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PLAN

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

COMMISSION

RE: LEXINGTON HERITAGE TOWNHOMES - PC# 16-021

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 9th day of November, 2016 at the hour of 7:30 p.m.

MEMBERS PRESENT:

JOE LORENZINI, Chairman
TERRY ENNES
LYNN JENSEN
MARY JO WARSKOW
BRUCE GREEN
JOHN SIGALOS
SUSAN DAWSON

ALSO PRESENT:

SAM HUBBARD, Development Planner

DRAFT

CHAIRMAN LORENZINI: I would like to call to order this meeting of the Plan Commission. Would you all please stand and recite the Pledge of Allegiance with us?

(Pledge of Allegiance.)

CHAIRMAN LORENZINI: Sam, role call please.

MR. HUBBARD: Commissioner Cherwin.

(No response.)

MR. HUBBARD: Commissioner Dawson.

COMMISSIONER DAWSON: Here.

MR. HUBBARD: Commissioner Drost.

(No response.)

MR. HUBBARD: Commissioner Ennes.

COMMISSIONER ENNES: Here.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Here.

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Here.

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Here.

MR. HUBBARD: Commissioner Warskow.

COMMISSIONER WARSKOW: Here.

MR. HUBBARD: Chairman Lorenzini.

CHAIRMAN LORENZINI: Here.

Okay, the next item on the agenda is approval of meeting minutes from Marathon Gas Station, October 26th, 2016. Are there any comments or concerns?

COMMISSIONER GREEN: I would like to make a motion for approval.

COMMISSIONER JENSEN: Second.

CHAIRMAN LORENZINI: All in favor?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Opposed?

(No response.)

CHAIRMAN LORENZINI: Very good. I have to abstain from that. Sam, I wasn't here.

The next item on the agenda is public hearing PC# 16-021, Lexington Heritage Townhomes. Have all the proper notices been given?

MR. HUBBARD: They have.

CHAIRMAN LORENZINI: Okay. Is the Petitioner here?

MR. FREEDMAN: We are.

CHAIRMAN LORENZINI: And would, anybody that's going to testify, would you please come forward and we'll swear everybody at once? Would you please raise your right hand?

(Witnesses sworn.)

CHAIRMAN LORENZINI: Thank you. And, so who is going to speak first?

MR. FREEDMAN: I'll do that.

DRAFT

CHAIRMAN LORENZINI: Okay, please state your name and spell it for the court reporter.

MR. FREEDMAN: My name is Lawrence Freedman, F-r-e-e-d-m-a-n. I'm an attorney with the firm of Ash, Anos, Freedman & Logan, and I'm here on behalf of Lexington, which is the Petitioner.

CHAIRMAN LORENZINI: Okay, have you read all the conditions in the Staff report? Do you agree to them?

MR. FREEDMAN: Yes.

CHAIRMAN LORENZINI: Great, thank you. Please give your presentation about your project.

MR. FREEDMAN: John, I'll briefly introduce them all once we're through. We're here tonight with respect to the property at 3216-3240 North Old Arlington Heights Road and is indicated in the Staff report we're seeking multiple relief. We're seeking the re-zoning from the current M-1 zoning classification to R-6 multi-family dwelling. We're seeking from within your comprehensive plan to change it from research development manufacturing and warehouse to modern density multi-family. A preliminary plat of resubdivision and a preliminary plan and development all for the purpose of allowing nine row homes with 48 dwelling units on a single lot. Part of our request is also a repeal of the Arlington Heights overlay zone with respect to this property. Initially, I am going to have John Nelson, our planner, go through the particular piece of property and our proposal tonight.

CHAIRMAN LORENZINI: Sure, but before we do that maybe just for the audience who is here tonight, just so you know, the Petitioner, how this works, the Petitioner presents their program, the Staff report will give a report to the Commissioners. We'll all take turns asking questions and then we'll turn it over to the public to ask any questions you may have. So, that's how this works. So, please proceed.

MR. NELSON: Good evening, my name is John Nelson, N-e-l-s-o-n. I'm with Jen Land, LLC and we prepared the site plan for this evening. I've got three exhibits to review with you this evening. The first one is this aerial and zoning exhibit. Basically shows the subject property outlined in red. The property is comprised of five existing lots. Four of them have structures on them right now, one of them is vacant. The property has potential access. The property has frontage along, it's longest dimension, a north/south dimension on this easterly boundary on Old Arlington Heights Road and on it's shorter boundary along the north of the property line of the property is Country Lane. So, we have two potential access points for the subject property.

Immediately to the east of the property is the Village of Buffalo Grove and everything north, south, and west of the property is within the Village of Arlington Heights. Immediately south of us is a vacant lot and then further south at the intersection of the two Arlington Heights roads is a three-story office. West of us and northwest of us is more office, zoned the same as what we're currently zoned, the M-1 zoning. Essentially, one-story office type buildings. Immediately north is two vacant lots and north of that is a condominium, what started off as condominium building, essentially, it became a rental community that used to be zoned M-1. This, I think goes back to about 2004 and that kind of started the trend of re-zoning this overlay district area along Old Arlington Heights Road from the current comprehensive plan designation for R&D warehouse and stuff to basically residential. So, we're essentially requesting almost identical situation, but obviously a different product,

DRAFT

different site plan, different density.

East of us are two residential zoning category, kind of kitty-corner to the northeast, if you will, is a single-family development in Buffalo Grove. A cul de sac immediately across from us is a two-story condominium development and southeast of there, which really doesn't influence the property, is a church site. So basically, this site essentially has great access, is consistent with prior commitments by the city to re-zone this area, eliminate the overlay, and start to get some more appropriate land uses for the property other than the current uses that it is.

This is the proposed site plan. There was an official preliminary plat document that was submitted with this and was also a subdivision plat that was submitted with this. As you can see as I mentioned, toward the north of the site is Country Lanes and the east is Old Arlington Heights Road. We got two access points established, one on Old Arlington Heights Road, a simple loop system onto Country Lane. So, we have a nice emergency access capability for the site. All the streets proposed in this would be privately maintained by the association. The proposal is for essentially a townhome use, but there's two separate products.

In the northeast corner there's a grouping of three buildings at the intersection of Country Lane and Old Arlington Heights Road that are, what referred to as use product. That's a common name by my client, but it's essentially a rear-loaded townhome that has two-and-a-half-story front elevation and a three-story rear elevation. The private space for that particular product is really a balcony that is over the garages in the rear of the building. The other buildings on the south and west, the other six buildings are a traditional two-story townhome with a front-loading garage. Both of these products have two-car garages and two-car driveways. So, there is already four to one parking built in, which is an excess of your ordinance. But what we have also introduced into this plan is unassigned guest parking. In your PUD you only allow that to be a parallel parking space as opposed to perpendicular, so you'll notice that there are bump-outs along the road network to provide those unassigned off-street guests. I think when you have a townhome development, especially when you have front-loading townhome the driveways obviously absorb the available on-street parking. So, the key to any townhome development is to create orientations in the building so that you have some curve capability to generate guest parking. So, you can see that we have a cluster in the southend and a cluster in the north central and then immediately in the northend of the property.

You'll notice there's a big box off of Old Arlington Heights Road between the two uses; that's going to be the detention facility. It will be an underground vault-type system. Now, under your PUD what you usually do is you look at the property and you assign yards based on the configuration and orientation of the property. So, this is a corner lot, Country Lane is the front of the property or front yard. Old Arlington Heights Road is the exterior yard. The south property line is the rear yard and the west property line is the interior lot line. Now, you have a basic standard in the R-6 where the front yard is 25, the rear yard is 30, your exterior is 20, and your interior is based on a percent of the width of the lot. So, the width of this lot is essentially 400 feet. Now, when you look at this property it functions a little bit different than the way the math would want to be in your ordinance. In other words, the front yard is fine. We've got our minimum required of 25. We got two different buildings that we have two different heights. So, what your ordinance does is it adjusts the set-back based

DRAFT

on the height of the building. For all intention purposes, that cluster of three unit buildings what's two-and-a-half three-story needs to add five feet. So, the required set-back is 30 feet and that's what we're proposing.

