

PLAN

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

COMMISSION

RE: JOHLER DEMOLITION - 125 WEST BOEGER DRIVE - PC# 14-025

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Plan Commission Meeting taken at the
Arlington Heights Village Hall, 33 South Arlington Heights
Road, 3rd Floor Board Room, Arlington Heights, Illinois on the
11th day of February, 2015, at the hour of 7:30 o'clock p.m.

MEMBERS PRESENT:

JOE LORENZINI, Chairman
LYNN JENSEN
MARY JO WARSKOW
TERRY ENNES
BRUCE GREEN
GEORGE DROST
JOHN SIGALOS

ALSO PRESENT:

LATIKA BHIDE, Development Planner

CHAIRMAN LORENZINI: Let's call the meeting to order of the Plan Commission for February 11th, 2015. Would you please rise and state the pledge of allegiance with us?

(Pledge of allegiance.)

CHAIRMAN LORENZINI: Okay. Roll call please.

MS. BHIDE: Commissioner Cherwin.

(No response.)

MS. BHIDE: Commissioner Dawson.

(No response.)

MS. BHIDE: Commissioner Drost.

(No response.)

MS. BHIDE: Commissioner Ennes.

COMMISSIONER ENNES: Present.

MS. BHIDE: Commissioner Green.

COMMISSIONER GREEN: Yes, here.

MS. BHIDE: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.

MS. BHIDE: Commissioner Sigalos.

COMMISSIONER SIGALOS: Here.

MS. BHIDE: Commissioner Warskow.

COMMISSIONER WARSKOW: Here.

MS. BHIDE: Chairman Lorenzini.

CHAIRMAN LORENZINI: Here. Okay. The next item is the approval of minutes on the Parkview Apartments hearing on January 28th, 2015. Any comments to the meeting minutes?

MS. BHIDE: On your dais are the revised copies, Commissioner Ennes had provided some corrections, so the approval should be on the minutes that are on the dais.

CHAIRMAN LORENZINI: Okay.

COMMISSIONER GREEN: I'd like to make a motion to accept the revised minutes.

CHAIRMAN LORENZINI: Second?

COMMISSIONER JENSEN: Second.

COMMISSIONER SIGALOS: Second.

CHAIRMAN LORENZINI: All in favor?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Opposed?

(No response.)

CHAIRMAN LORENZINI: Okay. Commissioner Drost is now here. Okay, next item on the agenda is a public hearing for Johler Demolition, PC# 14-025. Is the Petitioner here? Okay. Have all the public notices been given?

MS. BHIDE: They have.

CHAIRMAN LORENZINI: Okay. If you, Petitioner, would you like to come forward and give us a brief presentation of the project?

MR. JOHLER: Sure.

CHAIRMAN LORENZINI: Let me swear you in first. Would you raise your right hand?

(Witness sworn.)

CHAIRMAN LORENZINI: Would you please spell your name, spell it for the court reporter? Say your name, spell it for the court reporter and then give us your address?

MR. JOHLER: Home address or --

CHAIRMAN LORENZINI: Either.

MR. JOHLER: Okay. Robert Johler, R-o-b-e-r-t, last name Johler, J-o-h-l-e-r, 395 North 8th Avenue, Des Plaines, Illinois 60016.

CHAIRMAN LORENZINI: Okay. Just give us a presentation on what you want --

MR. JOHLER: Okay. So, I've been, I'm the owner of Johler Demolition, I'm Robby. I've been working with Bill Lussow who is my broker from Bespoke Real Estate. And we looked at this property probably back in June or July of last year amongst a bunch of other properties throughout the last year, year and a half. And this property fits the bill well for us. And we're currently located in Lincolnshire, Illinois as a tenant in a leased building. We've been there five years and we're finally ready to buy our own piece of property and move forward with that in our company and this location works out well for us. It suits us well being as though it was built for a contractor originally in the 80's, it suits us very well.

So, we're trying to get the variation to the zoning to get this property suited for us.

CHAIRMAN LORENZINI: Okay, thank you. Anything else you might want to add?

MR. JOHLER: Not right now. I'll wait for the questions.

CHAIRMAN LORENZINI: Okay, Latika -- you can sit down if you want.

MR. JOHLER: Okay.

