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PLAN

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

COMMISSION

RE: NORTHWEST METALCRAFT; PC# 15-002

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
10th day of June, 2015, at the hour of 7:30 p.m.

MEMBERS PRESENT:

BRUCE GREEN, Acting Chairman
LYNN JENSEN
MARY JO WARSKOW
TERRY ENNES
GEORGE DROST
SUSAN DAWSON
JOHN SIGALOS
JAY CHERWIN

ALSO PRESENT:

LATIKA BHIDE, Development Planner

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ACTING CHAIRMAN GREEN: I'd like to call this meeting of the Plan Commission to order. Our first order of business is to recite the pledge of allegiance. If you'd all please rise?

(Pledge of allegiance.)

ACTING CHAIRMAN GREEN: Latika, would you take the roll please?

MS. BHIDE: Commissioner Cherwin.

COMMISSIONER CHERWIN: Here.

MS. BHIDE: Commissioner Dawson.

(No response.)

MS. BHIDE: Commissioner Drost.

COMMISSIONER DROST: Here.

MS. BHIDE: Commissioner Ennes.

COMMISSIONER ENNES: Here.

MS. BHIDE: Commissioner Green.

ACTING CHAIRMAN GREEN: Here.

MS. BHIDE: Commissioner Jensen.

COMMISSIONER JENSEN: Here.

MS. BHIDE: Commissioner Sigalos.

COMMISSIONER SIGALOS: Here.

MS. BHIDE: Commissioner Warskow.

COMMISSIONER WARSKOW: Here.

MS. BHIDE: Chairman Lorenzini.

(No response.)

ACTING CHAIRMAN GREEN: Our first order of business is PC# 15-002, and I think George is going to recuse himself for this. Latika, have all the legal notices been made on this project?

MS. BHIDE: Yes.

ACTING CHAIRMAN GREEN: Okay, I'll be acting as Chair tonight. Who is going to testify on behalf of Northwest Metalcraft? Whoever is going to give testimony tonight, I'll swear you in.

MR. MERTES: Bruce, Kelle from Tinaglia Architects and myself and possibly, why don't you come on out here? The Petitioner.

ACTING CHAIRMAN GREEN: Just raise your right hand and we'll swear you all in.

(Witnesses sworn.)

ACTING CHAIRMAN GREEN: Thank you. Whosoever is going to lead the presentation tonight, if you would give the court reporter your name, spell your last name, and your address.

MR. MERTES: My name is Drake, D-r-a-k-e, Mertes, M-e-r-t-e-s, 711 East Street, Des Plaines, Illinois, from Dowd, Dowd & Mertes. Kelle Bruckbauer will be making the presentation to you, and then hopefully after Staff reports, if there's any questions or

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requests, we can discuss it.

ACTING CHAIRMAN GREEN: Great, thank you. Just speak directly, Kelle, into the mic, whichever one you pick. Looks like the podium is facing the wrong way.

MS. BRUCKBAUER: It is. I'll adopt. My name is Kelle Bruckbauer. Kelle is K-e-l-l-e B-r-u-c-k-b-a-u-e-r, with Tinaglia Architects, 814 West Northwest Highway.

We're going to be presenting the Northwest Metalcraft project tonight. First, I'm going to start out with the existing site plan, which is what is on the board right now. This shows the view from the east, which is the rear of the building. As you can see, it's 100 percent asphalt. There are a couple of structures on the site currently, an old home and several different storage structures which line the south side of the property. If you'd go to the next slide?

What we're proposing is a complete renovation of the rear of the site. We're going to be demolishing all of the structures in the back there and replacing them with a storage barn, which is approximately 1,600 square feet. It's also going to have about 1,000 square feet for a display area.

The parking lot is going to be completely redone. We're going to be repaving it and landscaping it as we need to. One of the curb cuts along East Grove Street will be closed off. With this configuration, we're going to be providing a total of 50 parking spaces on the entire site, which according to reg calculations, is exactly what we need for this site. We will also be providing underground detention.

The next slide which is the elevations, the building itself is going to be made out of non-combustible materials. We have designed this to look a barn. It will be used exclusively for storage. Materials are fiber cement siding, stone and asphalt for its shingles.

Overall, the client is preparing to put a good amount of money into redeveloping this property, and we feel that this is a really good improvement for the neighborhood. So, we're here to answer your questions.

ACTING CHAIRMAN GREEN: Thank you, Kelle. Latika, would you like to give the Staff report?

MS. BHIDE: Good evening. The Petitioner is here this evening and they are requesting a Planned Unit Development amendment to Ordinance# 67-120 to allow the construction of a 1,680 square foot storage building and reconfigure the parking lot. Along with the PUD amendment, they are requesting several variations that are outlined here and that I will elaborate to the report.

As you can see, the site is approximately 0.99

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acres in the area. It's located at the southeast corner of Arlington Heights Road and Grove Street. The property has a two-story commercial building on the site. There is a residential structure towards the center of the property on the south side, and there are several storage sheds in the southeast quadrant. The Petitioner would like to tear down the residence and the sheds, storage sheds, and build the storage barn with an outside display area.

A PUD amendment is required for this change, for the proposed improvements and to include significant landscape upgradings, which will be a positive change to the site. The original PUD for this property and the property that's located on the northeast corner of the intersection, Subway property, was approved in 1967 as Ordinance 67-120.

As you can see on the site plan, the storage shed will be located on the south side to the east of the existing commercial building. The Petitioner is also proposing to renovate the existing code deficient parking lot.

Associated with this are several variations. The first one is from the Conditions of Use in the B-2 District to allow outdoor sales or display. Staff doesn't have any concerns with this variation because of the negligible impact.

There are several variations that are associated with the shed itself, its location which is in the rear yard, which is permitted only in the rear yard to allow the side yard location; the height of the shed to allow for 28 feet to the maximum point instead of the allowable 15 feet; and the requirement that it not exceed 300 square feet in area to allow about 1,680 square feet. Again, Staff does not object to any of these variations given the commercial zoning of the site, the design of the building as a barn, and the enhanced landscaping on the side.