The townhome, which is only up in that northwest corner, is just over your 25 feet, so that means we have to add a foot. It's a 26 foot required set-back and that's what we're proposing. Along the south property line that's the rear lot line; that has to be modified from 30 required up to one foot because of the building height, and that's what we're proposing. Now, where we're asking for some relief and some discretion is when you look at the east property line being Old Arlington Heights Road, we're aloud to go to 20 feet and on the west property line because of the width of the property, it has to be 10 percent adjusted by height. So, that would require a 40 foot set-back plus one foot of 41 feet. But when I look at the property I say, well first of all, even though Old Arlington Heights Road is an exterior lot line it really wants to be bigger than 20 feet because it's a little bit more major road than an internal subdivision. So, we've tried to treat that as a front yard basically, and increase the required from 20 feet to 25 feet.

We looked at the west property line requiring a 41 foot as being excessive. Some of that really belongs else where in the plan, in my opinion. So, it really wants to boost the set-back along Old Arlington Heights Road and it really functions as a rear yard because our buildings our rear ordinate to that. So, what we're requesting is a reduction from 41 feet to 31 feet, so that we're still treating that property line as a rear yard like all the other rear yard situations. So, essentially what happens then under a plan like this is there's PUD standards, most of which we comply with and some of which we're asking for a modification on. We are well under the density. We are proposing both two bedroom and three bedroom units. Now, each of the product has both a type 2 unit types each. One of each is only three bedroom and one can be two or three bedroom. So, we're showing a variety on the plan and we've only shown a minimal amount of potential two bedroom, but if this property was built for all three bedroom it would still be well under your standard. But it's not realistic that there wouldn't be some two bedrooms, so that's why we shown at least some. So that would be true for each product type.

The interior relationships of the building are also controlled under your R-6 and it all has to do with what type of windows occur in that wall. Whether it's a rear wall or front wall, side wall, it doesn't matter, you have standards that basically says that if they're living room windows, it's 50 foot separation. If it's bedroom, it's 30; if it's other than that, it can go to 24 and if there's no windows you can even go less. What we've essentially done is to make sure that we can have windows because we know that obviously that has a major impact to the quality of the architecture. So, we have two pure side-to-side conditions. That's the two southernly buildings being building six and seven and the westerly buildings eight and nine. Now, you'll notice that between six and seven we have a 41 foot separation and we have a 34 foot separation on the others. That would allow us to have bedroom windows and dining room windows, or anything but living room windows.

Now, each of these units are designed, for each of the product, is to be designed to be either an interior unit or an end unit. Now, the advantage when you have an end unit is that you get more light. And you only get more light if you add windows. That's why it was important that we felt and to make sure that we can at least get your bedroom windows by your definition and the dining room windows. Now, because they can be interior units all

DRAFT

the light and function of an air and all the architectural requirements are taking care of for a living room as an interior. So, we go to that as an end unit, we're restricted because we're under 50 feet to not have windows. We're requesting a variation to have the windows because we think that it's an asset for the end units. It's not a primary window because obviously if it's an interior those windows don't exist, but the advantage of anybody who wants to buy an end unit is those enhancements that you get when you have an end condition. So, that would be a requested variation.

One other request would be if you recall the parallel parking that I showed off-street, if these were public streets any parking along that road would be considered part of the street system. If you look at the northerly entrance off of Country Lane next to building one, there are two parallel spaces. The northerly one, most one, falls within technically the front yard. Now, if this was a standard street there wouldn't be any issue. I mean, because it's a private street that technically requires a variation. Now, if we can eliminate it and avoid the variation, but it's my experience where ever you can provide unassigned off-street guest spaces in a townhome development it's an asset and this is kind of a benign location and it works very well because it's one location where you really need to have some parking.

So, if you look at the over all development then in terms of the PUD, we would be well under the density, well under the floor area, well under the maximum building cover standards. We would only be requesting some adjustments to those five conditions. The parking, in that one location, the side-to-side relationship to allow living room windows on those other two buildings, which is your spacing standard. Your side yard set-back to be treated more as rear yard set-back along that west property line and one other condition is that you do allow privacy fencing to be perpendicular to the townhome units, the side-by-side units, to separate patios at five feet. We're requesting six feet because obviously it provides a higher degree of privacy between the units and that only occurs on the townhome addition.

Now, because this is a townhome development which means the units are side-by-side, nobody's up on top of each other. We have one additional benefit that we can do with a townhome development and that is we can create fee simple ownership. In a condominium, a pure condominium development, we have stacked units, you can't do that. But when you have nobody above and your unit is on the ground you can create a lot for that individual and there's a benefit to that, to have some form of fee simple. You still have association, you still have all the controls associated with that. However, when we do that it creates, and I'd think you'll notice in the Staff report, this large series of variations and the reason for that is is that each lot that you create is analyzed as if it was an individual unit on that and all of the bulk standards would apply. So, if we didn't have the lot, all of these go away.

The question is is it beneficial to have these units on if it's own individual lot because the variations that are required don't change the substantiate value of the plan, just is an asset for the overall community. So, the things that are effected, and I won't go through all of them, but there are basically the bulk standards that would effect your lot size would be smaller on that individual unit based. Overall, we don't have an issue. It's just on that individual unit basis. The set-back for the front, side, or rear; the purpose is to minimize the amount of building envelope, if you will, that contains the building. So, we're

DRAFT

purposely creating very small front yards, rear yards, and side yards just for the fee simple transfer. All the other relationships are still in tact. So, the building envelope generates stand a lot size variation, requires set-backs for front, side, and rear. A lot coverage variation, even though overall we are way under. An FAR for only the three-story variation on those lots, but overall we are way under which we're allowed. And certain permitted obstructions now become an issue where if the lot lines weren't there, then we don't have a side yard relationship with what have you. So, what happens is this product is designed, both products, the MUES and the two-story to have a vague condition. Some of it optional, some if it required just for aesthetics in certain locations.

Your ordinance doesn't typically allow a bay in a side yard because of the envelope, if we put a bay all of a sudden you can't do it, so we're asking, that triggers that permitted obstruction. It doesn't violate the separation issues, it only creates that additional permitted obstruction variation. The decks which are on the rear of the three-story, two-and-a-half three-story, they're really balconies, but by fire code we have to have a second egress. That means we have to put a stair. Soon as you put the stair on that balcony, which would be permitted by the way in the yard, it now becomes a deck. So, as soon as it's a deck there's another variation. Functionally, if the lot line wasn't there, there's no issue once again. So, it kind of triggers that and same things true for A/C units. Normally you put them in the back of the unit, that's not usually a problem. Soon as you put a lot line around it now you don't have the required set-back even though you do to the perimeter and it's all the other controls. I don't mean to be too wordy and lengthy on it, but I just want you to understand that take lot lines away and all these variations go away, but doesn't make it a better plan and it doesn't change what it really is, which is a plan that substantially fills the requirements of your PUD as well as the R-6 zone with the added advantage that if we get these variations, we can do a fee simple ownership.

So, to finalize then for the record, the total size is approximately 4.6 acres. We are proposing 48 units, approximately 60 percent or 29 of a two-story townhome. The other 40 percent or 19 are that two-and-a-half three story up in the corner. That parking ratio that we're proposing is 4.21 to 1, which means we have .21 guests distributed over and above what your ordinance requires and I've already gone over those perimeter requesting variations that are effected by the PUDs. With that, I will end my presentation. Karl?

CHAIRMAN LORENZINI: Thank you. Would you please state your name and spell it?

MR. KROGSTAD: Yes, good evening. My name is Karl Krogstad. I'll spell it, K-a-r-l K-r-o-g-s-t-a-d and I'm the president with Krogstad Land Design, Limited in Crystal Lake. So this is sideways so will just kind of, I mean, you have this in your packets. I did present back at the beginning of October this plan before the Design Commission and it was approved based on just a couple of comments, and I'll go over that, but I'll just briefly go through it this evening. What the plan shows is landscaping of a variety of plant material both shade trees, evergreen plantings, perennials and shrubs that are both used in common areas and also in the foundation plants around the building.

As far as the foundation plantings with the building they have taken account the architecture which will be presented next, but use the plantings to kind of enhance the building and the architecture to go along with it, framed different features with architecture and also try to bring some unique character to each of the entrances so that everybody has

DRAFT

some variety of color, texture, and evergreen, et cetera at the entrances of each unit as well as in the rear of these single-family, I'm sorry, the traditional townhomes we have patios in the back with those separated fences for privacy and then using some landscaping in those areas to soften it. So each person will have a private area that is very attractive.