CHAIRMAN LORENZINI: Latika, would you give us the Staff report please?

MS. BHIDE: Good evening. The Petitioner, Johler Demolition, is seeking a land use variation to allow a construction yard in the M-1 District at 125 West Boeger Drive. Along with the land use variation, the Applicant is also requesting variations from the requirement to waive the traffic study and parking analysis, and from the required number of parking spaces.

As you can see, the property is located on the south side of Boeger Drive, east of Arlington Heights Road. The property is the middle of two acres in the area with an existing building. Johler Demolition intends to purchase this property. The use was classified as a "construction yard" which is defined as "an establishment with an enclosed or unenclosed space for bulk storage of landscape and building material, heavy construction equipment and machinery, and may include the provision of services, the fabrication of building related products, the operation of machinery, and the construction yard's business office." Because the use is permitted only in the M-2 District, a land use variation is necessary for this use at this location.

On the screen is the site plan. The Applicant has indicated that 4 to 7 employees would be working at this location, whereas the other employees, they employ 25 to 40 employees, but they would work in the field. They have also indicated that heavy equipment is typically maintained in the field. It remains on the job site and is only transported to the site if major repairs are required. Minor repairs happen in the field and the equipment is moved from job site to job site. In addition to the heavy equipment, they have indicated they also have 2 dump trucks, 2 service trucks, and 4 company pickup vehicles.

The Petitioner has indicated that once they complete the purchase of the property, all other tenants except Diamond & Huels which is a certified public accounting firm would vacate the premises. The other tenants at this location right now are Rooney Landscaping and Emerald Lawn Care, so they will vacate the premises. Diamond & Huels occupies an approximately 4,300 square-foot space on the first floor, and Johler will have similar sized offices on the existing second floor. There is an existing truck dock on the west side of the building.

The plans indicate an approximately 10,000 square-foot indoor shop area along the rear of the building, and then approximately 4,500 square-foot tools area. They have indicated that all repairs and maintenance will take place indoors. There is an approximately 12,000 square-foot area of the rear yard which is the near 50 feet of the yard that will be used for storing the equipment and for trailers. Again, the Petitioner has indicated that anywhere from zero to 3 of the heavy equipment may be present along with 10 trailers.

On this site, there is also an existing concrete canopy and brick structure along the east property line in the rear. This is an existing structure, it does not meet the 25-foot setback requirement, but it will just be considered nonconforming.

I have the parking detail up, and as you can see,

the code required parking for the site is 39 spaces. We have a parking plan here that shows the 37 parking spaces in the middle. You see there's 12 spaces on the west side and 25 spaces on the east side. The Applicant has indicated that Diamond & Huels employs 5 people at this location and they have 7 people, so they will have adequate parking here but they would need a variation from the code required parking.

Before I go to the pictures, a couple of the non-conformities are the ends of all parking rows are required to have a landscaped island. And there is one missing along the west parking area, the southernmost island. They have indicated there is no room to add that island so that will remain as a non-conformity. And there is an existing chainlink fence, it's an 8-foot tall slatted chainlink fence around the entire yard. Slatted chainlink fences are permitted in the M-1 District. There are some locations where the slats are missing, they have a black piece of cloth put on the fence there. So, that would have to be corrected and they have to make the fence up to code.

They've provided a few pictures of any equipment they may have. There are a couple of fuel tanks, the bottom right-hand picture, a couple of, two 2,000 gallon fuel tanks that are existing on the property right now, and then a few pictures of the site. So, the first one is along Boeger Drive to the east parking area, and then the rear of the building I think.

That being said, the Staff Development Committee recommends approval of the land use variation subject to the conditions, that it apply only to Johler Demolition, the portion of the fence that does not meet the Village Code would be brought up to code, and that they comply with all federal, state, and Village codes, regulations and policies.

CHAIRMAN LORENZINI: Thank you, Latika.

MS. BHIDE: Thank you.

CHAIRMAN LORENZINI: Do we have a motion to submit her report?

COMMISSIONER DROST: I'll make that motion.

CHAIRMAN LORENZINI: Second?

COMMISSIONER ENNES: I'll second it.

CHAIRMAN LORENZINI: All in favor?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Opposed?

(No response.)

