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

COMMISSION

RE: I CUBED ENTERPRISES/FOOD COMMISSARY - PC #14-018

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
8th day of October, 2014, at the hour of 7:30 o'clock p.m.

MEMBERS PRESENT:

JOE LORENZINI, Chairman
MARY JO WARSKOW
TERRY ENNES
GEORGE DROST
SUSAN DAWSON
JOHN SIGALOS

ALSO PRESENT:

Latika Bhide, Development Planner

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CHAIRMAN LORENZINI: Okay. The second item on the agenda is I Cubed Enterprises/Food Commissary, PC #14-018. Is the Petitioner here?

MR. BUTTITTA: Yes.

CHAIRMAN LORENZINI: Would you step forward please? We'll swear you in for this one.

(Witness sworn.)

CHAIRMAN LORENZINI: Okay. Court reporter, do you need the name and address again?

COURT REPORTER: No, sir.

CHAIRMAN LORENZINI: Okay, we'll skip that part. Has the Petitioner read the conditions on this issue?

MR. BUTTITTA: I have.

CHAIRMAN LORENZINI: Thank you. And would you please give a presentation of what you're going to do with this petition?

MR. BUTTITTA: Yes. Again, as you're aware, I Cubed Enterprises is here today requesting a land use variation at the property located at 2910 North Arlington Heights Road. That is the physical address of I Cubed Enterprises.

Currently, I Cubed occupies approximately 6,000 square feet, that is approximate, at which time, currently, the front 2,000 square feet of the premises is used for I Cubed, their offices, their administrative staff, okay. Now, let me rewind for one second because it's important to understand what I Cubed does.

Okay. I Cubed basically manages three different types of business, okay. One is in the fire alarm industry. One is in the data or internet industry, okay. And the third one is the management of Savory Salads, okay.

The president and CEO of I Cubed is Mr. George Jameson, J-a-m-e-s-o-n. Mr. Jameson also is connected with Savory Salads as well as the fire company as well as the data, okay. They're all basically an umbrella around I Cubed that manages all three of these.

Now, I Cubed entered into a lease with Astrotech who is currently the owner of the property, okay. Entering that location and that agreement, there was discussions of the potential of allowing I Cubed to utilize the front 2,000 square feet for their executive type offices for their operations. Obviously, a 6,000 square foot location is very large, okay. I Cubed is not a large company, it is not even a 10-person company. Approximation of employees is probably anywhere between 3 and 5, depending on who actually comes in.

So, the intention of wanting to use that front 2,000 square feet in that regard and the reason why we're here today is to consider using the rear 4,000 square feet as a food commissary for Savory Salads. It's important to note that the actual physical units, or the actual physical space, the front will be considered I Cubed, the rear will be considered Savory Salads. They will not be considered

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one, so to speak, they will be operated differently to where there's different aspects of each, okay.

Obviously, we're here because that location at 2910 North Arlington Heights Road currently requires a land use variation in order to open a food commissary at that location. We obviously have submitted a plethora of documentation to the Board to review and answer many of their comments. I'm going to touch on a couple of important things that I know that the Board will want to know about as well as how operations will take place.

To begin, the basis of the food commissary is to provide a location for Savory Salads to prepare certain types of food items to bring to their Savory Salads locations. Those locations include the Barrington location as well as the hopefully new Savory Salads on Euclid Avenue. Okay. Currently, the locations that they have at Barrington as well as the location of Euclid Avenue, the size of those locations, while they justify acceptance as being able to prepare certain amounts of food in-house and seating and obviously distribute that food, the physical ability to prepare all the food is hindered by the size of those locations, which brings us to the reason why we are here today requesting this variation.

To solve why they need this variation is, obviously, Savory Salads, they do homemade bread, they make homemade soup, they make homemade salads, fresh vegetables. All these things have to be prepared for the restaurant, okay. In the size of restaurants that they have, they may have a one-gallon dough mixer that would allow them to make a certain amount of bread when in fact they need 10 gallons of dough of bread that day which obviously requires someone to have to be baking bread the entire day nonstop, morning, noon and night. That's something that we're trying to alleviate by them doing it, to make it more cost efficient.

In addition, in being in a location like Barrington as well as the Euclid property, obviously the location of retail space, the cost of having additional retail space in order to fulfill those requirements is vastly increased versus a location like 2910 North Arlington Heights Road where you can be able to have a location like that, prepare that food, and not be paying an exorbitant amount to have retail space on Euclid Avenue, okay.

Now, what I Cubed would be using, or what Savory Salads would be using, the rear 4,000 square feet at the location for primarily would be to prepare the food for Savory Salads. What does that encompass? Well, it encompasses lettuce, tomatoes, onions, salad products, the making of homemade salad dressing, cooking of soups, bread, possibly the roasting of, roast beef or turkey. That would be the extent of it. There would not be anything else that would be further done out there, besides possibly baking chocolate chip cookies as they also provide fresh baked cookies.

Once the product is prepared at the 2910 property,

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this would be the mode of the operation. Okay, first of all, as far as product being delivered to the 2910 property, any product being delivered, there's only two, Savory Salads has two suppliers for their product, for their vegetables and so forth and so on. Those products are delivered in standard box type trucks. They are not delivered in semis. This is not a huge franchise organization. Again, Savory Salads is not a franchise, it would be considered a mom and pop shop. So, the types of, the size of produce being brought in, being delivered is not something that is on a daily basis as a normal large operating restaurant would be or a franchise would be. It's standard box trucks that would be delivering on as-needed basis. Those deliveries would also take place at normal times, likely between the hours of 9:00 and 5:00 upon a delivery date, okay.

At the same time, once that food is brought in and is properly stored and prepared pursuant to any health standards and code procedures which Savory Salads would fully comply with completely in being able to operate in this location, the prepared food would then be distributed to their store locations. The food is not going to be distributed, picked up then by another box truck and brought to Savory Salads. Again, this is a mom and pop type location. It would likely be distributed by a standard car, by the owner's daughter who manages both stores, by another employee in a standard car. It will not be an industrial type truck or any sort of box truck that would be again picking up and bringing it to the locations. It basically would be hand delivered.

Now, the next thing I want to address is what I feel to be what's going to be, in my readings of comments, a concern of the Board's in general, okay. And that is, first off, I want to start with the issue of trash, okay. First of all, I Cubed fully intends, number one, currently there is a trash bin located on the property, okay. That trash bin, it is I Cubed's intention to move that trash bin approximately 200 feet to the north end of the property towards College Avenue, okay. That will move any trash that much farther from any neighboring residential property that is to the south, okay.

In addition to that, it is I Cubed's full intention to screen the trash area, to keep it under lock, to keep it clean, to abide by any and all Village code, regulations and policies regarding the screening of any trash receptacles on a property. In addition to that, as far as the garbage is concerned, as far as what will be put into the trash can, for starters, I Cubed and in turn Savory Salads has agreed to, that they are intending to double bag, number one, all of their trash. Any trash that is generated from the operation of the food commissary will be double bagged. Not only that, but any trash that is then going to be deposited into the trash receptacle would be deposited at such a time that is allowed to be put in there as close to pickup as possible, okay.

Now, obviously there's food and health regulations

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that affect the standing of garbage, so you can't store garbage inside in a food commissary. However, when cans fill up, and being that this is only for two stores so we are not talking about a gross amount of garbage that is going to be generated here, it would be then placed in the receptacle. It is I Cubed's intention that once they know how the operation is going, to be able to have that trash picked up as soon as possible. Obviously if they know that they are going to be operating the commissary on Monday and Wednesday, they can certainly schedule trash pickup to be Monday night and Wednesday night, okay. At this point, they don't know what the schedule of the operation will be. However, at any point in the operation, Savory Salads and I Cubed fully intend to never have the time between depositing into the receptacle and pick-up exceed 48 hours. 48 hours is an extremely short period of time for garbage to be anywhere.

Now, there's going to be a couple of things. Number one, the garbage, remember, is double bagged. What that is going to do, first of all, is that is going to cut down on any potential odor that could be emitted from the trash,, okay. Number two, not only does it cut down on the odor that would be sensible to humans but any odor that could possibly be emanated and scented by any surrounding animals in the area. That will make it that much more difficult, okay. In addition, by being in the trash receptacle for no longer than 48 hours, that would prohibit the lingering of any trash which would in turn result in little to no odor to result in the trash. And with the trash being picked up, again, that relates to the fact that there is just not enough time for this trash to linger in such a way as to cause an odor, an infestation or any other sort of odor concern there.

In addition, as far as the inside commissary, it's Savory Salads' intention to provide industrial type hoods which are known to dissipate the large majority of any odors that would be caused by the actual food preparation inside of the commissary. Now, it's important to note that the primary food that will even utilize these hoods would only be the baking of fresh baked cookies, bread, roast beef or possibly turkey, none of which are things that emanate such an odor that is offensive to the senses or noxious in any sort of way. Frankly, with the ventilation systems that would be installed there, and I can't give you an exact make or model of those systems as depending on the approval of this variation, we'd then go to the next step of designing and again getting Village approval with regards to those vents. But I can tell you that those vents are known to dissipate the large, very large majority of odors that are generated from cooking, okay. I believe that that itself would dissipate any concern for odors itself right there.

So, again, the odors caused by the actual food prep I believe will be non-existent by the installation of the commercial grade hoods that would be installed, okay. Next, the odor caused by

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the garbage would be dissipated by the double bagging, it will be dissipated by the frequency of pickup. I Cubed fully intends to keep the area clean and sanitary and abide by all Village code, any sort of regulations that are required for them to have which includes screening, which also includes moving the garbage can more than an additional 200 feet from its currently location.

In addition, I'll also touch on this as well, is the potential for a grease trap being located on the property. Now, a grease trap can be installed in one of two locations. It can be installed on the exterior adjacent to the garbage can which, if it would be installed there, would be fully fenced, fully shielded. And again, I Cubed has the full intention of keeping the whole area clean in such a way that would inhibit any sort of infestation or anything that could possibly occur from there.

Now, there is the possibility also, if it's required by code and if it's approved by code, many times you locate a grease trap indoors. That would be, is a possibility if it would be approved under Village code. I can't comment as to that as I know it differs in different areas. But obviously, if that is possible, I Cubed is willing to consider that and is willing to do that if that appeases this Board.