In addition to that with the MUES product, again, landscaping used at the front entrances to really enhance those from the street scape point of view and also provide some columnar trees in the auto court area and those islands that are not occupied by the stairways that were mentioned earlier. And that gives some softening, some shade within those areas. The ordinance of the Village does require that retaining walls be softened with landscaping and that has been done wherever they're located because of some grade differentials are several retaining walls especially in the MUES product because the way that is two-and-a-half stories on one side and three stories on the other retaining walls are utilized in order to make those grade transitions. But again, those are turned into with the landscaping into a positive feature and really will enhance to the street scape along both Old Arlington Heights Road and Country Roads.

In the rear of the property, both the south and the west, we're proposing a solid board-on-board fence that will give some privacy in those areas along with the additional landscaping and this particular site was, did have, and I'll kind of go through this. There are some existing trees on the site, for the most part these are trees that are not high quality. They are, we've gone through the entire list and I evaluated as an arborist for the project the quality of the trees. We are able to preserve some both along the west and along the south property line where grading is aloud.

I just want to go back to this briefly with the landscape plan. There were two items that were requested or actually made conditions at the Design Commission that are not actually reflected on this colored rendering. They are on the drawings that you received. The one was that we originally proposed the sign at the corner, but we would have, they would not accept the drawing. We were thinking about a variation for that, but instead, we did relocate the sign at the entrance of Old Arlington Heights Road which does meet the requirements of your ordinance. The other changes we have, there was a request for paving, a differential type of paving at the entrances which is something that's been requested of many subdivisions and we are now proposing that as well. So again, just briefly goes through the major highlights of the landscape plan. This was again presented before them in October with just those two conditions and we met those conditions and with that I will turn it over to the architect.

MR. COX: Good evening, I'm Jay Cox. I'm a registered architect from BSB Design in Palatine. The last name is spelled C-o-x. I'm here to discuss the architecture portion of the submittal tonight and is been mentioned for us to get to this point with the architecture. We've worked with Village staff, done a review of the minutes for ordinances and taken a look at the local amendments. That's where we come up with things like the rear stairs off the decks. We've also presented to you and been approved by the Village Design Commission. So, what you'll see on the slides or your board packets is an overview of the townhomes being presented for this site.

The first set of elevations we are presenting are for the three-story townhomes. As was mentioned, they're two-and-a-half stories in the front and a full three stories at the rear. These are the buildings presented in the northeast corner of the site from

DRAFT

the three buildings. The plans range from 1,760 square feet to about 1,915 square feet for the larger unit. In order to create the sense of community for these homes we're implying some design elements across both three-story buildings and the two-story buildings that we'll take a look at in a minute. There's two color schemes which is why your seeing color scheme one and two. Those will be mixed between both building styles throughout the site.

Another commonality you'll see between these buildings, again the three-story and the two-story, is some of the detailing. We've taken use of, we've added brackets at the overhangs, shutters at the upper floor windows. We have four different types of siding exposures, two of the lap siding, some shake siding, and some board and batt siding. And again, you'll see that on the two-story townhomes as well. And then of course, we have our varying heights of brick across the front and sides. While these townhomes come together to create a pleasing building assembly as was mentioned by the landscape architect, they also have their individuality and we shown it individuality by changes in plane or changes in material. As well as, each one having a distinct entry marked by the roof features and the columns that frame the entry for each of the units.

As we move around to the rear, you can see the garage doors that were mentioned for these rear-loaded units. As well as the balconies and you can see those code required egress stairs coming down at the rear. And one of the things we notice is the detailing that we're talking about, the shutters, the various exposure of siding, were also brought around to the back of these units. Now, we're taking a look at the two-story townhomes. And these were the front-loaded units that were presented for use on the west and south portions of the site. The six remaining buildings. Again, you can see the various design elements that were brought from the three-story townhomes. They're carried over to these two-story townhomes and because these units are front-loaded, we've actually proposed and upgraded garage door with glass and additional detailing to try to present a nicer front feature with a garage. And again, we have two plans for these buildings. What you see is the 813 and the 830. They range from 1,630 square feet to 1,940 square feet, depending on which plan, which plan options would be selected. And like the three-story units, these buildings again, or these units again, come together to form a pleasing building, but again every individuality that the other units do.

And continuing on the sides and rears, again, you can see the masonry carrying around the various exposures of the siding and then the rear you can see we've continued to break out the elevation with protecting bays and again shutters and various other architectural features. So, those same design elements follow us around this architecture. So, with architecture there's always unlimited number of points to discuss, but as I mentioned this is an overview of the architecture that we're presenting tonight. So, I just want to note for you. Do you have any questions?

CHAIRMAN LORENZINI: We'll ask questions after your presentation is done.

MR. COX: Thank you very much.

MR. FREEDMAN: We also have here tonight our project engineer. I'm not going to call him, but he is available for questions and also Bill Rotolo representing Lexington is also here, and we're available to answer any questions you may have.

CHAIRMAN LORENZINI: Thank you. Sam, Staff report please?

MR. HUBBARD: Sure. I also have a real quick presentation, but I'll try to

DRAFT

be brief because the Petitioners were quite thorough, so they have hit on a lot of the points that I was going to hit on. So, as you heard, the Applicant's proposing 48 unit townhome development disbursed over nine buildings on the northern part of the Village. The property is currently zoned M-1, which is Industrial Research and Development and Light Manufacturing District. So, it would need to be re-zoned to accommodate for this development. Currently, the M-1 District permits beverage manufacturing and distribution, electronics manufacturing, post offices, just to name a few. So, the zoning will need to be changed and the Applicant's proposing an R-6 zoning classification. Additionally, the comprehensive plan which currently designates the property as research and development, warehousing and manufacturing, also has to be amended to moderate density, multi-family which would facility the zoning change and compliment the proposed townhome residential uses.

So again, as you did hear in 2004, the Timber Court Development, about 300 feet to the north, went through a similar process for re-zoning and an amendment to the comprehensive plan to the R-6 District which is moderate density multi-family, so Staff does see the trend development in this area meaning more towards residential. It doesn't necessarily seem a need to preserve the property as for, you know, light industrial research development and manufacturing. Additionally, the Applicant at the Village's request is proposing to repeal ordinance 92059 which relates to the Old Arlington Heights Road Overlay District. That was established in 1992, not to help facilitate development in this area, in a more cohesive and unified manner. Five of the overlay district properties are within the two record development. The subject property is five more of the overlay district which only leaves three overlay district properties left. Staff did not feel that it's necessary to keep that overlay district around as most of the properties have been developed so we do recommend that be repealed.

And then of course the Applicant has requested preliminary PUD and preliminary Plat of subdivision approval which means if they are approved this evening and move forward they will have to come back before the Plan Commission for final PUD and final plat of subdivision approval. So, I just wanted to outline some of the differences between the individual lot variations and the overall PUD variations. The Petitioner did a very good job of outlining that, but let me also kind of explain if you look on this graphic here you'll see the overall PUD as shown as indicated by the blue line. The red line indicates all the individual lot lines. So, based on those red lines we had to evaluate each individual lot for all bulk and set-back restrictions, and that's created the need for a lot of the variations.

I prefer focus on the overall PUD variations as they're more applicable. The individual lot variations are more arbitrary. They're just a function of the location of the lot lines and they don't actually relate to practical variations requested in this development. So, the first variation as you heard would be to reduce the side year set-back which is on the west of the property. Code requires a 41 foot set-back, the Applicant has proposed a 31 foot set-back. And this is a function of the overall lot width which is 400 feet. That's why that's required a larger 41 foot set-back. Because this area functions as more like backyard for the townhomes along the west side, we kind of compared it to what maybe a standard R-3 zoning would require for a backyard which is 30 feet. The Applicant is proposing 31 feet which we do support. We don't feel that this will create a negative situation in the development.

The next variation would be for the separation between the buildings. Again, as you heard, this is a functional of whether or not the buildings have a

DRAFT

window in the living room on the side. As you've heard, they will be providing a window. If there wasn't a window the buildings would be code complaint at 30 feet minimum set-back. They're proposed at 34 feet between buildings eight and nine, and I believe 40 feet between buildings six and seven. So, we felt that the addition of this extra window which would allow light into these end units makes up for the fact that there would be less light so to speak and air flow between the buildings as they don't meet that 50 foot separation. Because these buildings are not stacked with units on top of one another, you know, it really only affects the end units on the end and with that window will bring in that natural light, so we do support this variation as well.