A couple of other variations that I want to point out on this slide would be for the loading area, and it would be from the requirement that loading berths not be located in side yards, to allow it to be located in that south side yard, at least a portion of it. Then from the requirement that the loading berth be exclusive of any maneuvering space because this would encroach into the loading space for those three parking spaces that were located east of the storage. Again, Staff does not have a concern with these variations because the Petitioner has indicated to us that all deliveries will take place during normal business hours.

As you can see, this is the preliminary engineering for the site. With the proposed improvements, the Petitioner is also adding an underground detention that you can see here underneath the parking spaces. There is also a small surface detention, which is designed as a bio-swale or a rain garden. The

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design as a bio-swale allows for a slower release of stormwater and it improves the water quality and is very consistent with sustainable design practices.

The slide then shows the parking requirement for the site, the code required parking requirement. The ordinance calls for any PUD amendment that is greater than 5,000 square feet for a traffic study and parking analysis. Since this was less than that, only 1,680 square feet, a parking study was not required. But we did ask the Petitioner to provide parking counts for a Saturday lunch hour, and then on a weekday for a lunch and a dinner hour. The Petitioner provided the information, and the maximum number of parking spaces that were occupied in that rear lot were 12 parking spaces.

One thing to keep in mind is that the overall PUD includes the Subway property that's on the north side of the Grove Street. When that Subway was approved, that property did receive a parking variation from 37 spaces, which was calculated to 27 spaces, which are provided on site. So, together both sites meet the parking requirement for both those properties. Again, based on the parking counts, Staff felt that there is adequate parking for both sites.

The landscape plan is shown next. There is significant addition to landscaping on the site. As you can see, screening is being provided between the parking lot and the adjacent streets. There is also a six-foot fence and landscaping along that south property line which abuts for a portion of residential properties.

There are a couple of variations as far as landscaping is concerned. One is from the requirement to provide landscaping within the island that is on the northwest corner of this east parking lot. Staff does not support the variation and is recommending that landscaping be added to that island. The Petitioner has indicated that they would not like to do that as it blocks the entrances to, the rear entrance to the tenant spaces there.

The second variation is for the island that's immediately to the east of that covered display area, and the variation is both for landscaping, to the four-inch caliper shade tree, as well as for the width of the island, three feet instead of nine feet. Staff is in support of that variation.

The other variation for landscaping is there is a reduced length of parking stalls of 16-and-a-half feet. It requires that there be three feet space exclusive of the overhang. You can see that on the east property line. There is only two-and-a-half feet there instead of three. Again, Staff has no concerns about that because there is an additional five feet before the sidewalk.

A couple of other things to mention, there is a portion of Grove Street that's adjacent to the building that is

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currently, that parkway is currently paved. In conjunction with these site improvements, Staff is recommending that the pavement be removed and the area be sodded. Also, Staff is recommending that the sign that is on Arlington Heights Road, that the sign base be landscaped as part of this project. The Petitioner has stated that the work is going to be done in the east parking lot, the back parking lot, and at this time they would not like to do both of those improvements.

This is just a color rendering of the parking lot landscaping. It shows the number of trees they are adding and the bio-swale/rain garden.

I just have a few pictures of the elevations of the barn and a few pictures of the site. The one on the left is the east parking lot. The picture on the right, you can see the residential structure and storage sheds, and then a picture of the front parking along Arlington Heights Road.

That being said, the Staff Development Committee has reviewed the request and they recommend the approval of the PUD amendment to the Ordinance# 67-120 to allow the construction of a 1,680 square foot storage building, reconfigure the parking lot, and variations 1 through 5a and 6 through 8, so Staff recommends not approving variation 5b, with the following conditions:

1. A shade tree four inches in diameter as required by code be provided in the island in the northwest corner.
2. Landscaping be incorporated at the base of the existing ground sign at the corner of Arlington Heights and East Grove Street.
3. A portion of the Grove Street parkway adjacent to the building is paved. The recommendation says that the pavement be removed and parkway be sodded with grass.
4. Any utility meters or structures should be screened with landscaping.
5. They comply with all federal, state and Village codes, regulations and policies.

ACTING CHAIRMAN GREEN: Is there a motion to enter the Staff report?

COMMISSIONER JENSEN: I'll make that motion.

ACTING CHAIRMAN GREEN: Is there a second?

COMMISSIONER ENNES: I'll second that.

ACTING CHAIRMAN GREEN: All those in favor say aye.

(Chorus of ayes.)

ACTING CHAIRMAN GREEN: All those opposed?

(No response.)

ACTING CHAIRMAN GREEN: So entered. Mr. Mertes, are

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you aware of the recommendation by Staff?

MR. MERTES: I am.

ACTING CHAIRMAN GREEN: How do you, how would you like to, do you agree with them?

MR. MERTES: No. I agree with most of them.

ACTING CHAIRMAN GREEN: Okay. Why don't you tell us which ones you agree with?

MR. MERTES: Well, assuming that these are the only issues before us, the Petitioner is willing to comply with 1, 2, 4 and 5.

COMMISSIONER ENNES: I'm sorry, can you repeat that?

MR. MERTES: 1, 2, 4 and 5. So, that would leave, the only item that we'd rather not deal with would be getting rid of the paving on the parkway of Grove Street that's been there for 50 years. We really don't feel it's part of this project.

ACTING CHAIRMAN GREEN: Okay. We will obviously have something to discuss here. So, the way this works for the audience is that the Commission will go through our questions, and when we're done we will open it up to the public and you'll be able to speak. Then we'll get back and we'll do some deliberations and try to answer your questions that you might have, and then come up with the recommendation.

So, Jay, would you like to start with your questions?

COMMISSIONER CHERWIN: Actually, I think Latika addressed some of the questions that I had. I think I'll just reserve until after public comments. I don't have any particular questions on this.

ACTING CHAIRMAN GREEN: Okay. John?

COMMISSIONER SIGALOS: I just had a question regarding the parking. I seem to remember when we approved the Subway, because they had a parking deficiency on that property, and it was any employees or customers of the Subway would be allowed to park in the Northwest Metalcraft parking lot?

