown Arlington Heights fabric.

So, again, this is kind of a slide that tries to encompass those changes. If you can sort of see that shadowy building, that represents the building that we previously came to Plan Commission with. So, again, it was really a six over two. We're currently looking at a building that is more like 4.5/5 over one with a full level of parking submerged.

Site plan, a couple of changes in terms of the access points. Previously, the ingress and egress had been along Highland. We are now proposing ingress into the parking along Eastman in order to really keep it away from the neighbors as much as

APPROVED

possible. Egress from the parking we're proposing would be southbound only along Highland. We're really trying to avoid both traffic cutting through the St. James as well as headlights in the evening, you know, bothering any of those residents.

So, this is a summary of where we are today: 136 units; again, two levels of enclosed parking, one of which is fully below grade; five levels, really more like 4.5 levels of residential units and amenities; total of 184 parking spaces that includes both residential as well as commercial as well as guest, and it's a combination of the garage spaces as well as some parking along Highland; and then you have a restaurant at grade still on the project.

So, again, this shows the first floor plan. The major changes are really, as we were just talking about, to the parking access points. We are showing that exit from the parking garage going southbound on Highland. I know that will be one of the things that we'll want to discuss, is the geometry of that. But really it was the team's intent in working with the neighbors to make sure that we're intentionally directly traffic away from St. James.

Then this is the new below-grade basement parking plan. So, again, a plan, a level that did not exist previously, but as a result of our collaboration with the neighbors, we have implemented a full level of basement parking. I know the Staff report referred to the variance to that 22-foot drive aisle. The only location we have that is at that elevator corner, and really the purpose of it is just to make sure that we're maximizing the parking count. The same for the tandem spaces as well.

So, this level shows the second floor. Again, as we talked about previously, a highly-amenitized building. Basically, the amenity courtyard with a pool is in the same location it previously had been in the center and on the west side of the building. You know, it's really positioned we think to keep any kind of, you know, noise from daytime parties and stuff away from St. James and blocked from the residence.

Then not too many changes to the upper levels except to this top floor, level 6. Again, this shows really that big step backwards, basically 50 feet from that north property line to the wall of the building, trying to keep again as much of the residential activity as far from St. James as we can.

MR. CITRON: Katie, wasn't there, and I just realized this sitting here now --

CHAIRPERSON DAWSON: If you're going to speak, can you come up to the podium?

MR. CITRON: We also don't have access from the units to that, remember?

MS. LAMBERT: Correct.

MR. CITRON: So, we should point that out also because that was a concern that people had raised, so why don't you --

MS. LAMBERT: Correct. I think the last time we were here, the second floor units on the north, we had really talked about having their own private patios. That's been removed from the scope of this project so that it would be again kind of green planting along the outside of those units with no occupiable space out there.

So, again, this is an aerial that really shows how the building sits within the context of the Arlington Heights Downtown District, you know, it really shows I think pretty well that the scale and density seem to make a lot of sense.

Then this really is a slide that shows the design as it stands today. We brought this design to the Design Commission in August and received a unanimous approval. Really, I think what we explained to them is that our focus was on creating a building that was primarily brick. We have some, you know, relatively crisp articulation, but we found ways to

APPROVED

incorporate interesting types of detail throughout the building. So, you can really see that when you look at that top cornice above the gray stucco at the sixth floor. I think the entry with the brick arches in various stepping forms is another kind of good example of how we're incorporating different types of detail throughout.

Then this is the view from the north showing, you know, how we're treating the parking garage as well. The idea of the parking garage this time around is going to be fully enclosed. Last time that we came to you, I think we had a garage that was going to be primarily open air and there was a lot of concern about the lights from the parking garage being visible to residents. So, we made the decision that a mechanically ventilated, fully enclosed garage makes the most sense for this project, but we're really being intentional about trying to introduce a level of detail and articulation to that parking base. So, the intent is that it would be fully brick in a different color, but that we would have these moments of openings with decorative metal to really kind of bring out some architectural interest.

Then this view I think really speaks well to this idea of detail. We're showing a corbel above that first floor, and you can see the restaurant space in this area. Then above the corbel, we would have storefront windows at that second floor amenity, and then windows above. But between each of the levels of windows, we would have some detail in terms of soldier course brick, various reveals and step-backs, to really just introduce a lot of interest.

Since the Design Commission, we've been working hand in hand with Staff to address a couple of the recommendations that came along with our approval. So, these are slides to show some in-progress work that includes a little bit more architectural interest on the east facade, studying flattening some of those arches because that was a recommendation from the Commission, and then some window alignments with the piers as well.

So, again, these are the elevations as they stand today. They are probably going to be updated as we confirm really the final condition I think with Staff. With that, I will pass it off to Kathryn.

CHAIRPERSON DAWSON: So, again, state your name and spell your last name for the record please.

MS. TALTY: Hi, everybody. My name is Kathryn Talty, T-a-l-t-y. I am the landscape architect on the project. Thank you for hearing us tonight.

So, this is the landscape plan that we've landed on, and I think this really shows how we've taken advantage of that additional setback off of St. James. We have utilized the entire 10 feet to create kind of a soft ornamental planting that's very residential in feel in that it has kind of curvilinear beds and a multitude of planting types along with your standard street tree planting closer to St. James. Along the foundation of the building, we use a mix of shrubs, evergreen shrubs and ornamental trees that have multi-season interest throughout the year. As we move over to the south side of the building, you can see in that case we have utilized the traditional streetscaping standards of Arlington Heights where we have trees within the parkway and planted in tree grates.

So, this sheet shows you the proposed plant types that we are suggesting primarily to be along the St. James frontage, along our foundation. So, you can see that there is a multitude of different plant types and plants that have interest throughout the year.

Okay, with that, I will hand this off to Steve, the traffic engineer.

MR. CORCORAN: Thank you. Good evening. Steve Corcoran, C-o-r-c-o-r-a-n, with Eriksson Engineering, and prepared the traffic and parking study and updated it based on all the changes that have been discussed tonight.

APPROVED

Number one, we're reducing our units from 150 to 136, so we proportionally decreased, a high decrease of traffic, roughly five percent. We also made changes for the access with the entry now off of Eastman, so really there is no entry traffic using Highland, and then exiting onto Highland from the parking garage but then heading southbound back toward Northwest Highway. They are not going to be able to turn right to go up to St. James. Then also at St. James, even though the site plan shows it's open, that's going to be signed Do Not Enter and it's going to be only for emergency access, for fire trucks and ambulances. So, no traffic is supposed to be using that driveway per the plan.

We've also looked at the new parking or the revised parking plan. We still meet code. I think we exceed code by 36 spaces versus what's required, versus what we're proposing. We are providing 1.23 parking spaces per unit or for the residential, which again, that exceeds the zoning code, and then we also exceed the code for the commercial. So, we're providing plenty of parking. Then, as we discussed before, even if there's concerns about parking, there's plenty of on-street parking on Eastman today as well as within the commuter lot to the north. Thank you.

MR. CITRON: Our team is here to answer any questions that would come up on this. We I think meet or exceed all the standards for this development on this site, but I'll let, I don't know if, Sam, is it your turn next or is it the public? I'm not sure.

MR. HUBBARD: Typically, it would be the Staff presentation.

CHAIRPERSON DAWSON: Right, but I have a question for you first.

MR. CITRON: Sure.

CHAIRPERSON DAWSON: So, have you read the Staff report?

MR. CITRON: Yes.

CHAIRPERSON DAWSON: And do you agree with the conditions of approval?

MR. CITRON: Yes, we do.

CHAIRPERSON DAWSON: Terrific. Thank you so much for your presentation.

Sam?

MR. HUBBARD: Thank you. Let me get this ready.

All right, so just to kind of set the stage for the meeting this evening, I'll kind of summarize where we're at in the process. So, on May 24th of this year, the Petitioner appeared before the Plan Commission requesting approval of a seven-story, multi-family residential building, including 150 rental units and limited ground floor commercial space. The Plan Commission ultimately voted two in favor and four against a recommendation of approval, meaning the motion failed and the project was set to move forward to the Village Board for consideration without a recommendation from the Plan Commission.

Subsequent to that meeting, Petitioner opted not to move forward with the Village Board meeting and the project as they had originally proposed it. They met with Staff, they met with the neighborhood, and they made significant modifications to their plans. The modifications were so significant that they do warrant another review with the Plan Commission, the Design Commission and the Housing Commission. The Design Commission and the Housing Commission meetings have occurred, and now they are back before the Plan Commission for consideration of their revised proposal.