Again, you heard the variation from the parking space on the north side of the property that, you know, again, theoretically by the code it doesn't meet the required 25 foot set-back off of Country Lane because it's technically an off-street parking space practically it's an on-street parking space, and in that sense that supports the variation. Finally, the last overall PUD variation relates to the fences proposed at six feet between the units, the backyards of the units, buildings four through nine. And again, in order to help increase privacy which is sometimes a little bit lacking in an attached situation, dwelling situation, Staff does support this variation as well. In you packet the Applicant did submit the required justification for variation relief and Staff has incurred the necessary standards have been met. I will admit to you as the Petitioner has mentioned as well, the site is compliant, well with regards to all the regulations, density, building coverage, height, on set-backs, and so forth.

I'll touch briefly on traffic and parking and I will mention that the Developer has proposed the addition of a second southbound lane of travel on Old Arlington Heights Road. They did submit a traffic study that analyzed trip generation, trip distributions, site circulation, and parking. It did conclude that the street network does have the necessary capacity to handle any increase in traffic that would be generated by the development without significant reductions to the level of service. I think it estimated that a total of 29 trips would be taken during the morning peak and then an additional 33 trips would be generated during the evening peaks. So, that's certainly when you think of like a post office or a beverage manufacture and distributor which we allow currently based on the zoning, you know, these numbers of trips would represent a much less disturbance to the surrounding neighborhood.

Code requires two spaces per unit and each unit does have a two-car garage. In addition, there will be 10 guest parking spaces and they're two spaces in the driveway of each unit, so that brings a total number of spaces up to 202. This is on par with similar townhome developments the Village as approved of the last decade. It equates to, as you've heard, 4.21 parking spaces per unit. The Arlington Reserves Townhomes have 4.25 spaces, so you know, this definitely in the realm of what has been approved in the past and we're comfortable on the Staff level. We don't believe that this is going to create a parking problem.

Finally, I just want to touch on the Housing Commission which met on September 6th to consider this development. The Village does have a affordable housing policy for multi-family developments based on the number of units in the development. This particular development triggers the requirement for eight affordable units. And the Village met with the Housing Commission to discuss that and the resolution at that meeting was that the Developer would instead of providing the eight affordable units would contribute upwards of

DRAFT

\$15,000 for each of the eight affordable units that they weren't providing, which would total about \$122,500. This would be required at time of building permit and it would go towards the Village's affordable housing fund which would be used to create affordable housing elsewhere in the community. So, there will be no affordable housing on this property, but it will, the money will go into the Village's trust.

So, that pretty much concludes the Staff report. We are recommending approval subject to conditions one through eight as identified in the Staff report and I'm happy to answer any questions.

CHAIRMAN LORENZINI: Thank you, Sam. Do we have a motion to conclude the Staff report into the records?

COMMISSIONER ENNES: So moved.

CHAIRMAN LORENZINI: Second?

COMMISSIONER WARSKOW: Second.

CHAIRMAN LORENZINI: All in favor?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Opposed?

(No response.)

CHAIRMAN LORENZINI: Very good. Okay, now for questions from the Plan Commissioners. Who would like to start? Lynn?

COMMISSIONER JENSEN: Yes, I was in Plat & Sub and I think you've done a very nice job of developing all the ideas that you brought before Plat & Sub and met with the issues over there. I do have a couple of clarifying questions. I guess one is of Staff, the Staff report Sam, you leave out a reference to variation 20 and I don't know if that was just an oversight or there's a reason for doing that. Standard report on page four you have the individual townhouse lot variations 1 through 19 and the next section start with 21. The -- of air conditioning that I wasn't sure why that's left out of the report.

MR. HUBBARD: 20 got shifted back into the individual townhome variation section. So, I think it talks about variations 18 and 20.

COMMISSIONER JENSEN: I see.

MR. HUBBARD: And they dealt more with the set-backs of the deck and air conditioners.

COMMISSIONER JENSEN: The only other question is in some of the earlier documents responding to the departments' questions, there's a reference of 49 units, but in this final duration you're at 48 units. So, I wasn't sure what went on there.

MR. HUBBARD: I can touch on that. The Petitioner worked extensively with Staff over the Plan Commission process to address all of our concerns. Originally, in fact, during Plat & Sub was proposed at 52 units onward to accommodate for some of the items that Staff has asked for they have reduced the units. I think probably at one point it was 49, now it's down 48.

COMMISSIONER JENSEN: At this point, I don't have any further questions.

CHAIRMAN LORENZINI: Mary Jo?

COMMISSIONER WARSKOW: Yes, just two quick questions. First, for the landscape architect. Are there native plantings in your landscape plan?

MR. KROGSTAD: There are some of the plants are native. It's not, there

DRAFT

is no, what we have done in other subdivisions, including in Arlington Heights, they have designed a native ponds when we do have that type of situation above ground detention, but on this one you can see the follow area that the land planner talked about between the two types of use that's, it's deck is going to be an open area. So, this is a little bit more of a ornamental design because of the formality of the units.

COMMISSIONER WARSKOW: I tend to like to see native plantings in developments, not just in detention basins, but throughout the community. They do -- in our area, so.

MR. KROGSTAD: Yeah, we do have plants such as the hackberry and they're out there that are native that we are using on this site, but it's not solely made of plantings.

COMMISSIONER WARSKOW: I didn't mean to insult you; I just wanted to see that there were native plants inter mixed in the landscaping.

MR. KROGSTAD: Yes, there are. Yes.

COMMISSIONER WARSKOW: Okay, thank you. And secondly, this is just for you Sam. I don't remember coming across the term fee simple before. Just for my understanding of what benefit they're trying to drive out of this individual plan. Could you explain to me what the fee simple with them?

MR. HUBBARD: The Developer could probably do a better job then I could with that.

COMMISSIONER WARSKOW: Okay.

MR. FREEDMAN: Fee simple is basically the lot, the ground that you only deed out completely. The house is always in fee simple. When you get into a condominium form of ownership, although you own the unit in fee simple, you share ownership of other aspects of it. The townhouse form of ownership as it was indicated in Jeff's testimony, when you don't have share ownership above you, like in a condo, you're able to create a deed-out to the buyer and you conclude a plot of land that is included in his fee simple deed-out, if he owns inclusively, not as shared. And we think that's a marketing plus. We think people like that better frankly. And we always liked it better. People prefer to, it's just human nature to own something themselves.

COMMISSIONER WARSKOW: Okay, thank you very much. That's all I have.

CHAIRMAN LORENZINI: Terry?

COMMISSIONER ENNES: I have a couple of questions and I think Mr. Nelson since you did such a good job and I would kind of let the Petitioner for the thoroughness of your presentation. It's nice when it comes, but I have a couple of questions and I think since you were describing this area of the development you might be able to answer it. One of the things that I noticed or have noticed with this type of development over the last decade or so, is that with the parking requirement, what we're seeing is the garage parking, a couple of driveway spots and very little parking within the community. So that, during times when people invite family over to their house and they might have three or four, their brothers or sisters come with their kids, where will people be able to park once the driveway spots are full?

MR. NELSON: You can't read, if I do this pointer, you don't see that I assume. Do you?

DRAFT

COMMISSIONER ENNES: Yes.

MR. NELSON: Okay. So, these are parallel spaces that are not part of the road system. So moving down here, there's a grouping here and there's a grouping there. Any you're correct, your ordinance only requires two to one; that's covered by the garages, okay. Now, two-car driveways help, okay, but there's, your peak demand and there's your functional demand is the way I look at it.

COMMISSIONER ENNES: Sure.

MR. NELSON: Your peak demand is actually, at night, when everybody's in place, all the cars that belong in the subdivision have to park. That's the easy one because you go in your garage or you go in your driveway. It's that random time and that's why it's very difficult to work in guest spaces in a front-loaded, and that's why we introduced them.

COMMISSIONER ENNES: Okay. So, how many spaces are tagged?

MR. NELSON: So, it comes out to a ratio of .21.

COMMISSIONER ENNES: Okay. Not a whole lot, but at least there's spots there that can help the people.

MR. NELSON: Yes.

COMMISSIONER ENNES: Another issue becomes placement of snow, especially when you have a community like this where the streets are owned by the association. Where can snow be pushed?