MS. BHIDE: Correct.

COMMISSIONER SIGALOS: So, when you say that both sites adhere to the parking requirement, that's not really correct, is it? Because if one already had a deficiency and it was to allow people to park on the Northwest Metalcraft --

MS. BHIDE: That's correct.

COMMISSIONER SIGALOS: So, my question is, are in fact customers or employees from Subway parking in your east parking lot?

ACTING CHAIRMAN GREEN: If you'd please identify yourself and spell your name?

MR. MAYER: Daniel Mayer, Northwest Metalcraft.

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ACTING CHAIRMAN GREEN: Spell your last name for the court reporter.

MR. MAYER: M-a-y-e-r. We get the, usually it's the employees from Subway, about two or three of them that kind of park there, but that's about it. I don't have any customers in there at all, and you can see from the traffic counts that I took on a Saturday afternoon, there was not that much business there. So, it was never a problem with the parking from them.

COMMISSIONER SIGALOS: Okay, so even though the Subway was deficient in parking, if we was to allow people to use the east parking lot of the Northwest Metalcraft, it's not really an issue, Latika?

MS. BHIDE: That's correct. So, the Subway did receive, that property did, it was deficient 10 parking spaces and received a variation to allow a deficiency of 10 parking spaces with the understanding that employees could park in that east parking lot with that agreement because the Petitioner owned both properties. What we did ask the Petitioner to do was to give us parking counts at peak hours, so lunch hour on a Saturday and a lunch and a dinner hour on a weekday. The parking counts showed there were hardly any vehicles parked there.

COMMISSIONER SIGALOS: The other question I had is the storage building, there will be outdoor sales in the canopy area outside of the storage building but there won't be any customers or indoor sales inside this new building?

MR. MAYER: There shouldn't be. What we're going to use it is mainly for storage. We're in the business of repairing furniture in some cases. So, customers will drop off their furniture and I'll keep it there until I move it to my warehouse because I don't have my warehouse open all the time.

COMMISSIONER SIGALOS: So, you don't get that customer traffic or indoor sales in this new building?

MR. MAYER: There shouldn't be. I mean if I've got a patio set, I don't have anybody at the warehouse that day, I'll have them drop it off, I'll put them in the garage. When, you know, I get the time to put it on the truck, I take it to my other facility. That's pretty much it. They're not going to be looking around, hey, what are we going to buy here, no, that's not the case.

COMMISSIONER SIGALOS: So, that building is not required to be sprinklered then, fire sprinklered?

MS. BHIDE: So, I know the Petitioner is working with the Building Division and the fire inspector on the requirement. There was a requirement that it would need to be sprinklered, but they will be going through a building code report hearing. I think they are designing the building to be non-combustible and with some restrictions

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on what can be stored inside. So, they will be going through that process separately.

COMMISSIONER SIGALOS: It's not always the building structure that's combustible or not combustible but it's what's inside that structure.

MS. BHIDE: Correct, and I think the Fire Department and the Building Department is working with them to determine what can be stored inside and what the building structure can be.

COMMISSIONER SIGALOS: Could I just see the site plan again? I don't see where that bio-swale is. Is that --

MS. BHIDE: It would be at the center north on the site.

COMMISSIONER SIGALOS: Okay, I see. In the center, like the north end of the parking lot, okay.

MS. BHIDE: Right there, yes.

COMMISSIONER SIGALOS: My last question is why are you objecting to Staff's suggestion to remove the paved area and sod the parkway along Grove Street?

MR. MERTES: Mainly expense and the fact that, you know, we didn't really want to deal with that issue since we're not really developing that part of the property.

COMMISSIONER SIGALOS: Well, I mean it's all part of this development.

MR. MERTES: I know. I know.

COMMISSIONER SIGALOS: I mean I don't want to tell you how to spend your money but that seems like a negligible expense to what you're spending with underground storage and parking and the structure and so forth. I personally would like to see that sodded, that's just my own personal preference. That's all I have.

ACTING CHAIRMAN GREEN: Thank you, John. Susan?

COMMISSIONER DAWSON: That was really where my only question was. I just wanted to understand, so looking at this plan, these are bushes being planted in the inside portion of this sidewalk?

MS. BHIDE: Correct.

COMMISSIONER DAWSON: So, what he's objecting to, you guys should put in color, it's just easier to see. You're not objecting to that portion, you're objecting to the outside portion?

MR. MERTES: No, no, it's not, it's directly north of the existing building.

COMMISSIONER DAWSON: That, oh, so this, I see. That's why it's not colored in, I'm sorry. I thought that's where it was before but then for some reason I was looking at the swale and I got confused. So, we want green space, you want green space there. Could you speak more to that?

MS. BHIDE: So, typically a parkway would not be paved,

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it would be sodded. This just has been for several years I believe --

MR. MERTES: 50.

MS. BHIDE: 50 years a pavement. So, since they are doing this project, it's a PUD amendment, you know, even though they are working on the east parking lot, the PUD amendment is for the entire property and the site. This parkway, you know, right of way, is adjacent to that PUD, and so --

COMMISSIONER DAWSON: So, across the street, is that sodded, that same area then? There is an entryway.

MR. MERTES: What, the Subway space?

COMMISSIONER DAWSON: The Subway there, right.

MS. BHIDE: Right. You can see on that, Commissioner, yes.

COMMISSIONER DAWSON: So, it's not, there's no sod there, that's straight concrete there.

MS. BHIDE: Along the building though it's sodded. I mean it's driveways that are --

COMMISSIONER DAWSON: I just, it's such a commercial space, I don't know, I'd have to listen to everyone and see what the neighbors are saying. But maybe just because I've driven past that intersection for how many years, it's never been sodded, it doesn't bother me that it's not. I see your point, but I'll listen to maybe what other people say. That's it.

ACTING CHAIRMAN GREEN: Thank you, Susan. Terry?

