



200 E. Palatine Road, Arlington Heights, Illinois 60004
120 W. University Drive, Arlington Heights, Illinois 60004
25 E. University Drive, Arlington Heights, Illinois 60004
(847) 253-0183 Phone (847) 253-1658 Fax
markb@hillside towing.net

March 13, 2015

Via E-Mail

Plan Commission
Village of Arlington Heights
33 S. Arlington Heights Road
Arlington Heights, Illinois 60005
Latika.bhide@vah.com

Re: PLAN COMMISSION APPLICATION

Petitioner: Hillside Auto Body & Service, Inc.
Property: 25 E. University Drive, Arlington Heights, Illinois
PIN No. 03-08-103-0004-000
File No.: P.C. _____

Dear Plan Commission Members:

Petitioner, Hillside Auto Body & Service, Inc. ("Petitioner" or "Hillside"), respectfully requests a Land Use Variation for 25 E. University Drive (the "Property")¹ to allow Major Vehicle Repair as defined in Ch. 28 § 3.2-149 of the Village of Arlington Heights ("Village") Municipal Code ("VAH Code"). Hillside also requests a variance to waive the traffic study and parking analysis as required in Ch. 28, § 6.12-1(3). The Property is currently located in an M-1 District.

In addition to the Land Use Variation, the Village's Staff Development Committee ("Development Committee") has identified an additional variance: to allow 18 parking spots instead of 47 as required under Ch. 28 § 11.4. See Ex. A [Staff Report No. T1468 at p. 1 (Oct. 17, 2014)]. As detailed below, Hillside no longer requests this variance.

Background²

By way of background, the Balek Family has resided in and operated businesses in the Village for more than 115 years. Since their original purchase of 200 E. Palatine Road (a/k/a 1901 N. Arlington Heights Road), five generations of Baleks have lived in, and continue to live in, Arlington Heights. In the 1920s, the Balek Family established Hillside, its towing and repair service business. Hillside is currently in its second generation of ownership.

Hillside operates out of its 200 E. Palatine Road location and 120 W. University Drive location. Hillside anticipates transitioning all of its operations from 200 E. Palatine Road to its

¹ Hillside Auto Body & Service, Inc. leases the Property from University Drive Acquisitions, LLC. See Ex. G.

² This background is provided for informational purposes only.



University Drive locations in the near future. Currently, Hillside undertakes its repair work at both its 120 W. University location and 200 E. Palatine location. Hillside has experienced significant growth in recent years, and requires additional space to expand its repair operations. Specifically, Hillside has recently contracted with a national truck rental company and local dealership to provide minor body and mechanical repair services. While the variation requested is for "Major Vehicle Repair" as defined in the VAH Code, the repair services contracted for are, "automotively speaking," minor in nature.

The Property is conveniently located to coordinate operations with Hillside's 120 W. University location. *See* Ex. F [Map of University Drive]. The Property includes a 16,000 square foot building and the rear of the Property is fully enclosed by an 8-foot chain linked fence. Hillside estimates it will have 12 bays in the building for repair work. Hillside also estimates that, on any given day, it will store 10 to 15 vehicles for repair on the Property or in the building. The vehicles being stored for repair will be stored inside or in the rear of the building, neither of which are visible to the public. Nevertheless, the anticipated repair work is limited to minor body and mechanical repairs. While Hillside intends to provide the required customer and employee parking, Hillside notes that it will be responsible for transporting a majority of the vehicles to and from the customer.

Petitioner's Responses to Development Committee's Recommendation

Pursuant to the Development Committee's Report and Recommendations (Ex. A), Hillside respectfully submits the following responses:

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone.

Petitioner will not attain a reasonable return if the variance is not granted. Hillside's influx in business requires additional repair space. Hillside currently uses its 120 W. University location and its 200 E. Palatine location for its repair operations. These locations, however, are landlocked and not susceptible to expansion. Further, Hillside anticipates the redevelopment of its 200 E. Palatine Road location in the near future. The Property is an optimal alternative because it is ideally located to coordinate operations with Hillside's 120 W. University location. *See* Ex. F. The variance is compatible with the underlying M-1 classification which allows for industrial assembling, manufacturing, processing, and repairing of mechanical parts. *See* Ch. 28 § 5.5-1. The requested variance is also consistent with the Major Vehicle Repair variance the Village granted for Hillside's 120 W. University location, which is within the same M-1 District as the Property. *See* Ordinance Granting A Land Use Variation, Doc. No. 0422339007 (June 7, 2004).

If granted, Hillside will begin operating out of the Property immediately, marking the first time in more than five years that the Property will be in use. The Property has been vacant since at least 2010, and, when purchased, was in a state of disrepair. Hillside has made significant improvements to the Property, including cleaning, repainting, updating the offices, and mud-jacking the floors back into position. If not granted, however, Hillside will be required to look outside Arlington Heights for a new location to expand its operations. Hillside is unable

to quantify how long it will take to locate a new property, acquire necessary authorizations, prepare that property, and transition operations.