MR. NELSON: Well, snow, the biggest issue with snow and I kind of run across with it front-loading townhomes a lot, is really in a cul de sac situation, more so than it is in a linear situation. You can see that one of the things that this townhome developments done that is different than most, usually in a two-car garage townhome development or even a one-car for that matter, you see the garages grouped together; so you wind up with a four car garage situation and the entrances apart. Now, what this ones done because the units are wide enough to be able to do that is to separate the units which separates the driveways which gives you more opportunity for curb with less grouped pavement. Plus, it's a linear plan, so there's plenty of opportunity to push it even where the parallel spaces are. Obviously, you can see that there's green to the north of the ones on the south, to the east, you know, so that's the key is is that it functions in a normal rhythm without any major hang up for where that snow whines up because it functions really not to similar than single-family even though there's more driveways.

COMMISSIONER ENNES: So you think there's enough space in there?

MR. NELSON: Yes.

COMMISSIONER ENNES: Okay. I have one other question and I think possibly the architect, Mr. Cox. Thank you. Mr. Cox, the townhomes, the living space is over the garage, is that correct?

MR. COX: For the --

COMMISSIONER ENNES: For the townhome units? And maybe it's also the same situation for the, what do you call them, MUES?

MR. COX: Right, for the MUES, the living room is actually in the front.

COMMISSIONER ENNES: But is there living space above the garage space?

MR. COX: There is living space above the garage space for both of the plans. For the two-story, it's bedrooms.

DRAFT

COMMISSIONER ENNES: Okay.

MR. COX: We make sure we meet all the codes for MG, you know, separation of --

COMMISSIONER ENNES: What do you do to protect it so that there's heat in there, there is, that the living space doesn't get cold from the garage? For the drafts, the garage door is open and that kind of thing?

MR. COX: Sure, actually with the energy code becoming more strict as we progress there are things as far as air infiltration. The drafts a lot of times are what freeze pipes, but the space between the garage ceiling and the floor is very well insulated, especially with bedrooms. What we do in these cases, and we actually supplied the duct work from the attic coming down, so and it's all insulated, that's all trump lines.

COMMISSIONER ENNES: Wait, the duct work, there's what? I'm sorry.

MR. COX: The duct work actually projects up into the attic space and distributes down, so it's not trapped or creating cavities in that space. That's really actually the reason I mentioned it. So, the space between the garage ceiling and living space is insulated, it's draft stopped and it's insulated so you don't have the cold floor condition you get that you're worried about, or like you said, if someone goes away and leaves a garage door open and where you come home and you have an issue. With the way these are detailed and the way I've seen them built and we designed them, like I said, it meets the energy code and then on top of that it's a tight building with the air change per hour, I mean there's requirements that have to be met, suddenly pass scales I think the code requires that we have to make sure the buildings, they don't leak those kinds of things. Like I said, it winds up with a condition where with that insulation and the floor space you have a warm floor even over the garages.

COMMISSIONER ENNES: I hear from realtors sometimes that that becomes an issue when there's living space. Personally, I don't have living space over my garage, so I don't have that problem, but I hear it from realtors sometimes and I also suspect with the greater attention to energy efficiency that there's probably a lot of things that you're doing as a builder that treat that differently today.

MR. COX: And I can even say even in the walls there's ways to calculate things that two by four walls can be used and R-15 insulation. With this Developer, with the way these are details, we're going with two by six walls with R-19 or 21 insulation, so that's something that will work --

COMMISSIONER ENNES: And that's the exterior walls?

MR. COX: Yes. Even the garage separation wall between the garage and the living space adjacent to it, that's meeting the same requirement as the exterior envelope.

COMMISSIONER ENNES: Okay, thank you very much. That's all I have.

MR. COX: You're welcome.

CHAIRMAN LORENZINI: Bruce?

COMMISSIONER GREEN: Mr. Nelson, I have a couple of questions for you, if you could come on up?

MR. NELSON: Yes, sir.

COMMISSIONER GREEN: Sir, when we were at the Plat & Sub meeting, were these three-story units always up in the northeast corner?

MR. NELSON: No, they were not. I was not at that one, but originally we

DRAFT

had more of the two-and-a-half three-story than townhome, number one. They were all exclusively along the west property line and there were a pair of two-story townhomes up in that corner that one backed onto Country Lane and they were end-loaded to Old Arlington Heights Road.

COMMISSIONER GREEN: Okay, why did they get moved?

MR. NELSON: For a couple of reasons. The first was the townhomes have the highest value. They're the biggest units, most square footage, and there was a lot of concern. It's always difficult when you have frontage on two roads that you're kind of compelled to back on, okay, and that's always creates an issue in terms of privacy, ascetics, and all kind of other things. And we did have one building that backed on. So, there was a big concern by marketing and ownership to eliminate that condition. So that was probably the one thing that drove it.

The next was to change the proportion to go with more of the bigger, more expensive units and less of the two-and-a-half three-story units. By putting the townhome along the westend we achieved several things. That living space privacy is on the first level, that's easier to screen than it would be to have the two-and-a-half story three-story along that west property line overlooking the office buildings to the west. So, even though there weren't any private spaces there, the buildings were higher and they were going look out onto that. But this one, there two-story, but the first level is an easy screen, so those units now are not only more of them, but they're better located and they function better. At the intersection, what we do have the ability, even though it's the taller building is, which is not dissimilar then the five-stories that are further north, is the beauty of this product is what you see is the fronts, not the rears. So, because this is a rear-loaded product we've been able to frame the intersection with architecture, and it's front-loaded where --

COMMISSIONER GREEN: I agree. The backs of these three-story things are very plain and very box like. I don't want those to face the street. My question is though, on the northeast corner there, what's the street elevation. What's the curb elevation and what's the top of foundation? What's the difference in height?

MR. NELSON: I don't know exactly. There's a double step retaining wall there.

COMMISSIONER GREEN: Well, the retaining wall and the stairs seem to go all the way out to the 25 foot line.

MR. NELSON: We can answer it, I just don't have that off the top of my head.

COMMISSIONER GREEN: Okay, I need to, I want to get that, I thought to my head. I guess --

MR. NELSON: I have a rough idea, but I don't want to give you the wrong number. I know that the original grade up in that northeast corner was about 698 originally, if I recall.

COMMISSIONER GREEN: 0.78, yes. It looks like the high foundation is 707.

CHAIRMAN LORENZINI: I think we'll have the answer here. Can you state your name and spell it please?

MR. BURDA: Certainly. My name is Tim Burda, I'm with Haeger Engineering.

DRAFT

CHAIRMAN LORENZINI: Spell your name?

MR. BURDA: T-i-m and B-u-r-d-a. So, just to repeat the question?

COMMISSIONER GREEN: Yes, so at that corner --

MR. BURDA: You're talking about the --

COMMISSIONER GREEN: The curb elevation, the street elevation though of 698.78, and then you have a high foundation which means you have stairs running, you're breaking up a series of terrace stairs that cover 25 feet to get to the front door. How high is the foundation at the front door above the street?

MR. BURDA: Certainly. We're looking at building number two which is at Arlington Heights Road.

COMMISSIONER GREEN: That's the one.

MR. BURDA: Yes. We see the top of foundation here is at 707 at the front. Again, these types of units have roughly, there's about a four-foot of fall from the front to the rear of the unit. So, at that front is 707.

COMMISSIONER GREEN: Okay, so the street is 698?

MR. BURDA: Correct.

COMMISSIONER GREEN: So, you have nine feet of height in 25 feet.

MR. BURDA: Right. We are breaking that up with the wall along Arlington Heights Road. I don't know if you can --

COMMISSIONER GREEN: Okay, I'm looking at the wall. How high is the wall?

MR. BURDA: The wall we're proposing right now is around two feet.

COMMISSIONER GREEN: So, you're splitting it but you still have these stairs, you have to get from --

MR. BURDA: Correct, yes. We've got --

COMMISSIONER GREEN: Which is nine feet down up to the front door.

MR. BURDA: Correct.

COMMISSIONER GREEN: So, you're showing 25 feet of stairs broken up in looks like three steps in however many risers you have going up there.

MR. BURDA: Correct.

COMMISSIONER GREEN: So, how do you aesthetically, because you don't have any elevations that show nine feet which is another floor, in other words you have one more story here is where the stairs are, or excuse me, where the street here, and how you're going to get up nine feet to the front door.

MR. BURDA: Right.