CHAIRMAN LORENZINI: Okay. Let's start with questions from the Commissioners. Why don't we start with Commissioner Sigalos?

COMMISSIONER SIGALOS: Thank you, Joe. I saw, I read here where you're going to have 2 dump trucks, 2 service trucks that will be stored there at night. I imagine the pickup trucks, your

foremen and whatever drive those home? Are they going to be stored there at night?

MR. JOHLER: Do you want me to step up here?

COMMISSIONER SIGALOS: Please.

MR. JOHLER: Yes, we have several pickup trucks that go to the field with foremen or operators and then return to their houses at night. We do have a couple of pickup trucks that sometimes come in and out from the shop and they'll be used as, called fetch carts or what have you.

COMMISSIONER SIGALOS: Will they typically parked then indoors in the building?

MR. JOHLER: I would say yes, typically.

COMMISSIONER SIGALOS: And what about the flatbed trucks that you use to haul your M loaders or what have you?

MR. JOHLER: The --

COMMISSIONER SIGALOS: Yes, the --

MR. JOHLER: We don't own them.

COMMISSIONER SIGALOS: Oh, so you just lease those?

MR. JOHLER: I sub it out. I sub that work out.

COMMISSIONER SIGALOS: Probably onsite then.

MR. JOHLER: Yes.

COMMISSIONER SIGALOS: Another question I had is there's two fuel storage tanks onsite. I notice that they were right adjacent to the building. Is that, Latika, is that an issue that they're up against the building?

MS. BHIDE: We were actually just informed today that those specific fuel tanks will be sold to somebody else and will be moved offsite. So, if they are looking to install new fuel tanks, then they would have to, you know, go through the permitting process and meet whatever requirements are with the Building Division.

COMMISSIONER SIGALOS: I also noticed that you're going to be having some oxygen and propane tanks inside the building?

MR. JOHLER: No, those will be stored in a secure container outside.

COMMISSIONER SIGALOS: They will be outside.

MR. JOHLER: We have a specific container that we purchased that holds those kinds of chemicals, gases. And it's like an approved OSHA container.

COMMISSIONER SIGALOS: Okay, yes. So, again my concern was I thought I read that it was going to be stored within the building.

MR. JOHLER: Oxygen and acetylene gas, they will be in a cart for torches. So, that will be stored in the building on a cart for use, for the mechanics.

COMMISSIONER SIGALOS: Only when they're using it or it

will always be with --

MR. JOHLER: Always be inside.

COMMISSIONER SIGALOS: And again, I guess, I don't know if that's a code issue or, but I mean I'll leave that up to the Building Department.

MS. BHIDE: The Fire Safety reviewer did review those, review the Petitioner's responses and did not indicate that there were any concerns with that.

COMMISSIONER SIGALOS: One of the last questions I have is demolition materials that may have some value or whatever, whether it be of historic value or monetary value, will you be bringing those back and storing them onsite?

MR. JOHLER: On occasion we bring items back for resale purposes. But they don't typically sit around very long, meaning a couple of months max until we can move them on to a new home. So, there are small items that do come back here and there.

COMMISSIONER SIGALOS: Would there be a restriction whether they have to be stored within the building or can they be stored outside?

MS. BHIDE: They wouldn't have them outside, my understanding was that those would be stored indoors. So, if the Plan Commission wants to make that a recommended condition, you can certainly add that they be stored indoors.

COMMISSIONER SIGALOS: From my perspective, I don't like to see them out. I hate to see this start to look like a junkyard.

MS. BHIDE: We can certainly add that condition that reclaimed material will be stored indoors.

COMMISSIONER SIGALOS: And let's see, I have one other question. The landscape island, why won't that be provided to comply with code? You have plenty of parking spaces there. I fully support that your crew doesn't park there, they go directly to the job site. So, why won't that landscape island be constructed to comply with the code?

MR. JOHLER: To get the heavy equipment in when we do bring them in, I'll have to leave that area open because the equipment is so wide, I really won't have room to put an island in there to get past the building. That would be the reason.

COMMISSIONER SIGALOS: That's all I have at this time.

CHAIRMAN LORENZINI: Thank you. Commissioner Drost?