2. The plight of the owner is due to unique circumstances.

The plight of Hillside is due to unique circumstances. As noted above, Hillside's other locations are landlocked and not susceptible to expansion. Moreover, the proposed use, Major Vehicle Repair, is compatible with the underlying M-1 zoning classification which currently allows for industrial related uses, including assembling, manufacturing, processing, and repair of mechanical parts and products. *See* Ch. 28 § 5.5-1. Hillside's proposed use, minor auto body and mechanical repair work, is similar. Hillside's hours of operation are also consistent with other businesses in the District, Monday through Friday 8:00 a.m. to 5:00 p.m., and Saturday 8:30 a.m. to 12:00 p.m. The requested variance is consistent with the variance the Village has already granted for Hillside's 120 W. University location, which is within the same District as the Property. *See* Ordinance, Doc. No. 0422339007; Ex. F. Finally, the University Drive locations are conveniently located to coordinate repair operations. *See* Ex. F.

3. The variation, if granted, will not alter the essential character of the locality.

The proposed action will not alter the essential character of the locality. As stated above, the proposed use, Major Vehicle Repair, is compatible with the underlying M-1 zoning classification which authorizes assembling, manufacturing, processing, and repair of mechanical parts and products. *See* Ch. 28 § 5.5-1. Similarly, Hillside will be repairing mechanical parts and vehicles. Hillside's hours of operation are consistent with other businesses in the District, Monday through Friday 8:00 a.m. to 5:00 p.m., and Saturday 8:30 a.m. to 12:00 p.m. The requested variance is akin to the Major Vehicle Repair variance granted to Hillside for its adjacent facility located at 120 W. University Drive, within the same M-1 District. *See* Ordinance, Doc. No. 0422339007; Ex. F.

Finally, the requested action will enhance this locality. The Property has not been used since at least 2010. Prior to the purchase, the Property was in utter disrepair. Indeed, the property taxes had not been paid and were sold to a third-party. Hillside has already made significant improvements to the Property and building, including, cleaning, repainting, updating the offices, and mud-jacking the floors back into position. All vehicles requiring repair, will be parked in the rear or inside the building, neither of which are visible to the public. *See* Ex. A. In any event, the repairs contracted for are minor in nature. Only customer parking will be visible from University Drive. *See* Exs. C-D. In addition to rendering the Property more aesthetically pleasing, if the variance is granted, Hillside's operations will bring the vacant property back into the stream of commerce. Hillside anticipates increased sales tax revenue to the Village as a result of additional auto parts purchases from local businesses. Hillside also anticipates hiring 2 to 5 additional employees to handle the increased business.

4. A fully dimensioned detailed site plan.

Petitioner has attached a current survey of the Property (Ex. C), and five (5) proposed site plans delineating the various parking options available that will satisfy the Village's parking

requirements. *See* Ex. D. Pursuant to Ch. 28 § 11.4, Hillside is required to provide 47 lined parking spaces. Hillside initially proposed 18 parking spaces, which would require an additional variance. *See* Ch. 28 § 11.4. Hillside, however, has determined it can provide the requisite 47 spaces and no longer requests this variance.

The Property was a pre-existing building with pre-existing landscaping when purchased in July 2013. Because this is a pre-existing building with kept landscaping, Petitioner has not included additional landscaping in its Proposed Surveys. Attached as Exhibit E are photographs of the current landscaping.

5. The vehicle storage must be clearly delineated on the plans and details of the proposed fence must be provided.

Petitioner has submitted five (5) proposed plans for parking and vehicle storage. *See* Ex. D. Petitioner notes vehicles for repair may also be stored inside the existing building. The Property is already enclosed by an 8-foot chain link fence. *See* Ex. C. The vehicles stored for repair will not be visible from the public roadways, and, it is anticipated that vehicles stored for repair will only require minor repair work. *See* Exs. C-D.

6. Justification for a waiver of the traffic study and parking analysis.

Petitioner also requests a variance to waive the traffic study and parking analysis as required under Ch. 28 § 6.12-1(3). For all the reasons stated above, Petitioner will not attain a reasonable return if this variance is not granted, the plight of the owner is due to unique circumstances, and this variance will not alter the essential locality. The anticipated number of employees parking on the Property will be limited and customer traffic will also be limited because Hillside will be transporting a majority of the vehicles to and from the customers. Hillside also has adequate space to meet the parking requirements. *See* Ch. 28 § 11.4; Ex. D. The Property was previously operated by a plumbing company with more than 75 employees which is far greater than the volume anticipated by Hillside. For the foregoing reasons, Hillside respectfully requests a variance waiving the traffic and parking study analysis.

7-8. Petitioner shall cease all non-conforming operations at 200 E. Palatine Road property by a specific date to be determined by the Village. The 200 E. Palatine Road property shall be cleaned and restored within 6 months of ceasing operations.

Petitioner respectfully requests additional guidance from the Village with regard to this request; specifically, Petitioner requests citation to the relevant VAH Code Section requiring this information. *See* Ex. B.

Notwithstanding the foregoing, Petitioner and the Owner³ of 200 E. Palatine Road are in the process of planning for the redevelopment of 200 E. Palatine Road. If this variance is granted, Hillside anticipates transitioning all of its operations to the University Drive locations in or before December 2015. Petitioner also notes that the Owner of 200 E. Palatine Road has been in contact with multiple organizations and real estate brokers interested in leasing 200 E. Palatine

³ Hillside leases 200 E. Palatine Road from Balek Properties, LLC.

Road. Hillside and the Owner will continue to keep the Village informed of the status of the redevelopment. To the extent Hillside transitions its operations before a redevelopment plan has been finalized, Hillside and the Owner will begin restoration of 200 E. Palatine Road in anticipation of such redevelopment.⁴

* * *

Respectfully submitted,

Hillside Auto Body & Service, Inc.