So, that kind of brings us up to speed on where we're at this evening. I would remind the Plan Commission that the Staff Development Committee was supportive of

APPROVED

the original proposal in recommending approval subject to several conditions, and that was at the 150-unit density. Similarly, we are supportive of the reduced intensity development at 136 units, and we are recommending approval subject to several conditions.

This slide outlines the approvals requested. The PUD approval is changed from 150-unit multi-family building to 136-unit. The variation for the lack of significant ground floor retail still remains. Then there is a conceptual special use approval for the future restaurant that will locate there.

There is a need for a new variation as you heard relative to the drive aisle at 22 feet approximately in width where a 24-foot wide drive aisle is required. The Staff Development Committee is supportive of this variation. That reduction in drive aisle occurs at the very end of the garage. It only affects about six spaces, so it's a very minimal impact. We are supportive of that variation.

Additionally, a variation for tandem parking stalls is still required. I would mention that the Staff report and the legal notice that was published in the Daily Herald included the incorrect citation number for this variation. The correct number is shown here, it's Section 10.2-9, to allow tandem parking stalls. However, because the language in the Staff report and the notification outlined that the variation was specific to allowing tandem parking stalls, we believe that the notification is sufficient and are proceeding forward with the project this evening. The Staff report was corrected online, so the correct version is now there.

All right, so on August 22nd, the Petitioners appeared before the Design Commission. They did receive a unanimous recommendation of approval subject to five modifications related to the plans. They have provided some conceptual renderings showing how these modifications would look for Staff review on a conceptual basis. We think that these modifications would satisfy the conditions as required by the Design Commission, so we're confident that they'll be able to address those changes. Those modifications were included in the packet that went to the Plan Commission, so if they were curious they were available for your viewing.

At the Housing Commission on September 20th, the project also received a unanimous recommendation of approval. The project will comply with our Inclusionary Housing regulations. They will provide seven on-site affordable units and be paying a fee in lieu of approximately three units not provided.

Okay, so this slide outlines some of the primary areas of change on the previous proposal. I don't want to go through these in detail, the Petitioner has done a really good job outlining how they have made changes to the plans to address some of the issues raised at the previous hearing. I would mention that regarding a previous analysis of this development and its impact on the neighboring community, a lot of our previous analysis remains unchanged in that regard as this is a less intense form of the development. So, in those areas, our review and analysis remain unchanged, but there were two areas of the modifications that warrant discussion this evening and that's relative to the garage exit and the parking.

So, the garage exit has been designed to be angled and discharge heading southbound on Highland Avenue. This change is, we think, meant to kind of keep those headlight glare away from the single-family homes to the north. Excuse me. However, an exit discharge into what is going to be an oncoming lane, so traffic is going to be heading northbound this way, and this will be discharging pretty much into the oncoming traffic lane, it's just not an ideal situation from a traffic safety standpoint. While we understand there would be stop sign there, our Village engineers did not think that this was a very safe configuration for the exit. So,

APPROVED

we are recommending that the Petitioner modify this exit from an angled exit to a standard 90-degree intersection with Highland Avenue.

Then relative to parking, the revised proposal decreased slightly the parking spaces provided per unit for the residential parking. So, previously, there were a little above 1.3 parking spaces per unit. Now, they're at 1.23 parking spaces per unit. The Village typically sees parking demand in multi-family residential developments within our downtown at about 1.3 parking stalls per unit. The Petitioner has provided data from a number of similar suburban Chicagoland developments that illustrate parking is provided at about 1.2 parking stalls per unit. So, we do believe that parking here is going to be tight. It is not at quite what we would like to see, but we do believe that if the parking is properly managed, that it can be successful.

So, that being said, we have recommended six conditions of approval relative to usage of that residential garage and relative to some of the exterior spaces as well. So, I'm happy to go into detail. Many of these were outlined in the previous presentation when this came before the Plan Commission in May, but they had been tightened up in certain areas given now the slight change and reduction in parking spaces per unit.

That being said, we are recommending approval of this application subject to the conditions as outlined in the Staff report, and I'm happy to go through any of those in detail should the Plan Commissioners wish to hear more. That concludes the presentation, thank you.

CHAIRPERSON DAWSON: Thank you, Sam.

Do I have a motion to approve the Staff report into the record?

COMMISSIONER CHERWIN: So moved.

COMMISSIONER JENSEN: Second.

CHAIRPERSON DAWSON: All right, all in favor?

(Chorus of ayes.)

CHAIRPERSON DAWSON: Any opposed?

(No response.)

CHAIRPERSON DAWSON: Okay, great.

With that, would anyone like to ask any questions before we open up to public commentary?

(No response.)

CHAIRPERSON DAWSON: Seeing no questions, I think we're all anxious to get to public commentary so I'm going to open up to public commentary. I believe many of you have been here before. So, what I'll do is I'll go row by row. Just remember that you need to state your first name, spell your last name. We also ask that, you know, you keep it succinct. If it's been stated already, you know, maybe consider just reconfirming what was previously stated, but obviously you're all welcome to come up and speak.

So, I'm going to start with the first row. Okay, if you could state your first name, spell your last name, and then if you are so willing, provide your address.

PUBLIC COMMENTS FOR PC# 23-002

MR. GAYNOR: Hi, greetings. I'm Tom Gaynor, I live at 208 West Fremont. Last name is spelled G-a-y-n-o-r. I'm currently serving as the HANA Board President, though my comments are some personal ones but I'm going to try to reflect the tone of the prepartate meetings that we've had to share kind of the sentiment of things. So, I'll do my best to represent

APPROVED

but I'm not, I cannot claim I'm the, you know, the voice of, right? We are all residents and have equal voice.

I really want to start out with two comments. One, the blue tape is a nice touch for us people who rehab homes. I think this is just, it makes us feel very comfortable, very nice touch. I also do want to thank the Plan Commission for putting up with us at the last meeting on this project. As you can tell, there was a significant amount of preparation and thought that the neighbors put into that, and we really appreciate your thoughtful consideration in listening. I know you guys are all volunteers, and to me it just is a testament to kind of the quality of the organization that we have here. It's very impressive.

I think the outcome from that meeting was also a terrific recommendation. The fact that you encouraged collaboration was spot on. It's something that we were looking back in August 23rd of last year when we were first introduced to Joe and team and the project. We said we have a very collaborative organization in HANA, we would like to make this project as good as it can be. That's kind of our mantra. At the time, that was acknowledged as an offer, it wasn't really taken up on. That has since flipped 180, thank you, Joe.

I think that as a result, we have a significantly improved project based on the fact that we've got the Staff, the developer and the neighbors all working together to figure out how to make this thing as good as it can be. I think that's something maybe we could bottle going forward. I think the more you can get people collaborating and engaging on this kind of very complex projects, I think it's better than to go up to the Plan Commission with a yea-nay on issues that maybe should have been discussed and hashed out long ago. So, from an efficiency standpoint, I think we'd be, I don't know, happier or so if we had maybe taken a different approach, and that's not a proud moment for any of us I don't think. I think we'd like to move these things along as appropriate, so, you know, just consider that a process improvement if you will.

So, given that, I did have a slide back last time around, we went through a whole bunch of material. I'm going to try to net out what I think the comments that were discussed within the neighbors, I'll try to net them out and maybe I'll click through some of the slides to illustrate. Let me just give you the sum of it, if I could right now.

So, we actually have issues that are I think fundamentally resolved, which is terrific. The design of the building, the materials used I think are very consistent with the tenor of what, you know, the character of what the neighbors are looking for. I don't think you'll ever get two people agreeing on architectural stuff, but we've come a long way from the original design to where we are right now which is a much more classic design. It's going to be a nice complement certainly. Everything we do is going to be an improvement over existing as we know, but I think the work that Katie and team have done to add architectural detail and interest I think is really nice. I think we're going to have a much better-looking building as a result, so thank you for that.

The parking garage was a deal breaker last time around if you recall. There was a huge amount of discussion about open platform, lights, the LEDs glaring all night, noise from car alarms, all that good stuff. So, the idea of sinking the garage, sealing it up just put all those issues to bed. I think that was a terrific move again from a design improvement standpoint.

The traffic and safety aspects that the neighbors brought up dealt with the whole idea of ingress and egress on to St. James. I think Joe and team came up with

APPROVED

the idea of let's put the main entrance on Eastman, which wasn't even something that we had talked about, so he gets five points for that. That's I think a really nice change that's really taking advantage of the boulevard size road we have on Eastman compared to the very narrow St. James. I think that's going to do exactly what the neighbors were looking for was to keep this to the south. We don't want to have our HANA triangle become even more congested and dangerous as a result of, you know, over-doubling the quantity of people and cars on the triangle. So, I think that was a really good move.