COMMISSIONER ENNES: I have a couple of questions. In regard to the sodded area, we had a similar situation a couple of years ago with St. James where they had paving outside the sidewalk. There's a number of reasons, in addition to it's part of the code, but in addition to that it allows water to go in. We have a problem with flooding in town. Every little bit of space that we have available that lets water go in, that's a benefit. I think we do have that precedent where we forced them, they did not want to spend the money to do that, but we forced them to do that. It would be a little bit discriminatory if we do that to the church and we don't require that in all the situations where this comes up. That's my comment on that.

We don't have a problem with this sidewalk across the front? There is limited egress and ingress in front of the store, is that correct?

MS. BHIDE: No, I mean we don't have any issues with it.

COMMISSIONER ENNES: Right, but I mean cars don't drive across, just that they park there. Is it an entrance or an exit for the front parking lot, is that --

MS. BHIDE: Right.

COMMISSIONER ENNES: Okay. For Kelle, I have a

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question for you. Very nicely designed storage building.

MS. BRUCKBAUER: Thank you.

COMMISSIONER ENNES: I think it would be a great addition and improvement in that back lot. I do have a question, you're calling it a storage barn.

MS. BRUCKBAUER: Right.

COMMISSIONER ENNES: This is going to be heated HVAC?

MS. BRUCKBAUER: No.

COMMISSIONER ENNES: No heat? No heat at all?

MS. BRUCKBAUER: No.

COMMISSIONER ENNES: So, just electric, no insulation in the building?

MS. BRUCKBAUER: No, just a little bit of fire rated on the south and the west side.

COMMISSIONER ENNES: The south and the adjoining property and the west side closest to the building. That's all I have, I was just wondering is it strictly storage or is it --

MS. BRUCKBAUER: Yes, we're designing it strictly as storage space.

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

ACTING CHAIRMAN GREEN: Thank you, Terry. Mary Jo?

COMMISSIONER WARSKOW: My only question is in relation to the shade tree in the corner, the northwest. You're okay with that even though prior you had stated it would block --

MR. MERTES: Yes, we had issues with it because of a tenant entrance there and really didn't want to deal with that issue. However, I know how much Commissioner Green loves trees and I told him that we're willing to defer on that.

COMMISSIONER WARSKOW: Okay. I just want to make sure tenant needs are also taken into consideration.

MR. MERTES: No, no. We're with you 100 percent on everything except the paved area.

COMMISSIONER WARSKOW: Okay, that's all I have.

ACTING CHAIRMAN GREEN: Lynn?

COMMISSIONER JENSEN: Yes, just a couple of questions. I guess I'm a little confused as to why we don't have a concern about the path that the fire truck would follow through this property because it looks like it's going to encroach on more than just three parking spaces. It looks like it's going to, you know, encroach initially on those that are on the west side of the parking and then in the middle where they have the bio-swale there's going to be further encroachment. With their counts, I'm not too worried. It doesn't look like they have a lot of parking. But if people elected to park in those places and a fire truck needs to come in, I don't know how they're going to negotiate that very sharp set of turns. So, I'm a little surprised

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that we aren't more concerned about the path that the fire truck would have to pursue through this course. I think, Latika, you can speak to that.

MS. BHIDE: Yes. I mean the Fire Department did review it and they did not have any concerns with it. I don't know if they would be able to set up their apparatus on the street or bring it in, if need be. But they did not indicate any concerns.

COMMISSIONER JENSEN: Okay. Well, I read their statement, which says it encroaches on these parking places but we're not concerned, and I don't understand.

MS. BHIDE: I was referring to the loading area. The loading area encroaches into the middle, the loading berth.

COMMISSIONER JENSEN: Okay, well, from the diagram it looks like it's basically cutting into a number of different parking spaces. So, I assume that's something that's probably at this stage, a further review of that.

Just a clarification of what we've been talking about earlier, who owns the parkway that we'd like them to --

MS. BHIDE: That would be the Village.

COMMISSIONER JENSEN: The Village owns the parkway. Who allowed the concrete initially to be put there as far as we know?

MS. BHIDE: I do not have the answer to that question. It's been there for several years.

COMMISSIONER JENSEN: Decades.

MR. MERTES: It was there when the property was --

COMMISSIONER JENSEN: Well, I guess the question is, is it standard operating procedure if a parkway is not the way the Village would like it to be, that the cost is primarily borne by a petitioner?

MS. BHIDE: Correct. Because this is a PUD amendment and the parkway is adjacent to the property that is seeking that PUD amendment, we're recommending that they take out the pavement.

COMMISSIONER JENSEN: Okay, that does clarify that. At this point, I'd like to hear what the folks in the audience have to say before I come back to a couple of other points later on. So, right now I'm through.

ACTING CHAIRMAN GREEN: Thank you, Lynn. I think I have a concern about the parkway paving, and just for clarity, again it is owned by the Village, correct?

MS. BHIDE: That's correct.

ACTING CHAIRMAN GREEN: It's standard right of way.

MS. BHIDE: Correct.

ACTING CHAIRMAN GREEN: Okay, thank you. I think we'll open it up to the public and we'll get back to this discussion after we hear what the public has to say. Anybody on this side of the room like to speak? Okay, anybody on that side of the room like to speak? We'll

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start in the front row and work our way back, does that work? Second row? There you go. Please come forward and state your name and spell your last name and give your address for the court reporter.

MS. DYER: Katie Dyer, 425 South Pine.

ACTING CHAIRMAN GREEN: How do you spell your last name?

MS. DYER: D-y-e-r. I think the storage barn is beautiful. I think it will be an improvement. The concern I think we have on our block is that we are not happy with the looks of the lot across the street based on that gazebo and the pieces of lumber sticking out of it. I have a picture on my cell phone if anybody needs to look at it.

We'd like to know that if the Village allows all these variations, and just talking beautification, if there is a way that they can then say, okay, then we can't store lumber sticking out of the gazebo once we have enough storage space, because it's not beautiful if you look at the empty lot and it looks very dangerous, and that gazebo looks unkempt. So, it's all part of the same ownership. Now, we've been told that they need more storage space which we're totally supportive of, but we do not like the mess.