COMMISSIONER DROST: Yes, along Commissioner Sigalos' questions, what's going on in the enclosed space? You've got acetylene and you've got some work in progress. Is there, there'll be cutting, noise, you know, what's the level of noise? And I know there's code protection here but I just want, what's going on in there?

MR. JOHLER: Well, we're repairing equipment, modifying equipment for our demolition.

COMMISSIONER DROST: For use and maintenance of your equipment basically?

MR. JOHLER: Correct.

COMMISSIONER DROST: It's not bringing in some of the demolished materials --

MR. JOHLER: Absolutely not. No demolished material, nothing beyond the --

COMMISSIONER DROST: -- like Commissioner Sigalos said.

MR. JOHLER: Right, salvageable items can come back. But as far as junk, it's not going to come back. And the acetylene and the oxygen would be for use for cutting rusted steel bolts, exhaust pipes, whatever, off of vehicles, equipment, what have you. That's what we typically use that for.

COMMISSIONER DROST: How long have you been in business?

MR. JOHLER: Almost 11 years.

COMMISSIONER DROST: 11 years. And what kind of contracts do you perform? What types of sites do you work on?

MR. JOHLER: Well, for instance --

COMMISSIONER DROST: And sort of you can add this to the answer, too, is do you do joint efforts with other demolition companies or, you know, are you going to be sharing where jobs might be big or there's time constraints on it if it has to be done more quickly?

MR. JOHLER: In the demolition industry in Chicagoland, no one teams up on anything. We're very not that personable, I don't know, you know, we just don't. No one teams up, I've never seen it.

And as far as projects, we did the Sheridan that's, you know, in town here. We did the demo along the front up there for the new build-out and whatnot. Right now we're doing the demolition of a 230-acre campus in Waukegan, Cardinal House. Andrews Corporation, we did a large project for them in Orland Park. But typically, our contracts range from \$300,000 to \$4,000,000, in that range.

COMMISSIONER DROST: So, you have a basic market that you go after, is that correct?

MR. JOHLER: Yes. Yes.

COMMISSIONER DROST: How do you get the word out? How do you market yourself?

MR. JOHLER: We don't. It's simply --

COMMISSIONER DROST: Word of mouth?

MR. JOHLER: We get solicited from general contractors.

COMMISSIONER DROST: Okay, through contractors. I mean

there's a source of business, so you're not just waiting on the corner whistling.

MR. JOHLER: No.

COMMISSIONER DROST: And waiting.

MR. JOHLER: No, they call us. Or we've been around long enough, I have established myself that I do, I've got a nice client base with developers and general contractors, local guys.

COMMISSIONER DROST: Yes. Well, I just wanted to get a sense of, you know, we're the Village of good neighbors. I want to know what the neighborhood, you know, what you're bringing to the neighborhood.

MR. JOHLER: Sure.

COMMISSIONER DROST: And then around the perimeter, the chainlink, is there enough screen for --

MS. BHITE: Correct. So, it's a chainlink with slats in it, so it's like screening. There are some pieces where there are some slats and they would be required to bring that up to code.

COMMISSIONER DROST: Yes. Well, are there any aesthetics that needed to be addressed or looked at?

MS. BHITE: I mean the fence needs to be in good repair.

COMMISSIONER DROST: What does that mean?

MS. BHITE: We can't have a falling down fence.

COMMISSIONER DROST: Yes, but I mean who is going to be responsible and what kind of time frame?

MS. BHITE: I mean they would be responsible when they come in for the building permit.

COMMISSIONER DROST: Are you aware that you have to do some of this fix-upper?

MR. JOHLER: I am.

COMMISSIONER DROST: All right. Well, you never partnered up with Albert or anybody like that?

MR. JOHLER: I worked for him.

COMMISSIONER DROST: Did you?

MR. JOHLER: Yes. I did all the Metropolitan or Metropolitan or Village Green, all that. I was a driver back then in the late 90's. Al never teamed up.

COMMISSIONER DROST: Never teamed up?

MR. JOHLER: No. We shake hands but that's about it. But as soon as I turn around he goes.

COMMISSIONER DROST: It's just interesting learning a little bit about the business because I don't think we have too many demolition companies in Arlington Heights. Do we, Latika?

MS. BHITE: Not at all, correct.

MR. JOHLER: Most of the guys are out west and south.