Even the party deck, too, was also another nice move, because that was something, I don't know why I call it the party deck, but that second story facing St. James just had too much risk to it. Who knows what could happen there and it's looking right into the bedroom windows of the residents on St. James. So, all of those issues have been fundamentally resolved. So, congrats, well done to you. That was really good.

We do have some ongoing concerns or issues. Part of the fundamental one is that this project is still a lot. We've got, you know, an R-3 zoned street on St. James now, thank you again, for your support of our down-zoning. That was very nice to get your approval thereof. So, in the big scheme of things, going from B-5 to R-3 is really not consistent with the step-down approach that the, you know, the Master Plan or the Comprehensive Plan wants us to adhere to. So, I'm just bringing it up as we have a very special situation here. It's not cookie-cutter, and I really look forward, you know, the Plan Commission to help again to make this project as good as it can be, if there's things we can do to get to the step-down alignment to what the Comprehensive Plan is all about, I think that would be greatly appreciated.

We do have a really tall building still. I know it's come down, thank you, but it's high. I mean, you're across the street from single-story homes. There's really no getting over the fact that this thing is going to tower over the neighborhood. The density is still high, it's 136 people or 136 units. Setback of 10 feet onto St. James is terrific. Everything else on our side of the street is 20. So, setback is certainly an area of opportunity as well, and the step-down is an area that, you know, you essentially have to achieve that step-down within this one building, right, the way it works right now. So, if there's any way to step-down to the neighborhood within one building, that's essentially the challenge we're up against here.

Issues that we would have, for this meeting, saying that guest parking is an ongoing issue. There is no extra parking on our HANA triangle, so you really can't have guest parking spilling over into the streets. There really isn't any overnight or long-term parking on any of those streets, and I don't think that was even, you know, proposed but it's just the reality is that people tend to want to park on the street near wherever they're at. So, the idea of parking across the train tracks is maybe a good idea but that may be a really tough thing to realize.

We talked about this in the past and I think this is not an issue, but I think we really should make sure it's clarified. The AT&T building is right next door on the east side, and at one time we were thinking that when the last dial tone goes away, that building could be up for, you know, a seven-story high rise development as well with zero setback between seven-story high rises that could create just a really awkward situation. It's not a HANA neighborhood issue, it's just something that probably just should be clarified as to if that reality is there or not because I think we would all look silly if we didn't acknowledge that potential.

Now, I'll bring up an issue we can talk about later, but the number of studios changed. It increased quite a bit, so there was a concern as to does that mean there is a potential that these are going to become airbnbs or if there is some aspect that's driving this that could change the makeup of the tenants here. So, we want to make certain that, from a

APPROVED

neighborhood standpoint, there wasn't going to be that kind of a change in the mix, or that change in mix would create some sort of different sort of tenants.

The other issue that was brought up at our prior meetings was the concern about construction in that we want to make certain that the brick foundations of these old houses across the street are going to survive the construction of a high rise here. So, just make certain we're not doing pile-driving and creating a Richter scale kind of issue that could cause some problem.

So, let me just do a couple of clarifying pictures and then I'll be quiet. You guys know about HANA, we went through all this last time. This thing is adjacent to our HANA triangle on the south side. We have that R-6 is now R-3. Thank you again, very much, that got Board approve in August. It's been in our to-do list for 40 years, so it's very great to see that. It was really great to see that Harold acknowledged the fact that we're actually going backwards to, you know, progress the nature of our neighborhood. I thought that was really a nice recognition.

These are the houses. When I talk about the, you know, it's a lot, it's in comparison to all the rest of the triangle where there's 136 folks living there. This one development is going to have, you know, closing in on 250. So, it's just a lot of folks that are going to be in an area that would be six single-family homes if it was R-3. So, that's just, you know, going to be a lot more folks in a very constrained area.

Just to compare with the other apartments down the road, it's a lot compared to some of those, too. So, we get it, it's within code, within building, you know, the zoning and all that such. But it is something that, you know, is going to be impactful and we really want to make sure we're doing the right thing for this very special neighborhood.

The changes on the height and the setback have improved things. This is the sight line kind of stuff which is impressive, you know, not impressive but it's helpful because we show Karen's house across the street, a one-story home, obviously kind of dominated by the size of this thing even still. It probably is even more impactful when you see the full eastern elevation, and I'll block it out. See, just kind of a squint test here shows you the magnitude of scale between this property, this proposed and what's existing. I'm not sure what the solution is and if there's ways to shift some of that mass to the south, that could greatly alleviate this overwhelming feeling of they've got this giant building right across the street.

When I again look at the plan, I think that more setback and maybe somehow doing a step-down thing that is within the building to maybe shift units, essentially shift left on this picture, if there is an opportunity for that, I think that could be a win-win to create, you know, not affect the viability of the project but also respect the fact that this thing is dominating for our neighborhood, all right. We've got, you know, there's further dimensions here.

I think that's probably all I want to talk about. I think we did talk about the studios. So, I will leave it at that. So, thank you for your time and consideration.

CHAIRPERSON DAWSON: Thank you.

All right, anybody else in the front row want to come up and speak?
(No response.)

CHAIRPERSON DAWSON: All right, second row? Just remember to state your first name and spell your last name for the record, and if you're willing, provide your address.

MS. MENZIES: Hi, my name is Vivian Menzies. Last name is M-e-n-z-i-e-s. I live at 212 West Fremont. I've been a resident of Arlington Heights for 72 years, and I've lived in the HANA neighborhood for 47 years. Specifically, I live in the Memorial Park triangle area, and

APPROVED

we've really seen a lot of changes in this neighborhood. When we moved in, it was a bit dated, kind of shabby. We had several vacant homes on our street. Now it's, you know, totally transformed to a highly desirable, very vibrant place to live.

We're really close to Downtown Arlington Heights, and we have had many positive aspects of this that we recognize everyday. We're always near to and very active in the community events, like the Farmer's Market and the Memorial Day Parade. You know, people park right in front of our house for that. We can walk to everything. We can walk to Arlington Al Fresco, the library, the train station. At the same time, there is a really delicate balance between the desire for expansion and growth and the needs of the homeowners who collectively we have invested millions of dollars in our homes.

The Eastman project, the new design is lovely. I think it's great, but I think it's the wrong project for this piece of property. All through the meetings at the Design Commission, we were never able to comment on whether the project itself was a good fit for the property. We were told we had to focus on the design and not if it fit the property.

The design was great. It's an attractive building, but now we're back to what we should have been considering in the first place: Should this project be built in this location adjacent to these single-family homes? To me, the answer is no. The Memorial Park triangle has 50 historic single-family homes with about 134 residents. This project will add 136 units and could be from 136 to 200 or more residents, more than doubling the number of residents in this tiny little area.

The project is out of character in both height and density. The six stories will tower over the homes directly across the street and change the character of the neighborhood forever, and we could really see that on that one slide that shows the mass of that building compared to the single-family homes.

This is a very valuable piece of property, both for its proximity to downtown and its walkability, but also because it's within the very desirable HANA boundaries. Any project that's built here should be no more than the three-story height that exists on the property now, and it should be sensitive to the character of the existing neighborhood and especially to the homes right across the street. This would be a perfect place for townhomes or brownstones that would be a good transition from that highest density of the Central Business District down to single-family homes.

In fact, we were at the Design Commission last night and a project got approved by them of five townhomes on Rand Road in a small piece of property. I think this project is bigger than that and we could have two rows of brownstones and it would be a great place to walk to Downtown Arlington Heights. I think it could be very successful.

I just appreciate you hearing my concerns and thank you for your time.

CHAIRPERSON DAWSON: Thank you.

Anyone else in that second row?

(No response.)

CHAIRPERSON DAWSON: All right, going to the third row, anyone there wish to stand up and speak?

(No response.)

CHAIRPERSON DAWSON: All right, anyone else? Okay, sorry, anyone else on this side who wish to speak? All right, if you could state your name and spell your last name and your address if you would.

APPROVED

MS. COUGHLIN: Elena Coughlin, C-o-u-g-h-l-i-n. I wrote this with my neighbor, next-door neighbors Scott and Sara, because I don't have enough sleep to actually write a full thing on my own right now. But on behalf of Scott and Sara McKinney who live at 203 West Fremont, regardless of the final height of this development, it will be visible from both of our backyards.