In sum, I'll close with this, is that first off, it is I Cubed's request by the Board and have made this request in writing, number one, that the food commissary, if approved at this location, be limited to Savory Salads and I Cubed, meaning that if Savory Salads or I Cubed were to vacate these premises, that this requested land use variation be terminated and the property would revert back to its original pre-approval status quo so to speak, okay. Additionally, again the trash dumpster will be screened from public ways and surrounding uses and will be secured with fencing.

In addition, if the Village determines that, as a result of the commissary, an emission of objectionable odors are in fact emitted, Savory Salads and I Cubed agrees to incorporate any additional measures to make necessary improvements and will address the odor issue immediately upon the Board's or the Village's recommendations and requirements. Again, trash will be picked up within 48 hours that it is deposited into the receptacle to pickup time at the location. And finally, the Petitioner agrees to comply with all federal, state and Village codes, regulations and policies regarding the operation of the food commissary, procure any necessary permits on the property, and any other regulations or codes that the Village would deem necessary in this location. Thank you.

CHAIRMAN LORENZINI: Thank you. You may have your seat. Latika, have all the proper notices been given to the residences?

MS. BHIDE: Yes.

CHAIRMAN LORENZINI: Okay, thank you. Would you give us your Staff report?

APPROVED

MS. BHIDE: Thank you. The Applicant, I Cubed Enterprises/Food Commissary, is seeking a land use variation to allow "Bakery Products, Wholesale and Production," in the M-1 District at 2910 North Arlington Heights Road. They are also seeking a variation from the requirement for a traffic study and parking analysis from a certified traffic engineer.

As you can see, the site is located at the southwest corner of Arlington Heights Road and College Drive. The site itself is approximately 2 acres in area and the building is approximately 25,000 square feet. The Applicant will occupy about 6,270 square feet at this location. The other tenants, there are two other tenants here, Vimex which is involved in circuit board components, and Astrotech which is an electronics company.

Approximately 67 percent of the tenant space, or 4,220 square feet, is proposed to be used for the food commissary. This use is classified as "Bakery products, Wholesale and Production," which is the closest use in land table, in the permitted uses table. And that use is permitted in the M-2 District whereas this property is zoned M-1, therefore requiring a land use variation.

The Applicant has indicated that deliveries will be received at this location, food will be prepped, and then the prepped food will be distributed to potentially two Savory Salads locations. As they have indicated in their application, the food prep would include chopping of produce, cooking of roast beef and chicken, baking breads and apparently baking cookies as we heard tonight. Any odor because of the food prep and the potential to attract animals would be the concerns for the co-tenants as well as the surrounding property owners. So, both have to be adequately answered for this use to be compatible at this location.

The Applicants have stated that because of the nature of the food prep, none of the items would produce odors that could linger significantly. But they have also committed to adding a commercial grade ventilation system to dissipate any food odors. The Plan Commission can additionally require, this is not in the Staff report, but they can additionally add a condition that the kitchen and the venting be located as far north as possible to keep it away from the residences that are to the south.

With regards to trash pickup, they have indicated that it is their intention to have trash pickup two to three times a week, depending on their schedule, such that the maximum removal time is no more than 48 hours.

With this location, they anticipate deliveries to be two times a week and no more than four deliveries total even if an additional restaurant was added. They have indicated it would be using standard box trucks, not a semi truck, and that if multiple deliveries are to occur, then they will be staggered so that they are not on back-to-back days. Once food is prepped and packaged, the food would then

APPROVED

be distributed using a car or a standard pickup truck either once a day or once every two days.

As you can see in the parking chart here, the required parking for this entire building is 17 spaces. There are 58 spaces provided on site, so there is a surplus of available parking. Staff supports the variation from the requirement to provide the traffic study and the parking analysis based on the delivery schedule that the Petitioner has submitted, the availability of the loading dock, and the surplus of the parking spaces.

Here are some pictures of the site. The first to the top left is the entrance. The top right is the loading bay. And the bottom picture is the picture of the south property line as it adjoins the residences there.

The conditions of recommendation are that the land use variation be limited to I Cubed Enterprises/Food Commissary only, and that any food prep will be limited to just Savory Salads so they couldn't prep for other restaurants. The trash dumpster has to be screened from public ways and surrounding uses and has to be secured with fencing. And to the Petitioner's comment, the Plan Commission can add a condition that the dumpster enclosure be located north of their loading dock so it's as far away as possible from the residences which are to the south. If there are any objectionable odors at the boundary line, then the Petitioner will have to incorporate additional measures or improvements and address that. And again, as I said before, the Plan Commission can definitely add to this condition that any venting be as farther north as possible. You know, once the food preparation schedule is determined, then the frequency of the trash pickup will have to be increased so that trash will not be stagnant in the receptacle for more than 48 hours, and that they have to comply with all federal, state, Village codes, regulations and policies.

CHAIRMAN LORENZINI: Thank you. Could we have a motion to include the Staff report into the public record?

COMMISSIONER DROST: Yes, I'll make that motion. And Latika, the two food suppliers, there is reference to Lee Foods and Cisco. Cisco is spelled with a C-i-s-c-o, is that S-y-s-c-o? Is this Sysco?

MS. BHIDE: It could be. It could be S-y-s-c-o.

COMMISSIONER DROST: Yes, and maybe the Petitioner can help.

MR. BUTTITTA: I believe so.

COMMISSIONER DROST: S-y-s-c-o? Yes, not the server company, okay. So, we can make that correction in your report then.

MS. BHIDE: I will.

CHAIRMAN LORENZINI: Do we have a second?

COMMISSIONER SIGALOS: I'll second.

CHAIRMAN LORENZINI: Could we have a voice vote? All in favor?

APPROVED

(Chorus of ayes.)

CHAIRMAN LORENZINI: Opposed?

(No response.)

CHAIRMAN LORENZINI: Okay, thank you. Now we'll go to questions from the Plan Commissioners again. Commissioner Sigalos, would you like to start?

COMMISSIONER SIGALOS: Yes, I will. Can you, Latika, can you bring up the site plan? This one here, yes. And then can you show us the location, I'm having a hard time looking at the floor plan.

MS. BHIDE: Sure.

COMMISSIONER SIGALOS: The proposed floor plan for I Cubed as to where that will be in this overall building.

MS. BHIDE: Sure. So, Arlington Heights Road, sorry, north is up. This is Arlington Heights Road and College Drive is here. This space here is occupied by Vimex. And then this space on the bottom is divided in two; the west is occupied by Astrotech, and then the right would be occupied by the I Cubed/Food Commissary use. The loading dock comes in here. So, the residences are located here on the south.

So, if you go to the next page, again the north is up, this is Arlington Heights Road. College Road would be somewhere up here, and the residences are down here.

COMMISSIONER SIGALOS: And where would the proposed trash enclosure be? I heard it was going to be moved 200 feet away?

MS. BHIDE: So, I think what they're saying is that, you know, currently there is no fencing or enclosure for the trash enclosure. There is just a rolling bin sitting on the site. One of the recommended conditions is that there has to be a fence around the trash enclosure and the fence be secured. But rather than having it here next to the residences, there is room here farther north. There is, you know, next to the parking spaces, there is, back there. So, if it could be moved up here, if it would be that much farther away from the residences. It would be north of the loading dock that comes in here.

COMMISSIONER SIGALOS: So, Staff is suggesting this be a fenced enclosure?

MS. BHIDE: Yes, Staff is requiring that this be a fenced enclosure.

COMMISSIONER SIGALOS: Would a masonry enclosure be more appropriate to keep rodents out and so forth?

MS. BHIDE: That's certainly something the Plan Commission can recommend, that it be a masonry enclosure with a gate.

COMMISSIONER SIGALOS: And I'm to understand that the food preparation is there only for the two Savory Salads locations, the one in Barrington and the new location that was just approved earlier today in Arlington Heights?

MR. BUTTITTA: That's correct, yes.

APPROVED

COMMISSIONER SIGALOS: Would there ever be an intention to supply food to other restaurants?

MR. BUTTITTA: There would never be --

COMMISSIONER SIGALOS: Not owned by I Cubed or Savory Salads, but I mean let's say Subway or whatever?

MR. BUTTITTA: I could say, an absolute I can say is that there will never be any intention to ever supply food to any other vendor, any other restaurant besides Savory Salads at any point in time ever.

COMMISSIONER SIGALOS: I'm not in the restaurant business or food prep business, but it seems like 4,000 square feet is an awful lot of space for food preparation for these two types of restaurants.

MR. BUTTITTA: Well, that relates back to my comment regarding the cost of increasing space at a retail establishment versus an establishment like this. You are able to have a comfortably sized location here. 4,000 square feet is a significant amount of space, but being able to utilize that back 4,000 square feet with the front 2,000 for your offices, it allows you to have a cost effective method of preparing your food versus doubling your amount of retail space that you need which in turn would ultimately make the operation of the restaurant be very, very difficult on a cost basis.

COMMISSIONER SIGALOS: No, that I understand. But right now you have the one location in Barrington.

MR. BUTTITTA: Right.

COMMISSIONER SIGALOS: Is that food prepared there at that location or is there an offsite prep location?

MR. BUTTITTA: There is not currently an offsite prep location. Currently, the food is prepared there. Part of the reason why I Cubed and Savory is looking to do this is because they literally have to be at the location 24 hours a day, seven days a week, in order to satisfy what they need. Again, being able to have, my example of being able to bake three loaves of bread at a time causes them to have to bake bread all day everyday versus being able to bake 20 loaves of bread at a time and be done with it and satisfy their need. And they are not able to do that in their current locations.

COMMISSIONER SIGALOS: But again, the food that you're preparing almost, I mean it doesn't have a long shelf life. I mean the salad, they may wilt, I mean you have to --

MR. BUTTITTA: Right.

COMMISSIONER SIGALOS: -- right away and serve it right away. Same thing with bread. The cookies I suppose would last a little bit longer. But these are all things that would be baked and then consumed right away, correct?

MR. BUTTITTA: Correct.

COMMISSIONER SIGALOS: I don't have other questions at this point.