COMMISSIONER GREEN: My question is how are you going to treat and what is the material? Do you have railings on the stair? What is it?

MR. BURDA: Okay. So, if we have steps in the pattern shown right now, groupings of three steps and then you have like a five-foot landing, we typically don't use railings. But when we need to group the steps closer together, that's when I think code requires railings and we would typically put that closer to the stoop.

COMMISSIONER GREEN: Now, only because I'm an architect and I've dealt with railings and things before, the old two risers no rail, three risers you need a rail, I've been hit with I need rail on everything. So, are you, did you check the code? Are you sure there's no rails required in two or less risers?

DRAFT

MR. BURDA: I can say that the way we've been designing and through past projects, we haven't used railings when we've had the three steps and then the five-foot landing. It's when we go beyond those three steps is when we start to require railings.

COMMISSIONER GREEN: When you do these outside stairs, what's the riser and what's the tread?

MR. BURDA: So, risers, I think we can't go any more than 7.75 feet.

COMMISSIONER GREEN: You wouldn't do that outside.

MR. BURDA: Then the tread is probably about one foot.

COMMISSIONER GREEN: But you would go 7.75 outside?

MR. BURDA: Well, we don't design it to the max, no. So, I would probably do seven --

COMMISSIONER GREEN: Right, so you'd be probably closer to 6.5 or something like that I would assume outside. Outside you go less and bigger tread, okay. So, my question is are these poured concrete stairs?

MR. BURDA: I think that they are poured concrete stairs.

COMMISSIONER GREEN: Here is my concern is that in other projects that we've seen, I'm thinking of the ones along like Mariano's, just for the panel to understand what I'm talking about, is as you go up these stairs and they pour these things and they bring the dirt up to them in an attempt to not have the separation so they don't need the railings, after six months to a year the dirt settles in and you have these stairs that become almost standing by themselves as the grade goes down. Quite frankly, they don't look as great as they could be. That's why when this original project came to us in the Plat and Sub, those three-story units which is two-and-a-half stories in the front plus another story to the street, that's a three-and-a-half-story height you're dealing with at the corner there. I was happy to see then that they were in the back, and now I see they're back in the front here.

So, my concern is the aesthetics of this because we don't have that on this pretty picture you show us. This is a four-unit building and you have seven-unit buildings, and you have another height down here. So, that's my concern is the look of this. I think before final I'd like to know exactly, if you would just check with the code before you come back to us with a final, give us that final design and maybe even a picture of what it's going to look like.

MR. BURDA: Certainly.

COMMISSIONER GREEN: That would be wonderful, thank you. That's all I have, Chairman.

CHAIRMAN LORENZINI: Susan?

COMMISSIONER DAWSON: Sam, Timber Ridge to the north was approved for three buildings and they built two. Do you know what's going on with that third building? Do they have to come back to us if they want to have one? What's --

MR. HUBBARD: I don't know. I'd have to go through the actual approval ordinance. I mean typically if they've started a project and they have approval for three buildings and they've only built two, regardless of the fact that it may have been several years, as long as they've started the project and completed it as proposed, they wouldn't normally need to come back unless there was a specific condition added to the ordinance which I'm not aware of.

COMMISSIONER DAWSON: So, was there any, when traffic was

DRAFT

discussed on this road, did anyone take in the fact that there could be another building placed, I mean I believe that's where the building would go, it would have been right up against this Country Lane. I can't seem to, I can't recall, it was years ago, was it? Was it north?

COMMISSIONER SIGALOS: No, I think --

COMMISSIONER DAWSON: Okay, the third building?

COMMISSIONER SIGALOS: Yes.

MR. HUBBARD: Yes, the third building would go right here. I don't know if --

COMMISSIONER DAWSON: So, what's the, who owns the property between them?

MR. HUBBARD: So, those are two properties and they're separate ownership. I do not believe that they're owned by Timber Ridge but I'm not a hundred percent sure on that. I don't know who owns them.

COMMISSIONER DAWSON: Who owns the lot just to the south of this property?

MR. HUBBARD: That lot is owned by the property owner here who owns this office building.

COMMISSIONER DAWSON: Okay, could you go back to the screen with all the lot lines?

MR. HUBBARD: Which one?

COMMISSIONER DAWSON: The one that had the red showing the fee simple.

MR. HUBBARD: Yes, give me one second here.

COMMISSIONER DAWSON: Well, I mean I guess I can ask my question while you're looking for it. It only shows, it just doesn't include all the way down to the street, I was just curious, was this just for our convenience or was there a reason why the ownership doesn't go all the way down to the street?

MR. HUBBARD: You're talking about for the red properties?

COMMISSIONER DAWSON: Yes, I mean the lots.

MR. HUBBARD: Right.

COMMISSIONER DAWSON: Is this actually showing the lots that people will own?

MR. HUBBARD: Correct.

COMMISSIONER DAWSON: Or was this, I mean this is the actual lot size so it will not carry to the street?

MR. HUBBARD: Right, correct.

COMMISSIONER DAWSON: What's the reasoning for that?

MR. HUBBARD: That's just how it was designed. I don't know what their reasoning was.

MR. FREEDMAN: I think the reasoning was to maximize the common area, to create a private lot ownership for a lot to every single unit, but to maximize the area that's commonly maintained by the association. I mean you could run those lots to the street but I don't know what you would gain by that. Right now, obviously the area between the end of the lot and the street behind is going to be open space grass and then maintained by the association.

DRAFT

MR. HUBBARD: So, they would probably replace all the driveways in phases as the, you know, as the development, the owners association would as opposed to each individual townhome, you know, repairing their driveway as they needed.

MR. FREEDMAN: I haven't seen the declaration but I think that's correct, Sam. I think probably, that would be done as probably, firstly it's cost efficient, secondly the uniformity. I think that's probably what would be done.

COMMISSIONER DAWSON: Are the owners going to understand that? I mean I just am concerned that the general layman coming in to buy the property isn't going to understand the ramifications of not owning the driveway.

MR. FREEDMAN: Well, they may not own it but they'll have an easement over it. It's the same thing as when you go over a parcel.

COMMISSIONER DAWSON: Sure, but they can't just simply make repairs or change driveway if it's owned by the homeowners association.

MR. FREEDMAN: I don't expect the average person to read any condominium or townhouse declaration, to read every page and understand it. But I believe, number one, most people who buy have attorneys who explain it to them; and secondly, we do explain the details of what they get and what they don't get. That kind of question would be understood because what people particularly want to know is what can I do on my lot and what is the association maintaining. That is explained to buyers.

MR. HUBBARD: I would add that this isn't just this development, this is how Arlington Crossings was done. This is how Ardmore Townhomes was done. This was how Reserves was done.

CHAIRMAN LORENZINI: It's not unusual.

COMMISSIONER DAWSON: Okay, it just was surprising to me to see it. I do more commercial real estate in my practice, I don't do residential. I don't deal with a lot of homeowners in this kind of capacity. But I know just when I bought my home, I'm not in a homeowners association so it's different, it would have shocked me to find out I didn't own my driveway. So, I was just, when I saw that I thought, well, that's interesting, why is it that it doesn't include the driveway?

But if you're saying, Sam, that that's how they are always done, then you know, I'm not asking you to change it but I was just --

MR. FREEDMAN: I don't think the expectation you're concerned about really happens. I think with everybody, yes, you'd think that's my driveway and it is. The fact that part of it is on fee simple and part of it is on an easement right. I've never run into that being a concern by a homeowner.

COMMISSIONER DAWSON: I would probably guess that many homeowners don't fully understand that. But that's not, I'm not trying to imply that you're misleading them in any way, shape or form.

MR. FREEDMAN: No, I didn't think you were.

COMMISSIONER DAWSON: I'm just saying that the average individual, and even, you know, if someone is going to buy one of these properties, generally residential, you get your survey at closing if not, you know, an hour before. It's not like a commercial deal where you're getting it a month before closing and you're studying it.

MR. FREEDMAN: I don't think they even think about it. But I think one of the reasons they don't is I don't think it ever rises to be an issue.

DRAFT

COMMISSIONER DAWSON: Okay, all right. That was just surprising to me when I saw that. I didn't know if that was just for our convenience or if it was intentional. I have no other questions.

CHAIRMAN LORENZINI: John?