This proposed project has already been through a long journey for which many resident concerns have been voiced. Some concerns have been addressed by the developer and architect, specifically the traffic flows have been adjusted to satisfy the safety concerns of the families with small children that live directly across the street from the project. The open garage concept has been eliminated which is amazing. The overall design of the building has been modified with different materials to better align with the essential character of the historic neighborhood that lies directly to its north.

We truly appreciate these changes made by Mr. Taylor and his team. We're not trying to be difficult. We're just trying to protect what we have.

The largest concern is the overall size and density of this building and it has yet to be adequately addressed. The developer has touted some significant concessions that have been made to the proposal, but close examination reveals that these changes are minimal at best. From its initial proposal, the overall height of the building has been reduced less than six feet, and the number of dwelling units have been reduced less than 10 percent. The ground level setback of 10 feet has been created, however, this setback is still smaller than the 13-foot setback of the single-family home directly across the street. There are now setbacks on the second and sixth stories that are helpful, but very small in the context of the profile of the entire building.

It is still a massive structure that dwarfs all of the structures in the area immediately surrounding it. As proposed, the development doesn't align with the Village's guideline of a step-down approach, sorry, as buildings radiate further out from the central downtown area. This 76-foot tall building will sit directly across the street from a 21-foot single-family home. This is not a step-down, this is a cliff. No amount of modification to architectural detail or material choices will sufficiently address this foundational issue.

During previous Commission and neighborhood meetings, sorry, to this project, Joe Taylor and Bernard Citron have stated that reducing the size and density of this building was impossible due to financing terms. They also stated that creating any setback or cladding the building in brick was equally impossible for the same reason. They've made these modifications which we are grateful for, but we believe there is further opportunity here for Mr. Taylor and his team to make additional changes.

At the last meeting, one of the Commissioners remarked that this is an intense development. While the facade now matches our neighborhood better, it is still an intense development in size. Thank you for what you did for our community at the last meeting. When the Commissioners voted no, not to pass this project, you gave the neighbors a voice after a year of meetings and discussions that were never addressed. We left last meeting feeling immensely proud and empowered by our local government.

Commissioners, please help us work with Mr. Taylor to further reduce the height and density of this building to better fit the essential character of the surrounding neighborhood and to align to the Village's step-down approach. Thank you.

CHAIRPERSON DAWSON: Thank you. You're amazing "mom"-ing there, like I applaud that. It was amazing.

APPROVED

Okay, so this side I believe is done, and we have someone who'll speak there? Yes, please stand up, you know the drill.

MR. MOENS: Thank you, Chair Dawson, I appreciate that. I'd like to address the affordable housing component of this project.

CHAIRPERSON DAWSON: You know the drill, you've got to state your name and spell your last name.

MR. MOENS: Oh, I'm sorry. My name is Keith Moens, M-o-e-n-s, from Arlington Heights. Yes, I'd like to address the affordable housing component of this.

I ask that the Plan Commission amend their general recommendation 6.a where it includes all the units in this project, which I think is option number 1 of the Staff report. We would rather much have the included units rather than fee-in-lieu if possible. That's 136 total times 7.5 percent would be 10 units. Right now, it looks like it's going to be seven and three.

I'd ask that you amend that to make it all included. If not, it just seems a bit, you know, coincidental that these three units cannot be added, then that breaks right along the fee-in-lieu included units, the vision in our Inclusionary Housing ordinance. I mean, I think those three units, you know, can be included and I think they just need to look a little harder. If not, provide the documentation in writing and supported by a form of financial statements that explains why those three units would not be able to be included. Thank you.

CHAIRPERSON DAWSON: Thank you.

Anyone else on this side of the room?

(No response.)

CHAIRPERSON DAWSON: Okay, with that, I'm going to go ahead and close public commentary. I will start over here with questions.

COMMISSIONER CHERWIN: I guess just the one question I have for Mr. Taylor or Mr. Citron and team, one of the issues that was brought up last time and I think you guys made a lot of headway on the project in general, so everybody involved, I think you did a really nice job. But one of the issues that was brought up, and Mr. Gaynor mentioned it as well as some of the other people, is maybe offloading a deeper step-down to the north and putting it on the south. Could you just talk about sort of your thoughts in terms of the step-down you made and why you're not loading more, maybe using more height on the south than even what you have proposed now? Maybe you go up on the south and cut off on the north a little more.

MR. CITRON: There's a couple of reasons, and I think Katie would be able to answer them better. But first of all, really simply, we have a height limitation in the B-5 district. So, we can't really go, I don't know that we could go higher than what the south is today to switch those units over. So, that's --

MS. LAMBERT: Given the height, you could technically go up one more level, but it would be an issue with the construction type of the project. We've maxed out the ability to build this out of basically stud framing, wood stud framing. So, we'd have to change that which would have a cost impact, a significant cost impact on the project.

MR. CITRON: And, again, any of these projects, and we're asking the Plan Commission to recognize that every project that you've seen has a balance to it. In this particular case, we have significantly added to the cost. We know people aren't going to want to hear this, but the fact is when you start to build underground parking, it's like \$50,000 a space.

COMMISSIONER CHERWIN: Yes, it's very expensive to go underground.

MR. CITRON: So, you know, it's very expensive. It's not all brick, well, not

APPROVED

all brick but mostly brick on the outside. We've added a lot of expenses, so we've been trying to balance that. So, to go even more of a step-down just doesn't work financially, economically feasible and design feasible for the building. We'd have to even change it entirely more, so we've recognized that.

One thing that was said here is when you go on the north side of the building, we've actually up until, how far back, is that 30?

MS. LAMBERT: You've got at least a 50-foot setback until you hit that top.

MR. CITRON: So, we are actually 50 feet from our property line when you hit the very top of the building --

COMMISSIONER CHERWIN: Yes.

MR. CITRON: -- which even under the document that you saw, the drawing that you saw, if you're standing across the street, you won't see the top of the building. You'll only see the lower portion of the building. Now, again, we recognize the fact that people would like to see a three-story building, that is not going to happen here that we can make happen. At least we can't make that happen here, to do two or three-story buildings, but you will not see that top of the building, it's 20 feet less in height. We've made a significant change and we really can't do more than that when you gather everything together that we've done and added to the cost of this building especially in today's circumstances.

COMMISSIONER CHERWIN: Yes, it's apparent to me when I was looking at the plans that the cost of the building went up quite a bit since the last meeting.

MR. CITRON: And that was because you sent a message. I mean, whoever wants to take credit for this, you sent a message and we've done what we can do to try to address all of the comments you've heard today from the neighbors.

COMMISSIONER CHERWIN: Thank you, that's all.

CHAIRPERSON DAWSON: All right, Commissioner Sigalos?

COMMISSIONER SIGALOS: Yes, I'd like to commend Mr. Taylor and the design team for the tremendous amount of revisions that you made and listening to the HANA group in the past. This building is much more traditional looking. I like the setback, I like the additional landscaping, the traffic patterns and so forth. So, I think you've done a great job with it and I want to commend you for it.

My last point I'd like to make it is I kind of agree with Mr. Moens that if this has a requirement for 10 units to be affordable housing, I'd like to see the 10 units rather than seven units affordable housing and three fee-in-lieu-of. So, that's my comments, but again, thank you very much for listening and all the revisions that you made to this plan.

CHAIRPERSON DAWSON: Do you have a question? Do you want to ask about the affordable housing? Do you want them to speak to that?

COMMISSIONER SIGALOS: No, I mean, I knew the affordable housing requires 10 units, correct?

MR. HUBBARD: Well, the way the regulations are written, it allows either 7.5 percent of the development, number of units in the development to be included as on-site affordable, so that's way of meeting the code, providing all 7.5 percent. But the ordinance also allows developers to provide five percent of units as on-site affordable units and then pay the 2.5 percent as a fee in lieu of for the difference. So, our regulations allow that, it's not an exception that's being granted. It's what's allowed.

COMMISSIONER SIGALOS: No, I fully understand that. I'm just putting my, from my perspective, I'd like to see the 10 units, that option be provided here.

APPROVED

MR. HUBBARD: I would add that we certainly appreciate those comments. Similar to what we say to the Design Commission when they try to talk about Plan Commission stuff, we would advise the Plan Commission to uphold the Housing Commission motion which is reflected in the condition.

COMMISSIONER SIGALOS: Okay, thank you.

CHAIRPERSON DAWSON: Commissioner Drost?

COMMISSIONER DROST: Yes, thank you.

First of all, I want to commend everybody for doing a really good job in a collaborative way, and this development early has a lot of sex appeal, at least in my opinion. I've got a, I want to comment on the presentation of Mr. Gaynor. That was really succinct and well done, and you didn't have everybody coming to the podium to repeat what has been going on over the last few months.