By: James Balek, Jr.
James Balek, Jr.
President

By: Mark Balek
Mark Balek
Vice President

Enclosures

cc. Colleen J. Balek, Esq. (via e-mail cbalek@hillside towing.net w/o enclosures)

⁴ Petitioner's response to Questions 6 and 7 is provided for informational purposes only and is not to be considered binding representations and have no legal effect. Petitioner makes no representations or warranties of any kind by or on behalf of Hillside or Balek Properties, LLC, regarding any of the information provided.

CERTIFIED SURVEY, INC.

1440 Renaissance Drive, Suite 140, Park Ridge, IL 60068 Phone 847-296-6900 Fax 847-296-6906

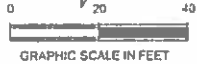
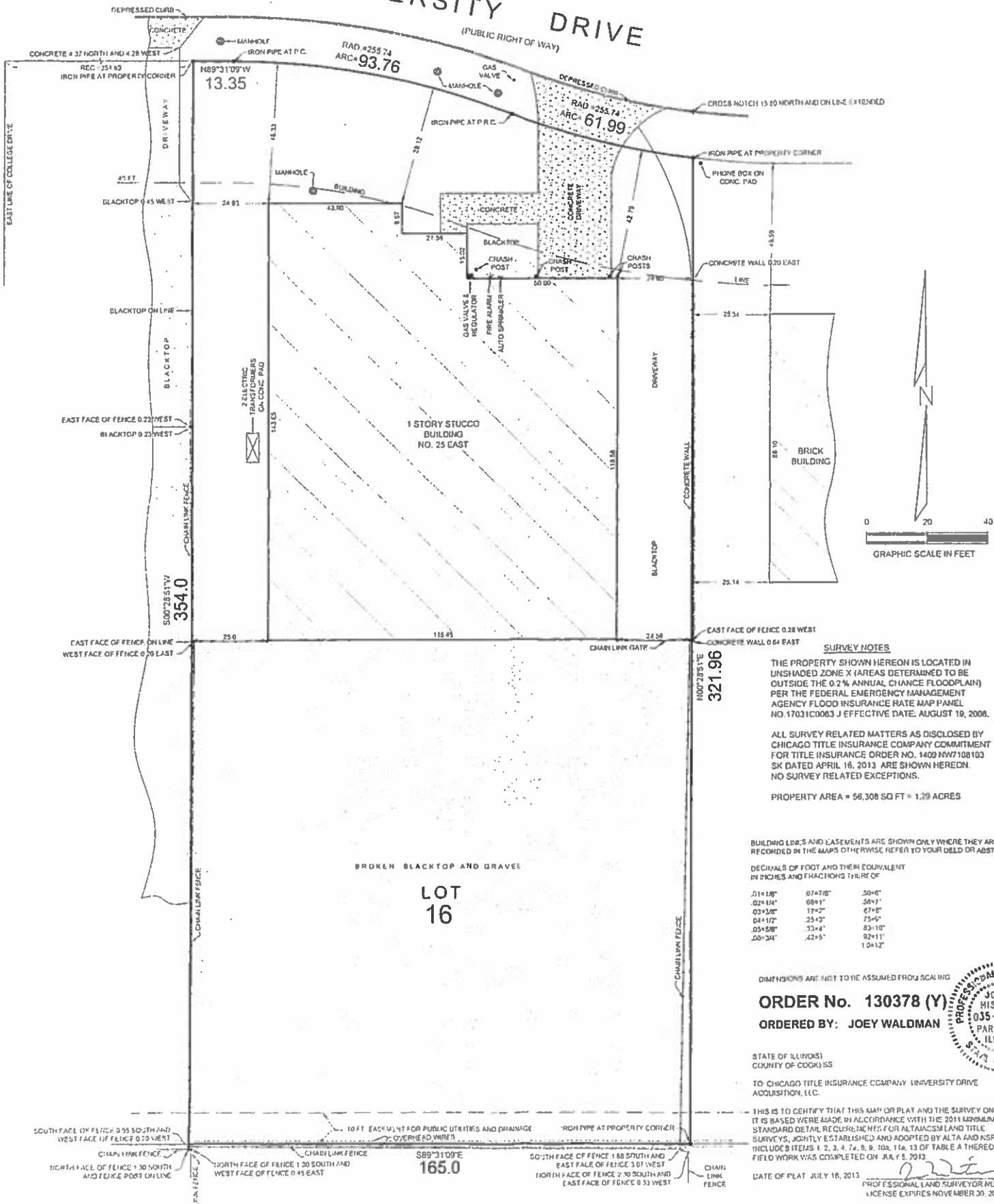
Email: surveys@certifiedsurvey.com

ALTA/ACSM LAND TITLE SURVEY

LOT 16 IN RESUBDIVISION OF PART OF LOT 1 AND ALL OF LOTS 2 THRU 5 INCLUSIVE IN ARLINGTON INDUSTRIAL AND RESEARCH CENTER UNIT 1, A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 AND PART OF THE NORTHWEST 1/4 IN SECTION 8, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 10, 1966 AS DOCUMENT NUMBER 19921923, IN COOK COUNTY, ILLINOIS.

UNIVERSITY DRIVE

(PUBLIC RIGHT OF WAY)



SURVEY NOTES

THE PROPERTY SHOWN HEREON IS LOCATED IN UNSHADED ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP PANEL NO. 17031C0063 J EFFECTIVE DATE: AUGUST 19, 2008.