ACTING CHAIRMAN GREEN: Let's get that answered. Can somebody answer what's going to happen with the lumber in the gazebo?

MR. MERTES: Well, it's not even part of this property and not part of this petition. It's a separate lot and I don't know if it's on the same ownership or not but it's --

MS. DYER: Yes, it is.

MR. MERTES: It's vacant property across to the east that is used for gardening. It's been there forever as far as I know.

ACTING CHAIRMAN GREEN: If you could point out the property? I'm not even sure what --

MS. BHIDE: Here, is it this vacant lot here?

MS. DYER: Yes.

MR. MERTES: It's across the street, across Pine.

MS. DYER:

COMMISSIONER DAWSON: Whose is that?

MR. MERTES: You own it? I mean it's the LLC?

MR. MAYER: We own it, yes.

MR. MERTES: All right.

AUDIENCE MEMBER: Back in '67 when those roads didn't go through --

ACTING CHAIRMAN GREEN: You have to come forward and speak. If you can address the gazebo and the lumber? I'm just not sure --

MR. MERTES: I don't really know, I mean it's not part of the project, I don't really know.

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MR. MAYER: We farm back there, you know, and we probably get, maybe there's some lumber back there, I don't really know. But we set up, you know, to keep rabbits out and whatnot, and probably just to, I mean I can get the lumber out of there. I don't think the gazebo is in disrepair but we do put stuff in there. I got some gardening tools and whatnot as well in there.

ACTING CHAIRMAN GREEN: Is it your personal property? I mean you live there?

MR. MAYER: No.

ACTING CHAIRMAN GREEN: So, let me get to Latika. Is this something that we allow on vacant property, to have gazebos and things?

MS. BHIDE: So, we did receive the complaint from the resident and we forwarded it to the Code Enforcement Division so they will be following up on that complaint. But it is not part of this request so it doesn't --

ACTING CHAIRMAN GREEN: No, I understand that. I'm just, I want to answer the lady's question.

MS. BHIDE: Code Enforcement will --

ACTING CHAIRMAN GREEN: It sounds like it's in the works and they're going to figure out whatever it is is going on over there. Ms. Dyer, does that answer your question?

MS. DYER: Maybe. I just want it to be safe and clean. If we're going to clean it up, let's just clean it up.

ACTING CHAIRMAN GREEN: I hear you, I hear your concern, so it is a matter of the record now. So, thank you.

COMMISSIONER ENNES: As a follow up on that, Latika, do you know what the zoning on that property is?

MS. BHIDE: It's zoned R-3.

COMMISSIONER ENNES: Mr. Mertes says it's agriculture?

MS. BHIDE: It's zoned R-3, Single Family.

COMMISSIONER ENNES: Residential.

MR. MERTES: I said it's old agriculture, it's a farm.

COMMISSIONER ENNES: Okay.

MS. DYER: No, it's zoned Residential 1, I have it in here.

ACTING CHAIRMAN GREEN: If you could come forward? I mean if it's an R-1 zoning, that's a residential.

MS. DYER: It's zoned Residential 1, two lots facing Grove. I have it in writing from the Village. Before we added on to our house, we got it in writing.

ACTING CHAIRMAN GREEN: It's a residential lot, yes.

MS. DYER: Right, it's two residential lots.

ACTING CHAIRMAN GREEN: Okay. Like I say, it's not part of tonight's --

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MS. DYER: Well, right, but we're under the impression that there's supposed to be more storage, so we're hoping that that means that the storage can be used to clean up the area.

ACTING CHAIRMAN GREEN: I think I see your logic here, it's just that we have to address the issue before us.

MS. DYER: Thanks.

ACTING CHAIRMAN GREEN: But it sounds like it's in the works.

MS. DYER: I think we'd also like to hear more about the fire, because being the houses close to it, if there is a commercial requirement for sprinklers, I think as residents we'd like to know and we'd like to make sure that every fire code is strictly enforced.

ACTING CHAIRMAN GREEN: Right, and I think it's going to the Building Board Review and they're going to look into the issue. So, again we can't address that either here tonight because we're doing zoning requirements.

So, are there any other questions on that side of the room? If you'd like to come forward? State your name and spell your last name and address please.

MS. NYGREN: Donna Nygren, N-y-g-r-e-n, 431 South Pine Avenue. The drawings are very exciting, the building looks terrific. Pine is a residential street, and so our concern always is the beautification of that street and that whatever is done there adds value to the homes and not the opposite. So, that's a concern.

Also, the driveway, it looked like that came off of Pine, the delivery area, yes? Am I looking at that correctly? Yes, right. Okay, yes, all right. So, that's a concern. I also heard that deliveries are also going to be only during business hours. So, again just the sensitivity that it is a residential street.

Also, just curious a little bit more about selling retail outside. I'm sorry, what was the, the display area, that's it, the display area they may be --

ACTING CHAIRMAN GREEN: Yes, it's really a storage area, this building.

MS. NYGREN: But the display area that there may be sales outside, I would just want to know a little bit more about what that meant.

ACTING CHAIRMAN GREEN: Latika, can we?

MS. BHIDE: Sure. So, I'm going to let the Petitioner answer the question, but in addition to the storage barn there is about a 1,000 square feet of covered display area where they will be displaying stuff they sell. My understanding is that people will be able to walk into that covered area, look at the product for sale and then purchase it. Whether the purchase will happen within the building

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or --

ACTING CHAIRMAN GREEN: I would assume they, and then maybe you can address that as the owner, if you'd come to the podium, that they go look at the product and then obviously they go back at the store to make the final sale.

MR. MAYER: Sure, I mean we have a lot of outdoor product, outdoor business, you know. We show this stuff in outdoor settings.

ACTING CHAIRMAN GREEN: I think this lady's concern was that you're going to be selling, they're going to be looking at the product from what I'm hearing here --

MR. MAYER: Sure.

ACTING CHAIRMAN GREEN: Then if they decide to purchase, they go back in the building and negotiate the price or whatever the procedure is.