But I'd just like to see a show of hands, and I'm assuming on my right side, are you all in agreement with the presentation that Mr. Gaynor made, picking out the points and the concerns of the HANA group? If you'd raise your hands as a show? So, we can put it in the record is basically what I'm doing.

CHAIRPERSON DAWSON: Well, you can't put a show of hands --

COMMISSIONER DROST: No, but that it's unanimous or 90 percent? So, everybody is nodding their heads. So, the HANA group indicated unanimity with Mr. Gaynor's presentation.

In the points that you made, three come out at least in my thinking. It's not with the look of the building which I, you know, stated that it was very attractive. It's what's within the context of the building, with 136 units and a lot of studio apartments and smaller apartments. I'm a downtown resident, and in our building one of the concerns we had was with the potential development of the Arlington Park side where you become a hotel and become an airbnb or temporary housing for people that are sort of on the entertainment set.

The question to the developer, to our Compasspoint Development, within the leases and the use of that property, has it been contemplated on any restrictions that would limit any subleasing or use of these premises for, let's say weekends or a season with the Chicago Bears? How's that?

MR. CITRON: That was discussed specifically.

COMMISSIONER DROST: Yes.

MR. CITRON: It has nothing to do with adding more studios, by the way, we should point that out. What happened was we eliminated the one-bedroom with dens, if you go back in time to what the original presentation is, we had this sort of in-between number of units that went between one-bedrooms and two-bedrooms, because of Mr. Taylor's project in another town that is currently being leased up, those were the last units being leased. So, we eliminated that unit type; we learned from our mistakes there. So, instead of having those, again, to keep at least some reasonable density here, we have more studios.

So, that was a long way of getting to the simple answer was these are all going to long-term leases.

COMMISSIONER DROST: Okay, yes, I just want to get that in.

MR. CITRON: We're not in that business. We don't want our, you know, we don't necessarily want our tenants to have to have internally transient. I mean, if people in the neighborhood are concerned about that, imagine if you're living down the hall, and I see that you've either had that issue or you've seen that issue, but these are long-term leases. When I

APPROVED

say long-term, they're one-year leases.

I mean, these are typical leases for this type of units, and that's what the financing is based out of. You can't sublease it unless, they would have to be allowed to sublease it and we don't really do that. I mean, that's not our business and that's not what we're doing for instance in Downtown Des Plaines as we're doing that.

COMMISSIONER DROST: Yes, and sort of on this concentration and the parking and where you're going to get basically the 1.2, that is a concern of mine, too. I don't know how you'd fix that.

MR. CITRON: First of all, we have actually looked at other developments, because there are existing developments with that parking doesn't necessarily mean that they're all being used in that way, that's number one. We've looked at that and they're not being used in that way. Plus, there is for, you know, guests, you do have parking across the street which you could use if there's a need for that type of parking. You could even get an overnight, I believe an overnight, I'm looking at Staff because I don't want to say the wrong thing, you can get an overnight permit.

MR. LYSICATOS: At the Vail Garage, there is availability of overnight permits. I'm not positive which developments get access to it, but there is some availability at the Vail Garage.

MR. CITRON: So, I mean, again, if you look at the way the building is laid out, you're not going to have that many people living in studios. Generally, it's one person living in studios, and even what we have been finding in all of our developments, even the one-bedrooms are one person. So, we can sit here and debate how many people are living here, it probably isn't as high as what is being touted as part of this development.

Just to point out real quickly, we're not in the HANA boundaries. They're immediately across the street, we all know where we are located, we got that.

COMMISSIONER DROST: You can apply for the membership.

MR. CITRON: Thank you, but we're not part of the HANA boundaries. We are distinctly across the street. Courts have said that streets form reasonable barriers to development. I can't go back in time, I don't know that anybody here can go back in time as to when this property was up-zoned. This has been in discussion, but B-5 is what we are and that's where we're reacting to. So, we're not in the boundaries, we think we've answered all the questions that we could answer in the most reasonable and feasible way.

In terms of the affordable, again, it comes back to what I said with all the extra expense in this building, we're still paying the fee that's allowed for by your own code. We're obeying your own code, and we have to allocate money in different ways. So, that's where we're at today.

COMMISSIONER DROST: Yes, and the north needs some development for sure. But we've had the 425 project which had that same density issue and cars and apartments and, you know, we even discussed possible Zip cars or some way to ameliorate, you know, that intensity. I agree with you, you know, studio, one car, maybe one car at most, maybe, you know, alternative transportation.

MR. CITRON: You know, one of the conditions that Sam put up there talked about if the parking plan, which is a very extensive parking plan I believe, it's more detailed than what you generally see in these types of developments, if we need to address that, if we need to address that in the future, we can take that into account and look at how do we make that happen. We truthfully don't believe, because we do this all over at the suburbs and the city, and

APPROVED

while during COVID active use of cars went up a bit because people didn't want to use public transportation, it's now going back down again. So, what we're finding is in these, and this is a downtown site, even though we're across the street from HANA, this is a downtown site, and we are seeing much less use of automobiles. People aren't going back to using Uber and Lyft and all those other things.

As one of the residents said, you can walk. I mean, the fact that we're on the other side of the street, you can walk to a lot of the amenities or a lot of the businesses or medical uses or whatever is in your downtown, you can walk to it. That's what people are doing because, to be honest, I mean, if you're a younger person, the rent structure at this building, you're probably not going to own a car if you're living in the studio.

COMMISSIONER DROST: Yes. What do you think the rent structure is going to be?

MR. CITRON: Joe?

COMMISSIONER DROST: If that's been asked or answered, don't bother.

MR. CITRON: It hasn't been asked or answered, but Joe will get to that.

MR. TAYLOR: Joe Taylor, T-a-y-l-o-r.

CHAIRPERSON DAWSON: Look at you.

MR. TAYLOR: Got you. I heard a bunch of it. So, the rents will start, so we have on the smaller end, correct me, 475 square feet on the low end, on the small end, and on the larger end for the studios they're over 500 square feet, but the lower end sized units will start around \$1,400 which is actually very affordable.

COMMISSIONER DROST: It is.

MR. TAYLOR: For the suburbs. I will tell you that my development in Downtown Des Plaines, it's currently almost fully leased, those rents start at \$1,950 a month now, studios.

So, we actually are going to bring some affordability to the studios here. Just based on the size, we can charge less money for it, they're more efficient. So, \$1,400, and our larger two-bedroom units will probably go somewhere \$2,700 to \$3,000 depending on where you are in the building, a few corridors and whatnot.

COMMISSIONER DROST: Yes, that's helpful. We've got an economist on our panel, so he'll ask some other question maybe in that regard.

But the other point and corollary to the parking is the guest parking. Again, when you have visitors there, that will probably require more parking. I understand that there is some organization to this, but you're dealing with human beings and that's what we have had in our development on the south side is, you know, people don't read signs, people don't read signs, and people don't read signs. You know, as much as you want to manage it and it's an enforcement issue, that's a concern. I'm not telling you to solve it, you've presented a solution and I'm not asking you to be out there, and --

MR. TAYLOR: We do have professional management on staff and we have, around the building we'll have security cameras. So, anybody violating rules and regulations, especially if it's a guest of a resident, the resident will be notified. If it happens more than once, we fine them. So, it's something that we're very cognizant of when approached to managing the building.

COMMISSIONER DROST: Yes. The last question I've got relates really to the point that Mr. Gaynor brought up, the AT&T building. We know those foundations are very solid, they can go up, we've seen that in another location. Then at First Presbyterian Church, we

APPROVED

have been discussion reusing that parking lot, and there's been some proposals for townhouses and other development. Then when you're starting to conflate the potential density issues, you know, what's your Plan B, what's your Plan C?

MR. TAYLOR: I think I'll answer the question about the AT&T building. So, as part of this acquisition that we did, we also approached AT&T. I've got actually many contacts with AT&T; they do all of our fiber optic and cable in my buildings in Des Plaines. That is a major switching hub for all the fiber optic and telephone. All of that comes up through the ground and into that building. There's like three offices in that building; in fact, there's probably five employees, that it's never going away. They'll continue to use that building for infrastructure purposes. You know, I don't think that I'll ever have, I don't have any issue with view corridors going east there because that building will always remain.

COMMISSIONER DROST: Okay, well, thanks. That's helpful.

MR. TAYLOR: I mean, as far as I know as long as technology still works. At 10, 15, 20 years from now, who knows?

COMMISSIONER DROST: Yes, right. Sure, I understand. Good, thank you.