APPROVED

CHAIRMAN LORENZINI: Commissioner Dawson?

COMMISSIONER DAWSON: I have to just jump on kind of what you're saying. I was a little, I'm confused. I'm not necessarily against the plan, but I'm just a little confused by it, about how they're only going to be open twice a week if all of this is perishable fresh foods.

MR. BUTTITTA: Well, let me clarify that. What I was saying was that depending on their demand, it will depend on how many days that they actually need to prep food there. Obviously this is a new thing for Savory Salads, okay. If they realize that they need to prep Monday, Wednesday and Friday, that will be the days that they do that. If they need to prep Monday, Tuesday, Wednesday, Thursday, Friday, those are the days that they would do that as well. They just don't know at this point what the demand will be.

But regardless of whatever the demand will be, the conditions of the garbage removal and how it's transported stay the same. Does that answer your question?

COMMISSIONER DAWSON: It does, but I usually like to have a little bit more information already figured before a Petitioner comes to the Board. That's just me and not everyone up here agrees with that. So, this kind of 'we're going to figure it out as we go along' is a little troubling for me, especially since it puts a burden on the Village to have to constantly monitor what's going on. Also, just, I can't understand why you're trying to fit this into this 4,000 square foot space. There's lot of vacancy in the area I think. I don't understand why there perhaps isn't a better fit for a smaller space or, you know, a better area for it. But that's your preference, if you want to buy or rent a space that's too big for you, that's not really my concern.

Going into the trucks, what is the current, you know, the area need for trucks? It would seem like there are other trucks going around this area. Is that, do you have any idea?

MR. BUTTITTA: There certainly are. It is an, directly to the north as you can see on the map is actually an industrial type area. Businesses like, I believe it's G.W. Berkheimer, people like that, industries like that, where there is plenty of trucks that are going down College Drive. It is not a truck-free, by trucks I mean significantly large trucks. This is not a new area for trucks to go through in any way, shape or form. The trucks that would be coming for our purposes wouldn't be those type of trucks though. It would be standard box trucks.

COMMISSIONER DAWSON: Right. And so, I think you just answered my next question which is the trucks tend, they go down College Drive, right, so they wouldn't be coming off Arlington Heights Road onto this little road. I mean would we be able to control the flow of trucks or tell our trucks -- wait, let me get close to that microphone, to come down College to try to keep it away from these

APPROVED

houses here?

MR. BUTTITTA: Absolutely. The actual entrance off of Arlington Heights Road is much more of an entrance that would be used for going into Astrotech or to I Cubed's actual executive offices, okay. It's I Cubed's full intention, first off, they want to be able to accommodate, or Astrotech wants to accommodate them by allowing them to consider this use. They want to be able to return that favor, so to speak, to Astrotech by not having trucks go through there.

Now, again, we're not talking about an exorbitant amount of trucks. We're talking about maybe one truck. However, those trucks would enter off College Drive and that would be the instructions that they would have so there would not be any trucks I believe that would enter off Arlington Heights Road.

COMMISSIONER DAWSON: I'm wanting to listen to obviously the neighbors that are here to talk about it. I like the idea, I like the fact you're trying to think out of the box. I like the concept of the restaurant because fresh food is really hard to come by when you're trying to go out to lunch and, you know, the only options you have are fast food.

I can see the challenges. The rent in your retail space has got to be exorbitant. So, we've got cheap rent here, I mean I think it's an interesting concept. It's just not as, it's a little not fleshed out for me, but it's an interesting concept and I see where you're going and why you're trying to do it. So, I'll wait, I'll reserve until I hear more comments from the neighbors.

MR. BUTTITTA: And if I could just add one comment to one of your concerns. The reason why I'm unable to provide exact demand today is because obviously we don't know what the demand of the Savory Salads-Esplanade is going to bring. Now, obviously we hope that it would do great and we hope that everyone would want to go there, everyone would want to eat there, okay. What we do know is our past experience with the Barrington store and what we do know is that operations as they sit with only having prep done in the store are making it next to impossible to operate in normal times and really be able to be as profitable as they can be in that location. They have that experience.

You know, assuming, if there was a hypothetical that Savory Salads at the Esplanade becomes the number one Arlington Heights place to be, obviously that directly correlates to why we're doing this, okay. It allows us to be prepared for that. This is more of a, I agree that it's preliminary before having really the knowledge that you're referring to, and I agree with you with that. But it's Savory's full intention that this is going to be needed. And again, with the cost savings of being in a location like this versus in the retail center at the Esplanade, it makes it able to happen.

COMMISSIONER DAWSON: All right.

CHAIRMAN LORENZINI: Commissioner Drost?

APPROVED

COMMISSIONER DROST: Yes. Latika, for the record, what does the Health Department do when it gets complaints about rodents or other undesirables, insects, vermins, I'm reading the neighbor's letter, critters, creatures from spreading and infesting our residential neighborhoods? What's the process here?

MS. BHIDE: All right. I mean --

COMMISSIONER DROST: I mean I saw a rat, what do I do?

MS. BHIDE: I know that any food prep area has to be in compliance with the Illinois Department of Public Health's Food Service Sanitation Code. I am not as familiar with that code as I should be today. But I think, I would think that if complaints were made about rodents, presumably the code is designed to handle those kind of complaints, to require improvements that do not cause critters and rodents. And the Health Department would investigate that to see, you know, if any of the requirements are not met.

COMMISSIONER DROST: So, but it would be based on a complaint basis, if people found some objectionable object running around their yard or in their, they can call?

MS. BHIDE: Sure. And, right, I mean when it's built, it has to be built in compliance with the state code. I don't know if there are yearly inspections.

COMMISSIONER DROST: Yes, so there is a process.

MS. BHIDE: Yes.

COMMISSIONER DROST: And are commissaries inspected like restaurants?

MS. BHIDE: They fall under the State Food Service Sanitation.

COMMISSIONER DROST: Yes, so I mean there is a process.

MS. BHIDE: Yes.

COMMISSIONER DROST: And I think this is what I'm getting at, is that there is some control, it's not just somebody plops into the neighborhood. And so, if you have a stubborn or recalcitrant type of owner or operator, what's usually done if they don't, if there is an enforcement? Do they get ticketed? They end up near the Third Municipal District and then you can have lunch over at the Savory Salads?

MS. BHIDE: They would be given a correction notice I presume.

COMMISSIONER DROST: Yes, but I mean there is a process, an enforcement process, ticketing, and then eventually what happens if you're bad, they shut you down, right?

MS. BHIDE: I believe the state does that, yes.

COMMISSIONER DROST: I believe they do, too. And when you were comparing this commissary, were there any other establishments that you compared it to? Any other like type businesses?

MS. BHIDE: You know, the only one that had come before the Plat & Subdivision Committee a couple of years ago was a location a

APPROVED

block or two north of here. But that was for a bakery, like a cupcake place. They never went forward with the Plan Commission application. I think most of this prep happens at the restaurant. I mean they're subject to the same state code.

COMMISSIONER DROST: Yes.

MS. BHIDE: But there isn't another one in town that I know of.

COMMISSIONER DROST: Yes. And in the, on odors, we have a pretty comprehensive, I mean I think some of our Commissioners were here when we had the restaurant on Golf. We learned a lot about filters and odors, and that there are ways to address that and there's some pretty sophisticated equipment. How does that compare to what the Petitioner is applying? Is it of a --

MS. BHIDE: So, at this point they have not submitted any specific information as far as, you know, what specific make or model of hoods or filters they would use at this location. But again, that is covered in the Illinois code and they would be required to, I'm trying to get to the original. I mean that is one of the requirements in that code that says if odors are detected at the property line that are above or considered noxious, then they will be required to remediate it.

COMMISSIONER DROST: Yes, and the Village has had some experience with restaurants and particularly in high density areas. I happen to live in the downtown area and I live above several restaurants. And there are ways, too, that we have as being a member of a condominium association, we have ways that we can enforce it. And there are problems that arise. It's not perfect but in a village of good neighbors we can get it done.

So, I just wanted to put that into the record to assure people that there is a process in place and that restaurants can co-habitate with residential areas and food is a desirable thing to have in your community, food operations and restaurants. Okay, thanks.

CHAIRMAN LORENZINI: Thank you. Commissioner Ennes?

COMMISSIONER ENNES: For the Petitioner, a couple of questions. My office is in the area of this property, just a block or so down. I'm somewhat familiar with it, 25,000 square foot facility. And from what I understand, it's pretty well leased up.

MR. BUTTITTA: Yes.

COMMISSIONER ENNES: So, the space you're going to take will make it fully leased?

MR. BUTTITTA: I believe there's a space that would be to the east that is still vacant.

COMMISSIONER ENNES: Okay. So, you're going to be taking about 6,000 of the 25,000 square feet?

MR. BUTTITTA: Right.

COMMISSIONER ENNES: I agree with Commissioner Sigalos. 4,000 seems quite a good size space, and that's what you're going to

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use for your production of the food?

MR. BUTTITTA: Yes.

COMMISSIONER ENNES: And the other 2,000 square is where you're building your office to run three other businesses?

MR. BUTTITTA: Right.

COMMISSIONER ENNES: Or a couple of businesses. And personally, I don't have a problem if you're going in there and you're looking to expand beyond the two stores. You indicated that you have absolutely no intention to be providing food to other businesses.

MR. BUTTITTA: That's correct.

COMMISSIONER ENNES: But I mean if you are going to expand into a couple of other of these type of operations, I sure wouldn't have a problem with that. You probably have the space for it, as long as we have tight enough controls to make sure that there isn't going to be food and an impact, you know, big, negative impact in the area. I should warn you, there's all kinds of skunks and possums roaming around the neighborhood already. So, they'll be there.

This, if we were to require a masonry trash enclosure, would this have a roof on it? Because let me tell you, these creatures can get right over a six-foot wall.

MS. BHADE: I haven't seen ones with roof on the top, but I'm sure there wouldn't be any code requirement that would prevent them from doing that.

COMMISSIONER ENNES: Okay. Are both of the dock doors of the building in the space you're going to be renting?

MR. BUTTITTA: I'm not familiar with the dock doors in the building.