ALL SURVEY RELATED MATTERS AS DISCLOSED BY CHICAGO TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE ORDER NO. 1409 NW7 108103 SK DATED APRIL 16, 2013 ARE SHOWN HEREON. NO SURVEY RELATED EXCEPTIONS.

PROPERTY AREA = 56,308 SQ FT = 1.29 ACRES

BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO RECORDED IN THE MAPS OTHERWISE REFER TO YOUR DEED OR ABSTRACT.

DECIMALS OF FOOT AND THEIR EQUIVALENT IN INCHES AND FRACTIONS THEREOF

.01 = 1/8"	.07 = 7/8"	.50 = 6"
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DIMENSIONS ARE NOT TO BE ASSUMED FROM SCALING

ORDER No. 130378 (Y)
ORDERED BY: JOEY WALDMAN



STATE OF ILLINOIS
COUNTY OF COOK

TO: CHICAGO TITLE INSURANCE COMPANY UNIVERSITY DRIVE ACQUISITION, LLC.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE BY ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDE ITEMS 1, 2, 3, 4, 7a, 8, 9, 10a, 11a, 13 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JULY 9, 2013.

DATE OF PLAT: JULY 16, 2013

PROFESSIONAL LAND SURVEYOR NO. 3468
LICENSE EXPIRES NOVEMBER 30, 2014

LOT 16

165.0

CERTIFIED SURVEY, INC.

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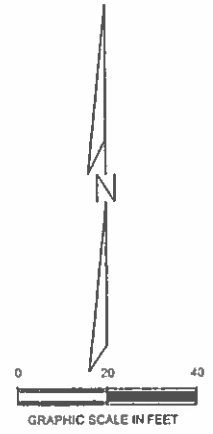
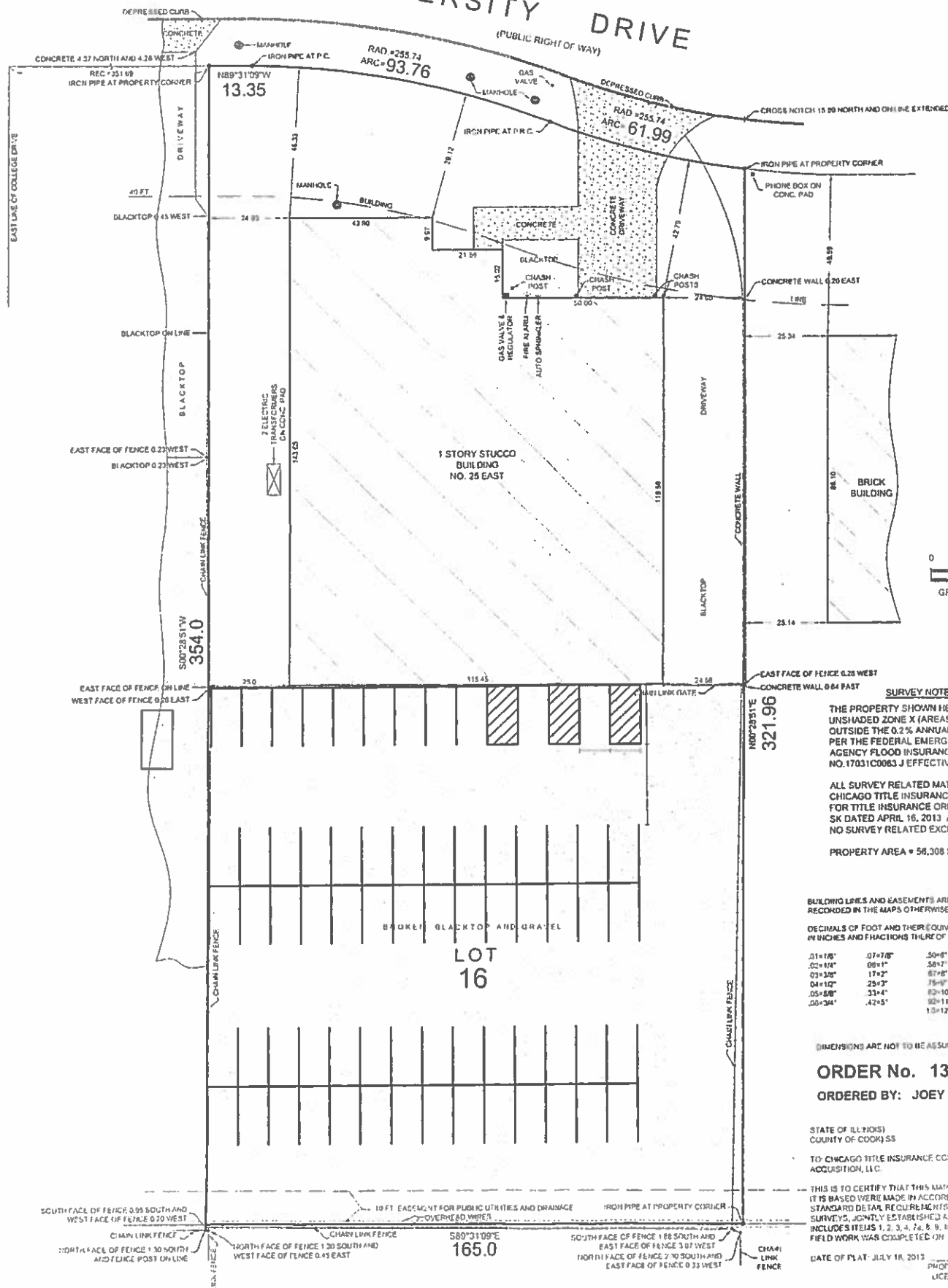
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ALTA/ACSM LAND TITLE SURVEY