Not too many guys up here.

COMMISSIONER DROST: So, that's pretty good for you then. The location is great.

MR. JOHLER: Yes, location is great.

COMMISSIONER DROST: I don't have any further questions.

CHAIRMAN LORENZINI: Commissioner Green?

COMMISSIONER GREEN: George has always been the hard act to follow, he took every question I could ever think of. So, I'm good with this and I'm in support.

MR. JOHLER: Thank you.

COMMISSIONER ENNES: I have a couple of questions. I wasn't at Plat & Sub. And to follow up on Mr. Sigalos' comments, my biggest concern is what limitations, and Latika, you might be able to comment on this, if we're going to allow this variance under either code, what type of building materials or debris would be allowed or is specifically prohibited from storage inside or outside the building?

MS. BHIDE: Either within the M-1 or the M-2 District, there isn't anything that is specifically prohibited. They are more than 150 feet away from any residential zoning. And so, they're allowed to store material outside.

COMMISSIONER ENNES: Material, new material?

MS. BHIDE: The ordinance does not differentiate. So, if the Plan Commission feels, they could definitely as the recommendation of this land use variation that certain things not be, you could.

COMMISSIONER ENNES: It sounds like from the description of your business you don't do any of that type of, you know, that we don't have to worry about the dump trucks coming back with construction rubble.

MR. JOHLER: Correct. Not at all.

COMMISSIONER ENNES: And I wouldn't want to see any of that kind of stuff stored temporarily or anything. You wouldn't have a problem with a limitation on that?

MR. JOHLER: No, not at all. I don't want to see it either.

COMMISSIONER ENNES: Okay. And I sure would have no problem with, you know, I understand given the notes from Plat & Sub, you know, electrical cables or something like that that would have a resale value, I would have no problem with that. And I know we've made some limitations on other contractor yards; however, they're closer to residential property.

How is the fencing on the property? And if you can give me a description from up here on the, I believe we're talking the west side of the building. Would that be from your direction, your

right-hand side? Is that the west on this?

MR. JOHLER: The left.

COMMISSIONER ENNES: It would be on the left-hand side?

MR. JOHLER: Yes.

COMMISSIONER ENNES: Okay. The other tenant that is in the building, so you're going to buy the building and you're going to allow this other tenant to stay in there?

MR. JOHLER: The accountant.

COMMISSIONER ENNES: And you're going to utilize the rest of the facility. How much of, about how much of the space would you occupy?

MR. JOHLER: Approximately 4,300 square feet.

COMMISSIONER ENNES: And the total is how much?

MR. JOHLER: 27,000.

COMMISSIONER ENNES: So, they're about 20 percent. And do they park on that opposite side on the right side of the building?

MR. JOHLER: They do, yes.

COMMISSIONER ENNES: Okay. And your trucks and your heavy equipment, they would come in on the left side?

MR. JOHLER: More likely than not, yes.

COMMISSIONER ENNES: Okay. But they could go through either way?

MR. JOHLER: Correct.

COMMISSIONER ENNES: A different route.

MR. JOHLER: Correct.

COMMISSIONER ENNES: Okay. The medians, normally when there's a change in ownership is when we ask these properties to be brought up to code. And the medians, you said that they would be in the way. The medians that I'm aware of would just stub out like a parking spot. So, cars would park there. I don't see that that would be in the way of the vehicles coming in or out.

MR. JOHLER: I'm basing it solely on the width of the equipment being 15 feet wide just clipping that curb.

COMMISSIONER ENNES: Okay. But if we're looking on this right side of the building, we have two rows, basically two rows of cars, one row that could be parked up against the building and the other that would be parked along the perimeter.

MR. JOHLER: Yes.

COMMISSIONER ENNES: Is that where medians would go?

MS. BHIDE: No. There is one island missing and that is actually on the west side of the building where there is the single row of parking. This is landscaped --

COMMISSIONER ENNES: Is that parallel along the lot line or are those cars --

MS. BHIDE: They're along a diagonal. And what's

missing is, you know, there's a fence, the fence comes around here, it's this island here that's missing. The southernmost island on the west parking row.

COMMISSIONER ENNES: Okay. So, the right side, there isn't an issue with medians there?

MS. BHIDE: No.