COMMISSIONER ENNES: Well, I should say the drive-in doors. From this picture here, there's these two doors. And actually there is a third one that I wasn't aware of. Are they in your space?

MR. BUTTITTA: No.

COMMISSIONER ENNES: So, do you have, in your space, do you have a drive-in door where the truck is going to be able to come in?

MR. BUTTITTA: The drive-in door, let me clarify that, I guess the drive-in door, that door --

COMMISSIONER ENNES: Which door? The brown one? The white one --

MR. BUTTITTA: That brown door. And if you go to the next, the other photo that shows the plan? This one, that black space up there, that is the drive-in door.

COMMISSIONER ENNES: So, you have a drive-in well?

MR. BUTTITTA: Yes, you have an actual drive-in delivery overhead door like you just viewed. And that actually is at the rear of Astrotech.

COMMISSIONER ENNES: Okay. So, at the north end of your space?

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MR. BUTTITTA: Correct.

COMMISSIONER ENNES: Okay. Where they're talking about putting the --

MR. BUTTITTA: The trash enclosure.

COMMISSIONER ENNES: Trash enclosure.

MR. BUTTITTA: Exactly.

COMMISSIONER ENNES: Okay. Now, is that a truck well or is that ground level?

MR. BUTTITTA: I believe it's ground level.

COMMISSIONER ENNES: Which I would think would be a lot better for your operation.

MR. BUTTITTA: I believe it is. I don't know a hundred percent on that, but if it is a well, it's certainly not a well that would be made for a humongous semi I believe --

COMMISSIONER ENNES: Right, that's what I'm talking about. Is it a well for a semi to back into?

MR. BUTTITTA: No, it's not a big well like you would find behind a Jewel or a Dominick's Foods or something like that.

COMMISSIONER ENNES: Okay. Okay. Do you do any catering at the stores?

MR. BUTTITTA: They, if people ask for a large amount of food, they do accommodate those people. Primarily, the services of Savory Salads is a dine-in/carry-out location.

COMMISSIONER ENNES: Right.

MR. BUTTITTA: Obviously as in any restaurant, they have some people that want to have a party and they love their salad and they want it, so they do accommodate those people.

COMMISSIONER ENNES: So, this could be, having this type of facility could be an enhancement where you couldn't cook for --

MR. BUTTITTA: Exactly. Exactly.

COMMISSIONER ENNES: If somebody wants a party at their house for 30 people and --

MR. BUTTITTA: Certainly, yes.

COMMISSIONER ENNES: Okay, so that would be a plus. I think it's a good area. I think the main thing is keeping the odors out. Like Commissioner Drost mentioned, we had a situation a couple of years ago, although that wasn't fresh bread and salad that they were cooking, and I think that's a major concern with the neighbors is, although fresh bread smells pretty good in the morning.

MR. BUTTITTA: Let me reiterate that I Cubed, obviously we're here today acknowledging that concern. We understand the residents' concern. And we can assure that we are taking more than adequate measures to terminate that concern. The last thing that we want to do is upset anybody. We just want to be in Arlington Heights and provide cookies and I guess hugs if you want those, too. But that's what we want to do, we don't want to, you know, disrupt the neighborhood and we're not going to. And we're prepared and intend to

APPROVED

take measures to do so.

COMMISSIONER ENNES: And just so I understand, you're the attorney for the Petitioner?

MR. BUTTITTA: Yes.

COMMISSIONER ENNES: Okay. Do you handle all their corporate legal matters?

MR. BUTTITTA: I do.

COMMISSIONER ENNES: Okay. Just so I understand. That's all I have.

MR. BUTTITTA: Thank you.

CHAIRMAN LORENZINI: Commissioner Warskow?

COMMISSIONER WARSKOW: Yes. Latika, you've mentioned that we don't have another food commissary to compare this to. But is there another use that is relatively similar? I mean what does, like the Luther Village in the mornings, they produce food for a large quantity of people and are in the middle of a residential area. What is the situation there?

MS. BHIDE: Right. So, I mean they have their own dining facilities and kitchens onsite, you know, presumably used by the people who live there so we probably don't hear, we have not heard any complaints or I have not heard any complaints. But all of these facilities are subjected to the same state code.

COMMISSIONER WARSKOW: Okay, because in my mind that's what I'm comparing it to, as that quantity of food preparation. And if that's not causing a problem for the residences in that area, then you know, that's how I equate it in my mind.

MS. BHIDE: And I'll follow up and check on that.

COMMISSIONER WARSKOW: Okay. Okay, I don't have any further questions at this time.

CHAIRMAN LORENZINI: Latika, I'm still trying to get my hands around the orientation of this. Okay, so this loading dock is the big brown door we saw?

MR. BUTTITTA: That's correct.

CHAIRMAN LORENZINI: So, that's on the west elevation?

MR. BUTTITTA: Correct.

CHAIRMAN LORENZINI: Okay. And now, where, no, no, go back now.

MS. BHIDE: I'm sorry, go back?

CHAIRMAN LORENZINI: That's where I want you to go next. Now, where on this drawing is that floor space?

MS. BHIDE: That would be this floor space here.

CHAIRMAN LORENZINI: Okay, how do you get out to the loading dock if the loading dock is on the west end?

MS. BHIDE: The loading dock comes in here at the north end of this space.

CHAIRMAN LORENZINI: So, you come through somebody else's space to get --

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MR. BUTTITTA: Right. I can kind of show you here.

CHAIRMAN LORENZINI: Okay.

MR. BUTTITTA: The way, you see it here and then go back to the last one. What happens is, okay, you pull in here. This is the location, right here is there's two doors. There's a door on the left and a door on the right. The door on the left is the Astrotech, the door on the right is the I Cubed. This location is split roughly down the middle this way and goes this way. So, this location, like this in here, is Astrotech.

CHAIRMAN LORENZINI: Okay.

MR. BUTTITTA: The remainder with the dock here is I Cubed.

CHAIRMAN LORENZINI: Got you. Okay, so it's more of an L shape.

MR. BUTTITTA: Exactly.

CHAIRMAN LORENZINI: Yes, okay. Thank you for that. So, this store you're opening up on Euclid is a little under 1,800 square feet. How big is the store in Barrington?

MR. BUTTITTA: It's about the equivalent.

CHAIRMAN LORENZINI: Okay. Now, theoretically, if this Euclid store does the same business as the one in Barrington, how many days a week would this operate, this commissary, ballpark?

MR. BUTTITTA: Theoretically, four to five days.

CHAIRMAN LORENZINI: Okay. Now, if you don't get this commissary, you're still going to go ahead with the Euclid store?

MR. BUTTITTA: I will say that there is terms in the lease that allow termination and vacating the property. So, I can't fully commit to that one way or another at this point, but it will certainly cause a reconsideration of everything in its entirety.

CHAIRMAN LORENZINI: Okay. The garbage bins that the double bagged garbage is going to be stored in, that's obviously a steel bin with, does it have a lid on it?

MR. BUTTITTA: Yes, it does.

CHAIRMAN LORENZINI: Do they have lids on them? Okay. And let's say you're operating three or four, five days a week. What are the hours going to be?

MR. BUTTITTA: It would be standard hours, 8:00 to 5:00, 9:00 to 5:00. This isn't something, again this location or this business is a family-ran business. So, this isn't something where the morning crew comes in, then the afternoon crew and then the night crew. In addition, the amount of actual employees that would be even doing prep would be a limited amount. It wouldn't be likely 10-20 people, you're talking probably a handful of people that would be there doing this. It's, like I said, it's for two stores, it's a small operation. You're not going to have people there 24 hours a day preparing. It's going to be standard, like it would be a restaurant but just for purposes of prep and cook.

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CHAIRMAN LORENZINI: Now, the floor plan we had up there before, are the offices in here also?

MR. BUTTITTA: That is the front look. That is, the bottom part is the offices.

CHAIRMAN LORENZINI: So, I Cubed, okay, I Cubed is going to be in there also, okay. And then who owns the building?

MR. BUTTITTA: It's owned by Astrotech.

CHAIRMAN LORENZINI: And not I Cubed.

MR. BUTTITTA: No.

CHAIRMAN LORENZINI: Okay. All right. And so, revenues that Arlington Heights would get, they'd obviously get the sales tax from the Euclid store. But as far as the commissary goes, the only thing Arlington Heights would get out of this, they wouldn't be getting any sales revenue from the Barrington store, it would just be tax revenue?

MR. BUTTITTA: I would say yes.

MS. BHIDE: Right.

CHAIRMAN LORENZINI: Okay. All right, that's all the questions I have. What we'll do next is we'll go to the public for comments and questions. And after that, everybody has a chance to speak, whoever wants to speak, we'll go back to the Commissioners for final questions and deliberation, and then we'll take a vote.

So, why don't we start on this side of the room, my right, your left. We'll start in the front row and work our way back.

So, on this side of the room, anybody in the front row want to speak?

Anybody in the next row? Or just raise your hand if anybody wants to speak. Yes, sir, would you please come forward? State your name, give your address, spell your name for the court reporter please.

QUESTIONS FROM THE AUDIENCE

MR. CORCORAN: Good evening. I'm Kevin Corcoran. I live at 806 West Hackberry. We've been residents forever. I also am a business owner here in Arlington Heights. So, I am very well aware of the plights of a business and the struggles in trying to keep something going.

But I'm here to ask that you deny this petition because there's a lot of not-knowns here. If you just, first of all, just kind of look at the drawing there, that big empty area up there, that's a lot of life area. Then going across that way is where McDonald Creek happens. A little bit south there is where ComEd has their power lines. And to the west is the cemetery.

It is a virtual traffic jam of critters at night. I assure you, our dog got skunked not too long ago. Why would we want to attract more? It's not that they're going to get to the stuff, but it's the odors that attract them. In 38 hours in the summertime, that's like, you know, putting up the vacancy sign for, you know,

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critters to be all around. Even if they can't get into the trash containers, it's still going to be an attractor.

Secondly, if you look at the layout here, you know, typical industrial parks have a transitional zoning. Because this was the land, the industrial park was incorporated before the homes were, there were no transitional zoning planned into this. This is something that happened in the 1970's. But it's a mistake, there should be something as a barrier between the homes and the businesses. But we all moved in here and we knew this because we knew exactly what kind of businesses were going to be operating. It was supposed to be research and light industrial.