MR. TAYLOR: Sure.

CHAIRPERSON DAWSON: Anything else?

COMMISSIONER DROST: No.

CHAIRPERSON DAWSON: Commissioner Green?

COMMISSIONER GREEN: I just want to say that the design team over there did a wonderful job. I like the more traditional look. I liked the old building, but I like this one a lot better. I think the step-backs and the setbacks, it was a nice concession on your part to do that and I appreciate it. I think it has made a very nice look to the building, something that may have been a little bit stifled on the old building, but it looks great and I am in favor of it a hundred percent.

CHAIRPERSON DAWSON: Okay.

COMMISSIONER LORENZINI: Sam, can you clear something up for me? I'm a little confused about the parking.

MR. HUBBARD: Sure.

COMMISSIONER LORENZINI: The parking spaces. When you talk about, I think you mentioned 1.3 spaces is what we see downtown, but they're providing 1.23 spaces, but then Mr. Corcoran said we are providing 36 more spaces than required? So, I'm a little confused on how to mesh it together.

MR. HUBBARD: Yes. So, actually we see a higher demand for parking in our downtown than what our code requires. So, our code requires one space per unit for a studio unit, 1.2 spaces per unit for a one-bedroom unit, and 1.5 spaces per unit for two-bedrooms and above. If you have a heavy studio development, you're probably going to be at a, you know, compliant at one parking space per unit. So, what we see, demand exceeds what our code allows.

COMMISSIONER LORENZINI: Okay, and the parking garage, coming around the parking garage is going to be left turn only. Is there going to be a stop sign there?

MR. HUBBARD: Yes, there will be a stop sign and there will be a prohibition for right-hand turns, yes.

COMMISSIONER LORENZINI: Okay, but is that an enforcement by the police? I mean, Arlington Heights Police?

APPROVED

MR. HUBBARD: Well, it's a private street, so I don't know if it would be subject to the rules of the road, but certainly it would be subject to the rules of the developer.

COMMISSIONER LORENZINI: Okay, all right.

MR. CITRON: I think the best answer to that is I know, for instance in shopping, and I'm really going back to my days as a municipal lawyer when I was on that side of the table or your side of the table, I know for instance in a shopping center, you enter into an agreement with the municipality to enforce private, for instance that's the way you enforce handicap spaces in shopping centers is you have to enter into an agreement. I'm not sure if Arlington Heights does that. I would imagine they do some of that, at least in the shopping centers, because otherwise how do you enforce fire lanes and handicap or ADA spaces? So, if that is available, we will do that because we're serious about this. We understood the concern.

The second part of it, Joe did mention in his answer that we're going to have cameras. If we see people violating that direction, that's a rule of living in this building, they will be notified that they have violated. If they violate it once, they'll be told don't do it again. If they violate it a second time, they will be fined. We're going to take action on this, this is how serious we are about having people getting in and out of that garage. We redesigned the entire first floor of the building to accommodate this, so that's how serious we are with that. So, I think there's two ways to enforce that.

COMMISSIONER LORENZINI: Okay, as long as you're up there, so briefly describe who's going to want to maintain it once it's built?

MR. CITRON: Well, Joe's company. Joe is it, he's --

MR. TAYLOR: I'm the owner/developer. We have a series of partners, but we will own and maintain it for the foreseeable future. We have tons of financing, equity, bank debt, and then we have a professional management company who's going to be on site.

COMMISSIONER LORENZINI: On site, okay.

MR. TAYLOR: Yes, managing the building on site. Maintenance staff, leasing staff, building management, so people who are just interfacing with the tenants.

COMMISSIONER LORENZINI: Okay, thank you.

MR. TAYLOR: Yes.

COMMISSIONER LORENZINI: I just want to say the architects did a great job with those renderings, especially showing the before and after, with the original and the after. Those are really done well. Thank you.

COMMISSIONER JENSEN: Just a couple of minor questions. What are we doing with the egress out onto Highland? Are you going to take the recommendation that's in here and make it perpendicular as opposed to angular? Where are you with that?

MR. CITRON: When we redesigned the building, and I'm going to be as blunt as that, we redesigned the building is we all recognized at least that part of it, we did that, they call them pork chops but we curved it away because we're really trying to react to that. We would prefer keeping that, because again, the traffic is so minimal on Highland. We don't I guess share, our traffic consultant who would testify if we asked him to do so doesn't share with all due respect the same concern that the Village's Engineering Staff has, because it's just a low traffic. People are exiting on there, they're not coming into it, they're not going up Highland.

However, that is Staff's recommendation. It's up, I guess it's up to the Plan Commission whether to accept it or not accept it and pass those on to the City Council. I imagine depending on which way this goes, City Council may, or excuse me, Village Board may have something to say about that. We would actually prefer to keep it the way it's drawn on the

APPROVED

plans because it seems to make the most sense.

To be honest with you, way early on in this process, we wanted to close off Highland from St. James. We actually thought about putting, you know, they have those kind of flexible barriers things that emergency vehicles could go over. We respected this, but the Fire Department, the Police Department didn't want that closed off. So, that came off the table. That was one of the first things we offered, like even before we came as far as we've done here.

So, it's going to be up to what the Plan Commission agrees or doesn't agree.

COMMISSIONER JENSEN: Well, if we go with what's in the recommendation here and make a recommendation to approve, it will be that you need to straighten that out rather than leave it curved. I don't know how serious the Staff feels about that. How significant is your feeling about that?

MR. HUBBARD: Yes, I mean, I think it was a discussion at Staff and we felt it was an appropriate condition to put in here for safety purposes.

COMMISSIONER JENSEN: So, if we vote to approve this as it stands, that would be a requirement?

MR. HUBBARD: If you vote to approve it subject to the recommendations as recommended by Staff, then they would be required to modify it, yes.

MR. CITRON: I'm afraid to go here, but I'm going to ask the question. Is not the Plan Commission, can they vote to approve something and modify a condition?

MR. HUBBARD: Oh, sure. Yes, they could approve it subject to the conditions as recommended by Staff minus condition 11.

COMMISSIONER JENSEN: Well, I, too, want to commend all the modifications you've made, and you've added a lot of cost. I assume that you wouldn't be going forward with this unless it was still an economical proposition for you to do so. So, the way the finances work out now, it's still something that makes it feasible from what I understand because you're here a second time.

MR. CITRON: It is feasible, yes.

COMMISSIONER JENSEN: I've heard the comments from the, and I'm very sympathetic to a lot of the comments from the people in the HANA area. But what it comes down to is they're either saying build this half the size of what you have or build this somewhere else. I guess I'm a little torn because you meet most of what you have to do, you know, for the zone that you're in. So, I don't know if that falls within our purview to say you can't do that. So, that's kind of where I am, but I do want to commend you, and I actually commend them as well because I think you've worked well together. You've made a lot of modifications. I think it's a good project and I just think everyone has done a great job.

MR. CITRON: Thank you. The team thanks you for that.

COMMISSIONER CHERWIN: Chair Dawson?

CHAIRPERSON DAWSON: Sure. I was going to speak.

Do you have another question?

COMMISSIONER CHERWIN: Oh, go ahead, yes.

CHAIRPERSON DAWSON: Go ahead, no, you go ahead. Do you have another question?

COMMISSIONER CHERWIN: Yes, I was just going to, it wasn't a question as much as it was just a comment, a follow-up. I think what the Petitioner said, you know, made an important change and I think it's a good one, you know, everybody talks about affordable

APPROVED

housing and how to get there. I think the fact that we have, you know, I brought this up in other developments, too, the more natural way to create affordable housing is, you know, smaller units where you can obtain it at a smaller price point. I mean, ultimately, density is the only way, you know, you're going to get affordable. The other stuff is just window dressing but, you know, to the extent you can put in more just smaller units, more affordable units, and I think we talked about how we compare rent-wise to some neighboring communities, I think that should be encouraged to get more affordable units in a more natural market-driven way. That would be my comment, thank you.

CHAIRPERSON DAWSON: Okay. All right, well, I believe I might be the only one up here who wasn't at the first hearing. My son graduated from high school that evening, so I have a very good excuse. I was at a high school graduation.

But I have to say that I'm really impressed seeing the changes. It's, I think in my experience, unusual to see a developer bend over backwards so much to make so many changes to accommodate the neighbors the way that you have. So, I commend you very much for that.

I believe all of the questions, at least the ones that I made note of, of the audience were answered other than, and maybe this is really a question for Sam, there was one comment to how are we going to ensure that the construction doesn't damage the homes. Could you just speak to that? Sure, but I just, we could also speak. I mean, the Village also is concerned about that, so could you just speak to that a little bit? Then you're welcome to speak as well.