MR. MAYER: Right.

ACTING CHAIRMAN GREEN: But it's really a display area. Does that display area stay up all night long in this covered area? I mean you don't --

MR. MAYER: Sure. I mean we'd like to probably put a fence or something around it so it looks nice and not have anybody steal anything. I mean we have Hearth and Home just down the road, they have a fenced-in area in the front lot.

ACTING CHAIRMAN GREEN: Well, is a fence part of what we're doing here?

MS. BHIDE: Yes, they have on their plans shown a fence around the display area and it meets the requirements.

ACTING CHAIRMAN GREEN: For security, okay.

MR. MAYER: Yes.

MS. NYGREN: Could you indicate on that graph where the display area is please? Okay, so it's facing the --

MR. MAYER: North side.

MS. NYGREN: North, and so it's facing the parking lot versus --

MS. BHIDE: Correct.

ACTING CHAIRMAN GREEN: Correct.

MR. MAYER: Right.

MS. NYGREN: Because one of the things in the past was that there was a lot of furniture out there and it looked very askew, and so that was cleaned up. So, this sounds like it will be much more formal than what it was.

MR. MAYER: And we are going to try to put pavers in there and make it look nice.

COMMISSIONER JENSEN: Well, as I understand it this is not even the question. Are you going to ring up any sales out in the

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demonstration area?

MR. MAYER: I believe most of them will be rung up inside because that's where all my electronics and stuff are, my computers.

COMMISSIONER JENSEN: Well, that's what she wanted to know the answer to I think. Isn't that right, that's what you were asking?

MS. NYGREN: Yes, just the kind of traffic, yes, yes. That was part of the question. And then also, I would like to ask about the oversight of this project and how the Village keeps vigil to how things actually are executed and complete within the intent of what's being discussed here.

ACTING CHAIRMAN GREEN: Well, maybe I can answer that. As an architect myself, that whatever the architects draw on the plans, the Village approves, and the contractors construct. So, the parking lot, the building, it will be laid out exactly as they are detailed on those plans.

MS. NYGREN: I appreciate that. But I mean how often does the Village go and actually observe and say that it's in compliance?

ACTING CHAIRMAN GREEN: Well, there are inspections as you go through the construction. There's a definite construction sequence that you have, foundation, floors, wall, roof.

MS. NYGREN: And those are different entities of the Village, that's why --

ACTING CHAIRMAN GREEN: Yes, I mean there would be plumbing and electrical. All these things are inspected.

MS. NYGREN: But the Village is still involved throughout the whole thing and signs off ultimately on it?

ACTING CHAIRMAN GREEN: Absolutely.

MS. NYGREN: Okay, thank you.

ACTING CHAIRMAN GREEN: Thank you. Would anybody else like to speak from the audience? Seeing no hands, we'll close the public portion and get back to any questions or considerations, and I think we should bring up the item 3, which seems to be the only point of contention here.

COMMISSIONER JENSEN: Yes, why don't you do that?

ACTING CHAIRMAN GREEN: So, 3 about pulling the pavement off. The recommendation is on the bottom, I think it was --

COMMISSIONER DAWSON: The recommendation is on the bottom?

ACTING CHAIRMAN GREEN: 3.

COMMISSIONER DAWSON: Oh, you're right.

ACTING CHAIRMAN GREEN: At the bottom. Comments? I mean I'll start, okay. I think that I agree with Terry Ennes and we

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should take that pavement out of there. I don't know who put it in there but it's Village property and it's illegal. Whether it's part of this construction or not, I feel it is part of what they're doing and it should be removed. So, that's where I stand.

COMMISSIONER SIGALOS: Can we go to that colored landscape plan? If I'm looking at this correctly, the parkway for the east of the driveway is all being sodded?

MS. BHIDE: It is currently, yes.

COMMISSIONER SIGALOS: So, I would --

COMMISSIONER DAWSON: It is sodded I believe, right.

COMMISSIONER SIGALOS: Well, that already is sodded.

MS. BHIDE: Right.

COMMISSIONER SIGALOS: Okay. But I would like to see that continued all the way across there. Again, if we make other people, most recently St. James Church, sod their parkway, I don't see how we could exclude this property from that requirement.

COMMISSIONER DAWSON: Just to clarify on the St. James, we made them sod the residential side. It wasn't the commercial area. Our point was that it was along a residential neighborhood.

COMMISSIONER ENNES: We made them do that along two right of ways, the east right of way and the north right of way.

COMMISSIONER DAWSON: Both of them, I mean if it is sodded back there, did we have St. James do it on Arlington Heights Road corner?

COMMISSIONER ENNES: We had them replace, as I recall.

COMMISSIONER DAWSON: My recollection was it was back here, back in the residential corner.

COMMISSIONER ENNES: The east and all along their northern property.

ACTING CHAIRMAN GREEN: Right. Along Arlington Heights Road I don't think it was paved.

COMMISSIONER DAWSON: I could be remembering wrong. I just, I remember because that's where we, we lived near there at the time so I know it was the residential area that was the issue.

ACTING CHAIRMAN GREEN: Yes, but everything else was compliant. Arlington Heights Road was compliant with code.

COMMISSIONER DAWSON: Okay.

ACTING CHAIRMAN GREEN: So, the two streets on that project were not. So, yes, it was on the residential side but those were the only two that were non-compliant.

COMMISSIONER ENNES: A question in regard to the front parking lot on this drawing. The north lot line traffic, no, go back to the other one. This north where the property is, at the north end of that, cars do not exit out onto Grove Street, they exit out onto Arlington Heights Road, right, out of the parking lot?

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MS. BHIDE: I believe --

MR. MERTES: They exit on Grove, the back lot will exit onto Grove.

COMMISSIONER ENNES: Not the back, the front lot.

MR. MERTES: Right, it's Grove in the front, too.

COMMISSIONER ENNES: Do they exit out over --

MR. MERTES: The sidewalk and the paved area.

COMMISSIONER ENNES: Or do they go onto Arlington Heights Road?