COMMISSIONER SIGALOS: Sam, can we pull up the aerial view of the property and the adjacent, that's not it. I was at the Plat & Sub and I know I asked a question back then, the two properties north of Country Lane and the one property south of the Lexington development, is there any hopes of purchasing those and expanding this? In other words, to the north of Country Lane off to the Timber Courts condos?

MR. ROTOLO: I wasn't sworn in.

(Witness sworn.)

CHAIRMAN LORENZINI: Would you state your name and spell it please?

MR. ROTOLO: Bill Rotolo, R-o-t-o-l-o.

CHAIRMAN LORENZINI: Thank you.

MR. ROTOLO: We've contacted the landowners to the south and they just are not interested in selling. The landowner to the north, we never got a response of any kind. So, we did get a response from the owner to the south.

COMMISSIONER SIGALOS: It's just a vacant property and he's not interested in selling?

MR. ROTOLO: No.

COMMISSIONER SIGALOS: Okay.

MR. ROTOLO: We've tried. We actually made an offer on the one to the south. No, didn't want to sell.

COMMISSIONER SIGALOS: The other question I had, I'm assuming you've done some market studies and the conditions are better today than they were six years ago or so with townhomes? The condominiums to the north, Timber Courts was originally built as condos, three buildings. Because of the economy, those three buildings were never built, the condos became rental units, it's kind of a mess over there.

MR. ROTOLO: I will say this, the condo marketing in the suburbs, especially outside of downtown areas is very weak. You're not seeing any new construction of condominiums in the suburbs in the main except for maybe Oak Park and Evanston where the markets are very strong in the large downtowns. The reason being there were a lot of foreclosures, the prices have not recovered, and we couldn't build them for the price, nobody would buy them. We'd have to charge more than people are willing to pay.

We did the market research in this area, and the condominiums on the west side of Arlington Heights Road, I think it's called Verde something, you can buy a unit over there for less than \$100,000, a two-bedroom two-bath.

COMMISSIONER SIGALOS: But you're confident that the market research there would support townhomes?

MR. ROTOLO: It's very strong right now, very strong. You know, we have other developments in the area, Palatine, Rolling Meadows, and we're selling at a decent pace, about three months which it's not like it was in the heyday but it's a lot better than it was during the recession.

COMMISSIONER SIGALOS: You anticipate building, or breaking ground for each building as the units are all sold within that building?

DRAFT

MR. ROTOLO: Yes.

COMMISSIONER SIGALOS: Or will this whole thing be developed at one time?

MR. ROTOLO: Yes. I will say if there is, say a five-unit building and we sold four, we'll start the building and we'll sell the last one, you know, as it goes. But in the main, we do not start until we have sold, except for the models.

COMMISSIONER SIGALOS: I just want to clarify, these buildings are all fully sprinklered? Fire sprinklered?

MR. ROTOLO: Whatever your code requires.

COMMISSIONER SIGALOS: I thought I saw something in the Fire Department comments, they're required?

MR. HUBBARD: It will be, yes.

MR. ROTOLO: I believe so. Most communities are requiring sprinklers today. Are you aware of that? Do you know that?

MR. COX: Yes, they will be.

CHAIRMAN LORENZINI: Can you state your name again please? State your name again just in case the court reporter forgot.

MR. COX: Okay, Jay Cox.

CHAIRMAN LORENZINI: Jay Cox, thank you.

COMMISSIONER SIGALOS: Okay, thank you. That's all I have.

CHAIRMAN LORENZINI: Terry, did you want to say something?

COMMISSIONER ENNES: I just wanted to clarify that when Mr. Rotolo was talking about condominium, you were talking about an individual apartment condominium as opposed to a townhome. You were differentiating them.

MR. ROTOLO: Yes.

CHAIRMAN LORENZINI: Okay. Sam, the \$122,000 for affordable housing, so I assume that's some type of Village lockbox which guarantees it's going to for affordable housing programs?

MR. HUBBARD: I would also assume so, yes. I don't know the specifics of where it's kept, but it's kept until spent for the affordable housing programs.

CHAIRMAN LORENZINI: Just a general question. So, each village in the county is required to have so much affordable housing. How are we doing as a village?

MR. HUBBARD: I believe we are above the 10 percent state requirement.

CHAIRMAN LORENZINI: My question I guess would be for the landscape architect. What's going to be on top of the detention pond? Just sod?

MR. KROGSTAD: Yes, that's going to be an open area and sod. Then along the perimeter of it, there will be trees, but we'll try and limit any planting because of root conflicts on top of the vault.

CHAIRMAN LORENZINI: Okay, and maybe Mr. Freedman, prices of these homes? \$300,000, \$400,000, \$500,000 range?

MR. FREEDMAN: Again, there's two product types. The muse product is the lesser expensive of the two. They do not have basements and they will be priced around 330 to 350. The two-story front-loaded garages with studio basements, they'll be in the 375 to 400 range. That's base.

CHAIRMAN LORENZINI: Last question, I'm not sure who would answer

DRAFT

this, but some of the development in the Village end up having a lot of cable boxes and TV boxes and things in the front lawn. Are we going to end up with something like that here?

MR. FREEDMAN: You're the architect, answer it.

MR. COX: Well, I guess I would say we do our best to create detailing when we move forward to construction documents. So, what we try to do is be sensible about electric meters and gas meters and how it hooks up to the adjacent utilities. To try to, you know, avoid painting a rosy picture, they are part of any modern home. But like I said, the best we can do is to be sensitive.

CHAIRMAN LORENZINI: But putting the cable box underneath the porch, underneath the deck, is a lot more acceptable than putting it in the front yard.

MR. COX: Right, and typically as well, I'll let the landscape architect speak, but we even take care to locate where furnaces are, where electric panels are inside so we meet the codes for the distances between the electrical meters and the sockets. So, we do actually take care to detail those things as, and the Board will understand, you know, where sewer and water and water heaters are, they're planned inside the building and outside the building.

MR. KROGSTAD: Again, Karl Krogstad, landscape architect. You'll see on the drawing, and I actually have a note, we are trying to screen in any of the utilities there on the buildings such as gas meters, electric meters and we want to make adjustments in the field as necessary to screen those. So, it's our intention to screen, they could still be accessed by the utility companies, but to have plantings that are adjusted for the final location of those meters.

CHAIRMAN LORENZINI: Okay, thank you. That's all the questions I had. So, we're going to next open it up to the public for any questions. Why don't we start on your right side, my left side? Anybody on the second row have any questions, comments? Anybody on that side of the room? Then let's go to this side of the room, my right, your left. Yes, sir, would you please state your name, spell it for the court reporter and ask your question or make your comment?

QUESTIONS FROM AUDIENCE

MR. MOATS: Yes. My name is Larry Moats, I represent the Richard Taylor family with regard to the three-story building on the south, south of the building you're at.

CHAIRMAN LORENZINI: Would you spell your last name please?

MR. MOATS: M-o-a-t-s is the last name, first name is Larry.

CHAIRMAN LORENZINI: What building do you represent?

MR. MOATS: 3233 North Arlington Heights Road.

CHAIRMAN LORENZINI: Okay, thank you.

MR. MOATS: In any case, we're excited about the development that's going to take place and I just want to preface any remarks that we do make in that regard. A couple of kind of basic things here that we're interested in is, first of all, the drainage capacity of that area, I know we do have challenges in terms of heavy rains, in terms of the water draining fast enough and sometimes even overflowing into the building itself. We're just wondering what this project, how this project is going to impact that drainage infrastructure.

DRAFT

CHAIRMAN LORENZINI: Okay, I doubt we'll get into real specific details, but Sam, do you want just in general say how we handle these issues? Drainage issues?

MR. HUBBARD: Yes. The county has a local ordinance that governs stormwater management, and it states that you can't create any stormwater runoff onto adjacent and neighboring properties. So, this development will be subject to those requirements, so they have designed an underground detention to meet the standards of the MWRD to contain and detain their stormwater and then will eventually run them to the city storm sewer system.

MR. MOATS: Is this something that needs to get approved by the Village then as well, or Arlington Heights?

MR. HUBBARD: Their final engineering plans are subject to our review and approval, and they'll need permits through MWRD and so forth for other portions of it, yes.

CHAIRMAN LORENZINI: In addition to Sam's Planning Department, there's an entire Engineering Department that studies and looks at all the drainage, traffic, all those type of issues.