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UNIVERSITY DRIVE

(PUBLIC RIGHT OF WAY)



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DECIMALS OF FOOT AND THEIR EQUIVALENT IN INCHES AND FRACTIONS THREE/16"

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.05 = 5/8"	.33 = 3 1/4"	.82 = 10"
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DIMENSIONS ARE NOT TO BE ASSUMED FROM SCALE

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TO CHICAGO TITLE INSURANCE COMPANY, UNIVERSITY DRIVE ACQUISITION, LLC

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DATE OF PLAT: JULY 16, 2013

PROFESSIONAL LAND SURVEYOR NO. 3408
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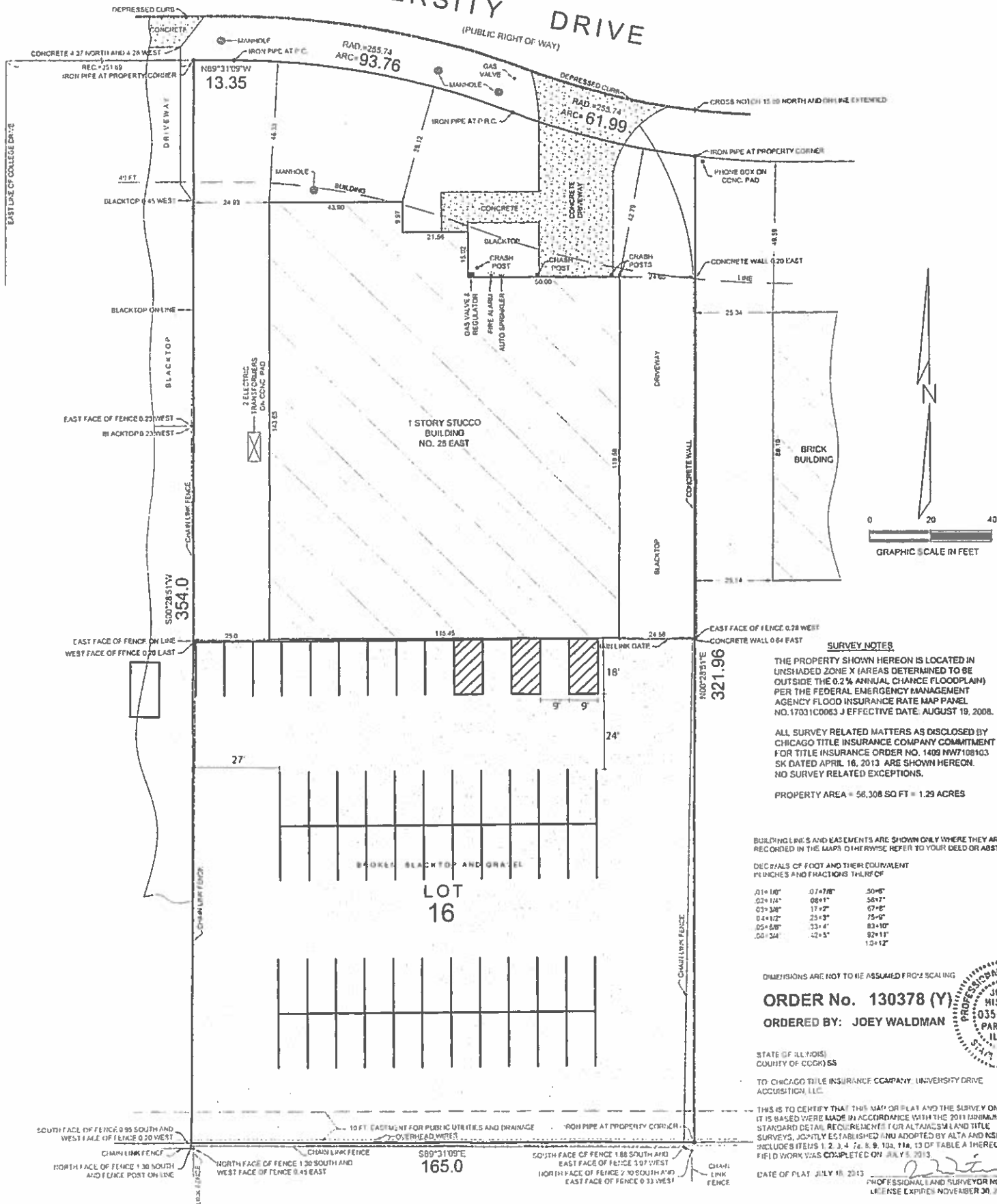
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UNIVERSITY DRIVE (PUBLIC RIGHT OF WAY)



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DECIMALS OF FOOT AND THEIR EQUIVALENT FRACTIONS AND FRACTIONS THEREOF

0.10 1/10"	0.125 1/8"	0.125 1/8"
0.25 1/4"	0.375 3/8"	0.50 1/2"
0.375 3/8"	0.50 1/2"	0.625 5/8"
0.625 5/8"	0.75 3/4"	0.875 7/8"
1.00 1"	1.25 1 1/4"	1.50 1 1/2"
1.875 1 7/8"	2.00 2"	2.50 2 1/2"
3.00 3"	3.75 3 3/4"	4.50 4 1/2"
5.00 5"	6.25 6 1/4"	7.50 7 1/2"
10.00 10"	12.50 12 1/2"	15.00 15"

DIMENSIONS ARE NOT TO BE ASSUMED FROM A SCALING

ORDER No. 130378 (Y)

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STATE OF ILLINOIS
COUNTY OF COOK SS

TO CHICAGO TITLE INSURANCE COMPANY UNIVERSITY DRIVE ACQUISITION, LLC.