MR. TAYLOR: Yes, I have a specific answer for it, so not a big deal.
Go ahead, Sam.

CHAIRPERSON DAWSON: Sure. Whoever wants to talk.

MR. HUBBARD: It will have to comply with all building code standards and construction standards, and there are regulations for those types of things, yes.

CHAIRPERSON DAWSON: Okay, great.

MR. TAYLOR: So, just as a point of construction technique, what I think the neighborhood concern was driving big, long piles, metal or otherwise, into the ground causing vibration across, like 60-70 feet across the other side. This is actually considered a mid-rise structure, and so I'm pretty sure this is all going to be spread footing. So, we're digging a footing foundation, it's seven-eight feet into the ground, and then we're pouring concrete and rebar into the hole, and then we're building a, either building or coming in with a precast column that sits on that footing. So, there's no pounding, there's no, you know, large sheet piling or anything like that. So, that's how that's going to be built for that size building.

If it was a 20-story building, then we're doing, you know, sheet piling and driving piles into the ground, 50-60 feet into the ground. That causes vibration, but I think to the concern of even that wouldn't cause damage to homes. If they were right next door, now we have to do video monitoring of structures that are adjacent, directly adjacent to those structures being built.

CHAIRPERSON DAWSON: Sure, but I would believe our code and just general construction guidelines would have protections in place for the neighborhood.

MR. TAYLOR: Absolutely, yes.

CHAIRPERSON DAWSON: So, I just wanted to get that out in the record and have everyone hear it because I like to make sure that all of the comments and questions are addressed.

APPROVED

Okay, so with that, any other, you had additional comment? Any other additional comments, questions, discussions? Motions?

COMMISSIONER GREEN: Should we talk about the exit being a pork chop or straight?

CHAIRPERSON DAWSON: Number 11?

COMMISSIONER GREEN: Number 11.

CHAIRPERSON DAWSON: Considering that's not my profession, you know, I tend to agree with what Staff says, but some of you have experience, so have at it.

COMMISSIONER SIGALOS: Bruce?

Can you explain, Sam, why Staff is recommending that?

MR. HUBBARD: Yes. So, the way that it discharges, right, so traffic on Highland if there was northbound traffic coming, it's going to be, you know, like coming in this path. Then you're discharging essentially like inbound into another inbound lane. So, that was a concern from the Village engineer. There are these columns here, right here one and two, which also kind of impedes the visibility. There's another column here and here. So, it's not a highly visible location where you can really see traffic.

We understand there would be stop signs here controlling that movement, but just as a, you know, an organizational best kind of practice and way to design a site, this, you know, was not something that the engineers were supportive of.

COMMISSIONER CHERWIN: I mean, if I look at that sight line, it's possible that it could be worse if it comes out straight from a sight, I mean, if you come out angled that way, you can see further down in my opinion, so I don't have a, honestly, I don't think the engineers have, you know, unless they've got something else, I don't know that it's a better layout to have it at 90 degrees.

MR. TAYLOR: I proposed a hybrid structure. So, you see how on the right-hand side of the screen it angles from the garage, and then what Staff and the Village is requesting is for the left side of the curb to come straight down. We propose actually leaving the angled coming in off the right side and coming off the left side a 90-degree straight T into the drive aisle, therefore, allowing a much wider drive aisle to allow people to be able to see past that angle. So, it can be done either way.

We're just really trying to address the concerns of the neighborhood to the north so that it really directs people, hey, you're not supposed to go right here. We want you to go left, but again, signage --

COMMISSIONER SIGALOS: Yes, I agree. I think that way is better with the angled exit.

MR. TAYLOR: What's that?

MR. LYSICATOS: Actually, the right side of your car would actually be hanging out further to get the same sight line as you would if you come at a 90-degree angle. So, what happens for the driver to see the same distance to the left, the right of the car would be hanging out further. That's what the traffic engineers are concerned about is that when you come out straight, you're looking to your left, you're sighting through that column. But if you turn your car, you now have to come out further, so now the right side of your car is sticking out into the lane. That's what they're uncomfortable with, and to have that sort of, I don't think they want to see that sort of liability also on the Village that if that configuration is seen as something that's counter to standard traffic engineering and against their sort of best standards in their professional opinion, it becomes something that the Village has sort endorsed to a degree.

APPROVED

COMMISSIONER SIGALOS: Okay, thank you.

COMMISSIONER JENSEN: Is there any reason that you have to have this as a two-way street? I mean, could it be a one-way street? And would that make any difference if you did?

MR. HUBBARD: I mean, for, it's a shared street and it's governed by an easement. So, half of it is on the property side, the other half is on the other side. So, any change would have to be, I believe, agreed upon by the person who owns the other side of the easement there. I mean, from a, I suppose in theory, yes, it could be switched, yes.

CHAIRPERSON DAWSON: I believe you wanted to address the traffic concern?

MR. CORCORAN: Certainly. Well, a couple of things. We kind of argued the sight distance, I think it's adequate, but also the concern was if someone coming out making that left would turn into the northbound lane, and even with the angle on that driveway, that's going to be pretty tough unless you've got like maybe a MINI Cooper because, you know, making that hard left turn to get into a northbound lane is kind of tough for most vehicles. They would naturally just go to the outside lane just like you do when make a left turn, unless it's a one-way street. Obviously, we could supplement that with some, like you see at the intersections, we have the skip dash to guide the left turns through signalized intersections. We can do that, too, here, and add some striping and some additional signage to alleviate that if we leave it in this configuration.

So, you know, again, we're trying to prevent that right turn. If we make it straight, you know, again, we would direct everyone to the left. But now, again, you've probably seen it, you know, small vehicles can make that right turn. We're just trying to do everything we can to force them to the left.

COMMISSIONER DROST: Would that have a camera on it, too?

MR. TAYLOR: Yes.

MR. CORCORAN: Right.

COMMISSIONER DROST: Good.

MR. CORCORAN: And then there's the enforcement part that Joe had just spoke about earlier.

COMMISSIONER JENSEN: Mr. Corcoran, so what kind of volume of traffic are we talking about? Because I've driven through that area, it looks like there's almost never anybody on that street, but maybe I'm looking at it the wrong times of the day.

MR. CORCORAN: Well, when we did our traffic counts out there, you know, again, the office buildings were empty. Obviously, the realty and the bank are in operation but, you know, there's like two or three cars an hour are going down that road, Highland, today, and again, not heading toward our development that traffic is supposed to be going. So, really the northbound traffic is to serve those parking spaces you can see there at the edge of the building as well as the parallel spaces on the other side of Highland. So, five cars an hour, you know, maybe 10 cars an hour at the highest, but going northbound to fill one of those parking spaces. Then we're talking about 30-35 cars maybe exiting at rush hour coming out of the garage, depending on what time of day, to go wherever they're going.

So, again, we're not talking about high volume. We're not talking about, you know, sight distance; if this was Northwest Highway we're talking about, I would highly agree with the Staff's concern about sight distance. We're talking, you know, a private road that's 10-15 miles an hour at best because these folks are so, they're looking for parking spaces.

APPROVED

They're not trying to go from point A to point B like they may be on a regular street. They're hunting and searching for a parking space.

So, we don't quite share the same level of concern that Staff has. I understand what they're saying, but we don't share that same level of concern.

MR. LYSICATOS: One thing we're also, just because of our nature as planners, you don't know what's going to happen across the street from there. Right now, it's a bank, you know, a relatively small development with a big parking lot. We don't know what's going to be there five, 10, 20 years from now. This driveway is going to be built as is. So, we don't know if something gets closed off there and then they make it one way south, we don't know if a building gets put there and it becomes a busier street.

So, I think that's why we want to sort of build things and lay them out in a more uniform or standard fashion because we don't know what's coming in the future next to that. That would be an impossible ask for us to go back and say, hey, can you go change your driveway now because something is coming in. We wouldn't be able to ask them that.

CHAIRPERSON DAWSON: Yes, Sam?

MR. HUBBARD: And if I may add one other thing, the geometry of the angled drive now, it doesn't prevent people from taking that right turn. It may encourage them more to take that left, but they can certainly make that movement. If you're a scofflaw and you want to take that right-hand turn, you have the ability to do it with this angled configuration anyway so it's not preventing it. So, given that it's still able to happen under the angled configuration, I think the Village would just prefer to see it be that standard 90-degree intersection which is a little bit more safe.