MR. MOATS: I guess so, pardon my ignorance. But I mean is there anything that we should be doing to, you know, be assured that this is being looked after? Because it is a very sensitive issue. Needless to say, you have a lot of customers coming in there, when you have a flooded, you know, parking lot, it's a very awkward situation. If it's going to get worse as a consequence of this, it just doesn't make any sense, it's bad for everybody.

MR. HUBBARD: Sure, yes, and it's a sensitive issue for Staff as well. So, we don't want to create any, you know, problems for neighboring property owners either. So, you know, we do our utmost to make sure that it conforms to all the stormwater management requirements.

MR. MOATS: I guess the second issue that we'd like to just quickly touch upon, that is the parking. I know that's been discussed here this evening, you know, when you have a building that, you know, unfortunately with the economy recovering and so forth and so on, there is a lot more activity in our building. We have some concern that people might use the parking in our building as the development takes place. Are there any feedback we can get on that in terms of how do we make sure that this isn't an issue?

MR. HUBBARD: Well, it meets the code requirements of the Village for how many parking spaces is required. In fact, it goes above and beyond by providing some guest spaces. So, you know, we don't anticipate that it's going to create, you know, parking problems and a burden on adjacent property owners. Certainly, you can post complying, you know, tow signs in your parking lot, I mean that could be an option. But we don't anticipate that this is going to be a problem.

CHAIRMAN LORENZINI: There are certain Village codes that require so much parking from any development, and they've met the parking requirements for their development.

MR. MOATS: We're quite aware of that. But again, I know that it was brought up this evening, you know, about the possibility of overflowing parking concerns. You know, so we're just naturally concerned how this might impact our property as well. Again, I'm not sure that there's anything you can do about it but we would like to bring it to your attention if it's appropriate to review this.

DRAFT

CHAIRMAN LORENZINI: Okay, thank you.

MR. MOATS: I guess the other area just in general, and again we really appreciate the presentation tonight, we appreciate what the Village of Arlington Heights is doing in terms of making sure that real estate is getting built in a way that's good for the community as a whole. But again it appears, and we're not experts in building property, we'd like to think we're experts in managing properties, but it seems like there are a lot of variances that are requested with this property. I was just wondering if it would be appropriate that we could meet with some of the people with Lexington and go over some of the issues that they talked about tonight with regard to modifications they requested from the Village.

MR. FREEDMAN: We'll give you a card.

MR. MOATS: You know, in that way we could have a better comprehensive view of how it might impact our property. Again, we're here to be part of the community, not to cause trouble. We just want it to be best for everybody.

CHAIRMAN LORENZINI: All right, I appreciate your comments.

MR. MOATS: Thank you.

CHAIRMAN LORENZINI: Anybody else on this side of the room? Comments or concerns, questions? Okay, if not, we'll close the public hearing portion and go back to the Commissioners for final questions, deliberations and/or recommendation. Lynn, anything?

COMMISSIONER JENSEN: Well, just to clarify a couple of points you just made, and then Sam, you can restate that. So, as is the case with every petitioner, they have to take care of all the water runoff on their property. But they're not required to fix all the water runoff problems in the entire area.

MR. HUBBARD: Correct.

COMMISSIONER JENSEN: The Village feels confident from this or will feel by the time they develop it that they will have met that requirement, so they will take care of the water runoff that they're responsible for.

MR. HUBBARD: Absolutely. We won't approve them unless they meet the standards of the WMO.

COMMISSIONER JENSEN: The other thing, maybe you can just clarify, you indicated that there are a limited number of variances that are required if you were doing one piece of property over lots broken out separately. So, the bulk of the 25 or whatever is because they're going to this fee simple lots. So, there's really only about five variances as I understand it that really would be of major concern to you, is that correct?

MR. HUBBARD: Yes.

COMMISSIONER JENSEN: Okay, thank you.

CHAIRMAN LORENZINI: Mary Jo?

COMMISSIONER WARSKOW: I don't have any questions. Just I think it's a really great design.

CHAIRMAN LORENZINI: Terry?

COMMISSIONER ENNES: Nothing further.

CHAIRMAN LORENZINI: Bruce?

COMMISSIONER GREEN: I really have nothing.

CHAIRMAN LORENZINI: Susan?

COMMISSIONER DAWSON: I don't have any questions. The only

DRAFT

comment I would make to the managing property owner is that once it's built and people try to move in, I would form a good relationship with the homeowners association because that's going to probably be, I mean the owners can do the best they can to make assurances to you. But once they're done, they turn it over to the homeowners association. So, it's going to be very important to develop a strong relationship with them relating to your parking lot because it's a very viable concern. I think if you're a good neighbor and you work with the homeowners association and you're flexible with them, then they'll probably honor your concerns.

MR. MOATS: I appreciate your remarks. Thank you

CHAIRMAN LORENZINI: John?

COMMISSIONER SIGALOS: No, I have nothing further.

CHAIRMAN LORENZINI: I have nothing further. Do we have a motion or recommendation here?

COMMISSIONER WARSKOW: I make a motion.

A motion to recommend to the Village Board of Trustees approval of PC# 16-021, a Rezoning from M-1 Research Development and Light Manufacturing to R-6 Multifamily Dwelling District; an Amendment to the Village's Comprehensive Plan to change the underlying land use designation from Research & Development, Manufacturing and Warehouse to Moderate Density Multifamily; a Preliminary Plat of Resubdivision; a Preliminary PUD to allow nine townhome buildings with 48 dwelling units on one zoning lot; Repeal Ordinance 92-059 and 92-060 relative to the Old Arlington Heights Overlay Zone; Variations 1 through 25 as outlined in Exhibit 1.

This approval shall be subject to the following conditions:

- 1. Approval of final plat of subdivision and final PUD.**
- 2. The internal roadway network and all underground utilities (water, sanitary, storm) shall be privately owned and maintained by the homeowners association.**
- 3. The Petitioner shall comply with the September 6, 2016 motion of the Housing Commission to provide a fee in lieu of for affordable housing (\$2,500 for each unit in the development) to be paid at the time of building permit.**
- 4. The Petitioners shall comply with the October 4, 2016 motion of the Design Commission.**
- 5. No fence shall be allowed in the area between the townhome buildings and Old Arlington Heights Road, and no fence shall be allowed in the area between the townhome buildings and Country Lane.**
- 6. Construction of all off-site public improvements as required per IDOT approval.**
- 7. Contribution fees shall be paid for parks, schools and library per Chapter 29 of the Municipal Code.**
- 8. The Petitioner shall comply with all federal, state and Village codes, regulations and policies.**

DRAFT

CHAIRMAN LORENZINI: Is there a second?

COMMISSIONER SIGALOS: I'll second.

CHAIRMAN LORENZINI: Okay, roll call vote please.

MR. HUBBARD: Commissioner Dawson.

COMMISSIONER DAWSON: Yes.

MR. HUBBARD: Commissioner Ennes.

COMMISSIONER ENNES: Yes.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Yes, with comment.

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MR. HUBBARD: Commissioner Warskow.

COMMISSIONER WARSKOW: Yes.

MR. HUBBARD: Chairman Lorenzini.

CHAIRMAN LORENZINI: Yes. Commissioner Green, comment?

COMMISSIONER GREEN: My only comment is I think it's a great site plan. I like the fact that we don't have all the fronts along Old Arlington Heights Road which was a concern in Plat and Sub. Just a reminder, get the sidewalks and railings and the retaining walls when you come back for final, or when you go to the Village Trustees, give them an elevation or rendering or something so they can see this situation so they're aware of it. That's all. I think it's a great project.

CHAIRMAN LORENZINI: Okay, congratulations. You received a unanimous recommendation. So, good luck.

Any other business? Anything else? Anything else, Sam, on the agenda we need to talk about?

MR. HUBBARD: Nothing.

CHAIRMAN LORENZINI: Anybody have any questions or anything? Okay, motion to adjourn?

COMMISSIONER JENSEN: I move we adjourn.

COMMISSIONER GREEN: Second.

CHAIRMAN LORENZINI: All in favor?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Opposed?

(No response.)

CHAIRMAN LORENZINI: We're adjourned, thank you.

(Whereupon, the meeting was adjourned at 9:02 p.m.)

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STATE OF ILLINOIS)
) SS.
COUNTY OF C O O K)

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

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ROBERT LUTZOW

SUBSCRIBED AND SWORN TO

BEFORE ME THIS _____ DAY OF

_____, A.D. 2016.

NOTARY PUBLIC