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DATE OF PLAT: JULY 18, 2013

PROFESSIONAL LAND SURVEYOR
JOHN H. HISTURAK
035-00108
PARK RIDGE
ILLINOIS
STATE LICENSE NO. 035-00108

PROFESSIONAL LAND SURVEYOR NO. 3468
LICENSE EXPIRES NOVEMBER 30, 2014

CERTIFIED SURVEY, INC.

1440 Renaissance Drive, Suite 140, Park Ridge, IL 60068 Phone 847-296-6900 Fax 847-296-6906

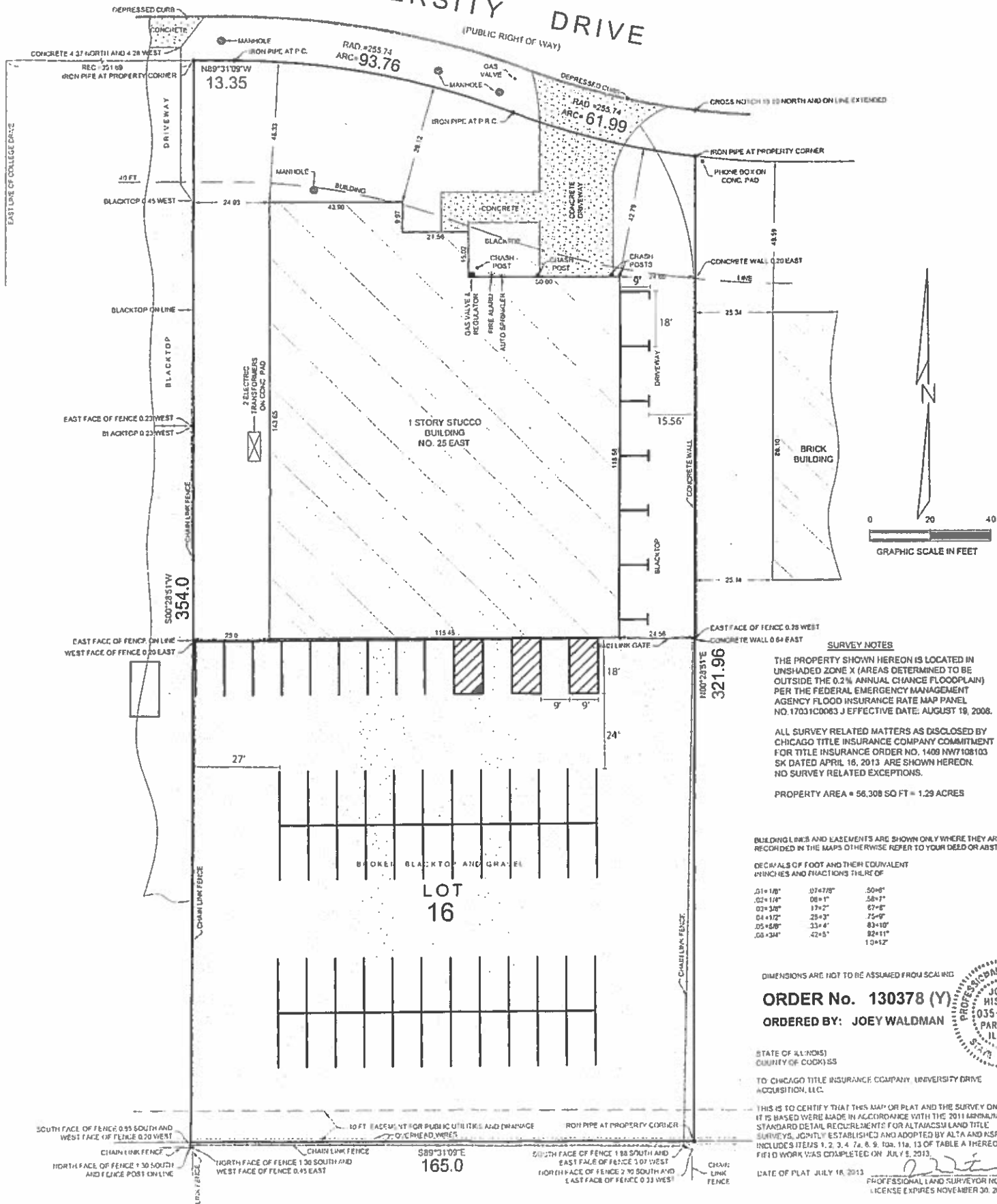
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UNIVERSITY DRIVE

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STATE OF ILLINOIS
 COUNTY OF COOK

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DATE OF PLAT JULY 18, 2013
 PROFESSIONAL LAND SURVEYOR NO. 3468
 LICENSE EXPIRES NOVEMBER 30, 2014



CERTIFIED SURVEY, INC.