CHAIRPERSON DAWSON: Could you, and this is probably not addressed to you, but could you explain to me again why, is there a monetary cost? Why is the developer so concerned? I understand you're trying to respect the neighbors. I do, I get that, but aside from that, why do we not want this straight?

MR. TAYLOR: For us, we thought that this was a better option to address the concern from the neighbors that making it a 90-degree with a stop sign allowed people to make that right. It's really, I think it's a matter of perception. I think either way Staff is correct.

CHAIRPERSON DAWSON: Okay.

MR. TAYLOR: If somebody really wanted to make a right there, they're going to make a right, and we have to do our job to enforce that in either condition.

CHAIRPERSON DAWSON: Okay, so there isn't any --

MR. TAYLOR: There's no monetary thing.

CHAIRPERSON DAWSON: Okay. All right, I just wanted to make sure because we're spending an awful lot of time on this.

MR. TAYLOR: Yes. I think I'm totally agnostic about it. I think some of the residents probably would like this condition to remain, but again, we're going to do what you all recommend.

CHAIRPERSON DAWSON: And I think that, to me, it's reflected on the record that you've tried, but the Village is asking --

MR. TAYLOR: That's right.

CHAIRPERSON DAWSON: -- and while I respect that there's other people on the panel here that have more experience than I do, this is not my expertise. I rely on Staff for this. So, that's where my head is at, that I would support Staff's recommendation.

MR. TAYLOR: On this point, we'll take the Staff and the Commission's

APPROVED

recommendation whatever that might be.

CHAIRPERSON DAWSON: Other people, it's very possible other Commissioners disagree with me, right? Like I'm just speaking --

COMMISSIONER JENSEN: Let's hear from Commissioner Green, this should be your area.

CHAIRPERSON DAWSON: Right, I'm just speaking from where I'm at.

COMMISSIONER GREEN: I would leave it the way it is.

COMMISSIONER JENSEN: Leave it the way it is in their --

COMMISSIONER GREEN: Yes. I like the fact that if you want, I don't like the pork chops. So, when people are making right turns and the solution was to put a pork chop curb in there, I don't like those. I mean, those things, they're hard to plow snow and people generally don't --

COMMISSIONER JENSEN: So, how do you want it to come out?

COMMISSIONER GREEN: I would leave it like that. If you're encouraging people to go that way, I think that's a cleaner solution. That's all. I could live with it either way, but I'm just thinking --

CHAIRPERSON DAWSON: But we're balancing out the potential public safety issue to me. That's, I get what you're saying.

COMMISSIONER CHERWIN: Chair Dawson, I can make a motion.

CHAIRPERSON DAWSON: Make a motion?

COMMISSIONER CHERWIN: Yes, I would make a motion.

A motion to recommend to the Village Board of Trustees approval of PC #23-002, a Planned Unit Development to allow a 136-unit multi-family residential development on the subject property, a Land Use Variation to allow a predominately multi-family residential development in the B-5 district, Conceptual Special Use Permit approval for a restaurant on the subject property, and the following Variations:

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

This recommendation is 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 10:00 p.m. to 10:00 a.m., Sunday through Thursday, and from 11:00 p.m. to 10:00 a.m. 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 9:00 p.m. 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**

APPROVED

- 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 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, seven actual on-site units (a minimum of five percent of the total units) in the Planned Development and fee-in-lieu for 3.2 units (a maximum of 2.5 percent of the total number of units) or a total of 10.2 units (7.5 percent 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 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.
 - c. No more than 23 units shall lease two spaces within the garage.
 - d. Studio units shall be prohibited from leasing more than one 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 two stalls assigned as guest parking stalls (ADA stalls cannot count as a guest stall). Garage spaces that are unleased by

APPROVED

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 number 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 7:00 a.m. to 5:00 p.m.
 - 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 7:00 a.m. to 7:00 p.m. Loading operations will be prohibited between the hours of 7:00 p.m. to 7:00 a.m.
 - 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 Avenue to a 90-degree exit/intersection with Highland with no 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

APPROVED

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, et cetera) at the discretion of the Village.**
- 17. The garage warning system shall be equipped with after-hours 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, et cetera) 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/manufacture 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 toward the ground.**

COMMISSIONER CHERWIN: Subject to the following conditions listed as 1 through 23 with no revisions except that we remove exception 1 as written and include in the motion that the Village and the Petitioner's staff work together to resolve whether the egress as designed is preferable or it should be at 90 degrees, and in this motion, it would ask the Board to consider further discussion between the Petitioner and the Staff as to which alternative is more appropriate.

CHAIRPERSON DAWSON: Just a point of clarification, I think you said

APPROVED

condition 1 and you meant condition 11?

COMMISSIONER CHERWIN: Oh, I'm sorry. Condition 11, yes.

CHAIRPERSON DAWSON: Just for clarification, I think we all were following.

COMMISSIONER GREEN: Yes, we got it.

COMMISSIONER CHERWIN: Condition 11.

MR. HUBBARD: And just for clarification, I'm sorry, there was a typo on the sheet. It's PC 002, not PC 020. Sorry about that.

COMMISSIONER CHERWIN: So revised.

COMMISSIONER JENSEN: Second.

CHAIRPERSON DAWSON: Second, thank you.

So, just for clarification, you're suggesting removing it solely for the purpose of allowing them to continue to work through it, not that you feel that, not that you're stating it should be removed?

COMMISSIONER CHERWIN: That is correct, yes, and to look at the safety versus we want to protect the homeowners from the route of traffic and travel. It doesn't look to me like it's a compelling safety issue, but again, I'm not an engineer and they just have to make their case. That's it.

CHAIRPERSON DAWSON: So, we have a motion and a second.

Any other discussion?

(No response.)

CHAIRPERSON DAWSON: We're ready to give a vote.
Sam?

MR. HUBBARD: Sure. Who was the second?

COMMISSIONER GREEN: Lynn.

CHAIRPERSON DAWSON: Lynn. Commissioner Jensen.

MR. HUBBARD: Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes.

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.

MR. HUBBARD: Commissioner Drost.

COMMISSIONER DROST: Aye, with comment.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Yes.

MR. HUBBARD: Commissioner Lorenzini.

COMMISSIONER LORENZINI: Yes.

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MR. HUBBARD: Chair Dawson.

CHAIRPERSON DAWSON: Yes, with comment.

George?

COMMISSIONER DROST: Yes, the comment is basically it's a great project, but there's a little more tweaking to do and we're going to punt it up to the Village Trustees. So, if there is any more designing, they can do it.

CHAIRPERSON DAWSON: And my comment was just that I would not want to vote against this because I think it's a great project, but I would lean towards leaving it the

APPROVED

way that Staff had made that recommendation, leaving it in the motion and instead simply having commentary saying let's continue to discuss than removing it, but I'm certainly not going to vote against it over that issue. So, my yes stands.

Okay, so with that, you have a unanimous approval, congratulations.

MR. CITRON: Thank you very much for your time and consideration.

MR. TAYLOR: Thank you.

MR. CITRON: We look forward to working even further with Staff and everybody else.

CHAIRPERSON DAWSON: Right, and like I always say at the end of these, we're just a recommending body. You still have to go through the Village Trustees; they have a much larger purview than we do. So, neighbors, please, I encourage you to attend there as well and speak to the Trustees as well.

COMMISSIONER DROST: Yes, one question I've got is the Mylo Development, did that have any connection with H. Miles Gordon who originally developed the property?

MR. TAYLOR: No, it didn't.

COMMISSIONER DROST: Okay, just a curiosity. Yes, he developed it and the neighboring property, too.

MR. CITRON: Thank you very much for all the kind comments on this project.

CHAIRPERSON DAWSON: All right, with that, we are opening up for general public comment.

Anyone remaining in the room for general public comment?

(No response.)

CHAIRPERSON DAWSON: Seeing none, we are closing general public comment.

Anything else on the agenda this evening, Sam?

MR. HUBBARD: No.

COMMISSIONER DROST: I'll make a motion to adjourn then.

COMMISSIONER GREEN: Second.

CHAIRPERSON DAWSON: All in favor?

(Chorus of ayes.)

CHAIRPERSON DAWSON: Perfect. Good night, everyone.

(Gavel pounded.)

(Whereupon, at 9:06 p.m., the public hearing on the above-mentioned petition was adjourned.)

APPROVED

STATE OF ILLINOIS)
) SS.
COUNTY OF KANE)

I, RON LeGRAND, SR., depose and say that
I am a digital 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.

RON LeGRAND, SR.

SUBSCRIBED AND SWORN TO
BEFORE ME THIS _____ DAY OF
_____, A.D. 2023.

NOTARY PUBLIC