MR. MERTES: No, they exit onto Grove. Well, there's two.

MS. BHIDE: I think it's --

MR. MERTES: One on the front lot, right?

MR. MAYER: One is on Arlington Heights Road, one is on Grove Street. The back lot exits --

COMMISSIONER ENNES: Right adjacent to your store.

MR. MAYER: There's one right there.

MS. BHIDE: Right there.

COMMISSIONER ENNES: Right, and the other is -- so we're just really talking about replacing it at the end of the building.

MS. BHIDE: Correct. Right.

COMMISSIONER ENNES: That --

ACTING CHAIRMAN GREEN: Right, because there's a driveway back there. So, it's just along the side of the road.

MR. MERTES: You know, I have a photo of that if you want to see it. Just to see what we're talking about.

COMMISSIONER DAWSON: So, it should be here.

ACTING CHAIRMAN GREEN: Yes, bring it up.

MR. MERTES: Here, right there, you got it.

COMMISSIONER DAWSON: So, this side across the street there.

MR. MERTES: This Subway is not, okay, well, see where the building begins on Arlington Heights Road? Then it goes back to the back of the building, that's the paved area with sidewalk.

ACTING CHAIRMAN GREEN: Well, it looks like the whole end of the parking lot is a driveway, the way this is looking here. It could be construed as a driveway.

MR. MERTES: There's curbing there. Where the curbing rises up, that's the paved area we're talking about, and that extends to the east of the end of the building where the other driveway is. The picture you have there is the east portion of that paved area.

COMMISSIONER DAWSON: I think what I don't understand is why are we making such a big deal out of the side of the building but not along the front? I mean is there sod there now along the

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front? I don't think that there is.

MS. BHIDE: Along Arlington Heights Road?

COMMISSIONER DAWSON: Along Arlington Heights Road,
yes.

MS. BHIDE: I don't believe they're shown there.

COMMISSIONER DAWSON: I mean to me the appearance of
the front is much more troublesome to me than this little sliver on the
side that we're kind of making a big deal out of.

COMMISSIONER ENNES: Are you proposing we --

COMMISSIONER DAWSON: I hate to say that but I mean the
front of the building needs more improvement and curb appeal, in my
opinion, than this little sliver on the side that we're worried about.
That's not at issue right now, that's not before us so I don't, but to
me if we were, I don't understand why the Village is so concerned about
this little sliver and then the whole front there which is not terribly
attractive hasn't been addressed.

MS. BHIDE: There is no room in the front to add, you
know, the edge of the right of way is right at the property line.
There is no room to add sod there. As a means of, you know, improving
it, our recommendation is that that sign have landscaping along the
base to add green space there and to improve the front. But there is
surely no room to add sod along Arlington Heights Road there. But this
is where the parkway has been paved over, and so we feel like that with
this project they should replace it.

COMMISSIONER DAWSON: Okay. I'm not really fighting
for or against it, I just was a little confused about it.

ACTING CHAIRMAN GREEN: Yes, it's a different right of
way situation on Arlington Heights Road than the side streets. Is
there a recommendation or further discussion or deliberation?

COMMISSIONER CHERWIN: Yes, I'm in support of the
project. When I look at PUDs, I typically look at the property as a
whole; and when we have significant, you know, changes that we're
making and there are some variations, we look to try to bring the
property as a whole to the extent it's practical into compliance. So,
I'm in support of Staff's recommendation for the northerly
improvements. It seems as though it's not practical on the Arlington
Heights side because there is no room for it with the sidewalk and
that's all. So, I don't know if that's something that's practical and
that we would ask for, but I think if we're looking at a comprehensive
look at the property for a PUD, the request from the Staff on the north
side of the property, so I would support the project and I support the
Staff's recommendations.

COMMISSIONER DAWSON: Was that a motion?

COMMISSIONER CHERWIN: No, it was just --

ACTING CHAIRMAN GREEN: Would anybody like to make a

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motion?

COMMISSIONER DAWSON: Does anyone want to make a

motion?

COMMISSIONER ENNES: I'll make the motion.

A motion to recommend to the Village Board of Trustees approval of PC# 15-002, a Planned Unit Development amendment to Ordinance# 67-120 to allow the construction of a 1,680 square foot storage building and reconfigure the parking lot.

1. A variation from Chapter 28, Section 5.1-11.1, *Conditions of Use*, to allow outdoor sales within a covered display area on the north side of the proposed storage barn;
2. A variation from Chapter 28, Section 6.5-2, from the requirement that an accessory structure including but not limited to a toolshed, storage building detached garage, tree house or gazebo, shall only be located in the rear yard, to allow the proposed storage barn to be located in the side yard;
3. A variation from Chapter 28, Section 6.5-6, from the requirement that no accessory structure or portion thereof shall extend a height of 15 feet above grade to allow the storage barn to be 28 feet;
4. A variation from Chapter 28, Section 6.5-7, from the requirement that a playhouse, shed and gazebo cannot exceed 300 square feet in area, to allow the storage barn to be 1,680 square feet;
- 5A. A variation from Chapter 28, Section 6.15-1.2B from the requirement to provide a four-inch caliper shade tree and the island width, three feet instead of nine feet, for the island immediately east of the covered display area;
6. A variation from Chapter 28, Section 11.2-7, from the requirement that where the length of a parking space is reduced to 16-and-a-half feet including wheel stop with an additional space of one-and-a-half feet for car overhang, at least three feet, excluding any car overhang space, must be provided for any planting screen to allow 2.5 feet.
7. A variation from Chapter 28, 11.6-1 from the requirement that no loading berth shall be located in required side yard, to allow a loading berth to be located in the south side yard.
8. A variation from Chapter 28, Section 11.6-2, *Schedule of Loading Requirements*, from the requirement that a loading berth is exclusive of aisle and maneuvering space to allow the loading berth to encroach into the maneuvering space for the parking spaces.