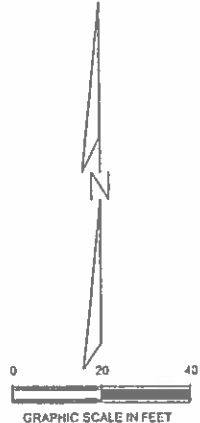
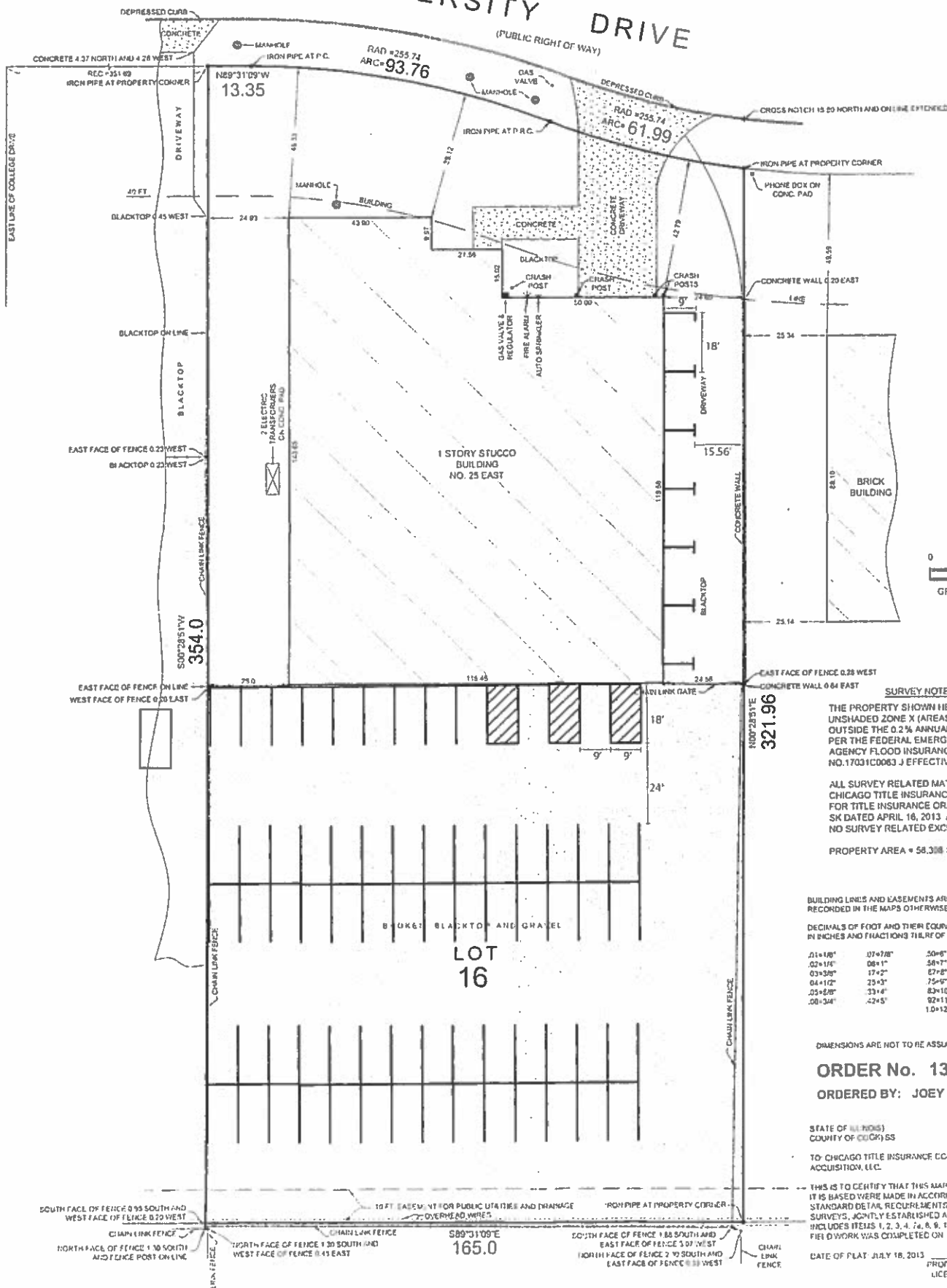
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COUNTY OF COOK, ILL.
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THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7, 8, 9, 10, 11, 13 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JULY 5, 2013.

DATE OF PLAT: JULY 16, 2013
PROFESSIONAL LAND SURVEYOR NO. 3428
LICENSE EXPIRES NOVEMBER 30, 2014

LOT 16

S89°31'09"E
165.0

CERTIFIED SURVEY, INC.