And we've had our challenges from now and then with some of the businesses. But this is like a whole new dynamic. And I get this idea of we can put burners to, you know, cut the odor, but there's, you know, we have no schedule of when deliveries are going to happen, are they running seven days a week. Their website says they're doing catering. I mean it just is a lot of unknowns. And this room is, what, 3,000 square feet? If they're opening 4,000 square feet of kitchen, that's a big ambition.

You know, there is so much office space, I know because I already lease my properties, it's like a, you know, I mean anywhere you look, there's business to, you know, lease. There's a whole empty office complex to the north of there. They're begging for people. So, there can't be a hardship in this because this is not the building one would say I can't rent it out.

Did you, have they already moved in? Have they moved in already?

CHAIRMAN LORENZINI: If you're going to speak, would you come to the microphone?

MR. CORCORAN: No, I'm sorry. I'm just, you know, do they currently have a business license? Or what was the business license when they took it out as the scope of what the business was going to be?

You know, the burden shouldn't be on the homeowners, because this is an M-1 District. M-2, if you look at the little designation, they have an old chart where they can say, you know, what kind of businesses, what kind can you put in various zones. For bakery, it's only M-2. And M-2 is heavy manufacturing. And there's a reason for that, it's because there are no M-2 Districts that back up to residential.

So, you know, the only M-2 that does is the Hickory Avenue and that's a TIF project. So, that kind of, it is something that the Village is already trying to fix. And there's no food establishments there. And when you talk about, like Luther Manor or, you know, the Moorings, you know, where they have their kitchen is far removed from the nearest residents. It's hundreds of feet. This, we're talking 10 feet, 15 feet. People in the backyard don't have an

APPROVED

opportunity to enjoy their weekend if they got catering people coming in and out during the weekend.

So, you know, listen, I have pages of things. And I don't want to waste your time. But you know, I don't know if there's a business plan here, and that bothers me because I don't really get a sense that this has all been thought out. And I do know that sales tax is the golden child for the Village because that's how they, you know, get most of their revenue for operations. But it can't hold this store in Esplanade as a 'if we don't get this we can't have that.' That's kind of scary, you know, they'll kind of walk in with that kind of premise.

Stuff has to be figured out and, you know, just, you know, there was, you know, thoughts of, you know, are there, what kind of workers are they going to be having? Are they going to be part time? Full time? Are they going to be, you know, trained on how to deal with trash? Are they just kitchen help? Is there a full-time chef on staff? You know, those are the kind of things that, it's kind of like, hey, we're thinking about this but it hasn't been tested.

So, you know, I would have no problem that this is in M-1 if this were blocks in. But to put it right next to houses? You know, I'll just leave you with this closing aspect. You know, the biggest investment we all have is our homes. And the value of our homes are directly based on, when they do a property assessment, in our neighborhood they look at the model. They don't look where it backs up to. And we've had, where our home was appraised, it was appraised for \$100,000 less because we had two homes that were backed up to the industrial area. So, they used those property sales as a value for the whole neighborhood based on those models.

You put this kind of an operation in next to homes and it just becomes a slippery slope of more and more. There is nothing that prevents this from going to the next and then the next and to the next. And what's there hasn't been policed. Fences are in bad shape. You know, the back of these operations are despicable. I mean they're awful. My business, I would never allow the kind of crap that these businesses have, you know, plates and pallets and junk and old cars.

So, you know, I ask that you deny this petition. Give it some good thought and realize that, you know, a lot of these people are here because it's our homes. This is not a lease on a property. This is our homes. And so, I ask that you deny this petition. That you consider it for the facts that remain unknown. Thank you.

CHAIRMAN LORENZINI: Thank you. Anybody else on this side of the room who want to speak? Please come forward. State your name, spell it for the court reporter, give your address please.

MR. KIMICATA: My name is Bob Kimicata. I live at 906 West Hackberry Drive. And it's K-i-m-i-c-a-t-a, and I've been a

APPROVED

resident for over 20 years.

Unlike some of my neighbors, I don't necessarily object to the idea. But I don't really feel like we have enough information to know whether or not it's a good or bad situation. I talked to Latika this morning and I was surprised that, we understand that the owner has operated other catering and delivery businesses before as well as the facility in Barrington, but apparently nobody has checked with them to find out where their other businesses were operated on and then followed up with those locations to see whether or not they were or were not good neighbors.

And I think that would be very important to know. Has Barrington had a compliance issue with the restaurant? With their previous catering, was that a compliance issue? Or were they very good neighbors? I think that would be very important to know.

As for the hardship, I have to agree with Mr. Corcoran. If they're already in the building and they leased it for the purposes of their offices and they leased a 6,000 square foot building, to come back now and say, well, it's a hardship because we can't, you know, utilize the space cost efficiently, that just sounds like a bad business decision to me. I mean if they leased it on a contingency like they're talking about the other restaurant site, that makes good sense, well, hey, we're going to lease this building if we can get the commissary built. If we don't, we're out of here. So, that doesn't sound like a hardship, that sounds just like a bad business decision or bad planning.

I mean hopefully they're going to be successful, which means, as one of the other Commissioners said, possibly more restaurants, more business. I mean that's, I'm in business, other people are in business, you're not in business to be the same, you're in business to grow. You're in business to do better.

You mentioned the sales tax out of the commissary, they do, on their website they do advertise catering. And if they're going to cater out of the commissary, where is that sales tax going to go? Is that going to go to the restaurant that it was ordered out of even though the food never hits that restaurant? Or is it going to come to the Village? I think that's a very important thing to find out. You know, I can't imagine that they're going to prepare the food there, load it in a car, take it over to Barrington and then deliver it somewhere else. I think that, you know, if the food is made there and delivered directly out of there, we ought to get the sales tax.

The rodent issue, that's a known problem. I walk my dog every night and I see them all over the place. Fortunately, the coyotes are helping to keep that down which are also out at night. So, I don't know, more rodents may equal more coyotes. That could become a public safety issue.

So, I mean, I'm not opposed to it, I'm not in favor of it. But I think, you know, the Board needs, should really have a

APPROVED

lot more information before they approve or disapprove the proposal.

And for the Petitioner, two suggestions. For the trash, if you use mint-scented trash bags, that really helps keep the rodents away. And also, they make really tight-locking, a visit to Alaska will show you all the tight-locking garbage cans they have that literally have a seal on them to keep the bears away because they're attracted by the smell even if they can't get into it. So, that same type of trash can should be required for this facility if you approve it. Thank you.

CHAIRMAN LORENZINI: Thank you, Mr. Kimicata. Anybody else on this side of the room, my right side, your left side? Okay. If not, we'll go to the other side of the room. Anybody who want to speak, raise your hand please. Step forward, sir. Just state your name, spell it and give your address please.

MR. BRILL: Good evening, my name is Robert Brill. I live at 1439 Mill Creek Drive, I'm in Buffalo Grove so don't hold that against me. But I am actually one of the closer properties to this proposal. If you look up on the map, I am the one that's directly to the east of the building on the corner of Arlington Heights Road and Mill Creek Drive. I'm sorry, my last name is spelled B-r-i-l-l, I apologize.

So, I have just a couple of things I want to address. First of all, I didn't get the notice from the Village planner that all the Arlington Heights residents did. However, I did receive a notice in the mail, which I promptly called the Petitioner's office to find out more information about his petition. The information I was given over the phone didn't quite match what I heard here tonight, so it was probably sugarcoated. A lot of the details such as grease traps, meat products, and the scheduled garbage pickup seemed to be omitted.

Now, I'm not going to hold that against them, plans might have changed, but there was also a lot of unknowns that were given here tonight that we might do this, we might do that. So, we don't have a good business plan here. And we also don't have a way to necessarily enforce this over and above the state codes. You may grant them a variance, but unless someone is going to actively police it, it's going to be a long process if problems do actually arise.

The realities of their plans to use double bag, garbage cans, and a fenced-in garbage area is not going to be anything significant to stop the amount of rodents that are already in the area. Also, with the prevailing winds from the west side, you've got a large residential area immediately to the east of there. We've all seen the weather, it's been getting worse over the years. We have larger winds. That odor is going to expand a good mile or two inland with the right amount of atmospheric conditions and winds.

You've got a wildlife area, you've got some easements here that rodents are already infested in there. We have

APPROVED

skunks every night. We've got possums, we've got raccoons. And adding this attractive odors is not going to make anything better.

As far as the truck traffic, I don't think anybody has an issue about that. We already have trucks going in and out of there and we knew that when we purchased our properties nearby. A box truck is nothing compared to the amount of semis that come in on a daily basis, so that's not really an issue for me.

As far as the grease trap, you already have sewer issues in the area. I don't know if they're necessarily related to the sanitary sewer but it's not going to make anything better, and it's certainly not going to help the rodent problem.

And as far as the zoning, I looked at the zoning and this is not the type of area that this type of business was zoned for. You do have a lot of, Arlington Heights is a large village. There's other areas that can be, excuse me, can be used for this type of business that are more appropriate, that are not adjacent to a residential area. And I think that by approving this petition, I think it would be a big mistake for us. Thank you very much.

CHAIRMAN LORENZINI: Thank you. Anybody else who want to speak from the audience? Okay, oh, yes, sir. Come up. Name and address please and spell your name.

MR. TRAWINSKI: Sean Trawinski, T-r-a-w-i-n-s-k-i. I actually live in the cul de sac right there that it's adjacent to. I bought my home five years ago. I'm a stay-at-home dad. I live outside with my children, pretty much 24-7. If we're not at school, we're hanging out, playing out there. I have a four-year-old and a two-year-old.

I see skunks in the middle of the day out there. Rats, or not rats, mice running around constantly. It's, I mean I don't even feel safe with my children out there because of the amount of skunks. What this is going to bring to those skunks, I can't put my trash out at night. I have to wait until 7:05 a.m., because if my trash is not out at 7:00, I can get no trash pickup and ticketed. So, I have to wait until 7:05 to put my trash bag out so I don't have skunks coming and tearing my trash apart.