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This approval is contingent upon compliance with the recommendation of the Plan Commission and the following recommendations detailed in the Staff report dated June 4, 2015:

Recommendation

The Staff Development Committee reviewed the Petitioner's request and recommends approval of the Planned Unit Development amendment to Ordinance# 67-120 to allow the construction of a 1,680 square foot storage building and reconfigure the parking lot and variations 1 to 5A and 6 to 8, as stated in the SDC report dated 6/4/2015, subject to the following conditions:

1. A shade tree, four inches in diameter, as required by code should be provided for the island in the northwest corner of the east parking lot.
2. Landscaping should be incorporated at the base of the existing ground sign located at the corner of Arlington Heights Road and East Grove Street.
3. A portion of the Grove Street parkway, adjacent to the building, is paved. The said pavement must be removed and the parkway must be sodded with grass.
4. Any utility meters or structures must be screened with landscaping or another appropriate method of screening.
5. The Petitioner shall comply with all federal, state, and Village codes, regulations and policies.

ACTING CHAIRMAN GREEN: Is there a second?

COMMISSIONER SIGALOS: I'll second that.

ACTING CHAIRMAN GREEN: Any further discussion?

Latika, roll call vote please.

MS. BHIDE: Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes.

MS. BHIDE: Commissioner Dawson.

COMMISSIONER DAWSON: Yes.

MS. BHIDE: Commissioner Ennes.

COMMISSIONER ENNES: 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 Green.

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ACTING CHAIRMAN GREEN: Yes. You have our recommendation and it will be passed on to the Village Board for final approval. What is the date?

MS. BHIDE: I don't have a date yet but --

MR. MERTES: Latika, I know we've talked about this and I just have to bring this up one more time. First of all, thank you for your consideration. I left a message for Bill Enright, unfortunately, Kelle is not going to be with us much longer, will be having a maternity leave. We really would like her to be able to be a witness at the Board meeting and we were trying to fast track it to the next Board meeting which is Monday, the following Monday from now, right?

MS. BHIDE: It's actually the 15th.

MR. MERTES: 15th. If we can't do it then, with the Village schedule, we're talking July 6th, which is the next meeting which will be the Monday after the fourth of July. We were hoping that we could pay for the expedited transcript to get that into the package for the Trustees for their consideration. Bill indicated that he didn't think that was going to be possible because the packets were --

MS. BHIDE: Right, attendance are finalized on Wednesday for the following Monday for Board meetings.

MR. MERTES: So, there is no way to use the maternity --

COMMISSIONER JENSEN: You would have already done it.

ACTING CHAIRMAN GREEN: Beyond land planning and zoning --

MR. MERTES: You'd think that little pavement there is a problem, that's not a problem at all. This is the problem.

ACTING CHAIRMAN GREEN: I don't even know what to say to that, Drake.

MR. MERTES: I know.

COMMISSIONER ENNES: That's out of our control.

ACTING CHAIRMAN GREEN: It's out of our control. It's in God's hands.

MR. MERTES: So, that's where we're going to be. So, it's going to be July 6th?

MS. BHIDE: That's correct.

ACTING CHAIRMAN GREEN: All right. I'll have to take your word for that. Thank you, Drake.

MR. MERTES: Yes, you're welcome.

MS. BHIDE: Then just for the audience, the agendas are available the Friday before the meeting. So, if you would like to look at the agendas, they will be available at the website the Friday before.

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ACTING CHAIRMAN GREEN: Thank you for coming in.

MR. MERTES: Thanks.

COMMISSIONER ENNES: Thank you, good luck.

COMMISSIONER JENSEN: Bruce, just a point before you go on to the next one, I didn't want to bring it up in the consideration of the actual Petitioner's request. But I see once again we've got the Staff recommending in their comments that the Petitioner build a bike rack. I can't think of anything less appropriate than that, given the clientele, that it be recommended that they do that. It's very disturbing to me that they continue to do it. There is no code that actually would require that. It's like they don't really have any sense of what the Petitioner is doing.

There's a lot of other things that I've already said at other meetings, but I think they ought to be a little bit more circumspect about who they're even recommending to build a bike rack. My position is --

COMMISSIONER WARSKOW: There are tenants in that development that someone could bike to to do business with.

COMMISSIONER JENSEN: Like you take on the railroad around --

COMMISSIONER WARSKOW: No, like the Chinese restaurant or the liquor store or the Lucky Junk. I can pick up a small item and put it in my saddle bag. So, I like to bike places.

COMMISSIONER JENSEN: But I don't know that they ought to make it a requirement for someone that's doing, and that's the point, if the Village wants to have the bike racks installed, they should either do it on Village property at their expense, or they should pay the Petitioner to do it because there's a proper way to do it. It is a selecting tax when they do it the way that they're doing it. When anyone comes before this Commission and the Board and we ask them to do that, we basically impose a tax on them and they have nothing to do with what they do as their business model.

COMMISSIONER WARSKOW: Well, I think there could be an ordinance just like there is for parking, but that's a discussion for another time.

COMMISSIONER JENSEN: I have no question with that. If it's an ordinance, I wouldn't have a problem.

ACTING CHAIRMAN GREEN: Right. I tend to agree that you'd think it would be a business decision to have a bike rack if it brings more business, and so I tend to agree to let the business owner decide whether he wants to have a bike rack. Since it's on private property.

COMMISSIONER JENSEN: Well, I don't want to drag this any longer. I just didn't want that to be part of the deliberation, but I do find it a little disconcerting and we have dealt with this

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issue supposedly, I don't know, a couple of years ago when the Bike Commission came before us and they were going to first of all show us some evidence that building bike racks encourages people to bike which I don't believe and a number of other things quite frankly that did not materialize. We have no code on it. So, I find it somewhat disturbing to try to foist that off on a petitioner.

COMMISSIONER WARSKOW: Latika, is it a recommendation to consider or is it we're just asking people to think about it and if it's appropriate? Sometimes they don't even think about it. We're just asking them to think about it when they're developing a particular property. As a bike rider, I appreciate the Village asking a petitioner to think about it.

ACTING CHAIRMAN GREEN: Enough said.

(Whereupon, the public hearing was adjourned
at 8:20 p.m.)