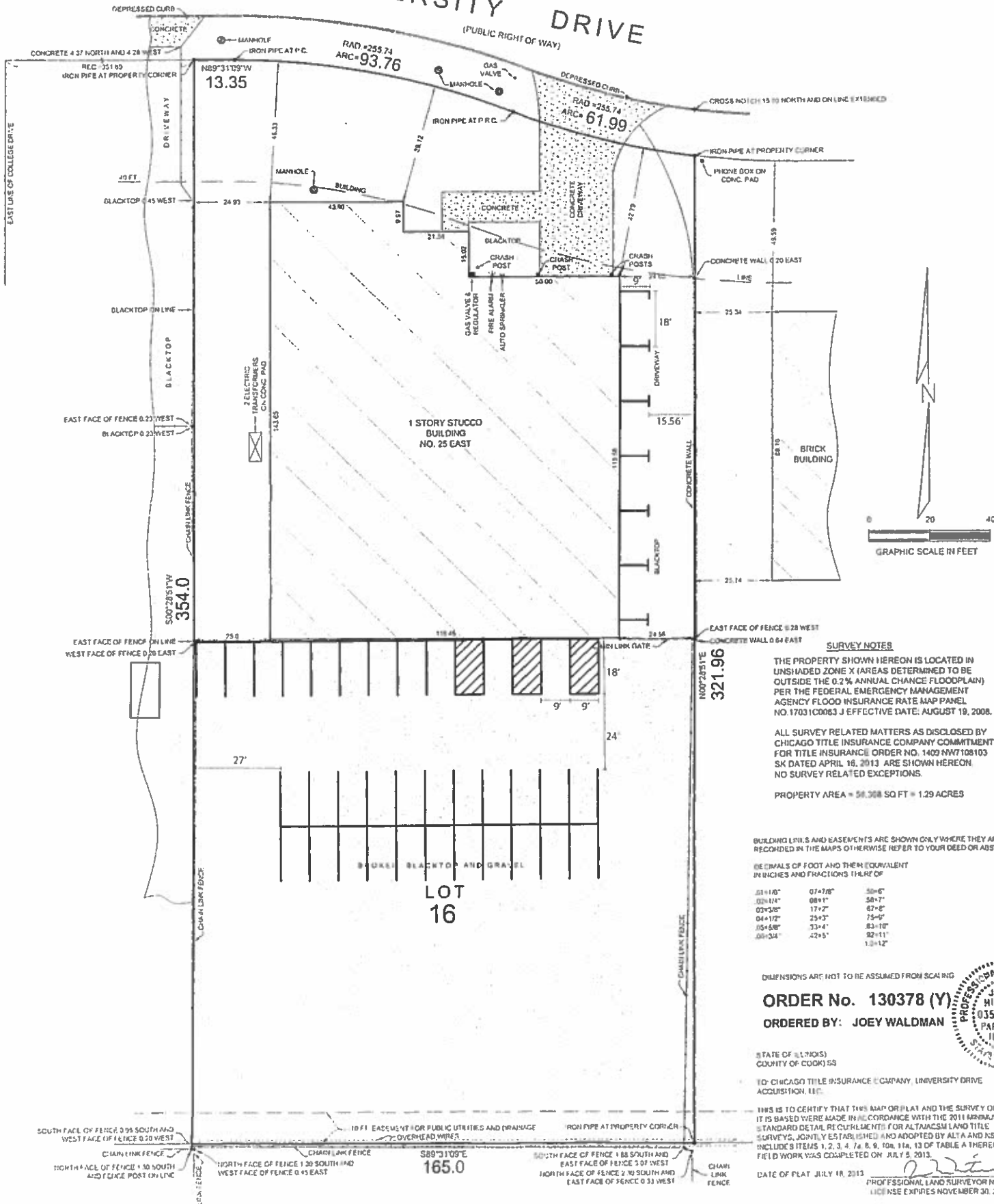
1440 Renaissance Drive, Suite 140, Park Ridge, IL 60068 Phone 847-296-6900 Fax 847-296-6906

Email: surveys@certifiedsurvey.com

ALTA/ACSM LAND TITLE SURVEY

OF LOT 16 IN RESUBDIVISION OF PART OF LOT 1 AND ALL OF LOTS 2 THRU 5 INCLUSIVE IN ARLINGTON INDUSTRIAL AND RESEARCH CENTER UNIT 1, A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 AND 1/4 OF THE NORTHWEST 1/4 IN SECTION 8, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 10, 1966 AS DOCUMENT NUMBER 19921923, IN COOK COUNTY, ILLINOIS.

UNIVERSITY DRIVE (PUBLIC RIGHT OF WAY)



SURVEY NOTES

THE PROPERTY SHOWN HEREON IS LOCATED IN UNSHADED ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP PANEL NO. 17031C0063 J EFFECTIVE DATE: AUGUST 19, 2008.

ALL SURVEY RELATED MATTERS AS DISCLOSED BY CHICAGO TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE ORDER NO. 1400NW7108103 SX DATED APRIL 16, 2013 ARE SHOWN HEREON NO SURVEY RELATED EXCEPTIONS.

PROPERTY AREA = 56,308 SQ FT = 1.29 ACRES

BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO RECORDED IN THE MAPS OTHERWISE REFER TO YOUR DEED OR ABSTRACT.

DECIMALS OF FOOT AND THEIR EQUIVALENT IN INCHES AND FRACTIONS THEREOF

.01=1/100"	.07=7/100"	.50=6"
.02=1/50"	.08=1"	.58=7"
.03=3/100"	.17=1/6"	.67=8"
.04=1/25"	.23=3/13"	.75=9"
.05=1/20"	.33=1/3"	.83=10"
.06=3/50"	.42=5/12"	.92=11"
		1.0=12"

DIMENSIONS ARE NOT TO BE ASSUMED FROM SCALING

ORDER No. 130378 (Y)
ORDERED BY: JOEY WALDMAN



STATE OF ILLINOIS
 COUNTY OF COOK SS
 TO CHICAGO TITLE INSURANCE COMPANY UNIVERSITY DRIVE ACQUISITION, LLC

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 NATIONAL STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7, 8, 9, 10a, 11a, 13 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JULY 5, 2013.

DATE OF PLAT JULY 18, 2013
 PROFESSIONAL LAND SURVEYOR NO. 3408
 LICENSE EXPIRES NOVEMBER 30, 2014

LOT 16

165.0



Hillside Auto Body & Service, Inc.
Plan Commission Application

Traffic, Bicycling Directions