COMMISSIONER ENNES: Are we just talking about one missing median?

MS. BHIDE: The one missing landscaped island, yes.

COMMISSIONER ENNES: Okay, thank you. See, it would be a benefit for me to be at the Plat & Sub meetings. Okay, so I'll drop my issue about the medians. I thought it was more extensive on the property. And I'll appreciate hearing other comments from the other Commissioners in regard to any kind of a limitation on the storage of building materials which it sounds like the Petitioner wouldn't have a problem with.

COMMISSIONER GREEN: If I could just jump in, and again to add to what you're saying, Terry, I've done a construction yard. And by code, they can store sand, gravel and that type of material onsite. That's what a contractor's yard is. So, when they say material, it can be pile of sand, pile of gravel, pile of whatever they do. This happened to be a concrete contractor that did this building. So, just to let you know what is part of a construction yard. It could be that kind of --

COMMISSIONER ENNES: I understand. What I wouldn't want to see is rubble.

COMMISSIONER GREEN: Oh, no, no.

COMMISSIONER ENNES: Old bricks coming in.

COMMISSIONER GREEN: Right, but I'm just saying --

COMMISSIONER ENNES: Old concrete from a building or a parking lot, I wouldn't want to see anything like that.

COMMISSIONER GREEN: No, and that is not allowable to store that type of material.

COMMISSIONER ENNES: Latika said there is no restriction.

MS. BHIDE: The ordinance doesn't distinguish between new material or reclaimed material.

COMMISSIONER GREEN: Okay, all right. Then we should talk about it some more then because --

COMMISSIONER ENNES: Well, and one of the concerns that I had was, I think in your notes or the comments from Plat & Sub, there was mention of asbestos, okay. I would hate to see anything like that come outside. And I'm sure you've had enough experience doing stuff, you don't want any of it near your property.

MR. JOHLER: No, we don't deal with it.

COMMISSIONER ENNES: And that's where I would just like to see a limitation so there's no question about it in the future.

MR. LUSSOW: My name is Bill Lussow, B-i-l-l L-u-s-s-o-w, with Bespoke Commercial Real Estate.

CHAIRMAN LORENZINI: Address please?

MR. LUSSOW: Pardon?

CHAIRMAN LORENZINI: Address.

MR. LUSSOW: Oh, I'm sorry, 883 Sterling Road, Inverness, Illinois. So, to address your concern, you know, there are some functions here that deal more with economic. And to double handle materials, in other words take it from the job site, bring it back to the yard, take it out of the dump, put it back in the dump and take it to the refuse, the proper refuse, you know, it kind of prohibits, they're working on relatively thin margins. So, I think, and not that they're 100 percent refuse, your concern, I appreciate that. But --

COMMISSIONER ENNES: And it doesn't because what my concern would be if times were tough and the contractor doesn't have the money to take this to a dump or has a problem, I don't want it going to the site.

MR. LUSSOW: And I appreciate that. But conceptually, there's a motivation at work on the company.

COMMISSIONER ENNES: I understand. So, I would just, because you're a demolition contractor, you are dealing with that kind of material. And to me, I think it's open for discussion with the other Commissioners. Do we want to put a limitation on that? And if the Petitioner doesn't have a problem with that, that might be able to address my concern.

CHAIRMAN LORENZINI: Thank you, Terry. Commissioner Warskow?

COMMISSIONER WARSKOW: I'm supportive of the petition and I do not have any questions.

CHAIRMAN LORENZINI: Commissioner Jensen?

COMMISSIONER JENSEN: Yes, I'm also supportive of that. You've addressed all the issues that we had in the Plat & Sub meeting. I don't have a problem with Commissioner Ennes' proposal if you don't, to put a restriction in here although it seems like it's not really needed given the nature of your business and how your economic model sounds. But I wouldn't have a problem with that. I'm supportive and I'd like to see this project go.

MR. JOHLER: Thank you.

CHAIRMAN LORENZINI: Thank you. Could you, Latika, could you kind of scroll along the property line, where the fence starts and ends?

MS. BHIDE: Sure.

CHAIRMAN LORENZINI: No, go back to there --

MS. BHIDE: Oh, I'm sorry. So, it goes here all the way back and goes to the parking spaces and probably to the north of that.