I mean I have a 20-minute window to get it out there so they don't devour it, that's how bad skunks are in that area. And this is just not going to help. I mean, what am I going to do when my kids are 7 and 8 playing in the backyard and the skunk is just coming in the backyard and spraying them and everything else?

So, my home also, I bought it five years ago right in the midst of all of our economy going. I got it an okay price. I lost a lot of money in the last few years. In the last, like a year or two years, it's kind of raised back up. Everything I've looked into about what happens when these types of projects come in, my value is going to go right back to where I just gained it back in the last couple of few years finally, which puts me back to underwater again,

APPROVED

which, I mean, you know, it's just not fair to me. I don't see it, or anybody else that lives in this neighborhood, to lose out on property value.

And I mean, you know, they're going to open more restaurants. I worked in the food industry. I worked the day coding. I've been in many processing plants, many food processing plants. 4,000 square feet is, Nestle is happy to put candy bars out in 4,000 square feet of property. 4,000 square feet is going to be more than two restaurants by far.

I mean I get it, they're looking to expand. I fully get that. But you know, why my house? Why? There's plenty of other property in Arlington Heights. I know there is, I've seen it all. I drive around here all the time. So, that's my piece.

CHAIRMAN LORENZINI: Thank you, sir.

MR. TRAWINSKI: Thank you.

CHAIRMAN LORENZINI: Anybody else? Yes, sir. Name and address, please spell your name.

MR. STERRETT: Hi, my name is Guy Sterrett, S-t-e-r-r-e-t-t. And I live at 908 West Berkeley Drive, a little bit to the south.

I came in this evening not convinced one way or the other, which way this ought to go. After listening to the presentation, I'm kind of opposed to having this facility be used in this manner. It seems to me that there are other facilities in the area that are zoned properly rather than looking for a variance.

I'm concerned with the significant number of "we intend." Intentions can't easily be monitored. We intend to double bag, but if we don't, there is no compensatory measure.

I also have some concerns with the air handling. The building itself can be properly ventilated, maybe. However, you're still going to put your trash outside and that's not ventilated, other than by the outdoors. So, during the summertime, we will live with the smell as will people who cross by the other side of Arlington Heights Road.

This seems like a bad idea. The increase in skunks, and it really is kind of a problem because there are no natural predators, it's going to increase and turn that into an opportunity for significant problems in the area for the residents. So, we would request that you look for another location that's better suited for your needs. That's all I got. Thanks.

CHAIRMAN LORENZINI: Thank you. Anybody else from the public who want to speak? Okay, if not, we'll close that portion. Yes, ma'am? Name and address and spell your name please.

MS. OLARU: My name is Julie Olaru, O-l-a-r-u. And I live at 114 East Burr Oak Drive, which is the house right against where they're planning on moving. So, if you go to the very end of the cul de sac to the left, I live right there.

My fence takes up the left half of the first square

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of the whole cul de sac. So, I have dealt with the rotting fences and I actually had a car from that property drive through my fence one time, from an employee. The reason I ask that you deny this petition is I have a concern that I don't believe was addressed. I believe that food service locations have to be sterilized according to health codes.

CHAIRMAN LORENZINI: Can you speak in the mic please, ma'am?

MS. OLARU: Is that correct?

MS. BHIDE: I do not know the specific food service code, but the Health Department would review it to make sure that they would have to comply with the state code.

Ms. OLARU: My understanding is that there are chemicals that are required to sanitize these locations, and I don't know where those are going to go to. In the drainage system? Or how frequently that's required. In addition to all of the other issues that were brought up this evening, especially Mr. Corcoran's was right on line I believe with myself along with my direct neighbor which is the house to the right on the map who takes up the rest of the fencing. And we actually do have, I call it domesticated skunks that will walk up to you during the day. And they all live back there in that business park, it's sort of their highway. So, I think that's going to be increased as well.

So, I respectfully request that you deny this. I've lived there almost 25 years now. So, it's a concern about, not just, it's not just a property value issue, it's actually a home where we all live and we don't want to have any aroma, whether it's cupcakes or cookies. It's not a sweet aroma to have in your backyard, I want to smell the air and the grass. And they're also going to be cooking roast beef and chicken or turkey. So, although there are industrial filters, any aroma would be offensive to me if it's a food aroma in my backyard. Thank you.

CHAIRMAN LORENZINI: Thank you. Anybody else? Yes, ma'am.

MS. ROTH LISBERGER: Hi, I'm Sue Rothlisberger, R-o-t-h-l-i-s-b-e-r-g-e-r. I live at 110 East Burr Oak Drive, which is the cul de sac right behind the property that we're discussing today.

All I want to say is that I agree with everything that was said today to encourage you to deny this request. My sons and I have lived here for 17 years. We've had our share of problems with some businesses that have moved into that business district under the M-1 zoning. We had a stamp or a punch operator that we heard ch-chung-ch-chung-ch-chung all night and all day. Fortunately, they have left and not since moved back, but we would like to keep the peace in our neighborhood.

And there is something that I can't wrap my head around and I'm confused with the hardship that's being discussed here. It sounds to me like there's maybe a more interesting piece to this

APPROVED

that I don't understand that hasn't been disclosed where the company that has data and fire businesses is now supporting a commissary. It sounds to me like maybe there's something else going on here where this property needs, this business wants to locate to this property for some other financial reason. And maybe it's familiar, maybe it's something else, it's something I just haven't uncovered, but I would be hopeful that you would like into that and find out why this is being pushed on our neighborhood right now. Thank you.

CHAIRMAN LORENZINI: Thank you, ma'am. Okay, anybody else? Yes, sir. Your name and spell it please and your address.

MR. ALJANABI: My name is Sarmad Aljanabi, S-a-r-m-a-d A-l-j-a-n-a-b-i. My address is 118 East Burr Oak.

Okay. I do concur with what the residents just presented protesting that, I think, having industrial facilities next to our home is not correct. And I think from our side, this is not going to be good to the area as well. Thank you.

CHAIRMAN LORENZINI: Thank you, sir. Okay, anybody else? If not, we'll close the public portion of the meeting. And we'll go back to the Commissioners for final questions. Commissioner Sigalos, any final comments or questions?

COMMISSIONER SIGALOS: I don't have any further questions. My only comments are I, you know, appreciate hearing the concerns of the local residents and so forth and certainly take that into consideration. When I first came here tonight, I kind of had a, I didn't realize the problems that would arise and so forth, and so I do appreciate you coming out tonight and apprising us of those. But again, I don't have any further questions.

CHAIRMAN LORENZINI: Thank you. Commissioner Dawson?

COMMISSIONER DAWSON: I do have some questions. First of all, is the owner here or is it just the counsel?

MR. BUTTITTA: Just the counsel.

COMMISSIONER DAWSON: So, the owner didn't come to the meeting tonight to answer questions about their specific --

MR. BUTTITTA: No --

COMMISSIONER DAWSON: But you don't own the restaurant, correct?

MR. BUTTITTA: No.

COMMISSIONER DAWSON: You're just the attorney, okay. Could I ask some questions?

MR. BUTTITTA: Sure.

COMMISSIONER DAWSON: There was mention made of catering. That's the first time I'm hearing that there's more to it than just restaurants. What does that mean? What is the catering aspect?

MR. BUTTITTA: As at any restaurant, if someone comes in and asks that they want a tray of a Greek salad, they accommodate them. That would be the extent of what catering would be. There isn't a,

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obviously they offer that. I mean anyone that comes in that wants their food, they're going to, or wants a significant amount of it for a party, they accommodate that. That would be the extent of what their catering would be.

COMMISSIONER DAWSON: Okay, so what's a party? I mean what kind of catering have they done? What size? I mean what's a party? Are we talking about an office party or a huge --

MR. BUTTITTA: A woman comes in and is having a graduation party and wants two trays of Greek salad, they provide her with that.

COMMISSIONER DAWSON: Okay. So, your understanding, but again you're not the owner of the restaurants, so that's why I have questions because they're not here to address this catering question. So, that's your understanding that it's just going to be small.

MR. BUTTITTA: That is factual. If someone comes in and requests, it is exactly what the catering depicts. Someone comes in and wants two trays of salad, someone comes in and wants a tray of caprese salad or bread, they can accommodate however the amount is that they need. That would be the extent of the catering, that is what they do.

COMMISSIONER DAWSON: No, I know what catering is. I just, the size, because catering can be quite large. You can have a 200-person meeting and have it be catered, or 10 people in your house. So, I just wanted a better understanding of what their catering was or their intention.

And regarding the building, what's the length, how long was it vacant before this tenant moved in?

MR. BUTTITTA: I don't know the vacancy of the building prior.

COMMISSIONER DAWSON: Is the owner of the building here? The owner of the building is not here either, okay. Latika, do you know how long that building was vacant, the space, the vacancy? I mean it goes to whether or not the property can yield a reasonable return without this.

MS. BHITE: I think it has been vacant for some time. You know, I don't know the exact months, but I don't think it has been vacant for five years, no. I mean it has been for a short length of time.

MR. BUTTITTA: Actually, there is a representative of, attorney here on behalf of the owner in the room.

COMMISSIONER DAWSON: The owner of the building?

MR. BUTTITTA: Yes, the owner's attorney.

COMMISSIONER DAWSON: Do you want to answer that question? Because if so, I think you need to be sworn in.

CHAIRMAN LORENZINI: Would you raise your right hand please?

(Witness sworn.)

APPROVED

CHAIRMAN LORENZINI: Okay. Your name and address please and spell your name.

MR. ZAJICEK: The name is David Zajicek, Z-a-j-i-c-e-k. I'm a partner in the law firm of Hinshaw & Culbertson, and I represent Astrotech, Inc., which is the owner of the building, and I've represented them for 20 years. If you can ask your question again, I'll see if I can answer it.

COMMISSIONER DAWSON: I was just curious as to how long this space was vacant before this tenant came in.

MR. ZAJICEK: This space was not vacant too long. We have, most of the space in the building has been vacant for a long time. We're one of a Class C type building, there are many throughout Arlington Heights, Buffalo Grove, and these buildings are difficult to rent. We did get this tenant fairly soon after the last tenant left, which was a fabrication company, used a lot of grease and oils and solvents and probably made noise. This we think is a far better use.