CHAIRMAN LORENZINI: Okay. And where will there be landscaped islands?

MS. BHIDE: So, there are landscaped islands here and here, here and here. This is considered an island. The only one missing is this space here.

CHAIRMAN LORENZINI: Okay. Are we going to require any additional landscaping in the front of the building or is it okay now?

MS. BHIDE: No, the landscape planner and staff have reviewed the building and didn't think that there's an issue.

CHAIRMAN LORENZINI: Okay. I appreciate the comment about double handling material. Yes, scrap material is not worth handling twice. But there are some materials such as copper and whatnot. That normally remains on site, on the demolition site?

MR. JOHLER: Typically, right to the dump.

CHAIRMAN LORENZINI: Yes, I mean everything they said was true. Hazardous material, you probably have a subcontractor that does that.

MR. JOHLER: Correct.

CHAIRMAN LORENZINI: So, you wouldn't be handling that.

MR. JOHLER: Yes, we don't do any of that.

CHAIRMAN LORENZINI: And handling scrap material to be brought back here, practically I don't ever see that happening.

MR. JOHLER: Right.

CHAIRMAN LORENZINI: But you know, I do have the same concern everybody else does. If for whatever reason, you know, people starts you or your predecessor or whoever would start storing stuff here, I would hate to see it become, you know, kind of an eyesore. So, what protection if any do we have in the current code as to disallowing it?

MS. BHIDE: I think the Plan Commission can recommend the addition of the condition that says reclaimed material cannot be stored outside of the yard at this location.

CHAIRMAN LORENZINI: Well, everything I read said anything you would store here would be inside. Would you, are you willing to accept that as a restriction?

MR. JOHLER: Yes. Yes, I would. I mean the only time I would say, if some monument, some stone monument I brought back to, you know, sell to someone, if it had to come back, it may not be able to enter the building.

CHAIRMAN LORENZINI: Like the ones from the Board of Trade years ago?

MR. JOHLER: Yes, something like that. I mean that

would be the circumstance. Does it happen? I've never seen it happen.

CHAIRMAN LORENZINI: Okay.

COMMISSIONER DROST: They're not building anything good anymore.

MR. JOHLER: No, it's all junk.

COMMISSIONER JENSEN: Well, I'm looking for a clarification. Everything that we're doing here in terms of a variation applies only to this company and does not persist after another use, another owner.

MS. BHIDE: That's correct. If Johler were to vacate, then the land use variation goes out.

COMMISSIONER JENSEN: So, we don't need to worry about what happens subsequently.

MS. BHIDE: Yes, just for this petition.

CHAIRMAN LORENZINI: Okay. Any other questions? Anybody from the audience have any questions, comments? Okay, if not, we're back to the Commissioners. Any further deliberations or motion, discussion?

COMMISSIONER SIGALOS: I just have another question. I saw where you're intending to start up your vehicles and get them off on the road by sunrise or a half hour before sunrise. Is that an issue with our code on noise limitations here in the Village that it's 7:00 o'clock?

MS. BHIDE: Correct. So, the construction hours are 7:00 in the morning, Monday to Friday, and then 8:00 o'clock on the weekends. They meet the noise ordinance now. You know, that applies to construction so they couldn't have equipment running on the site, you know, they could not be doing any work on the site; the site that they would have to abide with whatever the noise ordinance is of the Village and it's at that location.

COMMISSIONER SIGALOS: I don't have any other questions.

CHAIRMAN LORENZINI: All right. Anything else? Motion?

COMMISSIONER DROST: I'll make the motion.

A motion to recommend to the Village Board of Trustees approval of PC# 14-025, a Land Use Variation to allow a construction yard in the M-1 District; a Variation from Chapter 28, Section 6.12-1(3), *Traffic Engineering Approval*, to waive the requirement for a traffic study and parking analysis from a certified traffic engineer; and a Variation from Chapter 28, Section 11.4, *Schedule of Parking Requirements*, to allow 37 parking spaces instead of the required 39 parking spaces.

This approval is contingent upon compliance with the recommendation of

the Plan Commission and the following recommendations detailed in the Staff report dated February 4, 2015:

1. The land use variation shall apply only to Jöhler Demolition.
2. As part of the request, the portion of the fence that does not meet the requirements of the Village code will be brought up to code.
3. Any material stored onsite shall generally be stored inside the building.
4. The Petitioner shall comply with all federal, state, and Village codes, regulations and policies.

COMMISSIONER DROST: You've seen the Staff Committee report? Do you agree to them?

MR. JOHLER: Yes.

COMMISSIONER DROST: And a fourth condition, actually a third and then move it down to fourth that there's no material that's left onsite that is a result of your demolition activities.

CHAIRMAN LORENZINI: I think it's any stored material onsite will be inside.

MR. JOHLER: Correct.

CHAIRMAN LORENZINI: Do we have a second?

COMMISSIONER SIGALOS: I'll second.

COMMISSIONER JENSEN: I just have a question. Do we want to, I mean do we want to make it that rigid? As he said, he might have a case where something is so large it cannot be really moved anywhere, so do we want to say never in there or do we want to --

COMMISSIONER ENNES: Something like construction debris as opposed to --

COMMISSIONER JENSEN: Yes. And insofar as possible or something like that so that we don't basically totally tie their hands if they have to do something that --

COMMISSIONER DROST: No, I think that makes sense. What we want to do, I think what the sense is of the Board is to let you operate in accordance to your ordinary course of business, but there are some exceptions and we don't want to be mean about it as long as you understand that it's based on business need, that it is temporary.

CHAIRMAN LORENZINI: So, from the legal standpoint, George, would it be acceptable to say any material stored onsite shall generally be stored inside the building? Does that cover it, generally speaking?

COMMISSIONER DROST: It is, it's interpretive, but it gives you a certain intent. So, if you're really inclined, they can enforce it.

CHAIRMAN LORENZINI: Okay. So, do we have a second on that?

COMMISSIONER SIGALOS: I'll second.

COMMISSIONER DROST: I would like to make a comment afterwards, too, but it doesn't really pertain here to the petition.

CHAIRMAN LORENZINI: Roll call vote please.

MS. BHIDE: Commissioner Drost.

COMMISSIONER DROST: Aye.

MS. BHIDE: Commissioner Ennes.

COMMISSIONER ENNES: Aye.

MS. BHIDE: Commissioner Green.

COMMISSIONER GREEN: Yes.

MS. BHIDE: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.

MS. BHIDE: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MS. BHIDE: Commissioner Warskow.

COMMISSIONER WARSKOW: Yes.

MS. BHIDE: Chairman Lorenzini.

CHAIRMAN LORENZINI: Yes. George, do you have further?

COMMISSIONER DROST: Yes, the comment was, it's come up before our Commission before an ordinance that was just particular to the business that's making the petition, and I don't know if we've resolved this and this is a whole research project for you, is what really constitutes a change of owner. If the owner could have a succession plan, would it still be Jöhler Demolition? But as we know it, we know Robby and we love Robby, but if Robby sells it to Albert who he doesn't like, is that really the same entity? And we've had that issue come up before where it's particular to the ordinance, what really constitutes a change in that kind of ownership.

CHAIRMAN LORENZINI: Okay, thank you, George. Okay, congratulations, you received a unanimous approval. Next step, it goes to the Board of Trustees for final approval. Is there a date for that yet?

MS. BHIDE: Not until we get the minutes, but I'll follow up with Robby.

CHAIRMAN LORENZINI: Well, good luck and welcome to Arlington Heights.

MR. JOHLER: Thank you.

CHAIRMAN LORENZINI: Okay. Next item, no other business? Anything else, Latika, that we need to talk about?

MS. BHIDE: No.

CHAIRMAN LORENZINI: Nothing else? Okay. Anybody have anything else they want to raise? Maybe we can get a motion to adjourn?

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COMMISSIONER DROST: I'll make that motion.

CHAIRMAN LORENZINI: Second?

COMMISSIONER WARSKOW: Second.

CHAIRMAN LORENZINI: All in favor?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Opposed?

(No response.)

(Whereupon, the public hearing was adjourned
at 8:07 p.m.)

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

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

ROBERT LUTZOW

SUBSCRIBED AND SWORN TO
BEFORE ME THIS _____ DAY OF
_____, A.D. 2015.

NOTARY PUBLIC