And we also think it's better to have tenants than not have tenants. And real estate taxes are generally decided on the basis of the rents. And if you have vacancies, the way you appraise real estate then becomes based on an income basis, not a brick-and-mortar basis. So, the Village is much better off having space rented. It's maintained better, it's taxed better. We're happy that it is rented.

I can't say to you that if these people took a hike we'd be lucky enough to have another tenant. I can't say that. But I don't think that's the point. I think the point is this is an industrial use that's been here for a long time. And one of the ladies the riveting and the pounding and the pounding, you're not going to have that kind of use. And all the health codes will be met just like in nursing home areas and I believe assisted living areas.

I also represent Manor Health Care, which is a business here in Arlington Heights. You know, they do this kind of thing all the time. They prepare food for their residents, no problems. I hope that helps.

COMMISSIONER DAWSON: It does.

CHAIRMAN LORENZINI: Did he say how long it's been vacant?

COMMISSIONER DAWSON: No, but he said not too long.

MR. ZAJICEK: Not too long.

COMMISSIONER DAWSON: We can surmise. And then I just want one clarification, I mean I guess I'm just asking just for the sake of everyone understanding. There is light manufacturing and heavy manufacturing in the code, but there is not in the code light bakery and heavy bakery. And therefore, by default, even though this appears to be more of a light bakery type, you have to default to the heavy bakery because that's all our current code has.

And so, unfortunately, I guess from my perspective,

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as things evolve and businesses grow and change and become new, our code doesn't always and can't always anticipate every use. So, while this is classified in the only place we have it, if this becomes, I'm thinking for example of the personal training when that came before us, we had nowhere to put that and had to go into the health club type area because there was, and there's personal training facilities now because we changed the code, because we addressed the need. They're now everywhere and occupy different spaces than they used to. And this to me seems to be a bit of a similar type of situation where we don't have a proper location for this under the code, so it's being classified potentially incorrectly because our code isn't flexible enough for that.

MS. BHIDE: For the type of prep they are doing, I don't know if it's really even bakery. I mean I understand from their description today that, yes, they will bake some bread and cookies. But that's the closest in our land use table that we can classify it. And that use, you're right, does not distinguish between light bakery and heavy bakery. It's just bakery production, which is allowed in M-2.

COMMISSIONER DAWSON: Okay, no further questions.

CHAIRMAN LORENZINI: Commissioner Drost?

COMMISSIONER DROST: Yes. Are you going to use Middleby ovens?

MR. BUTTITTA: I'm sorry, I didn't hear the question?

COMMISSIONER DROST: The equipment, Middleby ovens, are you going to use those?

MR. BUTTITTA: I'm not, I don't know the type of ovens. I know they're going to be significantly commercial grade ovens. I'm not familiar with the exact language of B type ovens.

COMMISSIONER DROST: No further questions.

CHAIRMAN LORENZINI: Commissioner Ennes?

COMMISSIONER ENNES: Latika, we have M-1, we have M-2. Is there another or do we only have those two?

MS. BHIDE: Just those two.

COMMISSIONER ENNES: It's light or heavy.

MS. BHIDE: That's correct.

COMMISSIONER ENNES: And how heavy is our heavy? I mean would it allow, does that provide for manufacturing facilities with crane ways doing major assembly?

MS. BHIDE: Right. I have a land use table here and I can quickly go to it. So, under the manufacturing, you know, I'm looking at just what's permitted in M-2, and here it's processing and manufacturing of apparel, bakery products, beverages, canned fruits, pallets and containers. I mean all of that is permitted in the M-2.

COMMISSIONER ENNES: So, I really envision this operation to be significantly less than that type of assembly. And I think that no matter what kind of a tenant goes into, whether it is

APPROVED

somebody who fits the bill who is a stamping operation that qualified as the prior tenant, there's nuisances with that. When you live up against a commercial property, there's nuisances.

I know what that's like. I've had properties next to commercial properties, and when tenants changed, at one time it might be that noise, at the other time it might be odors. And if I can ask the Petitioner to come back up? One of the neighbors had a concern that you said you might double bag. I understood you to say you will double bag.

MR. BUTTITTA: We are double bagging.

COMMISSIONER ENNES: Okay, so it's not you might.

MR. BUTTITTA: And to clarify what that same individual said, I believe his exact words were we're going to do this or we're going to do that. We're saying more than gonna, we are going to double bag. We are going to have the trash picked up no longer than 48 hours. We are going to do our best to have trash picked up at a much lesser rate. We are going to enclose the trash container. We are going to have a closed lid. We are going to install industrial ventilation. We are going to do everything in our power to dissipate as many odors, we hope to dissipate all the odors but obviously, for the sake of the argument, we're going to do everything in our power to dissipate as much as we possibly can. We don't anticipate there to be any problem.

We are aware of the situation that's been voiced regarding the potential rodents. You know, hearing that, it's one thing that's very clear. The area already has a rodent problem, and the baking of bread likely isn't going to make that any better. But frankly, certainly not any worse. In fact, being able to lock up garbage and what we're going to do would not cause any additional problems in that area.

So, we're not saying that we may or going to do this. We are going to do those things.

COMMISSIONER ENNES: Okay. That's all I have. Thank you.

CHAIRMAN LORENZINI: Commissioner Warskow?

COMMISSIONER WARSKOW: Yes. I just want clarification that you mentioned there is a clause in a contract to be able to get out of the lease. Is that to get out of the Esplanade lease if this doesn't come through or to get out of the lease at this location if this variation does not go through?

MR. BUTTITTA: There is a condition subsequent in both leases.

COMMISSIONER WARSKOW: In both leases, okay. Thank you.

CHAIRMAN LORENZINI: Latika, has the Village looked into the rodent issue or the wildlife issue in this area?

MS. BHIDE: Not that I am aware of, but it's something I can find out about.

CHAIRMAN LORENZINI: Okay. And does the Village, do you

APPROVED

know, I know it's not your department but does the Village have any rodent control type of programs in place?

MS. BHIDE: Unfortunately, I do not know the answer but I can look it up.

CHAIRMAN LORENZINI: Yes, it's okay. All right. And one final question for you, Latika. So, you're saying there's really no definition in the code for an operation like this?

MS. BHIDE: No. I mean we looked at our land use table and the closest we could find was "Bakery Products, Wholesale and Production." That's the closest one. You know, there isn't a food commissary kind of classification in our code.

CHAIRMAN LORENZINI: So, we put it into the M-2, that's the only place it's defined or somewhat defined.

MS. BHIDE: Yes.

COMMISSIONER DAWSON: Can I just interject? I know you have some more questions but in M-1, is there any examples of food type industries that are allowed in M-1 that you can list off?

MS. BHIDE: Sure. I mean beverages, bottling and distribution is permitted in M-1. As is, not dairy products, that's M-2. That's the only one. Sugar and confectionery products are also permitted only in the M-2, the manufacturing.

CHAIRMAN LORENZINI: Latika, to the best of your knowledge, is there much vacancy in the M-2 areas of the Village?

MS. BHIDE: I couldn't speak to that.

CHAIRMAN LORENZINI: Okay. Petitioner, could you come back up please? Why did your client pick this location? Can you tell me? In other words, are there locations that are in M-2 that are more suitable and available?

MR. BUTTITTA: He picked this location because the space he believed met his needs appropriately. It had a loading area, which is always nice to have that in that type of location. Frankly, he's a man of character and he found the owners of Astrotech to have good character and he likes working with those type of people and be involved with them and being able to have a lease with them. I mean that was really the reason why he chose the location.

He did look at other areas. But given how he thought about Astrotech, and also given the proximity of this location to Savory-Esplanade, which is not too far, as well as to Barrington, it's virtually in the middle. And if he was in another location, there was nothing that was suitable that he could find, that would be suitable in the area without leaving Arlington Heights in its entirety. And he wants to be in Arlington Heights.

CHAIRMAN LORENZINI: One of the residents raised concern about 24-7 operation. There is nothing in the motion about just Mondays through Fridays, but can you tell me your intention of working Saturday and Sunday?

MR. BUTTITTA: I can tell that this is absolutely not a

APPROVED

24-7 operation by any sense.

CHAIRMAN LORENZINI: What about Saturdays and Sundays?

MR. BUTTITTA: At this point, we would say that they would anticipate five days a week, that Saturdays and Sundays would not be included in that time. We would like to leave it open to be able, if we needed perhaps a Saturday, I can tell you this, it would never be seven days a week. That would not be possible. Not only that, just purely the amount of the people that they have working which is a handful, it's not a 24-hour operation. It's literally, to consider for the purposes of this meeting, it's Monday through Friday, 9:00 to 5:00, 8:00 to 5:00.

CHAIRMAN LORENZINI: I mean you say that and I believe you, but you and I may not be here next year. So, all right, that's all the questions I had.

COMMISSIONER DROST: I just wanted to add this. On the rodent problem, I think we had sort of a similar situation when Frontier Park had sort of a dead zone. And this was brought to the attention of the Plan Commission and also I think the individual residents who were concerned about that. And so, the good news and the bad news was that it identified this problem and it could get the animal control people involved in getting rid of the existing problem and minimizing any future problems. So, there is mechanism, and again, I don't know if any other Commissioners recall that same problem and how it was addressed.

COMMISSIONER ENNES: I can't relate to that but I do have one other comment. As I mentioned before, I have business in the area, too, about two blocks north on Arlington Heights Road. And that whole commercial area to the west of Arlington Heights Road and south of Dundee is very high vacancy, and the real estate prices in the area are depressed. And they're depressed because there aren't enough buyers that want to buy those properties.

The office building that I am in, we've had about 30 percent occupancy for three years. So, I mean that just gives you, it is hard to get commercial tenants over in that area. I'm not saying we just accept anybody, but it is a problem affecting those buildings.

CHAIRMAN LORENZINI: Any other comments or any motions? I'm sorry, the public portion is closed at this point. No, sir, not at this point. Well, the point is whatever we do or say here is advisory only, and the Board of Trustees has final say-so in this matter.

So, any other questions or any motions?

COMMISSIONER SIGALOS: If I can just ask one further question to bring up the issue of the trash? I know you can't, with health code requirements, you cannot keep trash within the building. Would it be possible within that loading dock, if there was an enclosed area there that it's not outside of the building but it's within that building dock, does that building dock serve only of this proposed space or does that also serve Astrotech?

APPROVED

MR. BUTTITTA: I believe it only serves this space.

COMMISSIONER SIGALOS: I'm just throwing it out if that's a possibility, rather than outdoor trash enclosure. If it was kept within that loading dock, I'm assuming you're going to have a private refuse company, it's not going to be like what we have, Groot that services twice a week. This would be like a separate --

MR. BUTTITTA: This is how I can address that. If, pursuant to code and regulation including food and health code, if it would be permitted to have that trash receptacle inside that area, I Cubed certainly would have no issue putting it on the inside. I can't speak to what the food and health requirements would allow with that. If it would be, we would be fully willing to do it. And again, if it cannot be, again we would have an enclosed area, locked and shielded.

COMMISSIONER SIGALOS: I'm just throwing it out there as something to explore.

MR. BUTTITTA: Certainly.

COMMISSIONER SIGALOS: It's outside of the building, the commissary area that would be subject to health regulations. And maybe that would then keep, rather than have it, because again if you have an outdoor trash enclosure, if you have a 6-foot high, 8-foot high, they're going to climb over it, no matter if it's masonry, wood fence, chainlink fence, it doesn't make any difference. But if there was space allowed within that loading dock area, I think that would be something worthwhile looking at and that your refuse company would actually pull into the dock to pick up the trash.

MR. BUTTITTA: I do know that storage of trash is not permitted pursuant to food and health codes within a restaurant or any sort of food commissary.

COMMISSIONER SIGALOS: I agree.

MR. BUTTITTA: But again, as you stated, if that is an option, it's something that we definitely would go forward with, absolutely.

COMMISSIONER ENNES: And if the Health Department doesn't allow that?

MR. BUTTITTA: If the Health Department doesn't allow --

COMMISSIONER ENNES: If they don't, would you consider doing a sealed container outside, masonry with a roof?

MR. BUTTITTA: Absolutely, we would.

COMMISSIONER DAWSON: But how do we put that in the motion when there's a lot of ifs, whens, then maybe this, and if we can do that then maybe we can do that? So, how do we put that --

COMMISSIONER DROST: I think what you do is you have sort of an expandable clause there about any issues that may arise with the odors and the trash can be addressed, and we've done that in the past where there are, you know, we don't know everything. We can't certainly foretell the future, but we can put sort of an elastic

APPROVED

condition in this that the use of the kitchen, odors, trash be monitored. And again, if there's complaints, then those complaints would be acted upon by the Village for enforcement purposes. But that there be some monitoring, especially at the inception of the project if it's approved. Any comment there, folks?

COMMISSIONER DAWSON: We could also modify the motion to say that the trash dumpster would be located internally if permitted. And if not permitted, then this would take place.

COMMISSIONER ENNES: That there would be a sealed enclosure.

COMMISSIONER DAWSON: Right.

CHAIRMAN LORENZINI: And moved to the north side.

COMMISSIONER DAWSON: And moved to the north side.

COMMISSIONER DROST: Is that agreeable to you guys?

MR. BUTTITTA: That would be agreeable by Petitioners.

CHAIRMAN LORENZINI: And so we're moving the dumpster to the north. And we also talked about item number 3, the exhaust would be moved farther to the north, too, or as far north as it can be moved.

COMMISSIONER DAWSON: And we again don't know what kind of ventilation system you're using. But I'm assuming by the time you get to the next phase you'll have that information?

MR. BUTTITTA: Absolutely. We will have full drawings, I mean obviously with having what sort of permits we have to have at that point.

COMMISSIONER DAWSON: The Village Board meeting?

MR. BUTTITTA: Exactly.

COMMISSIONER ENNES: I would suggest that the owner come to the Village Board.

MR. BUTTITTA: Certainly.

COMMISSIONER DAWSON: That would be a strong recommendation.

CHAIRMAN LORENZINI: Any other discussions or a motion?

COMMISSIONER DROST: I'll make the motion.

A motion to recommend to the Village Board of Trustees approval of the PC #14-018, a Land Use Variation to allow "Bakery Products, Wholesale and Production" in the M-1 District; and a Variation from Chapter 28, Section 6.12-1(3), *Traffic Engineering Approval*, to waive the requirement for a traffic and parking analysis from a certified traffic engineer.

This approval is contingent upon compliance with the recommendations of the Plan Commission and the following recommendations detailed in the Staff Development Committee report dated October 2, 2014:

- 1. The Land Use Variation is limited to I Cubed Enterprises/Food Commissary only and food prep shall be limited to Savory**

APPROVED

Salads.

2. The trash dumpster on the site will be screened from public ways and surrounding uses and secured with fencing.
3. If the Village determines that the proposed use results in the emission of objectionable odors in quantities so as to be readily detectable by an observer at any point on the boundary line of any premises or beyond, then the Petitioner will need to incorporate additional measures and/or improvements that will address the odor issue.
4. Once the food preparation schedule is determined, the frequency of the trash pickup will be increased so that trash placed in the receptacle will not remain in the receptacle for more than 48 hours.
5. The Petitioner shall comply with all federal, state, and Village codes, regulations and policies.

COMMISSIONER DROST: And we'll add the additional conditions of monitoring the site for any issues that would arise related to the residents' concerns: odor, rodents, traffic, whatever.

COMMISSIONER ENNES: And one with the trash, number two of moving to the north.

COMMISSIONER DROST: Right, and that would be an additional condition.

COMMISSIONER ENNES: It should be a modification of number 2.

COMMISSIONER DAWSON: Clarification. Are you just amending to move it to the north or are you amending to require first that it be attempted to be located in the loading dock if possible? Just want to know what your motion is.

COMMISSIONER DROST: I think they're in agreement to move it to the north, so that we would amend it to a trash dumpster located on the northerly part of the site.

COMMISSIONER DAWSON: They said they would be willing to move it into the loading dock if that was allowed.

COMMISSIONER DROST: All right, or the loading dock.

COMMISSIONER SIGALOS: I'd like to see it in the loading dock as a preference.

COMMISSIONER ENNES: And if that's not to be acceptable to the --

COMMISSIONER SIGALOS: And if it's not acceptable, then to move 200 feet to the north.

COMMISSIONER ENNES: To the north and the seal.

COMMISSIONER SIGALOS: And to seal the enclosure.

COMMISSIONER DROST: Yes. Do you want to write it as and/or?

COMMISSIONER DAWSON: No, if allowed. Well, it's your motion.

APPROVED

COMMISSIONER DROST: Yes. No, but I want to get some consensus here so that we don't have to --

COMMISSIONER DAWSON: My, I don't know what I'm, I'm still, my mind is still foggy.

COMMISSIONER DROST: Move it to the loading dock.

COMMISSIONER ENNES: Right, move it to the interior or.

COMMISSIONER DROST: So, with that addition to 2, to move the dumpster to the loading dock, and then add the enforcement and monitoring provision as an additional condition. Then it would be 1 through 6.

MS. Bhide: And would you also add to number 3 that the exhaust venting be moved as far north as possible?

COMMISSIONER DROST: If that was --

COMMISSIONER ENNES: Yes, item number 3.

COMMISSIONER DROST: Yes. Okay, so we've parsed this up.
CHAIRMAN LORENZINI: We have a motion by Commissioner Drost.

COMMISSIONER ENNES: I'll second it.

CHAIRMAN LORENZINI: Second. Roll call vote please.

MS. Bhide: Commissioner Dawson.

COMMISSIONER DAWSON: You have to start with me, don't you? I'm so on the fence. I'm just, I'm going to have to say no with comment.

MS. Bhide: Commissioner Drost.

COMMISSIONER DROST: Aye.

MS. Bhide: Commissioner Ennes.

COMMISSIONER ENNES: Yes.

MS. Bhide: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MS. Bhide: Commissioner Warskow.

COMMISSIONER WARSKOW: Yes.

MS. Bhide: Chairman Lorenzini.

CHAIRMAN LORENZINI: Yes, with comment. My comment is I relate very well to one of the residents who said this wasn't here when we moved in. But I guess the thing that's kind of the tipping point for me is that there really is no definition, a good definition for this in the code, should it be in M-1 or in M-2. It's an M-2 by default but it sounds like it could very well be an M-1. And I think the Petitioner is making every effort they can to make this a satisfactory situation.

And I would also ask Latika if, maybe if you can look into if there is any type of Village rodent control program. It looks like the, this area could use it, whether or not this facility is here or not.

COMMISSIONER DAWSON: I'd like to add my comment. My comment is that I'm not against the project. I just don't feel that there was enough information here tonight for me to recommend it to the

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Village Board. If there were more information, if the owners had been here, if I had been, I don't feel the special use criteria was clearly enough set out for me to make the recommendation. With more information, it would have been a yes.

CHAIRMAN LORENZINI: Thank you.

COMMISSIONER DAWSON: Possibly, I should say, because I don't know what the answers would have been.

CHAIRMAN LORENZINI: And Latika, is there a date this is going to go the Village Board?

MS. BHIDE: Well, dependent on the minutes being received and then resolving some of the comments or getting us more information. So, at this point, no, I don't have.

CHAIRMAN LORENZINI: Okay. And how would the residents know when that meeting would take place?

MS. BHIDE: I would be more than happy to call if people gave me their numbers, or I have a couple of e-mails, I would be more than happy to disseminate that information.

CHAIRMAN LORENZINI: At the Village website, too, right? This would be on the website.

MS. BHIDE: It will be on the website. It typically is the Friday before the meeting, but I would be more than happy to call once we have a date.

CHAIRMAN LORENZINI: Okay, thank you. Thank you all for coming. Let's see, any other business we need to cover?

CHAIRMAN LORENZINI: Do we have a motion to adjourn?

COMMISSIONER DROST: I'll make that motion.

CHAIRMAN LORENZINI: Do we have a second?

COMMISSIONER WARSKOW: I second.

CHAIRMAN LORENZINI: All in favor, aye?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Thank you.

(Whereupon, the public hearing was adjourned at 9:25 p.m.)